

WITHOUT PREJUDICE CONSENT CONDITIONS (DA/662/2022)

PART A – GENERAL CONDITIONS

Planning

Approved Plans and Supporting Documentation (DoP Mandatory Condition)

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings (Bates Smart Project No. S12532)

Drawing/Plan No.	Issue	Plan Title	Dated
DA00.00	C	Cover Page and Drawing List	30/05/23
DA01.00	C	Site Plan	30/05/23
DA03.00	C	Level 00 – Ground Floor	30/05/23
DA03.01	C	Level 01 – Lobby (except where modified by plan below)	30/05/23
DA03.01	C	Level 01 – Lobby (with HV Control Point markup)	12/09/23
DA03.01M	C	Level 01M – Lobby Mezzanine	30/05/23
DA03.02	C	Level 02 – End of Trip	30/05/23
DA03.03	C	Level 03 – Plant Floor	30/05/23
DA03.04	C	Level 04-21 Typical Low Rise	30/05/23
DA03.22	B	Level 22 – Tenant Floor	15/03/23
DA03.23	B	Level 23 – Plant & Lift Overrun	15/03/23
DA03.24	B	Level 24 – Plant Floor	15/03/23
DA03.25	B	Level 25-41 – Typical Mid Rise	15/03/23
DA03.42	B	Level 42 Mid-High Transfer	15/03/23
DA03.43	B	Level 43 High Rise (Lift Overrun)	15/03/23
DA03.44	B	Level 44 High Rise (Lift Machine Room)	15/03/23
DA03.45	B	Level 45-56 – Typical High Rise	15/03/23
DA03.57	B	Level 57 – Plant Floor	15/03/23
DA03.58	B	Level 58 – Rooftop Plant	15/03/23
DA03.59	B	Roof Plan	15/03/23
DA.03B1	B	B01 – Basement Loading & Parking	15/03/23
DA.03B1M	B	B01 – Basement Mezzanine	15/03/23
DA03.B2	B	B02 – Basement Parking	15/03/23
DA09.01	B	North Elevation	15/03/23
DA09.02	B	West Elevation	15/03/23
DA09.03	B	South Elevation	15/03/23
DA09.04	B	East Elevation	15/03/23
DA10.01	B	Section A	15/03/23
DA10.02	B	Section B	15/03/23
DA11.01	B	Podium Elevation 1 – North	15/03/23
DA11.02	B	Podium Elevation 2 – West	15/03/23

Drawing/Plan No.	Issue	Plan Title	Dated
DA11.03	B	Podium Elevation 3 – South	15/03/23
DA11.04	B	Podium Elevation 4 – East	15/03/23
DA12.01	B	Podium Section 1	15/03/23
DA12.02	B	Podium Section 2	15/03/23
DA12.03	B	Podium Section 3	15/03/23
DA12.04	B	Podium Section 4	15/03/23
DA12.05	B	Carpark Ramp Section	15/03/23
DA13.01	B	Tower Façade – Typical Detail	15/03/23
DA13.02	B	Tower Façade – Operable North Detail	15/03/23
DA22.01	B	GFA Plans – Sheet 1	15/03/23
DA22.02	B	GFA Plans – Sheet 2	15/03/23
DA23.11	B	Demolition Plan – Main Works	15/03/23

Civil Engineer Works (Entrust Project No. 6578)

Drawing/Plan No.	Issue	Plan Title	Dated
ENS-CV-0001	A	Cover Sheet	17/05/22
ENS-CV-0005	A	Notes Sheet	17/05/22
ENS-CV-0150	A	Erosion and Sediment Control	17/05/22
ENS-CV-0151	A	Erosion and Sediment Control Detail	17/05/22
ENS-CV-301	D	Stormwater Plan	07/08/23
ENS-CV-320	D	Details Sheet 1	07/08/23
CV-0000	B	Cover Sheet and Drawing List	10/08/23
CV-0001	B	General Notes	10/08/23
CV-0200	E	Siteworks Plan	31/08/23
CV-0300	B	Pavement Plan	10/08/23
CV-0400	B	George Street Longitudinal Section	10/08/23
CV-0450	C	Cross Sections	31/08/23
CV-0451	B	Driveway Entrance Cross Sections	10/08/23
CV-0501	B	CBD Standard Paving, Driveway and Kerb Ramp Details: DS40 Sheet 1	10/08/23
CV-0502	B	CBD Standard Paving, Driveway and Kerb Ramp Details: DS40 Sheet 2	10/08/23
CV-0503	B	CBD Standard Paving, Driveway and Kerb Ramp Details: DS40 Sheet 3	10/08/23

Landscape Drawings (Paddock Project No. 2208)

Drawing/Plan No.	Issue	Plan Title	Dated
LT1	C	Title Sheet: Project Information, General Notes, Drawing Register	18/08/23
VMP1	C	Vegetation Management Plan 1 of 1	18/08/23
LP1	C	Landscape DA Plan 1 – Public Domain & Ground Floor	18/08/23
LP2	C	Landscape DA Plan 2 – Level 1 Lobby & Terrace	18/08/23

LP3	C	Landscape DA Plan 3 – Level 24 Terrace	18/08/23
PD1	C	Public Domain Alignment Plan	18/08/23
PP0	C	Plant Schedules	18/08/23
PP1	C	Planting DA Plan 1 - Ground Floor	18/08/23
PP2	C	Planting DA Plan 2 – Level 1 Lobby & Terrace	18/08/23
PP3	C	Planting DA Plan 3 – Level 24 Terrace	18/08/23
PP4	C	Landscape Maintenance Requirements & Management Plan Notes	18/08/23
LD1	C	Landscape Details – Ground Floor & Public Domain: George Street Elevation	18/08/23
LD2	C	Landscape Details – Ground Floor & Public Domain: Section 1	18/08/23
LD3	C	Landscape Details – Ground Floor & Public Domain: Section 2	18/08/23
LD4	C	Landscape Details – Ground Floor & Public Domain: Section 3	18/08/23
LD5	C	Landscape Details – Ground Floor & Public Domain: Section 4	18/08/23
LD6	C	Landscape Details – Ground Floor & Public Domain: Section 5	18/08/23
LD10	C	Landscape Details – Level 1 Lobby & Terrace: Section 1 & 2	18/08/23
LD11	C	Landscape Details – Level 1 Lobby & Terrace: Section 3 & 4	18/08/23
LD12	C	Landscape Details – Level 1 Lobby & Terrace: Section 5	18/08/23
LD13	C	Landscape Details – Level 1 Lobby & Terrace: Section 6 & 7	18/08/23
LD14	C	Landscape Details – Level 1 Lobby & Terraces: Green Wall Typical Elevation	18/08/23
LD20	C	Landscape Detailed – Level 22 Terraces: Section 1	18/08/23
LD21	C	Landscape Detailed – Level 22 Terraces: Section 2	18/08/23
LD22	C	Landscape Detailed – Level 22 Terraces: Section 3	18/08/23

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Aviation Impact Assessment Report	N/A	1.2	Avipro	29/08/22
Geotechnical Report	99541	02	Douglas Partners	April 2022
Vertical Transportation Services DA Design Status	40335	001	Norman Disney & Young	06/05/22
Report on Preliminary Contamination Investigation	99541	01	Douglas Partners	May 2022

Utilities Services Report	REP-BS	001	Arup	29/04/22
Acid Sulfate Soils Data Gap Assessment	R.001	0	Douglas Partner	12/05/22
Public Art Strategy	N/A	N/A	Overton Creative	March 2023
Civil DA Report	6578	A	Entrust	18/05/22
DA Sustainability Report	P00160	1	E-lab Consulting	18/05/22
Designing with Country Response	N/A	N/A	Cox Inall Ridgeway	23/05/22
Solar Reflection Screening Analysis	2004539	N/A	RWDI	05/10/23
Pedestrian Wind Study	2004539	N/A	RWDI	26/05/22
Structural Engineering Report	6578	03	Entrust	27/05/22
BCA Assessment Report	2021/2487	1.1	Steve Watson & Partners	30/05/22
Arboricultural Impact Assessment & Tree Protection Plan	N/A	4	Tree Survey	13/03/23
Accessibility Review Report – DA Review	21438	1.1	ABE Consulting	30/05/22
Waste Management Plan	N/A	1	MRA Consulting Group	30/05/22
Acoustic Report	2004539	N/A	RWDI	30/05/22
CPTED Assessment	P0040085	N/A	Urbis	08/05/22
Design Report	S12532	N/A	Bates Smart	June 2022
Heritage Impact Statement	P0019169	3	Urbis	15/03/23
Flood Compliance Report	N/A	N/A	Molino Stewart	04/08/22
Traffic and Transport Impact Assessment	REP-TR-001	F3.2	Arup	15/03/23
Green Travel Plan	REP-FGTP-001	A	Arup	16/05/22
Statement of Environmental Effects	P0037378	N/A	Urbis	August 2022
Aboriginal Cultural Heritage Assessment	P0019161	N/A	Urbis	02/08/22
Flood Emergency Management Plan	1225	3	Molino Stewart	06/03/23
Ground-Borne Noise and Vibration Report	2004539	A	RWDI	11/11/22
Remediation Action Plan	99541.05	0	Douglas Partners	29/06/23
Detailed Site Investigation for Contamination	99541.04	0	Douglas Partners	17/03/23
Acid Sulfate Soil Management Plan	99554.01	0	Douglas Partners	16/03/23
Technical Note	TTIA Supplement_TNTR002	N/A	Arup	28/07/23
Heritage Conservation Strategy	P0019169	3	Urbis	27/09/23

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

Construction Certificate

2. Prior to commencement of any construction works associated with the approved development (including excavation), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

No Encroachment on Council and/or Adjoining Property

3. The development must be constructed within the confines of the property boundary, except for rock anchors below ground level (with the consent of the relevant land owner). No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

Demolition of Buildings

4. Approval is granted for demolition of all existing building on the site, subject to compliance with the following:-

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.

- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.

- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.

- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.

- (f) Demolition must not commence until all trees required to be retained are protected in

accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.

- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition works are restricted to Monday to Saturday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Sundays or Public Holidays. Note: Council may allow extended work hours in limited circumstances and upon written application and approval being given by City of Parramatta Council at least 30 days in advance.
- (j) 1.8m high protective fencing is to be installed to prevent public access to the site.
- (k) Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.
- (l) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

Long Service Levy (DoP Mandatory Condition)

5. Before the issue of a Construction Certificate, the applicant is to ensure that the person liable pays the Long Service Levy of 0.25% of the value of building and construction work where the cost of building is \$250,000 or more (inclusive of GST) or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the Certifier.

Note: The Long Service Levy is to be paid directly to the **Long Service Corporation** at www.longservice.nsw.gov.au. For more information, please contact the Levy support team on 13 14 41.

Reason: To ensure that the Long Service Levy is paid.

Payment of Security Deposits (DoP Mandatory Condition)

6. Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Bond Type	Amount
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Hoarding:	\$6,025.00 (Class A hoarding) or \$12,655 (Class B hoarding) in current financial year.
Street Furniture:	\$2,410 per item in current financial year.
Nature Strip and Roadway:	\$25,750 in current financial year
Street Trees:	\$2,410 per street tree in current financial year.

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

Note: The inspection fee includes Council's fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with council's fees and charges at the payment date.

Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

Note: The bond may be paid, by EFTPOS, bank cheque, or be an unconditional bank guarantee.

Should a bank guarantee be lodged it must:

- Have no expiry date;
- Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/662/2022;
- Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

A dilapidation report is required to be prepared and submitted electronically to the City of Parramatta Council (council@cityofparramatta.nsw.gov.au) prior to any work or demolition commencing and with the payment of the bond/s.

The dilapidation report is required to document/record any existing damage to kerbs, footpaths, roads, nature strips, street trees and furniture within street frontage/s bounding the site up to and including the centre of the road.

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

Parramatta CBD Development Contributions Plan 2007

- A monetary contribution comprising **\$14,638,932** is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta CBD Development Contribution Plan 2007 (Amendment No. 5)*. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.

The contribution is to be paid to Council prior to the issue of a construction certificate.

At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician (Australian Bureau of Statistics, ABS – www.abs.gov.au).

Parramatta CBD Development Contribution Plan 2007 (Amendment No. 5) can be viewed on Council's website at:

www.cityofparramatta.nsw.gov.au/business-developmentplanning/development-contributions

Reason: To comply with legislative requirements and to provide for the increased demand for public amenities and services resulting from the development.

Water NSW General Terms of Approval

8. The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter with reference number IDA1145641 dated 17 October 2022. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Water NSW integrated requirements.

Department of Infrastructure, Regional Development and Cities

9. The development shall comply with the requirements of the Controlled Activity Approval as outlined in the Australian Department of Infrastructure, Transport, Regional Development, Communications and the Arts letter reference F17/968-94 dated 6 November 2023. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority. Cranes require separate approval.

Reason: To comply with aeronautic requirements.

Sydney Metro Concurrence

10. The development shall comply with the conditions outlined in Attachment A of the Sydney Metro letter reference DA/662/2022 dated 30 January 2024. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To comply with aeronautic requirements.

Energy Requirements

11. The development shall comply with the requirements of the Endeavour Energy letter dated 26 August 2022. Notwithstanding the letter's reference to a new substation location, the development is to be serviced by a direct high voltage connection as proposed. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Endeavour Energy requirements and to ensure no substation is located in the front setback.

Heritage NSW – Aboriginal Archaeology

12. No work shall commence (other than demolition and tree removal) and no Construction Certificate shall be issued until all of the following matters are completed to the satisfaction of Council's Group Manager Development and Traffic Services Unit:

- a) Archaeological test excavations of PAD 45-6-4053 are required under an AHIP to establish the presence, nature, extent and significance of Aboriginal cultural heritage on the subject site.
- b) The results of the test excavation must be presented in an Archaeological Report and updated Aboriginal Cultural Heritage Assessment Report (ACHAR). The reports will need to identify if Aboriginal objects are present on the subject site and if they would be harmed by the proposal. Options for harm avoidance (conservation), including in situ retention and harm minimisation will need to be considered and presented in accordance with the 'Guide to investigating, assessing and reporting on Aboriginal cultural heritage in New South Wales' (OEH, 2011). Further consultation would need to occur with the Registered Aboriginal Parties to determine the cultural significance of material identified and options for the

management of objects and values. HNSW must be consulted with and concur on the reports' findings and recommendations.

- c) If the reports require that Aboriginal objects be retained and the location of the objects conflicts with the building hereby approved, the applicant is to prepare revised drawings for the building which allow for in-situ retention of the objects (and any other recommendation of the reports to be carried out). The revised drawings are to be submitted to the satisfaction of Council's Manager Development and Traffic Services Unit and will supersede the drawings listed at Condition 1.
- d) If the reports consider that the Aboriginal objects can be disturbed, a second AHIP would be required to harm the objects.
- e) Alternately, if Report finds that there are no Aboriginal objects present on site, and Heritage NSW confirms that it accepts this conclusion, then works can proceed based on the drawings as approved by this consent.

Reason: To ensure any Aboriginal objects currently present on site are appropriately managed.

Public Utility Relocation

- 13. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

Reason: To ensure the applicant bears all reasonable costs for the development.

Signage

- 14. Notwithstanding the signage zones indicated on the drawings hereby approved, further development consent is required for any signage within these zones.

Reason: To ensure appropriate assessment of signage.

Design Excellence

Design Excellence Preservation

- 15. To ensure the design excellence quality of the development is retained:
 - a) The architectural design team of Bates Smart is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications, s4.55 Modification Applications, Construction Certificate and Occupation Certificate stages).
 - b) The design architect's team is to have full access to the site and is to be authorised by the applicant to respond directly to Council officers where information or clarification is required in the resolution of any design issues throughout the life of the project.
 - c) Evidence of the design architect's team commission for the above is to be provided to the Council prior to release of any Construction Certificate.
 - d) The design architect's team of the project is not to be changed without the approval of the Council's Group Manager Development and Traffic Services (DTSU). Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team as part of their assessment.
 - e) The Principal Certifying Authority must be satisfied that the above requirements have been implemented.

Reason: To ensure the design quality excellence of the development is retained.

Environmental Health

Hazardous/Intractable Waste Disposed Legislation

- 16. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:
 - a) Work Health and Safety Act 2011
 - b) NSW Protection of the Environment Operations Act 1997 (NSW) and
 - c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

Reason: To ensure that the land is suitable for the proposed development and any

contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

Traffic

Car Parking Allocation

17. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A maximum of 57 parking spaces are to be provided (not including car share spaces or loading spaces).

Tandem car spaces and car stackers are to be allocated to same tenant. Details are to be illustrated on plans submitted with the relevant Construction Certificate application.

Reason: To comply with Council's parking requirements and Australian Standards.

Motorcycle Parking

18. Three (3) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004.

Details demonstrated compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate and Occupation Certificate.

Reason: To comply with Council's parking requirements.

Trees and Landscaping

Tree Retention

19. Prior to the issue of the Construction Certificate, the Certifying Authority and Project Arborist must both be satisfied, in writing, that the following structures have been modified to minimise the construction impact within the Tree Protection Zone (TPZ) of the following nominated trees:

Tree No.	Botanical name	Common name	Structure to be modified	TPZ Radius from trunk
2	<i>Olea africana</i>	African Olive	Footpath and wall	11.4m
3	<i>Ficus macrophylla</i>	Morton Bay Fig	Footpath and wall	7.2m

- (a) The footings of the proposed retaining wall will be designed so as not to impact on trees 2 and 3 required to be retained. In order to reduce the impact on the root structure, isolated piers or pier and beam construction is to be used within the radius of the nominated trees as numbered in the table.
- (b) The (permeable) footpath design within the TPZ of trees numbered 2 and 3 in the table must demonstrate it is to be built above the natural grade to avoid severing roots. No compaction to the subbase is to occur. The design must demonstrate no edging, excavation, or re-grading is to occur within the existing natural ground of the TPZ of these trees.

All design modifications within the TPZ of trees to be retained will need to be pre-approved by the Project Arborist before they are issued for Construction Certificate to ensure they have minimised the impact to the trees as per AS4970-2009 *Protection of trees on development sites*. Tree protection methodology and design changes to be added to all relevant plans and be submitted with the Construction Certificate application.

Reason: To ensure adequate protection of existing neighbouring trees.

Pruning/Works on Trees

20. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties. All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This

includes the pruning of any roots that are 30mm in diameter or larger.

Reason: To ensure the protection of the tree(s) to be retained.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

(Note: Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.)

Planning

Drawing Modification - Verandah

21. Notwithstanding the drawings hereby approved, the level 01 “lobby verandah” on the western elevation shall be deleted and the associated façade openings replaced with the adjacent glazing system. Details demonstrating compliance are to be submitted to the satisfaction of Council's Manager Development and Traffic Services Unit prior to issue of the relevant Construction Certificate.

Reason: To improve building's relationship with adjoining heritage site.

Drawing Modification – Green Wall

22. Notwithstanding the drawings hereby approved, the green wall (and its associated structure) on the eastern boundary shall be modified such that it does not extend forward of the front building line. Details demonstrating compliance are to be submitted to the satisfaction of Council's Manager Development and Traffic Services Unit prior to issue of the relevant Construction Certificate.

Reason: To improve building's relationship with adjoining heritage site.

Accessibility

23. Notwithstanding the drawings hereby approved, the following must be included in the relevant construction drawings to the satisfaction of the Principal Certifying Authority:
- A 2.4m clear path of travel must be maintained in the western setback to allow for accessible and cycle access to the rear doors.
 - The entry stairs require suitable handrails, TGSIs and stair nosings.
 - The end of trip facilities must include ambulant cubicles within the gender specific WCs.
 - The sanitary facilities throughout the tenant floors will require ambulant cubicles within the gender specific WCs.
 - Low level thresholds must be provided at all doors accessing outdoor areas.
 - The abutment of differing surfaces shall have a smooth transition. Design transition shall be 0 mm. Construction tolerances shall be as follows:
 - 0 ±3 mm vertical.
 - 0 ±5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping.
 - Equipment and furniture within the common areas including the reception and staff areas will require accessible and inclusive features suitable for a person with a mobility and other impairments. Note: AS1428.2 provides guidance on accessible furniture including, reach ranges and varying heights of tables and seats with back and arm rests etc.

The issue identified in the Accessibility Review Report – DA Review Ref: 21438 Rev: 1.1 by ABE Consulting dated 30/05/22 must also be addressed prior to the relevant Construction Certificate.

Reason: To ensure appropriate accessibility.

Infrastructure & Restoration Administration Fee

24. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of any Construction Certificate.

The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on

Commented [AM1]: The applicant considers that this condition should be deleted for the following reasons, "[this condition] contravenes a significant design element of the DEC winning scheme. This design amendment was not raised by the City of Parramatta Council's Heritage Team or any other Agency's request for additional information during the DA assessment period".

9806 5524.

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

No External Service Ducts

25. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. Details are to be included within the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To ensure the quality built form of the development.

Specialist Report Recommendation Implementation

26. The works/methods/procedures/control-measures/recommendations in the specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying each Construction Certificate to the satisfaction of the Certifying Authority. A list of all of the recommendations and how they have been actioned shall be provided to Council.

Reason: To ensure consent is implemented as required.

Access and Services for People with Disabilities

27. Access and services for people with disabilities shall be provided to the 'affected part' of the building, in accordance with the requirements of the Disability (Access to Premises – Buildings) Standards 2010, and the National Construction Code. Detailed plans, documentation and specification must accompany each application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

Location of Plant

28. Prior to the issue of the relevant Construction certificate, the Principal Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, except as explicitly shown otherwise on the approved drawings.

Note: Architectural plans identifying the location of all plant and equipment must be provided to the Principal Certifying Authority.

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

Location of Mains Services

29. To reduce the extent of overhead cabling, all service mains required to facilitate the development must be underground, both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To provide infrastructure that facilitates the future improvement of the streetscape.

External Walls and Cladding Flammability

30. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of the relevant Construction Certificate and Occupation Certificate the Principal Certifying Authority must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Reason: To ensure building materials are sufficiently non-combustible.

Detailed Public Art Plan

31. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' and the Public Arts Strategy by Overton Creative dated March 2023 shall be submitted to and approved by Council's Manager Development and Traffic Services Unit, prior to the issue of the relevant Construction Certificate.

The Detailed Public Art Plan is to include, but not be limited to, the following:

- Detailed budget for each commission;
- Nominated procurement method for all commissions;
- Consultation framework for each commission; and
- Overview program for each commission.

To clarify, the public art budget is 0.5% of the cost of works, as outlined in the Public Arts Strategy by Overton Creative dated March 2023.

Reason: To achieve public art that is consistent with Council's guidelines.

Reflectivity of External Finishes

32. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To have a minimal impact on the neighbouring property.

Solar Reflectivity (Glare)

33. Prior to the issue of the relevant Construction Certificate(s), the following must be demonstrated to the satisfaction of the Principal Certifying Authority:
- a) All opaque materials used on the facade must have a specular solar light reflectivity of no greater than 20%.
 - b) The specific limits to glazing visible light reflectivity scheduled in Figure 41 of the 91 George St Solar Reflectivity Analysis report by RWDI dated 5/10/2023 are to be installed.
 - c) The shading fins required to mitigate adverse glare on the southern facade with a depth of 8 cm spaced at 1 m apart (or a similar ratio) to the extent of the facade shown in Figure 30 of the 91 George St Solar Reflectivity Analysis report by RWDI dated 5/10/2023 are to be installed.
 - d) The shading fins required to mitigate adverse glare on the northern facade with a depth of 4 cm spaced at 1 m apart (or a similar ratio) to the extent of the facade shown in Figure 41 of the 91 George St Solar Reflectivity Analysis report by RWDI dated 5/10/2023 are to be installed.
 - e) All other glazing not scheduled or documented otherwise must have a visible light reflectivity not greater than 20% (measured at the normal angle).

Reason: To deliver the solar reflectivity (glare) objectives of the DCP.

Design Excellence

Façade Samples

- 34.
- a) Prior to the issue of **any** Construction Certificate, the applicant shall submit/present to and have approved by Council's Group Manager Development and Traffic Services (DTSU) a Visual Mock-Up (VMU) performance specification (including but not limited to glazing specifications) endorsed by the project architect and, once approved
 - b) Prior to the issue of **any Construction Certificate relating to the façade**, the applicant shall submit/present to and have approved by Council's Group Manager Development and Traffic Services (DTSU) a 1:1 manufactured full experience VMU of key junctions of the external facades (minimum 1m x 1m dimension).

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's

Design Excellence Team, and Council's Environmentally Sustainable Design (ESD) consultant, as part of their assessment.

Where matters are identified which are not satisfactory, resolution shall be required prior to approval.

The development shall be completed in accordance with the approved VMU.

Note. It is critical that this condition be completed before costing/ordering facade as changes may be required.

Reason: To ensure design excellence and environmentally sustainable development outcomes are achieved.

Detailed Drawings

35. Prior to the issue of each relevant Construction Certificate the applicant shall submit for approval by Council's Group Manager Development and Traffic Services (DTSU) the following:

- Construction architectural drawings including
 - key elevations,
 - partial plans and
 - partial sections (at 1:20 or 1:50) through external walls, balconies, pergolas, and other key external details
- Construction landscape drawings;
- Samples of all external materials, in particular the external glazing, façade detailing, and colour palette; and
- Revised 3D photomontages.

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team as part of their assessment.

Where matters are identified which are not satisfactory, resolution shall be required prior to approval.

The development shall be completed in accordance with the stamped drawings approved to satisfy this condition.

Reason: To ensure the design quality excellence of the development is retained.

Engineering

On Site Detention

36. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the relevant Construction Certificate.
- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
- Civil DA Report by Enstruct; and
 - Civil Design Drawings by Enstruct listed at Condition 1.
- (b) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (c) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.

Stormwater Disposal

37. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

Water Treatment for Stormwater

38. Water quality treatment devices must be installed to manage surface runoff water to satisfy section 3.3.6.1 of City of Parramatta Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the relevant application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure appropriate water quality treatment measures are in place.

Design to Withstand Flooding

39. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

Reason: To ensure the structure can withstand flooding impacts.

Flood Proofing – Building (PMF)

40. The basement must be provided with passive, fail safe, permanent flood-protection to prevent ingress of floodwaters within the development boundary for floods higher than the 1% AEP event as close as practicably achievable to the PMF level (which may be assumed to be 10m AHD). This is to be done by provision of self-propelled self-actuated flood gates (such as "Floodbreak" or equivalent) and flood doors none of which require external power or energy sources or an operator. Details are to be submitted for the approval of the Council's Manager Development and Traffic Services (DTSU) prior to release of the relevant Construction Certificate. The flood gates and doors are to be implemented prior to occupation and maintained in sound operating condition in perpetuity.

Reason: To ensure the building is adequately protected from the risk of flood.

Shelter in Place

41. The applicant shall provide, to the satisfaction of Council's Group Manager DTSU, a permanent, fully enclosed 'Shelter in Place' flood refuge facility where building occupants and members of the public may take refuge during a flood greater than the 1% AEP event. This shelter facility must be indoors and have a floor level at or greater than RL 10m AHD. It must be readily accessible to occupants and (in flood emergencies) members of the public and must be provided with appropriate facilities including permanent drinking water supply, toilets, emergency lighting, food storage and communications that will operate during the most severe possible storms and floods. The Shelter in Place facility must have direct flood free access from the basement car park levels via a staircase protected from floods up to the PMF with flood doors and gates as necessary.

The Shelter in Place facility must have direct flood free access from the ground level inside and outside via a staircase protected from floods up to the PMF with flood doors and gates as necessary.

Prior to issue of an Occupation Certificate, the Applicant shall demonstrate to the satisfaction of Council's Group Manager DTSU and the PCA the adequate implementation of this requirement.

Reason: To ensure the safety of occupants and the public from the risk of flooding.

Flood Emergency Management Sydney

42. Prior to release of a Construction Certificate, the Applicant shall submit to, and obtain the

approval of Council's Group Manager DTSU and the PCA, a fully detailed and updated Flood Emergency Management System which must address how the shelter in place refuge facility, flood exclusion and warning systems and other flood protection measures will be managed and operated for the life of the development.

Reason: To ensure occupants are adequately protected from the risk of flood.

Tanked Basement Construction

43. The perimeter walls and floor of the basement shall be constructed using a "Tanked Construction" method, to prevent any flood and ground waters seeping through the basement walls and floor base. This must be provided using a diaphragm wall and membrane or other approved form of construction and not through permanent draining of the basement structure.

The landowner shall manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, to ensure all of the requirements of the Water NSW/DPI Water are satisfied and that there are no adverse effects on the environment and public health, including water table levels, surface and groundwater flow regimes, contamination and pollution, flooding and water quality and structural stability.

Details demonstrated compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate.

Reason: Protection of the environment and public health.

De-watering of Excavation Sites

44. Any site excavation areas must be kept free of accumulated water at all times.

Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in:

- i) The pollution of waters,
- ii) Nuisance to neighbouring properties, or
- iii) Damage/potential damage to neighbouring land and/or property.

For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all times throughout the construction phase of the development:

- i) pH 6.5-8.5;
- ii) Total Suspended Solids (TSS) 50 mg/l;
- iii) Oil and Grease 'Not visible'.
- iv) If site identified as containing contaminated or acid-sulphate soils, all trace contaminants must be removed from the groundwater prior to disposal.

This may be achieved through the use of a 'WETSEP' system or equal, to hold and treat water prior to discharge.

Prior to release of the Construction Certificate the Applicant must provide to the Principal Certifying Authority for approval full details of the construction phase stormwater and groundwater collection and discharge pollution control and quality management system, including full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance.

Reason: to protect against subsidence, erosion and water pollution during excavation.

Retaining Walls

45. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated then written approval from the affected neighbour shall be obtained and submitted to the Principal Certifying

Authority prior to commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for the relevant Construction Certificate for assessment and approval by the Principal Certifying Authority.

Reason: To minimise impact on adjoining properties.

Sydney Water Tap In

46. The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

Reason: To ensure the requirements of Sydney Water have been complied with.

Out of Scope Building Plan Approval

47. Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Sydney Water property boundary
 - An easement in Sydney Water's favour
 - Stormwater infrastructure within 10m of a property boundary with Sydney Water assets.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of Sydney Water assets
 - Excavation of a basement or building over, or adjacent to, Sydney Water assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- Sydney Water assets will not be damaged during, or because of the construction of the development
- Sydney Water can access their assets for operation and maintenance
- The building will be protected if Sydney Water need to work on their assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

Reason: To ensure the requirements of Sydney Water have been complied with.

Tree Planting

48. Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and Diagram 5 – Planting Trees within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to the development.

If any tree planting proposed breaches their policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer for their removal.

Reason: To ensure the requirements of Sydney Water have been complied with.

Dial Before You Dig Service

49. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To ensure Council's assets are not damaged.

Basement Carpark and Subsurface Drainage

50. The basement stormwater pump-out system, must be designed and constructed to include the following:

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

Impact on Existing Utility Installations

51. Where work is likely to disturb or impact upon an existing utility installation, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To ensure no unauthorised work to public utility installations and to minimise costs to Council.

Support for Council Roads, Footpath, Drainage Reserve

52. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These

details must accompany the relevant application for a Construction Certificate and be to the satisfaction of the Principal Certifying Authority (PCA). A copy of these details must be forwarded to Council prior to any work being commenced.

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

Environmental Health

Construction Noise Management Plan

53. A noise management plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' and accompany the application for any Construction Certificate. The Principal Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- (a) Identification of nearby residences and other sensitive land uses.
- (b) Assessment of expected noise impacts.
- (c) Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts.
- (d) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

Reason: To prevent loss of amenity to the area.

Construction Site Management Plan (DoP Mandatory Condition)

54. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
- location and materials for protective fencing and hoardings to the perimeter on the site
 - provisions for public safety
 - pedestrian and vehicular site access points and construction activity zones
 - details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
 - protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
 - details of any bulk earthworks to be carried out
 - location of site storage areas and sheds
 - equipment used to carry out all works
 - a garbage container with a tight-fitting lid
 - dust, noise and vibration control measures
 - location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

Appoint Waste Contractor

55. Prior to the issue of the relevant Construction Certificate, a report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of

the private contractor that will be engaged to collect commercial waste from the subject site. If Council is not the Principal Certifying Authority, a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be recycled. Waste collection from the site shall occur in accordance with the details contained within this report.

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining properties.

Waste Storage Rooms

56. Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans, and shall be constructed to comply with the following provisions:

- i) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- ii) The floor being graded and drained to an approved drainage outlet connected to the sewer, and having a smooth, even surface, coved at all intersections with walls;
- iii) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- iv) Cold water being provided in the room, with the outlet located in a position so that it cannot be damaged, and a hose fitted with a nozzle being connected to the outlet.
- v) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details shall be indicated on the plans submitted with the relevant Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

Reason: To ensure provision of adequate waste storage arrangements.

Waste Management Plan – Construction (DoP Mandatory Condition)

57. Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

- (a) Council's Waste Management Development Control Plan

OR

- (b) details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Reason: To ensure resource recovery is promoted and local amenity protected during construction.

Waste Management - Operation

58. Prior to issue of the relevant Construction Certificate the Principal Certifying Authority is to be satisfied that the following elements of the approved Waste Management Plan will be implemented:

- a) The waste storage rooms at the ground level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The sizing of such rooms must be in accordance with the approved Waste Management Plan.
- b) A report(s) must be prepared by a registered surveyor and submitted to the Principal Certifying Authority prior to the issue of the Subdivision/Occupation Certificate, certifying that the finished access way (including ramp, loading bay and site entry/exit) to be used by waste collection vehicles, complies with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for large rigid vehicles.

- c) The bin carting routes must be devoid of any steps. Note: Ramps between different levels are acceptable.
- d) "No Parking" signs must be installed to prevent cars parking in the loading bay.
- e) Access to the automatic waste volume handling equipment by unauthorised persons must be prevented.

Reason: To ensure provision of adequate waste storage arrangements.

Acid-Sulphate Soils Management

59. An acid-sulphate soils management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) must be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and must include a site analysis from a National Association of Testing Authorities (NATA) registered laboratory. This strategy must address the following aspects:

- (a) Specific mitigating measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;
- (b) Management and disposal of the excavated material;
- (c) Measures taken to neutralise the acidity; and
- (d) Run-off control measures.
- (e) The recommendations of the strategy must be completed prior to the commencement of building works.

Reason: To protect the development from the harmful effects of acid-sulphate soils.

Heritage

Protection Methodology – Convict Wall

60. Prior to any site works, a protection methodology shall be prepared for the heritage wall adjacent the southern site boundary, to the satisfaction of the Principal Certifying Authority.

This protection methodology must be prepared by the contractor in conjunction with a heritage consultant and structural engineer who have experience in heritage buildings and structures.

The protection methodology shall be implemented as approved.

Reason: To ensure the conservation and retention of the heritage listed wall on the southern site boundary.

Interpretation Strategy

61. Prior to issue of any Construction Certificate for works at ground floor level or above, a Heritage Interpretation Strategy is to be submitted to and approved by Council's Manager Development and Traffic Services Unit. The Interpretation Strategy should identify appropriate themes and narratives and make recommendations for appropriate heritage interpretation media. The Strategy should have regard for the following:

- The site's archaeological resource. A separate Archaeological Assessment has been prepared for the site and identifies the site as having a high archaeological potential.
- Aboriginal cultural heritage and values.
- The former residential occupation of the site with a pair of semi-detached dwellings (c.1840s) and
- The broader colonial site context including (but not limited to) Perth House, the Barracks, convict drain and Warder's cottages as well as the broader CBD context.

Reason: To ensure the site appropriately responds to its location in an area of high heritage significance.

Public Domain

Public Domain Construction Drawings

62. Prior to the issue of a Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of

detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not be limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt and front setback;
- Any publicly accessible areas;
- Any works in carriageway,
- Works to integrate with adjacent public amenity, and
- Onsite landscape work

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

The Public Domain Construction Drawings and specifications shall be prepared in accordance with:

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved public domain drawings,
- The approved public domain alignment drawings,
- The approved landscape drawings, and
- All the conditions listed in this consent.

Important: The Public Domain Construction Drawings must be prepared after test pits have been dug and inspected within the public domain, and it is confirmed that all proposed trees shown on the stamped DA drawings are possible to be planted and there are no clashes with any services, existing or proposed.

Council will not entertain deleting / removal of any trees at CC stage due to a services coordination or any other construction issue.

It is assumed at this stage that there are no clashes or conflicts with any services existing or proposed.

Reason: To ensure the public domain is constructed in accordance with Council standards.

Footway Specifications - Engineering

63. Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

- a) All kerbs and laybacks must be:
 - a. constructed on minimum 150mm thick DGB20 as per Council Standard Drawing DS1
 - b. built with expansion and control joints as per Note 6 of DS1
 - c. includes laybacks per DS1 Type 3 - Heavy Duty
- b) Roof water outlets to be constructed as specified in Council Standard Drawing DS2 using adaptor to 150mm x 50mm RHS
- c) Minimum deep lift construction in front of all kerbs is 500mm wide, unless instructed otherwise by Council's Road Pavement Engineer.
- d) The existing kerb inlet pit in the middle of the proposed driveway, should be converted to a butterfly grated pit with a new kerb inlet pit installed upstream to address loss of inlet capacity. Refer to Council Standard Drawing DS29.
- e) Please refer to Council Standard Drawing DS10 where the road crossfall affect on the allowable grades is displayed.
- f) Replace existing sign post with "V" locks

- g) Adjust service pit levels to match with the cross fall of the footpath
- h) Replace existing pit lids with infill lids
- i) Replace existing pits surrounds with new surrounds
- j) Replace existing grates to details as per Council's standard drawings
- k) Reconstruct existing drainage pit and replace existing drainage pit lintel with extended kerb inlet. Refer to Council's standard drawings.
- l) Demolish existing redundant driveway and construct new kerb and gutter.
- m) Replace the existing light pole in front of the property with a multifunction pole (MFP) procured from Hub Group. Contact City Assets and Operations team for details of the MFP and the attachments. Design and approval from the relevant service authority will be required. Footing to be designed by suitably qualified structural designer/engineer based on a geotechnical engineer's investigation and report
- n) Provide details of pavement within the tree pit
- o) Standard cross fall of 1.0% - 2.5% must be maintained throughout the frontage.
- p) A smooth transition between the new footpath and the existing path must be achieved. The new footpath must be constructed as per plans and standards and the existing footpath must be reconstructed where needed.
- q) The maximum cross fall on the driveway crossing between the 100mm back of layback and the footpath section is 10.0%.
- r) Utilities pits must be adjusted to the proposed footpath levels. All adjustments are at the cost of the applicant. Utility companies must be contacted regarding the adjustment prior to works, City of Parramatta Council cannot advise or approve.
- s) The drawings must demonstrate that a vehicle will not scrape when entering/exiting the driveway.
- t) Conduits for electricity (2 x 40mm Orange HD) and communication (1 x 100mm white comms HD and 1 x 50mm internal white comms HD) are to be laid in the footpath per Council requirements (i.e. electrical conduits at 600mm depth and communication conduits stacked 100mm above).

A Civil Safety in Design Report including a Civil Risk and Solutions register shall also be provided.

Reason: To ensure consistency with Council's Assets standards.

Footpath Specifications - Finishes

64. Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

Footpath

The standard 'City Centre Paving' concrete paver, as per the PDG, **Pebblecrete, product PPX:544:35D, 300x300x60mm**, with **honed finish** shall be applied to the entire public domain areas in George Street, to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3).

A copy of the Design Standard (DS) Drawings referenced above is available on the Council Website or can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

Kerb Ramps

Kerb ramps, if required, must be designed and located in accordance with Council's design standards (DS40 sheets 1-3), using **Pebblecrete, product PPX:544:35D, 300x300x60mm, shot blast finish**.

Kerb ramps are to be aligned to kerb ramps on the opposite side of the road.

Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standards (DS40 sheets 1-3 and DS10), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish for vehicle crossing.**

Pit Lids, Frames and Grates

All Pit lids and grates in paved areas of the public domain should be level with the paving around and aligned with the paving pattern as per the PDG. Joints should be coordinated where possible. Where allowed by the service providers, the pit lids should be infilled with the surrounding paving material.

All Pit lids, frames and covers in the public domain must be of class 'C' load bearing capacity in all pedestrian areas and class 'D' for all shared zones.

Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Tactile Indicators (TGSIs)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines and the latest versions of AS1428.1 and AS1428.4. The TGSIs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

Clear Path of Travel (Shore-Lining)

Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level. Options could include, but not be limited to, change in pavement colour, textures and or other visual aids etc. that meet DDA requirements. Final design solutions to suit the project are to be proposed by the applicant for consideration and inclusion in the Public Domain Construction Drawings prior to issuing of CC approval.

Steps, Handrails and Ramps

Any steps, handrails and ramps in public domain or publicly accessible private spaces must comply with the latest version of AS1428.1 and AS1428.4

Where ramps are concerned, preference is to achieve ramps which do not require handrails (i.e. make them flatter than 1:20).

All steps, handrails and TGSIs required to access the private property, must not protrude into the public footway.

Sealant

Sealant is to be applied to all stone and concrete unit paved surfaces in the public domain in accordance with Council requirements.

Slip Resistance

All stone & pebblecrete paving (concrete pavers) shall have **non-slip surfaces** that comply with a P4 (for stone) or P5 (for concrete pavers) rating as per AS4586:2013.

Independent slip resistance test results of completed works should be submitted complying to P5 Classification (Wet Pendulum Test).

For the pebblecrete paving (concrete pavers) apply 2 coats of solvent based single pack acrylic coating with Size 36/46 Aluminium Oxide grit, and one top coat with the same product.

For non-council Standard Pavements, the applicant shall provide test results (after applying paving sealant) to prove applicable pavement material and finishes used in the publicly accessible areas and any plaza areas are **non-slip surfaces** that comply with a P4 (for stone) or P5 (for concrete pavers) rating as per AS4586:2013. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines.

Cycle racks

Public bike racks shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of George Street as per the PDG and approved drawings. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate. Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket. Street lights in the public domain to be located at the back of kerb within the furniture zone as per the PDG.

Multi-media conduit

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages and be positioned and installed in accordance with Council's design standard drawing and specifications as directed by Council's Community Crime Prevention Officer.

Green Pillars (Bruces)

Green Pillars for electrical connections or Bruces as they are called, where required / or where existing, should be coordinated with public domain elements, be outside the clear path of travel and must be neatly located 100mm away from the face of the building / property boundary wall (as applicable), in agreement with Council's Public Domain team. Any existing green pillars must be moved and located as stated above.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** to be submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.

Reason: To comply with the Public Domain Guidelines.

Street Tree Specifications

65. Notwithstanding the approved drawings, the required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
George Street	Platanus orientalis 'Digitata'	Cut-leaf Plane Tree	400L	As per approved drawings or average spacing, whichever is greater	Typically 8-10m, or as shown on the approved drawings or as agreed by Manager Urban Design or Landscape Management Officer

Note:

- ***Large trees are currently in short supply and pre-ordering of stock at a very early stage of the project to secure the specified size is required. Size and species adjustments based on lack of project co-ordination will not be permissible.***
- ***Evidence of the order for trees must be submitted to the DTSU with the Public Domain Construction Drawings.***
- ***When the construction drawings are submitted, it is assumed that all tree locations have been coordinated with existing and proposed services. Reduction in number of trees as shown on the construction drawings is not permissible and***

Council will not entertain any changes to the tree numbers (or agreed soil volumes) once drawings have been approved.

All trees supplied must be grown in accordance with AS2303:2018 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2018. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

The requirements for height, calliper and branch clearance for street trees should be in accordance with AS2303:2018. Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

A quality soil volume creating structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on location of the site. For details and locations refer the PDG.

The base of all tree pits shall incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings, subject to Landscape Management Officer's advice. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown on the Public Domain Construction Drawings.

Calculations demonstrating tree pit and soil volume compliance as per the PDG are to be included in the Public Domain Construction Drawings. Soil volume calculations are to be based on a maximum depth of 1.2 m excluding any drainage layers.

The trees are to be planted with tree grates as specified in the PDG.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** and submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.

Prior to delivery of any trees to site for installation the applicant must submit –

- 3 photographs of each tree to be planted, showing left side, right side and front-on of the tree in the ground with stakes and ties. These photographs must be accompanied with a 'Nursery Certificate' noting their state of health and their care, including the location details. This certificate must be provided by the nursery that grew/supplied the tree; and
- Imported top soil data sheet

These certificates are to be provided to the Tree Operations team within Council's Parks and Open Spaces team before the delivery of trees to site and / or prior to raising the inspection request.

Reason: To ensure high quality street trees are provided, and to minimise plant failure rate and ensure quality of stock utilised.

Sustainability

ESD Initiatives

66. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- (a) The building must achieve a 6-star Green Star Design & As Built rating (v1.2 or later) for the whole building. Evidence is to be provided in accordance with the Design Review certified

rating of the Green Building Council of Australia.

- (b) The commercial office component of the building will be designed and constructed to operate at a minimum NABERS Energy rating of 5.5 stars for the base building (without accounting for any Green Power used in the building) and be subject to independent review per Commitment Agreement CA0429 entered into with NABERS National Administrator. The design and documentation must include all measures required to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement (CA0429).
- (c) The commercial office component of the building will be developed to operate at a minimum NABERS Water rating of 4.0 stars. The design and documentation must include all measures required to deliver the NABERS Water rating.
- (d) The building and its end uses are to be delivered as an all-electric buildings and are not to be connected to the natural gas network.
- (e) A dual reticulation (dual pipe) system is to be installed throughout the building. The dual reticulation system is to have:
- One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - One reticulation system servicing all non-drinking water uses.
 - The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available.
 - The non-drinking water system will be connected to a recycled water network. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost.
- (f) Rainwater collection and reuse is to be installed, with adequate storage capacity and roof collection area to capture at least 90% of typical annual rainfall to serve all nondrinking water use through the dual reticulation system.
- (g) The building has been designed to achieve a reduction in embodied carbon of no less than 15% when measured consistently with the methods described in Carbon Plan No.1 by Slattery dated 16th December 2022.
- (h) Solar photovoltaic panels are provided to the maximum extent of the capacity of the roof.
- (i) A minimum Level 2 40A fast charger and supporting electric vehicle charging infrastructure is to be installed for 6 car parking spaces.
- (j) Refrigerants in air conditioning to have a Global Warming Potential of less than 10.
- Reason:** To ensure sustainable development outcomes are achieved.

Bird Friendly Design

67. A treatment is to be applied to all external glazed surfaces which:
- Are less than 6 metres from another glazed surface such as corners,
 - Are less than 6 metres from an internal planted area such as a green wall or planted atrium,
 - Project vertically more than 1 metre above the building roof line,
 - Project horizontally more than 1 metre beyond the building enclosed facade.

For the purposes of this condition, 'treatment' means one of the following:

- Bird strike UV patterning such as Ornilux,
- Fritted, etched, channelled or translucent glass such as Silk-screen with a minimum untreated dimension of 100mm x 100mm,
- External treatments such as angled, layers or recessed glazing, shading elements such as louvers, overhangs and awnings or mesh with a minimum open dimension of 100mm x 100mm.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate(s).

Reason: To minimise the risk of bird collisions.

Traffic

Car Park Design

68. Parking spaces and internal access ways are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6.

Any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like must not compromise appropriate manoeuvring and maintain compliance with AS 2890.1, AS2890.2 and AS 2890.6.

Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Driveway Grades

69. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.

Bicycle Parking

70. The bicycle storage areas must be capable of accommodating a minimum of **496** bicycles within fixed bicycle rails. The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3 – 2015. Details of compliance with this standard are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Council's parking requirements.

Pedestrian Safety

71. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. The sight lines shall not be compromised by landscaping, signage, fences, walls or display materials. Sight distances from the proposed vehicular crossing are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890.

Details are to be illustrated on plans submitted with the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Australian Standards and ensure pedestrian safety.

Security Roller Shutters for Basement Car Parking - Operation

72. Where a security roller shutter or boom gate prevents access to visitor carparking, an intercom system is required to be installed to enable visitor access to the car parking area.

The roller shutter is to be operated via remote control by occupants.

The intercom is to be provided at the centre of the driveway on a concrete median separator (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

The intercom and roller shutter door must be placed in such a way as to ensure that all vehicles are wholly contained on site before being required to stop.

Details of the system and where it is to be located is to accompany the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To ensure visitor car parking is accessible.

Construction Pedestrian and Traffic Management Plan

73. Prior to the commencement of any works on site, the applicant shall submit a Construction Pedestrian and Traffic Management Plan (CPTMP) to the satisfaction of Council's Traffic and Transport Manager and Transport for NSW. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The following matters must be specifically addressed in the CPTMP:

- a) A description of the development,
- b) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- c) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- d) The location of proposed Work Zones in the egress frontage roadways,
- e) Location of any proposed crane standing areas,
- f) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- g) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- h) The provisions of an on-site parking area for employees, tradeperson and construction vehicles as far as possible,
- i) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors,
- j) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- k) Proposed construction hours,
- l) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements (noting that vehicle movements are to be minimised during peak hours),
- m) Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing;
- n) Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;
- o) Construction program that references peak construction activities and proposed construction 'Staging',
- p) Construction methodology,
- q) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- r) Cumulative construction impacts of projects in the Parramatta CBD, including Sydney Metro West. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network. Should any impacts be identified, the duration of the impacts,
- s) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- t) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- u) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- v) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- w) A detailed plan of any proposed hoarding and/or scaffolding;
- x) Consultation strategy for liaison with surrounding stakeholders, including other developments under construction;

The CPTMP is to include the provision of a sign on the hoarding that provides a phone number and email address for members of the local community to make enquires or complaints regarding

traffic control for the site. The construction company for the site is to provide a representative for meetings that may occur once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work Zone' restriction in the egress frontage roadways of the development site. Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Work Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

Approval shall be obtained from City of Parramatta Council for any temporary road closure or crane use from public property.

Reason: To ensure the appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

Loading Dock Management Plan

74. Prior to the issue of the relevant Construction Certificate the applicant must submit a Loading Dock Management Plan to the satisfaction of Council's Traffic Services Manager and Transport for NSW. The Plan must address the following matters:

- Delivery requirements and service schedules;
- Operational aspects on how to use facilities;
- Management duties and responsibilities;
- All loading and servicing is to be conducted on-site;
- All vehicles are to enter and exit the site in a forward direction;
- The applicant should not rely on the kerbside restrictions to conduct their business;
- Loading bay management details including service vehicle movements during peak periods; and
- Management of vehicle queuing during incidents within the car park including details of alternate car parking locations.

Reason: To ensure compliance with the Parramatta DCP 2011 and reduce kerbside stopping reliance.

Accessible Car Parking

75. Accessible car parking spaces must be provided as part of the total car parking requirements. These spaces, and access to these spaces, must comply with the BCA, AS2890.6: 'Parking facilities', 'Off-street parking for people with disabilities', AS1428.1: 'Design for access and mobility', 'General requirements for access - New building work' 2001 and 2009, and AS1428.4: 'Design for access and mobility', 'Tactile ground surface indicators for orientation of people with vision impairment', 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009. Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.
- Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

Visitor Parking

76. Each basement visitor car parking space is to be signposted. Details of compliance are to

accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Australian Standards.

End of Trip Facilities

77. Detailed layout drawings for the end-of-trip facilities hereby approved shall be submitted to and approved by the Principal Certifying Authority prior to release of the relevant Construction Certificate. The layout shall include showers, basins/mirrors, benches, drinking water, hairdryers, fans, lockers, power points, bicycle repair equipment and WCs.

Reason: To comply with Australian Standards.

Transport for NSW

Loading and Service Vehicles

78. Notwithstanding the drawings hereby approved, the following spaces for loading and service vehicles are to be provided at Basement Level 1 as outlined in Figure 1 within the Technical Note ref: TTIA Supplement_TNTR002 by James Edwards at Arup dated 28/07/23:

- Two x Medium Rigid Vehicle
- Three x Small Rigid Vehicles
- Eight x B99 ('van') spaces.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate.

Reason: To comply, as much as is practicable, with Transport for NSW requirements.

Trees and Landscaping

Landscaping Plan

79. The final Landscape Plan must be consistent with plans (project number 2208), prepared by Paddock Landscape Architects rev C dated 18.08.2023 together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- (a) Retention of trees numbered 1 to 15 as per the Arboricultural Impact Assessment Report by Tree Survey 15th March 2023.
- (b) The provision of an additional tree shall be planted in the front landscape area, to preferably replace one of the small trees shown. This tree is required to be provided in a minimum 100 litre container, reach a minimum mature height of 13m and be planted at a minimum distance of two (2) metres from any drainage line (unless it is concrete encased). Suitable species include (but are not limited to) the following:
 - *Angophora costata* (Sydney Red Gum)
 - *Angophora floribunda* (Rough Barked Apple)
 - *Corymbia maculata* (Spotted Gum)
 - *Eucalyptus crebra* (Narrow-leaved Ironbark)
- (c) Updated the proposed plant schedule indicating the above changes.
- (d) Provide adequate soil volume to the podium planters on the level 24 terraces supporting the *Cupaniopsis anacardioides* trees. The soil volume must be 9m³ minimum, as per the ADG soil requirements. To achieve this, it is recommended a structural soil cell system such as 'stratavault' cells (similar to that shown on level 1 terrace) is to be added below the paving and 'letterbox' type openings within the planter walls added to enable the soil to be contiguous under the paving to achieve the required soil volume to support the mature growth of the trees (long-term).
- (e) The level 24 terraces plan is to be updated to show the extent of the structural soil cell system such as 'stratavault' cells to ensure the required soil volume is met.
- (f) The location of all proposed underground service lines and OSD to be coordinated with the Civil Engineer plan.
- (g) The ramp paving detail to be updated to be permeable as per the Arboricultural Impact Assessment Report. Any proposed hard surface under the canopy of existing trees shall

be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer's recommendations.

Reason: To ensure restoration of environmental amenity.

Planting Upon Structure

80. The following must be provided with the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority:

- (a) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.
- (b) All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
- (c) Any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.
- (d) # Soil volume, depth and soil area must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures - Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):
- (e) Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)
- (f) Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
- (g) Typical turf planting on structure to show minimum 200-300mm soil depth.
- (h) Sections through the planters supporting the trees and shrubs over the basement, OSD and on podium level are required to show the above requirements.
- (i) Tree planting densities shall not exceed the prescribed soil volume and area as per ADG – Part 4 requirements.
- (j) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
- (k) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.
- (l) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Reason: To ensure the creation of functional gardens.

Statement on Tree Protection Management Plan

81. A Tree Protection Management Plan (TPMP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This TPMP is to identify specific tree protection measures to be implemented for the trees located within the site and adjacent to the site during demolition and construction and the expected future health of the trees. The TPMP must discuss the specific non-destructive construction method to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works. It should cover all stages of the works and cover any works to be supervised by the Project Arborist including:

- (a) A Tree Protection Plan must follow the tree numbers already identified in the existing Arboricultural Impact Assessment;
- (b) The TPMP must identify the specific tree protection type and location required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*;
- (c) Discuss supervision of any demolition and approved excavation to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected;
- (d) Provide guidance on the approved services to be installed within the TPZ of trees, to ensure non-destructive construction techniques are used to minimise the construction impact (i.e. bridging of roots);
- (e) Construction of any structure which requires a modified footing;
- (f) Landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ & SRZ); and

(g) Any other stages that the Project Arborist deems necessary.

Reason: To ensure adequate protection of existing trees.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

Planning

Appointment of PCA

82. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

Enclosure of the Site

83. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

Site Sign

84. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70(2) of the Environmental Planning and Assessment Regulation 2021 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;

The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

This condition does not apply where works are being carried.

Reason: Statutory requirement.

Toilet Facilities On Site

85. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

Reason: To ensure adequate toilet facilities are provided.

Public liability Insurance

86. Public risk insurance in the amount of not less than \$20 million (or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- (a) Above;
- (b) Below; or
- (c) On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

Note: Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

Footings and Walls Near Boundaries

87. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment. This set out survey showing the location of the development relative to the boundaries of the site, is to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.

Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.

Survey Report

88. A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

Heritage NSW – European Archaeology

89. Prior to any ground disturbance works occurring on the site, the Applicant shall obtain an approved application under s140 of the Heritage Act 1977. This application will need to be supported by an Archaeological Assessment and Archaeological Research Design, with a suitably qualified and experienced Excavation Director to oversee test excavations. It will also need to clearly outline a robust archaeological testing program to identify archaeological deposits at the site and what mitigation measures are proposed to avoid harm to any significant deposits identified at the site prior to works.

Reason: The subject site has potential to contain historical archaeological relics, which are protected under s.139 of the Heritage Act 1977. The Applicant must obtain an approval under s.141 of the Heritage Act 1977 prior to any harm occurring to relics.

Engineering

Construction Environmental Management System and Plan

90. A Construction Environmental Management System and Plan (CEMP) shall be submitted to, and approved by, Council's Manager DTSU prior to work.

The CEMP must be prepared in accordance with ISO14001:2015 and the Department of Infrastructure, Planning and Natural Resources (2004) '*Guidelines for the Preparation of Environmental Management Plans*' and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

This plan should cover demolition, soil and water management and site maintenance and any associated groundwater, flooding and overland stormwater flow management. It must address any possible pollution risks, and how they will be managed. It must incorporate updated erosion and sediment control plans/ stormwater plan showing how rainwater and groundwater captured within the site will be treated to satisfactory water quality standards, monitored and discharged. The plan and management system must be implemented throughout the work.

Reason: Environment protection.

Road Opening Permits

91. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

In addition, no drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

Reason: To protect Council's assets throughout the development process.

Dilapidation Survey & Report for Private Properties

92. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the excavation face to a depth of twice that of the excavation.

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principal Certifying Authority.

Note: This documentation is for record keeping purposes only, and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

Geotechnical Report

93. Prior to the commencement of any excavation works on site the applicant must submit, for approval by Council's Manager DTSU and an appropriately qualified independent third party engineer, a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural

groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- (f) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction.

The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent properties and structures both during and after construction. The report must contain site specific geotechnical recommendations and must specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

Reason: To ensure the ongoing safety and protection of property.

Erosion and Sediment Control Measures

94. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

Reason: To ensure soil and water management controls are in place before site works commence.

Site Maintenance

95. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (a) all existing buildings are to be secured and maintained to prevent unauthorised access

- and vandalism
- (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (d) the site is to be maintained clear of weeds; and
- (e) all grassed areas are to be mowed on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

Shoring and Adequacy of Adjoining Property

96. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

Reason: As prescribed under the Environmental Planning and Assessment Regulation 2021.

Special Permits

97. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

The application is to be lodged with Council's Customer Service Centre.

Reason: Proper management of public land.

Driveway Crossing Application

98. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Note 2: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Existing Damage to Public Infrastructure

99. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

Construction Phase Emergency Response Plan

100. A site construction phase emergency response plan must be prepared, detailing evacuation procedure, storing of construction equipment and any procedures for the protection of the site on the occasion of fire, flood or other emergency event. Details must be submitted for PCA approval prior to works.

Reason: To ensure workers are adequately protected.

Environmental Health

Remediation Action Plan

101. Additional site investigations and remediation works shall be carried out in accordance with the Remediation Action Plan numbered Project No 99541.05 R.001.Rev0 prepared by Douglas Partners dated 29 June 2023. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

Validation Report

102. A validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates:

- a) Compliance with the approved RAP;
- b) The remediation acceptance criteria (in the approved RAP) has been fully complied with;
- c) All remediation works undertaken comply with the contaminated lands planning guidelines, Contaminated Lands Management Act 1997, SEPP 55 and Council's Management of Contaminated Lands Policy and includes:
 - Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - A "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and
 - A statement confirming that the site following remediation of contamination is suitable for the intended use.

Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997.

Validation Report – Site Audit Statement

103. Following the preparation of the validation report, Council requires the applicant to engage an accredited auditor under the Contaminated Land Management Act 1997 to review the Validation Report prepared by the contaminated land consultant and issue a Site Audit Statement. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development. The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Occupation Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 4.55 Modification Application or further Development Application pursuant to the Environmental Planning and Assessment Act 1979 will be required.

Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997

Asbestos Hazard Management Strategy

104. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

Hazardous Material Survey

105. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- a) The location of hazardous materials throughout the site;
- b) A description of the hazardous material;
- c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- f) Identification of the disposal sites to which the hazardous materials will be taken.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

Waste Management Plan – Demolition

106. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
 - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying

Authority prior to commencement of any works on site.

Reason: To ensure waste is managed and disposed of properly.

Trees and Landscaping

Tree Protection as per Arborist Report

107. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Tree Survey dated 13 March 2023 and the conditions of consent.

Reason: To ensure the protection of the tree(s) to be retained on the site.

Tree Protection During Construction

108. Tree protection measures are to be installed prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970:2009 - "Protection of Trees on Development Sites". Written confirmation by the Project Arborist to be forwarded to the Certifying Authority to state tree protection measures were retained and in place, in accordance with the Conditions of Consent (unless prior approval from the Project Arborist was provided).

Reason: To ensure tree(s) are adequately protected throughout the construction phase.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

Planning

Building Work in Compliance with BCA (DoP Mandatory Condition)

109. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2021.

Copy of Development Consent

110. A copy of this development consent, together with the stamped plans, reference documents and associated specifications, is to be held onsite during the course of any works, to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

Materials on Footpath

111. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs, or vehicles associated with the construction, excavation, or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park, or reserve without the prior approval being issued by Council under section 138 of the *Roads Act 1993*.

Reason: To ensure pedestrian access.

Materials on Drainage Line

112. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

Hours of Work and Noise (DoP Mandatory Condition)

113. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- **7am to 5pm on Monday to Friday**
- **8am to 5pm on Saturday**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: To protect the amenity of the surrounding area

Construction Noise (DoP Mandatory Condition)

114. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

Reason: To protect the amenity of the neighbourhood

Uncovering Relics/Aboriginal Objects (DoP Mandatory Condition)

115. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that:-
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and

- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

Complaints Register

116. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
- The date and time of the complaint;
 - The means by which the complaint was made;
 - Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
 - Nature of the complaints;
 - Any action(s) taken by the applicant in relation to the complainant, including any follow up contact with the complainant; and
 - If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

Reason: To allow the Principal Certifying Authority to ensure complaints are dealt with appropriately.

Engineering

Erosion & Sediment Control Measures

117. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

Drainage to Existing System

118. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).

Reason: To ensure satisfactory stormwater disposal.

Damage to Public Infrastructure

119. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

Car Parking & Driveways

120. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 ‘Off Street Car Parking Facilities’ prior to an Occupation Certificate being issued.

Reason: To ensure appropriate car parking.

Vehicle Egress Signs

121. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

Nomination of Engineering Works Supervisor

122. During construction of all public area civil and drainage works a qualified civil engineer must

supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.
Reason: To ensure Council's assets are appropriately constructed.

Environmental Health

Remediation Contact Details

123. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.
Reason: To provide contact details for council inspectors and for the public to report any incidents.

Contamination – Additional Information

124. Any new information which comes to light during remediation, demolition, or construction works, which has the potential to alter previous conclusions about site contamination, shall be notified to the Council and the Principal Certifying Authority immediately.
Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

Remediation Works

125. All remediation works shall be carried out in accordance with clauses 4.14 and 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021.
Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

Groundwater Analysis

126. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Handled and Disposed of by Licensed Facility

127. All friable and non-friable asbestos-containing waste on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.
Reason: To ensure appropriate disposal of asbestos materials.

Asbestos – Records Disposal

128. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.
Reason: To ensure appropriate disposal of asbestos materials.

Contaminated waste to licensed EPA landfill

129. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

Waste Data Maintained

130. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

Reason: To confirm waste minimisation objectives are met.

Dust Control

131. Dust control measures shall be implemented during all periods of earth works, demolition, excavation, and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with the City of Parramatta Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the *Protection of the Environment Operations Act 1997*.

Reason: To protect the amenity of the area.

Noise/Vibration

132. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

Public Domain**Public Domain Works Inspections**

133. All the public domain works shall be constructed by licensed contractors. All the soft landscape works shall be carried out by licensed landscape contractors.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Council's Inspection Officer for each inspection listed below. At least 48 hours notice must be given for all inspections.

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Completion of unit (granite) paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.

- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery; The contractor shall provide Council Officer the NATSPEC document to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

Note: Additional daily inspections by Council Officers may occur to view progressive paving set out and construction depending on the project size and type.

Reason: To ensure the quality of public domain works complying with Council standards and requirements.

Public Area Works Supervision

134. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's Public Domain Guidelines. Certification is required to be provided with the Occupation Certificate.

Reason: To ensure Council's assets are appropriately constructed.

Traffic

Occupation of any part of Footpath/Road

135. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

Oversize Vehicles Using Local Roads

136. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

Trees and Landscaping

Tree Removal

137. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Tree Pruning

138. All pruning must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and confirm to the provisions of AS4373-2007 "Pruning Amenity Trees", and the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure the pruning will not adversely affect the tree(s).

Material Storage and Trees

139. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree. If activities involving soil level changes, excavation, all types of cleaning, and refuelling are prohibited within the TPZ.

Reason: To ensure the protection of the tree(s) to be retained on the site.

No Attachments to Trees

140. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.
Reason: To ensure the protection of the tree(s).

Excavation to be Supervised by Arborist

141. All demolition and excavation within the distances below, is to be supervised by an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist.

Tree No.	Botanical name	Common name	Location	Distance from trunk
2	<i>Olea africana</i>	African Olive	85 George St	11.4m
3	<i>Ficus macrophylla</i>	Morton Bay Fig	85 George St	7.2m

All works within this zone is to be carried out using non-destructive construction method or careful hand-dig to retain all roots >30mm in diameter.

Once the work is completed a written summary detailing the works undertaken is to be forwarded to the Certifying Authority and to state if works were carried out in accordance with the Conditions of Consent and AS4970 *Protection of Trees on the Development sites*.

Reason: To provided adequate protection of trees.

Tree Removal

142. Trees to be removed are:

Tree No.	Species	Common Name	Location
1	<i>Melia azedarach</i>	Chinaberry	Front setback
7	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
8	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
9	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
10	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
11	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
12	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
13	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
14	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback
15	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly	Front setback

Reason: To facilitate development.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

Planning

Occupation Certificate

143. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.
Reason: To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

Record of Inspections Carried Out

144. The Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
- (a) The development application and Construction Certificate number as registered;
 - (b) The address of the property at which the inspection was carried out;
 - (c) The type of inspection;
 - (d) The date on which it was carried out;
 - (e) The name and accreditation number of the Principal Certifying Authority by whom the inspection was carried out; and
 - (f) Whether or not the inspection was satisfactory in the opinion of the Principal Certifying Authority who carried it out.

Reason: To comply with stator requirements.

Release of Securities/Bonds (DoP Mandatory Condition)

145. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held.

Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

Note: A written application to Council's Civil Assets Team is required for the release of a bond and must quote the following:

- a. Council's Development Application number; and
- b. Site address.

Note: Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice.

Reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

Certification – Fire Safety

146. Prior to the issue of each Occupation Certificate, a final fire safety certificate must be issued as required by Clause 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Reason: Protection of life and to comply with legislative requirements.

Street Numbering Display

147. A street number is to be placed on the building in a readily visible location from a public place prior to the issue of an Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To assist wayfinding.

Certification – Artwork

148. Final documentation including details of fabrication and installation of the public art work in keeping with the approved Detailed Public Art Plan, including a maintenance schedule, must be submitted and approved by Council and the art work completed in full and installed to the satisfaction of Council prior to the issue of the final Occupation Certificate.

Reason: To comply with Development control requirements.

Completion of Public Utility Services

149. Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.

Before the issue of the occupation certificate, the certifier must request written confirmation from

the relevant authority that the relevant services have been completed.

Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation

All Works/Methods/Procedures/Control Measures

150. Prior to the issue of an Occupation Certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and the City of Parramatta, stating that all works/methods/procedures/control measures/recommendations approved by Council in the specialist reports listed in Condition 1 have been implemented.

Reason: To demonstrate compliance with submitted reports.

Crime Prevention

151. Prior to issue of any Occupation Certificate a CCTV system shall be implemented to provide 24/7 surveillance of all building entry and exit points (including car park entry and exit), footpaths and publicly accessible areas. The CCTV system operated by the complex should comply with Australian Standard AS/NZS 62676-20206. Images should be retained for a minimum of 30 days before deletion.

Reason: To assist in crime prevention and solving.

Heritage NSW – European Archaeology

152. Prior to the issue of the Occupation Certificate by Council and/or the Principal Certifying Authority, the Applicant shall supply a copy of written correspondence from the Heritage Council of NSW or its delegate confirming that their requirements under any Heritage Act 1977 approval have been satisfied.

Reasons: The subject site has potential to contain historical archaeological relics, which are protected under s.139 of the Heritage Act 1977. The Applicant must obtain an approval under s.141 of the Heritage Act 1977 prior to any harm occurring to relics.

Access Easement – 85 George Street

153. A vehicular right of way easement, benefitting No. 85 George Street Parramatta (SP 74416), is to be registered over the driveway and basement so as to provide access for vehicles from George Street to the shared subterranean boundary.

Terms of the easement are to be to the satisfaction of Council.

The instrument must be created under an 88B application to Council and registered with NSW Land Registry Services before any Occupation Certificate may be issued for this site.

Reason: To allow any redevelopment of No. 85 George Street to benefit from use of the subject driveway, minimising road crossings and impacts on the Perth House heritage item.

Design Excellence

Design Jury Review

154. Prior to issue of any Occupation Certificate, the applicant is to submit for approval by Council's Group Manager Development and Traffic Services (DTSU), a Design Excellence Integrity Report, with photos of the building and relevant certification that the building has been built in accordance with the requirements of the design competition winning scheme, specifically addressing any key elements required by the Jury.

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team, and Council's ESD consultant, as part of their assessment.

If considered necessary, access must be provided to the building(s).

Where matters are identified which are not satisfactory, resolution shall be required prior to the issue of the Occupation Certificate.

Reason: To ensure the proposal achieves design excellence.

Engineering

Reinstatement of Laybacks

155. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

Lot Consolidation

156. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Section 73 Certificate

157. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water prior to the issue of an Occupation Certificate.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveways or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Reason: To ensure the requirements of Sydney Water have been complied with.

Work-as-Executed Plan

158. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that the following documentation is completed and submitted

- a. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- b. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- c. The "As-built" On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- f. Approved versus installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- g. Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

The above is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate and another set of the documents shall be submitted to Council.

Reason: To ensure works comply with approved plans and adequate information are available for Council to update the Council's Record.

Flood Emergency Management Plan

159. Prior to issue of the relevant Occupation Certificate(s), the applicant must demonstrate that the flood protection measures outlined in the Flood Emergency Management Plan by Molino Stewart Final dated March 2023 are fully operational.

Reason: Flood protection of occupants.

OSD Positive Covenant/Restriction

160. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Council's standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the on-site detention system.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation of the site.

Electronic colour photographs in jpg format of the on-site detention facility shall accompany the application for the Positive Covenant and the Restriction on the Use of the Land. These photos shall include such elements as the orifice plate, trash screen, step irons, weir, sump and bench on the floor of the DCP, return pipe and flap valve, wide angle view of the storage area or multiple photos, grates closed from above, grates open showing the edges to the opening and under frame packing with mortar or concrete, all pipe entries to the DCP and confined space warning signs at each entry point. The photos must be well labelled and must differentiate between multiple tanks. Additional photos may be requested if required.

Reason: To ensure maintenance of on-site detention facilities.

Positive Covenant for Water Treatment Devices

161. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the stormwater management facilities and water sensitive urban design stormwater facilities installed on the lot.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Council's standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the stormwater management facilities and water sensitive urban design stormwater facilities.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Accompanying this form is the requirement for a plan to scale showing the relative location of the stormwater management facilities, including its relationship to the building footprint.

Reason: To ensure maintenance of stormwater management facilities.

Positive Covenant for Flood Protection Devices

162. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and

Restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain in working order the flood protection facilities installed on the lot, the flood refuge in place facilities, and the flood warning systems.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Council's standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the facilities.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Accompanying this form is the requirement for a plan to scale showing the relative location of the flood protection facilities, including their relationship to the building footprint.

Reason: To ensure maintenance of stormwater management facilities.

Post-Construction Dilapidation Report

163. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to and approved by the Principal Certifying Authority (PCA) prior to issue of occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
- (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

Reason: To establish the condition of adjoining properties prior building work and ensure any damage as a result of the construction works have been rectified.

Environmental Health

Commencement of Waste Collection Services

164. Prior to the issue of any Occupation Certificate, evidence that a waste collection service contractor has been engaged to service the commercial uses on site shall be submitted to the satisfaction of the PCA.

Reason: To ensure a waste collection service is commenced at the time of occupation of the development.

Waste Storage Rooms

165. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the Principal Certifying Authority prior to occupation of the premises.

Reason: To ensure appropriate waste storage facilities are provided for future occupants.

Public Domain

Public Domain Works-as-Executed

166. Prior to **any issue** of the Occupation Certificate (including a Preliminary OC), the works outlined

in the approved Public Domain Construction Drawings must be completed to Council's satisfaction with a **final approval** obtained from Council's Assets & Environment Manager.

The **Work-as-Executed Plans** shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC.

Council will issue the **final approval** for public domain works in accordance with the approved public domain documentation and to Council's satisfaction. A **final inspection** will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

A one year (52 week) maintenance period is required to be carried out by the applicant for all the works constructed in the public domain (including dedicated reserve/park). A landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council specifying minimum 52 weeks' plant establishment to be provided by the applicant following handover of paving and furniture assets to Council. Council maintenance of plant material to commence following the above plant establishment period.

A two year (104 week) maintenance and defects period is required for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc., to be carried out by the developer following final OC approval of the public domain works by Council Officers.

Reason: To ensure the quality of public domain works is completed to Council's satisfaction.

Sustainability

NABERS Fulfilment

167. Before the issue of an Occupation Certificate the Principal Certifying Authority is to be satisfied that:
- a) The design and documented requirements to deliver the NABERS Energy rating and requirements of the NABERS Energy commitment agreement CA0429 have been implemented.
 - b) The design and documented requirements to deliver the NABERS Water rating have been implemented.

Reason: To ensure sustainable development outcomes are achieved.

Traffic

Car Share

168. The Applicant shall provide written evidence to Council's DTSU Manager, prior to release of the final Occupation Certificate, demonstrating that at least 2 car share spaces have been offered to all car share providers operating in the greater Sydney area together with the outcome of the offers or a letter of commitment to the service if an operator has been secured.

Reason: To comply with Council's parking requirements.

Green Travel Plan

169. Prior to the issue of the relevant Occupation Certificate(s), a Green Travel Plan is to be submitted to and approved by Council's Manager DTSU, supported by details of how that Plan will be implemented. The plan is to include:
- a) Targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode,
 - b) Measures to achieve the targets including a list of specific tools or actions,
 - c) Monitoring Scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey.

Reason: To minimise trips by private vehicle.

Trees and Landscaping

Tree Planting Container Size

170. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

Reason: To minimise plant failure rate and ensure quality of stock utilised.

Landscape Certification

171. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.

Reason: To ensure restoration of environmental amenity.

Green Wall Positive Covenant/Restriction

172. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the green wall on the eastern boundary, including waterproofing.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation of the site.

Reason: To ensure maintenance of green wall.

PART F – OCCUPATION AND ONGOING USE

Planning

Graffiti Management

173. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

Signage Consent

174. No advertisement or signage shall be erected on, or in conjunction with the development without prior consent. No digital displays are to be installed behind the shop display or otherwise.

Reason: To comply with legislative controls.

Ground Level Appearance

175. Roller shutters are not to be placed over any external door or window of the premises.

Reason: To provide an appropriate streetscape appearance.

Goods Not to be Displayed Outside Premises

176. No goods are to be stored/displayed outside the walls of the building.

Reason: To ensure visual amenity.

Engineering

Flood Emergency Management Plan

177. The procedures and recommendations outlined in the Flood Emergency Management Plan by Molino Stewart Final dated March 2023 are to be implemented for the life of the development unless otherwise approved by City of Parramatta Council.
Reason: Flood protection of occupants.

Environmental Health

Offensive Noise/Vibration Restriction

178. All plant, operations and use of the building hereby approved shall comply with the following standards:
- (a) Not result in transmission of unacceptable vibration to any place of different occupancy,
 - (b) The L10 noise level emitted from the premises shall not exceed 5dB above the background L90 sound level in any Octave Band Centre Frequency (31.5kHz to 8kHz inclusive) between the hours of 8.00am to 11.00pm when assessed at the boundary of the nearest affected residential premises.
 - (c) The L10 noise level emitted from the premises shall not exceed the background L90 sound level in any Octave Band Centre Frequency (31.5kHz to 8kHz inclusive) between 11:00pm and 08:00 am at the boundary of the nearest affected residential premises.
- The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.
Reason: To prevent loss of amenity to the area.

Noise from Mechanical Equipment

179. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
Reason: To protect the amenity of the area.

Noise to street

180. There are to be no external speakers at the premises.
Reason: To prevent loss of amenity to the area.

Separate Waste Bins

181. Separate waste bins are to be provided on site for landfill and recyclable waste.
Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

Putrescible Waste

182. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
Reason: To ensure provision of adequate waste disposal arrangements.

Waste Collection

183. All waste collection must occur on site (i.e. off-street).
Reason: To minimise impact on the road network.

Maintenance of Waste Storage Areas

184. All waste storage areas are to be maintained in a clean and tidy condition at all times.
Reason: To ensure the ongoing management of waste storage areas.

Waste Storage

185. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection

periods.

Reason: To ensure waste is adequately stored within the premises.

Trade Waste

186. Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

Reason: To ensure compliance with Sydney Water's requirements and protect the environment.

Public Domain

Maintenance of Public Domain Works

187. A two-year (104 weeks) maintenance period, from the date of issue of the final Occupation Certificate, is required to be carried out by the applicant for all the works constructed in the public domain.

A Landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of the final Occupation Certificate, that specifies after Council's final approval who and how to maintain the public domain works during the 104 weeks.

Reason: To ensure the required public domain improvements are maintained.

Sustainability

Green Star Reporting

188. The applicant will undertake a formal Green Star Design and As Built rating within 18 months of practical completion and submit the results to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

NABERS Reporting

189. The applicant will undertake a formal NABERS Energy Rating within 18 months of the building occupation, and submission of the rating result to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

Traffic

Green Travel Plan

190. The Green Travel Plan, required by these conditions, shall be displayed at all times through the communal commercial areas of the building.

Reason: To discourage trips by private vehicle.

Review report of Green Travel Plan

191. One year from the issue of the Occupation Certificate, and every year for 2 years thereafter, the applicant shall submit to the satisfaction of Council's Manager Development & Traffic Services a review report on the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include any recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

Reason: To ensure the effective management of the Green Travel Plan.

Car Share

192. If a car share provider accepts the applicant's offer of 1 or more car share spaces, the car share space(s) shall be provided to the preferred operator on the site for as long as the car share operator would like to occupy the space or as otherwise agreed by Council's DTSU Manager.

Any car share space(s) are to be provided within the basement. The car share space(s) shall be accessible to the public at all times. A right of way shall be registered on the title to this effect.

Reason: To comply with Council's parking requirements.

Loading Dock Management

193. The loading dock shall be managed at all times in keeping with the requirements of the Loading Dock Management Plan required by this consent.

Reason: To ensure the efficient servicing of the site.

Direction of Travel

194. All vehicles are to enter and exit the site in a forward direction.

Reason: To ensure the safety of pedestrians and road users.

Trees and Landscaping

Maintenance of Site Works

195. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

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