



CITY OF PARRAMATTA

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA/327/2024 PAN-432973
Applicant	Gary Bowtell L9, 60 Castlereagh Street, Sydney
Description of development	47-storey mixed-use building fronting Phillip Street comprising retail premises, office premises and build to rent housing units; 30-storey mixed-use building fronting George Street comprising retail premises, office premises; basement car parking, public through-site links; landscaping; following demolition of existing 'Octagon' office building, earthworks, tree removal; and Torrens title subdivision to create two stratum lots. The application will be determined by the Sydney Central City Planning Panel.
Property	110 GEORGE STREET PARRAMATTA 2150 101/-/DP789839
Determination	Deferred commencement Consent Authority - Sydney Central City Regional Planning Panel
Date of determination	TBD

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of deferred commencement consent using the power in section 4.16(3) of the EP&A Act, subject to the conditions set out in this notice.

Relevant matters

This consent does not operate and may not be acted on until the consent authority is satisfied of the following matter(s):

Schedule 1:

(1) Amendments to Architectural Drawings & Dwelling Mix

- (a) The architectural drawings prepared by Hassall shall be amended to substitute 'Typical Low-Rise Type 2' floorplate (noted on drawing no. DA1201A) with 'Typical Low-Rise Type 1' floorplate (noted on drawing no. DA1201) between levels 10 and 13 (inclusive) for the shop-top housing/residential flat building. A copy of amended architectural drawings shall be submitted to Council's Development and Traffic Services ('DTSU') Manager for approval prior to the activation of this consent.

Reason: To ensure an appropriate quantity of three-bedroom units are provided in the development to meet the residential needs of the community.

Evidence of the above relevant matter(s) must be produced to the consent authority, within the period specified in Section 4.53(6) of the *Environmental Planning & Assessment Act 1979* from the date of the determination, otherwise the consent will lapse.

Under section 76(4) of the EP&A Regulation, the consent authority will notify you in writing if the matters above have been satisfied and the date from which this consent operates.

The conditions of development consent below apply from the date that this consent operates.

Note: *Section 76(3) of the EP&A Regulation enables a consent authority to specify the period within which the applicant must produce evidence to the consent authority sufficient enough to enable it to be satisfied as to the relevant matter(s) that it requires before a deferred commencement consent can operate. Where a period is specified under section 76(3), a deferred commencement consent will lapse if the applicant has not produced sufficient evidence for the consent authority to be satisfied of the relevant matters on the expiration of the specified period.*

Where the applicant produces evidence of the relevant matters in accordance with section 76(4) of the EP&A Regulation, the consent authority must notify the applicant whether or not it is satisfied as to the relevant matter(s). If the consent authority has not notified the applicant within 28 days after receiving the applicant's evidence, the consent authority is taken to have notified the applicant that it is not satisfied about the relevant matter(s) on the date on which that period expires, for the purposes of section 8.7 of the EP&A Act (see sections 76(4), (5) and (6) of the EP&A Regulation).

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that

you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Douglas Bennett

Development Assessment Officer

Person on behalf of the consent authority

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1. Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans				
Plan No.	Rev.	Title	Author	Date
DA0001	2	COVER SHEET AND DRAWINGS LIST	Hassell Ltd	31.01.2025
DA0010	2	PHOTOMONTAGE - VIEW 1	Hassell Ltd	31.01.2025
DA0011	2	PHOTOMONTAGE - VIEW 2	Hassell Ltd	31.01.2025
DA0012	2	PHOTOMONTAGE - VIEW 3	Hassell Ltd	31.01.2025
DA0013	2	PHOTOMONTAGE - VIEW 4	Hassell Ltd	31.01.2025
DA0100	2	CONTEXT PLAN	Hassell Ltd	31.01.2025
DA0102	3	SITE PLAN - PROPOSED	Hassell Ltd	08.05.2025
DA0299	2	DEMOLITION PLAN - B1	Hassell Ltd	31.01.2025
DA0300	2	DEMOLITION PLAN - GROUND	Hassell Ltd	31.01.2025
DA1097	2	PROPOSED - GA PLAN - B3 - BASEMENT	Hassell Ltd	31.01.2025
DA1098	2	PROPOSED - GA PLAN - B2 - BASEMENT	Hassell Ltd	31.01.2025
DA1099	2	PROPOSED - GA PLAN - B1 - BASEMENT	Hassell Ltd	31.01.2025
DA1100	2	PROPOSED - GA PLAN - L00 - GROUND	Hassell Ltd	31.01.2025
DA1101	3	PROPOSED - GA PLAN - L01 - PODIUM	Hassell Ltd	08.05.2025
DA1102	3	PROPOSED - GA PLAN - L02 - PODIUM	Hassell Ltd	08.05.2025
DA1103	3	PROPOSED - GA PLAN - L03 - PODIUM BTR ROOF / COMM CHILDCARE	Hassell Ltd	08.05.2025
DA1104	2	PROPOSED - GA PLAN - L04 - TOWER BTR TYP LR 01 / PODIUM COMM ROOF	Hassell Ltd	31.01.2025

DA1105	2	PROPOSED - GA PLAN - L05 - TOWER BTR TYP LR 01 / COMM LR PLANT	Hassell Ltd	31.01.2025
DA1106	2	PROPOSED - GA PLAN - L10 - TOWER BTR TYP LR 02 / TOWER COMM TYP LR	Hassell Ltd	31.01.2025
DA1107	2	PROPOSED - GA PLAN - L16 - TOWER BTR TYP MR / TOWER COMM TRANSFER	Hassell Ltd	31.01.2025
DA1108	2	PROPOSED - GA PLAN - L17 - TOWER BTR TYP MR / TOWER COMM OVERRUN	Hassell Ltd	31.01.2025
DA1109	2	PROPOSED - GA PLAN - L25 - TOWER BTR TRANSFER / TOWER COMM TYP HR 01	Hassell Ltd	31.01.2025
DA1110	2	PROPOSED - GA PLAN - L26 - TOWER BTR OVERRUN / TOWER COMM TYP HR 02	Hassell Ltd	31.01.2025
DA1111	2	PROPOSED - GA PLAN - L27 - TOWER BTR TYP HR / TOWER COMM HR TRANSFER	Hassell Ltd	31.01.2025
DA1112	2	PROPOSED - GA PLAN - L28 - TOWER BTR TYP HR / TOWER COMM HR PLANT	Hassell Ltd	31.01.2025
DA1113	2	PROPOSED - GA PLAN - L29 - TOWER BTR TYP HR / TOWER COMM OUTDOOR AMENITY	Hassell Ltd	31.01.2025
DA1114	2	PROPOSED - GA PLAN - L30 - TOWER BTR TYP HR / TOWER COMM ROOF	Hassell Ltd	31.01.2025
DA1115	4	PROPOSED - GA PLAN - L42 - TOWER BTR TYP HR AMENITIES & APARTMENTS	Hassell Ltd	26.05.2025
DA1116	4	PROPOSED - GA PLAN - L43 - TOWER BTR TYP SR (L44 SIM)	Hassell Ltd	26.05.2025
DA1117	2	PROPOSED - GA PLAN - L45 - TOWER BTR PLANT	Hassell Ltd	31.01.2025
DA1118	2	PROPOSED - GA PLAN - L46 - TOWER BTR PLANT	Hassell Ltd	31.01.2025
DA1119	3	PROPOSED - GA PLAN - L47 - TOWER BTR PLANT	Hassell Ltd	26.05.2025
DA1120	4	PROPOSED - GA PLAN - ROOF - TOWER BTR ROOF	Hassell Ltd	26.05.2025
DA1200	2	PROPOSED - BTR TYPICAL FLOOR PLANS	Hassell Ltd	31.01.2025
DA1201	2	PROPOSED - BTR TYPICAL FLOOR PLANS	Hassell Ltd	31.01.2025

DA1201A	1	PROPOSED - BTR TYPICAL FLOOR PLANS	Hassell Ltd	31.01.2025
DA1202	2	PROPOSED - BTR TYPICAL FLOOR PLANS	Hassell Ltd	31.01.2025
DA1202A	1	PROPOSED - BTR TYPICAL FLOOR PLANS	Hassell Ltd	31.01.2025
DA1203	2	PROPOSED - BTR ADAPTABLE APARTMENTS	Hassell Ltd	31.01.2025
DA1204	1	PROPOSED - COMMERCIAL TYPICAL FLOOR WC PLAN	Hassell Ltd	31.01.2025
DA1800	2	PROPOSED AREA PLANS - GFA - BTR	Hassell Ltd	31.01.2025
DA1801	2	PROPOSED AREA PLANS - NLA - BTR	Hassell Ltd	31.01.2025
DA1802	2	PROPOSED AREA PLANS - GBA - BTR	Hassell Ltd	31.01.2025
DA1810	2	PROPOSED AREA PLANS - GFA - COMM	Hassell Ltd	31.01.2025
DA1811	2	PROPOSED AREA PLANS - NLA - COMM	Hassell Ltd	31.01.2025
DA1812	2	PROPOSED AREA PLANS - GBA - COMM	Hassell Ltd	31.01.2025
DA2000	3	PROPOSED EXTERNAL ELEVATION - NORTH - BTR - PHILLIP ST	Hassell Ltd	08.05.2025
DA2001	3	PROPOSED EXTERNAL ELEVATION - SOUTH - COMM - GEORGE ST	Hassell Ltd	08.05.2025
DA2002	3	PROPOSED EXTERNAL ELEVATION - EAST	Hassell Ltd	08.05.2025
DA2003	3	PROPOSED EXTERNAL ELEVATION - WEST	Hassell Ltd	08.05.2025
DA2004	2	PROPOSED EXTERNAL ELEVATION - NORTH - COMM - CENTRAL PLAZA	Hassell Ltd	31.01.2025
DA2005	3	PROPOSED EXTERNAL ELEVATION - SOUTH - BTR - CENTRAL PLAZA	Hassell Ltd	08.05.2025
DA3000	2	PROPOSED SECTION LONGITUDINAL - LG LOBBY / RAMP	Hassell Ltd	31.01.2025
DA3001	2	PROPOSED SECTION CROSS BTR	Hassell Ltd	31.01.2025
DA3002	2	PROPOSED SECTION CROSS COMMERCIAL	Hassell Ltd	31.01.2025

DA3003	2	PROPOSED SECTION LONGITUDINAL - TSL	Hassell Ltd	31.01.2025
DA3500	1	DETAIL SECTION - BASEMENT ENTRY RAMP	Hassell Ltd	31.01.2025
DA4000	3	FACADE OVERVIEW - BTR	Hassell Ltd	13.03.2025
DA4001	3	TOWER ELEVATIONS - BTR	Hassell Ltd	08.05.2025
DA4002	3	PODIUM ELEVATIONS - BTR	Hassell Ltd	08.05.2025
DA4003	2	PODIUM ELEVATIONS - BTR	Hassell Ltd	31.01.2025
DA4005	2	TYPICAL MODULE DETAILS - BTR	Hassell Ltd	31.01.2025
DA4006	2	TYPICAL MODULE DETAILS - BTR	Hassell Ltd	31.01.2025
DA4007	2	TOWER PLANT DETAILS - BTR	Hassell Ltd	31.01.2025
DA4100	2	FACADE OVERVIEW - COMM	Hassell Ltd	31.01.2025
DA4101	2	EAST AND NORTH ELEVATIONS - COMM	Hassell Ltd	31.01.2025
DA4102	2	WEST AND SOUTH ELEVATIONS - COMM	Hassell Ltd	31.01.2025
DA4103	2	FT-1 TYPICAL MODULE - COMM	Hassell Ltd	31.01.2025
DA4104	2	FT-2A/2B MIXED MODE SPACE - COMM	Hassell Ltd	31.01.2025
DA4105	2	FT-3 BUILDING CROWN - COMM	Hassell Ltd	31.01.2025
DA4106	2	FT-4 WEST FACADE - COMM	Hassell Ltd	31.01.2025
DA4107	2	PODIUM ELEVATIONS - COMM	Hassell Ltd	31.01.2025
DA4108	2	PODIUM ELEVATIONS - COMM	Hassell Ltd	31.01.2025
DA6000	2	PROPOSED INTERFACES BUILT EDGE - SHEET 1	Hassell Ltd	31.01.2025
DA6001	2	PROPOSED INTERFACES BUILT EDGE - SHEET 2	Hassell Ltd	31.01.2025
DA6002	2	PROPOSED INTERFACES BUILT EDGE - SHEET 3	Hassell Ltd	31.01.2025
DA6003	2	PROPOSED INTERFACES BUILT EDGE - SHEET 4	Hassell Ltd	31.01.2025
DA6004	2	PROPOSED INTERFACES BUILT EDGE - SHEET 5	Hassell Ltd	31.01.2025
DA6005	2	PROPOSED INTERFACES BUILT EDGE - SHEET 6	Hassell Ltd	31.01.2025
DA9000	2	MATERIALS BOARD - BTR	Hassell Ltd	31.01.2025
DA9010	2	MATERIALS BOARD - COMM	Hassell Ltd	31.01.2025
000	B	Coversheet	Arcadia Landscape Architecture Pty Ltd	03.02.25
001	B	Legend	Arcadia Landscape Architecture Pty Ltd	03.02.25

002	B	Existing Tree Plan	Arcadia Landscape Architecture Pty Ltd	03.02.25
100	B	Landscape Masterplan - Site Context	Arcadia Landscape Architecture Pty Ltd	03.02.25
101	B	Landscape Masterplan - Public Domain	Arcadia Landscape Architecture Pty Ltd	03.02.25
301	B	Hardworks Plan 01 - BTR GF	Arcadia Landscape Architecture Pty Ltd	03.02.25
302	B	Hardworks Plan 02 - Commercial GF	Arcadia Landscape Architecture Pty Ltd	03.02.25
303	B	Hardworks Plan 03 - BTR Level 2	Arcadia Landscape Architecture Pty Ltd	03.02.25
304	B	Hardworks Plan 04 - BTR Level 3	Arcadia Landscape Architecture Pty Ltd	03.02.25
305	B	Hardworks Plan 05 - BTR Level 42	Arcadia Landscape Architecture Pty Ltd	03.02.25
306	B	Hardworks Plan 06 - Commercial Level 4	Arcadia Landscape Architecture Pty Ltd	03.02.25
307	B	Hardworks Plan 07 - Commercial Level 29	Arcadia Landscape Architecture Pty Ltd	03.02.25
400	B	Planting Schedule	Arcadia Landscape Architecture Pty Ltd	03.02.25
401	B	Softworks Plan 01 - BTR GF	Arcadia Landscape Architecture Pty Ltd	03.02.25
402	B	Softworks Plan 01 - Commercial GF	Arcadia Landscape Architecture Pty Ltd	03.02.25
403	B	Softworks Plan 02 - BTR Level 2	Arcadia Landscape Architecture Pty Ltd	03.02.25
404	B	Softworks Plan 03 - BTR Level 3	Arcadia Landscape Architecture Pty Ltd	03.02.25
405	B	Softworks Plan 04 - BTR Level 42	Arcadia Landscape Architecture Pty Ltd	03.02.25
406	B	Softworks Plan 05 - Commercial Level 4	Arcadia Landscape Architecture Pty Ltd	03.02.25
407	B	Softworks Plan 06 - Commercial Level 29	Arcadia Landscape Architecture Pty Ltd	03.02.25
501	B	Landscape Sections 01 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
502	B	Landscape Sections 02 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
503	B	Landscape Sections 03 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
504	B	Landscape Sections 04 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
505	B	Landscape Sections 05 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25

506	B	Landscape Sections 06 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
507	B	Landscape Sections 07 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
508	B	Landscape Sections 08 Ground Floor	Arcadia Landscape Architecture Pty Ltd	03.02.25
509	B	Landscape Sections 09 BTR	Arcadia Landscape Architecture Pty Ltd	03.02.25
510	B	Landscape Sections 10 COMM	Arcadia Landscape Architecture Pty Ltd	03.02.25
601	B	Hardworks Landscape Details	Arcadia Landscape Architecture Pty Ltd	03.02.25
602	B	Softworks Landscape Details	Arcadia Landscape Architecture Pty Ltd	03.02.25
700	B	Landscape Specification	Arcadia Landscape Architecture Pty Ltd	03.02.25

Approved documents			
Document	No.	Author	Date
Preliminary Site Investigation	304501471 (5)	Stantec	14.04.25
Report on Preliminary Geotechnical Investigation and Acid Sulphate Soil (ASS) Assessment	225159.01.R.001.DftB (0)	Douglas Partners Pty Ltd	21.03.25
Acid Sulfate Soil Management Plan	225159.02.R.001.Rev1	Douglas Partners Pty Ltd	16.04.25
Pedestrian Wind Environment Study	WD988-09F01(rev3)	Windtech Consultants	03.04.25
Public Art Strategy	P3820	UAP	Feb 2025
Reflectivity Report	23034 (5)	Surface Design Group Pty Ltd	19.12.25
Flood Impact Assessment and Flood Emergency Response Plan for 110 George Street, Parramatta	220055 (C)	GRC Hydro Pty Ltd	05.02.25
Development Application -	Rev B	Arcadia Landscape Architecture Pty Ltd	03.02.25

Public Domain & Landscape			
110 George Street Design Report	Rev B	Hassell Ltd	31.01.25
Net Zero Energy Statement	01	Introba Consulting Pty Ltd	19.09.24
Infrastructure Services Report	PS207987-WSP-REP-001 (C)	WSP	28.06.24
Due Diligence Aboriginal Archaeological Assessment	V.2	Archaeological Management & Consulting Group	30.05.24
Stormwater Management Report	DA01	Robert Bird Group Pty Ltd	26.04.24
Sustainability Management Plan	02	Introba Consulting Pty Ltd	29.04.24
Statement of Heritage Impact	J3721	Astragal Heritage Pty Ltd	20.03.24
Report on Geotechnical Desktop Study	225159.00 (1)	Douglas Partners Pty Ltd	26.04.24
Transport Assessment	P2503r01v02	ASON Group	30.04.24
Project WHS Management Plan	RP-WMP-PLN-001	Roberts Co Pty Ltd	22.04.24
Aeronautical Impact Assessment	V1 FINAL	Avlaw Aviation Consulting Pty Ltd	26.04.24
Operational Waste Management Plan	5608 (D)	Elephants Foot Consulting Pty Ltd	10.04.24
Preliminary Plan of Management		RF Corval	May 2024
Vertical Transportation Services Report	PS207987-WSP-REP-001 (A)	WSP	10.04.24
Construction Management Plan for DA Submission	01	Roberts Co	22.04.24

Baseline Archaeological Assessment	V.2	Archaeological Management & Consulting Group	18.04.24
Arboricultural Impact Assessment		Tree Management Strategies	18.04.24
Construction Noise and Vibration Management Plan	20240328.2 (0)	Acoustic Logic Pty Ltd	18.04.24
DA Acoustic Assessment	20240328.1 (0)	Acoustic Logic Pty Ltd	09.04.24
BCA Compliance Report	3	McKenzie Group Consulting	30.04.24
Access Review – Final	00806 (2)	MGAC Australia Pty Ltd	30.04.24
Plan of Proposed Subdivision of Lot 101 in DP 789839	23-0475 DSUB-TM (Rev 2)	Tasy Moraitis	06.06.25
Nationwide House Energy Rating Scheme® Class 2 Summary NatHERS® Certificate	No. FQTBZ5KZ2I	Kavita Gusain	12.02.25
BASIX Certificate	1745364M_03		13.05.25
Stamped BASIX Plans	FQTBZ5KZ2I (Rev 3)	Kavita Gussain/Hassell Ltd	

In the event of any inconsistency between the approved plans and documents, the approved plans prevail.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Build-to-rent housing

This condition applies to a development consent for development permitted under *State Environmental Planning Policy (Housing) 2021*, Chapter 3, Part 4.

It is a condition of the development consent that during the relevant period—

- (a) the buildings to which the development consent relates must contain at least 50 dwellings occupied, or intended to be occupied, by individuals under residential tenancy agreements, and
- (b) all buildings containing the dwellings are located on the same lot of land.
- (c) the tenanted component of the building shall not be subdivided into separate strata lots.
- (d) the tenanted component of the buildings to which the development consent relates must—
 - i. be owned and controlled by 1 person only, and
 - ii. be operated by 1 managing agent only, who provides on-site management.

In this condition—

- (a) **relevant period** has the same meaning as in *State Environmental Planning Policy (Housing) 2021*, section 73.

Condition reason: Prescribed condition under section 81 of the *Environmental Planning and Assessment Regulation 2021*.

3. **Compliance with Building Code of Australia and insurance requirements under *Home Building Act 1989***

It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the day on which the application for a construction certificate was made).

It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.

It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia (as in force on the day on which the application for development consent was made).

This condition does not apply—

- (a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or
- (b) to the erection of a temporary building, other than a temporary structure to which the above applies.

Condition reason: Prescribed condition under section 69 of the *Environmental Planning and Assessment Regulation 2021*.

4. **Erection of signs**

This condition applies to a development consent for development involving building work, subdivision work or demolition work.

It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- (a) showing the name, address and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

The sign must be—

- (a) maintained while the building work, subdivision work or demolition work is being carried out, and
- (b) removed when the work has been completed.

This condition does not apply in relation to—

- (a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
- (b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the *Environmental Planning and Assessment Regulation 2021*.

5. **No approval for childcare facility & site signage**

No approval is given for the use of the land as a **centre-based childcare facility** under this consent.

No advertisement/signage shall be erected on or in conjunction with the development without prior consent.

Condition reason: To clarify the approved land-uses under this consent.

6. **Building Activity Approval(s)**

All works must accord with the following controlled activity approvals issued by the Australian Department of Infrastructure, Transport, Regional Development, Communications and the Arts (including any conditions).

- Construction of a building – residential tower (Ref. 2024-BWU-003-B) dated 30 April 2025.
- Crane Operation – Luffing Tower Crane (TC1) (Ref. 2024-BWU-003-TC1) dated 30 April 2025.
- Crane Operation – Luffing Tower Crane (TC2) (Ref. 2024-BWU-003-TC2) dated 30 April 2025.
- Crane Operation – Luffing Tower Crane (TC3) (Ref. 2024-BWU-003-TC3) dated 30 April 2025.

Condition reason: To ensure works are undertaken in accordance with the aviation authority's requirements.

7. **Sydney Water – Backflow Prevention Requirements**

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before a backflow prevention device is installed at the site:

- (a) A hydraulic consultant or plumber must check the available water pressure versus the property's required pressure and flow requirements.
- (b) Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

For installation, a licensed plumber with backflow accreditation will need to be engaged, who can be found on the Sydney Water website: <https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflowprevention.html>

Condition reason: To ensure compliance with Sydney Water requirements.

8. **Sydney Water Requirements**

The proponent must abide by all requirements outlined in the letter issued by Sydney Water dated 11 July 2024 (Ref. 216394).

Condition reason: To ensure compliance with Sydney Water requirements.

9. **Endeavour Energy Requirements**

The proponent must abide by all requirements and recommendations outlined in the letter issued by Endeavour Energy dated 18 June 2024. In addition, the recommendations outlined in the letter issued by Endeavour Energy dated 22 December 2020 (submitted as part of DA/712/2020) must also be abided by, to the extent that they apply to the subject approval.

Condition reason: To ensure compliance with Endeavour Energy requirements.

10. **Waterways Protection**

All works must be carried out so that:

- (a) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the Parramatta River; and

- (b) No materials are likely to be carried by natural forces to the bed, shore or waters of the Parramatta River

Any material that does enter the Parramatta River must be removed immediately.

Condition reason: To ensure protection of waterways.

11. Tree Retention

Trees to be retained are:

Tree No.	Name	Common name	Location	Tree Protection Zone (m)
1	Platanus acerifolia	London Plane	George St	5.5
2	Platanus acerifolia	London Plane	George St	4.3
-	Zelkova Serrata	Japanese Zelkova	Phillip St	2
-	Zelkova Serrata	Japanese Zelkova	Phillip St	2
-	Zelkova Serrata	Japanese Zelkova	Phillip St	2

Trees equal to or greater than five (5) metres in height, which are protected under the *Parramatta Development Control Plan (DCP) 2023* (Part 5.3.4 Tree and Vegetation Preservation), must not be removed or damaged without Council consent.

Condition reason: To protect significant trees which contribute to the landscape character of the area.

12. Fulfilment of BASIX commitments

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—

- (a) BASIX development,
- (b) BASIX optional development, if the development application was accompanied by a BASIX certificate.

Condition reason: Prescribed condition under section 75 of the *Environmental Planning and Assessment Regulation 2021*.

13. Demolition of buildings

Approval is granted for the demolition of all buildings currently on the property, 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 Safe Work NSW 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 contain with asbestos approval to commence demolition will not be given until Council is satisfied that all asbestos removal measures and obligations are in place.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, signage is to be erected and maintained in accordance with Cl.469 of the Work Health and Safety Regulation 2017.
- (f) Should the conditions of this development consent require tree protection measures then 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 friable asbestos must be undertaken by a Class A friable licensed asbestos professional. Where there is in excess of 10sqm of non-friable (bonded) asbestos, the removal and disposal of the non-friable asbestos must be undertaken by either a Class A or Class B Asbestos Licence asbestos professional.
- (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.
- (j) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (k) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (l) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (m) Before demolition works begin, adequate toilet facilities are to be provided.
- (n) 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.
- (o) 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.
- (iv) Prior to any earthworks or construction undertaken on site associated with the proposed development, ensure the above items are submitted and a post demolition clearance is provided from Council.

Condition reason: To ensure demolition works are carried out in an appropriate and safe manner.

14. **Land Dedication**

The land identified on the Land Reservation Acquisition Map under the *Parramatta Local Environmental Plan 2023* shall be dedicated to City of Parramatta Council, at no cost to Council. The land shall be constructed as per the Council standards and conditions of this consent.

The property owner is responsible for the safety, repair and maintenance of the land until such time the dedication process is completed.

The formal handover of the land should happen when the land is free from construction traffic. At the time of handover, the land (and any improvements) must be free of defects. The developer is responsible for maintenance of the land until the formal handover. This time is equal or longer than the defect liability period.

Condition reason: To ensure dedication of land to Council in accordance with PLEP 2023 requirements.

15. **Delivery of NABERS ratings requirements**

The office portion development is to be carried out to operate at or above the following certified NABERS ratings:

- (a) Minimum NABERS Energy rating of 5.5 stars without accounting for any Green Power used in the building, and be subject to the independent review per the relevant Commitment Agreement entered into with NSW Department of Planning, Housing and Infrastructure
- (b) Minimum NABERS Water rating of 4.5 stars.

Condition reason: To comply with the High Performing Building Requirement of the Parramatta LEP.

16. **Design Architect**

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

- (a) The architectural design team of Hassell Studio 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 DTSU Manager. 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.

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

17. No approval for operational hours

Any hours of operation for various uses noted in the approved documentation under Condition 1 do not form part of this consent.

Condition reason: To clarify the operational parameters of the approved development and ensure that an appropriate assessment of first use of premises is undertaken through separate development applications and/or complying development certificate applications.

Building Work

Before issue of a construction certificate

18. Parramatta City Centre Local Infrastructure Contributions Plan 2022

A monetary contribution comprising **\$29,140,148.40** is payable to City of Parramatta Council in accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Parramatta City Centre Local Infrastructure Contributions Plan 2022* (Amendment No. 2). 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 any 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). Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.

The *Parramatta City Centre Local Infrastructure Contributions Plan 2022* (Amendment No. 2) can be viewed on Council's website at: www.cityofparramatta.nsw.gov.au/business-developmentplanning/developmentcontributions

Condition reason: To ensure contributions are appropriately levied in accordance with the *Parramatta City Centre Local Infrastructure Contributions Plan 2022* (Amendment 2).

19. **Surrender of Prior Development Consents**

The applicant must surrender the existing development consent for the site numbered DA/712/2020 pursuant to provisions of section 4.17(1)(b) & (5) of the Environmental Planning & Assessment Act 1979 and section 67(1) and 67(2) of the Environmental Planning & Assessment Regulation 2021 prior to the issue of any construction certificate for the site.

Condition reason: To remedy inconsistencies with the existing concept approval & ensure compliance with the Environmental Planning & Assessment Act 1979.

20. **Housing and Productivity Contribution**

Before the issue of any construction certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and Productivity Contribution	Amount
Housing and Productivity Contribution (base component)	\$5,201,990
Transport Project Component	-
Strategic Biodiversity Component	-
Total Housing and Productivity Contribution	\$5,201,990

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order)*.

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Condition reason: To require contributions towards the provision of regional infrastructure.

21. **Construction Site Management Plan**

Before the issue of any 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.

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

22. **Environmental Protection License**

Prior to the release of the relevant Construction Certificate(s), the applicant is to submit documentary evidence to the Principal Certifier that the required Environment Protection License under Section 43 of the *Protection of the Environment Operations Act 1997* has been issued (where required).

Condition reason: To ensure the required approval has been obtained.

23. **External Walls and Cladding Flammability**

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(s) and Occupation Certificate(s) the Principal Certifier 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.

Condition reason: To ensure building materials are sufficiently non-combustible.

24. **Infrastructure and Restoration Administration fee for all DAs**

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 Councils 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 02 9806 5524.

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

25. **Long Service Levy**

Before the issue of any 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 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.

Condition reason: To ensure that the Long Service Levy is paid.

26. **Natural Ventilation**

Prior to the issue of the relevant Construction Certificate(s), the following must be demonstrated to the satisfaction of the Principal Certifier

- (a) Openable windows off habitable rooms of residential apartments are to be provided with an Effective Open Area equal to not less than 5% of the floor area of the room. Effective Open Area is to be calculated in accordance with the Glossary definition of the NSW Apartment Design Guide. The 5% requirement must be met after taking into account opening restrictors, fly screens, etc.
- (b) The number and distribution of openable windows is to be not less than shown on the architectural drawings hereby approved.
- (c) Corner or cross-through units (i.e. units with at least 2 elevations facing in different directions) are to have at least 1 operable window on each elevation to provide for additional cross ventilation (ability to purge hot air).

- (d) All wintergardens balconies are to be provided with a permanent opening to outside of not less than 25% of the external façade area (in elevation) of the wintergarden.

Condition reason: To ensure natural ventilation and natural cross ventilation objectives of the NSW Apartment Design Guide are achieved.

27. No external service ducts for multi-unit development

Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations (excluding approved rooftop plant). Details are to be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Principal Certifier.

Condition reason: To ensure the quality built form of the development.

28. Outdoor lighting

All outdoor lighting must comply with the relevant provisions of AS/NZ1158.2: 2020 Pedestrian Area (Category P) Lighting and AS/NZ4282: 2023 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Principal Certifier.

Condition reason: To provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

29. Sydney Water – Building Plan Approval

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply. Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

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

30. Section 90 Approval – Water Management Act 2000

Prior to the issue of the relevant construction certificate(s), the principal certifying authority must be satisfied that the proponent has obtained any required approval under s. 90 of the *Water Management Act 2000* for the dewatering of the site.

Condition reason: To ensure appropriate approvals are in place prior to commencement of works.

31. Energy Provider requirements for Substations

Documentary evidence to the satisfaction of the Principal Certifier is to accompany the application for the relevant Construction Certificate(s) confirming a dispensation has been obtained from the energy provider allowing the location of the substation to be in the location(s) nominated in the approved drawings.

In addition, documentary evidence of the energy authority's acceptance of alternative arrangements of transformer and equipment delivery to the site must accompany the application for a subdivision certificate.

Condition reason: To ensure adequate electricity supply to the development and to ensure appropriate streetscape amenity.

32. **Impact on Existing Utility Installations**

Where work is likely to disturb or impact upon utility installations, (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 an application for the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.

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

33. **Bicycle Parking & End of Trip Facilities**

A total of 659 bicycle spaces/racks (398 residential, 40 residential visitor, 6 residential staff, and 215 commercial/retail staff) are to be provided on-site and used accordingly. All residential bicycle parking spaces are to be located on Lot 'PT. 1' and all commercial/staff spaces are to be located on Lot 'PT. 2' as per the approved stratum subdivision plan (Condition 1). The bicycle storage/racks are to comply with AS 2890.3-2015. End of trip facilities including showers must also be provided within the development and made accessible without charge to cyclists who work in the building. 10A e-bike charging outlets are to be provided to 10% of spaces with no space being more than 20m away from a charging outlet. At least 308 lockers & 31 showers/change rooms must be provided (divided appropriately over stratum allotments). Details must be provided with the plans and specifications accompanying the application for the relevant Construction Certificate(s).

Condition reason: To comply with Council's parking requirements.

34. **Car Parking Condition**

The PCA shall ascertain that any new element in the basement car park not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate maneuvering and that compliance is maintained with AS 2890.1, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the relevant construction certificate application(s).

Condition reason: To ensure appropriate vehicular maneuvering is provided.

35. **Revised Basement Plans**

Revised plans of the basement car park are to be submitted to Council's DTSU Manager for review and approval prior to the issue of the relevant Construction Certificate(s) which show the specific allocation of parking spaces (residential, business, retail, etc).

Parking spaces illustrated as being dedicated to a childcare use shall be re-assigned to residential use on revised plans. Any stratum subdivision certificate must be consistent to reflect this re-assignment of parking spaces.

Furthermore, the plans must be in accordance with AS 2890.1, AS 2890.2 and AS 2890.6 and address the following matters:

- (a) A maximum total of 251 parking spaces are to be provided with at least 29 of these being accessible spaces.
- (b) A turning bay is to be provided within any blind aisles that is longer than six parking spaces and where parking is available for visitors.
- (c) A maximum of 174 spaces are to be provided for the build-to-rent units;
- (d) A maximum of 75 spaces are to be allocated for the commercial premises;
- (e) A maximum of two (2) spaces are to be allocated for the retail premises . Adequate signage identifying the car share space must be installed in visible places.

Tandem car spaces are to be allocated to same unit or to the same commercial tenant.

One (1) car share space is to be relocated closer to the commercial lift core.

A total of **29** accessible car-parking spaces must be provided as part of the total car-parking requirements with 27 spaces dedicated to the residential use and 2 spaces dedicated to the commercial use(s). These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and 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 are to accompany an application for the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.

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

36. **Pedestrian Safety**

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. This shall be illustrated on plans submitted with the relevant construction certificate(s) and not be compromised by the landscaping, signage fences, walls or display materials.

Condition reason: To comply with Australian Standards and ensure pedestrian safety.

37. Motorcycle Parking Condition

A total of 16 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 are to be illustrated on plans submitted with the relevant construction certificate(s).

Condition reason: To comply with Council's parking requirements.

38. Loading Dock Management Plan

Prior to the issue of the relevant construction certificate(s), the applicant shall submit a Loading Dock Management Plan to the satisfaction of the principal certifying authority. The Plan must achieve the following requirements:

- All loading and servicing is to be conducted on-site;
- All vehicles are to enter and exit the site in a forward direction;
- Kerbside restrictions should not be relied on to conduct business;

And address the following:

- Loading bay management details including service vehicle movements during peak periods;
- Management of vehicle queuing during incidents within the car park including details of alternate car parking locations;
- Delivery requirements and service schedules;
- Operational aspects on how to use facilities; and
- Management duties and responsibilities.

Condition reason: To ensure compliance with the Parramatta DCP 2023 and reduce kerbside stopping reliance.

39. Control Point at the Car Park Entrance

The control point at the car park entrance is to be located where adequate queuing length between the vehicular control point and the property boundary is provided in accordance to Clause 3.4 of AS 2890.1-2004 to allow free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road. Details are to be submitted to Council to the satisfaction of Council's DTSU Manager prior to the issue of the relevant construction certificate(s).

Condition reason: To comply with Australian Standards.

40. Construction of a standard vehicular crossing

A standard vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS8 and DS10. Details must accompany an application for the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority. A Vehicle Crossing

application must be submitted to Council together with the appropriate fee as outlined in Council's adopted Fees and Charges prior to any work commencing.

Condition reason: To ensure appropriate vehicular access is provided.

41. Driveway Grades & Long Section Plan

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 application for the relevant Construction Certificate(s).

The driveway crest is to be constructed at RL 8.1 with a mechanical flood gate.

A driveway long section plan is to be submitted showing the RLs, driveway gradients and headroom clearance to confirm that Medium Rigid Trucks can get access through to the basement carpark/loading dock. Details are to be illustrated on plans submitted with the construction certificate.

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

42. Exhaust fumes

All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 2015 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for the relevant Construction Certificate(s).

Condition reason: To preserve community health and ensure compliance with acceptable standards.

43. Security roller shutters for basement car parking

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. Details of the system and where it is to be located is to accompany an application for the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.

Condition reason: To ensure visitor carparking is accessible

44. Separate Pedestrian Access from the Car Park

A 1.2m wide separate pedestrian pathway from car parking spaces to the lift and stairs is to be provided and marked on the ground to provide a safe pedestrian environment. Details are to be illustrated on plans submitted with the relevant construction certificate(s).

Condition reason: To comply with Council's Development Control Plan.

45. **Shelter-in-Place**

As per the Flood Emergency Response Plan, a public refuge at Level 1 (RL 14.6 m AHD) is to be provided as a Shelter-in-Place (SIP) in both the northern residential tower, and southern commercial tower.

An updated architectural plan must be submitted prior to the issuance of the relevant Construction Certificate(s) (CC), clearly designating the SIP area and associated amenities in accordance with the DCP and NSW GIP guidelines, to the satisfaction of the Principal Certifying Authority (PCA).

Condition reason: To ensure the provision of adequate SIP facilities.

46. **Basement carpark and subsurface drainage**

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:
 - The permissible site discharge (PSD) rate; or
 - 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 relevant Construction Certificate(s).

Condition reason: To ensure satisfactory storm water disposal.

47. **Design to withstand flooding**

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.

Condition reason: To ensure the structure can withstand flooding impacts.

48. Flood warning system for medium/high density development

The building must include a flood warning alarm system activated by a float valve. Details must be provided to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

Condition reason: To ensure the flood warning system is installed.

49. On Site Detention

An on-site stormwater detention system ('OSD') must be incorporated, considering both site stormwater and wind-driven rain. The required OSD volume must be calculated in accordance with the Upper Parramatta River Catchment Trust OSD Handbook (4th edition).

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 Construction Certificate for any work on the site.

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the Stormwater Plan approved by this consent and with Council's Development Control Plan, 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.
- (b) A Site Storage Requirement and a Permissible Site Discharge calculated using the 3rd edition of UPRCT's handbook
- (c) 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.
- (d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

A detailed Stormwater Management Plan must be submitted to the satisfaction of the Principal Certifying Authority (PCA) before the relevant Construction Certificate(s) is issued.

Alternatively, evidence must be provided to Council's satisfaction that an OSD System is not required, demonstrating that there are no meaningful reductions in flood levels for properties upstream or downstream of the site. Evidence must also demonstrate that flood outcomes at the site under a 'no OSD tank' scenario are no worse than flood conditions under a 'with OSD tank' scenario. Should Council be satisfied that an OSD tank is not required, the particulars of this condition do not apply to the approved development.

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

50. **Stormwater Disposal**

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 the relevant Construction Certificate(s).

Condition reason: To ensure satisfactory stormwater disposal.

51. **Stormwater Management Plan**

As stormwater is proposed to discharge into Council's stormwater system, the applicant must obtain a Section 68 approval under the *Local Government Act 1993* from Council's DTSU Manager before the relevant Construction Certificate(s) is issued to permit the connection.

Condition reason: To ensure appropriate stormwater management for the site.

52. **Tanked Basement Construction**

The perimeter walls and floor of the basement level(s) 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. Tanked construction method is not required for part of the basement protected by existing retaining walls (basement level 1).

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.

Condition reason: Protection of the environment and public health.

53. **Landscape Plan Amendments**

The final Landscape Plan must be consistent with plans prepared by Arcadia, numbered 23.999, rev B dated 03/02/2025. The final plan must also be consistent with any additional criteria required by this consent to the satisfaction of the Certifying Authority. The following requirements must be addressed in the final plan:

- (a) The location of all proposed services to be shown and to be coordinated with all relevant plans.

- (b) Existing street trees shall be numbered as per the Arboricultural Impact Assessment Report by Tree Management Strategies dated 18.04.2024 and are to include the TPZ and SRZ radiuses for coordination.
- (c) Ensure all trees are planted with a minimum setback of 3m to the outside wall or edge of a legally constructed building or the proposed development and/or adjacent buildings to avoid future canopy clash with the facades (unless trees are palm trees or have fasciate form).
- (d) Ensure all trees are planted at a minimum 2m distance from any proposed or existing drainage line.
- (e) In addition, ensure the location of the trees within the planters and garden beds are positioned with enough clearance from the adjacent retaining wall or paving edge to ensure the rootballs will not clash with the infrastructure. Council does not support root balls being 'cut to fit' a space.
- (f) All proposed softscape details to be provided.
- (g) Details for all proposed hardscape structures to be provided.
- (h) Trees should be self-supporting from the nursery.
- (i) Trees on the podium structure are to be secured using an under-ground guying system to avoid visual clutter.
- (j) Reduce the group of 3 no. *Livistona australis* (LIA) to 2 no. within the north-western plaza.
- (k) Delete the 1 no. *Corymbia gummifera* (COG) within the western walkway (southern section) and replace with a *Livistona australis* due to restricted space.
- (l) Delete the 2 no. *Corymbia gummifera* (COG) within the eastern through-site-link and replace with 2no. *Livistona australis* due to restricted space.
- (m) Ensure the size of the advanced tree stock has been grown and sourced to enable pedestrian clearance, under the lowest branches, at time of planting.
- (n) Reduce the number of *Tristanopsis laurina* 'Luscious' (TLU) level 2 BTR to 1 tree only due to the restricted soil volume.
- (o) Update the proposed plant schedule indicating the above changes, planting locations, species type (including both botanic / common name) mature dimensions, plant numbers and the size of the containers at planting

Condition reason: To ensure restoration of environmental amenity.

54. **Details of Planter Beds**

Landscape details for the treatment of the planter beds and planter boxes fronting the public domain, that ensure easy replacement of individual plants, are to be provided. Details of growing medium to ensure the establishment and long-term success of the landscaping are to be provided. Irrigation of the landscape planters is to be provided. An automatic irrigation system shall be set up for the planter beds and planter boxes that does not impact negatively on the public domain; excess water will not travel over the footway causing a slippery surface. An adequate sub-surface drainage layer connected to the nearest storm water system is to be provided. The public domain construction documentation must include the full performance specifications for the installation and operation of the planter beds and planter boxes.

Condition reason: To provide the best conditions to achieve healthy, thriving, long-lived landscape in planter beds and planter boxes fronting the public and private domain.

55. **Planting upon Structure**

Plans and documents submitted must include the following changes with an application for the relevant Construction Certificate(s):

- (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):
 - Typical tree planting on structure detail to show overall 800-1200mm soil depth (any space required for services/drainage must be provided in addition to this depth). Soil Volume to be reflective of proposed tree species size.
 - Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
 - Typical turf planting on structure to show minimum 200-300mm soil depth.
- (e) Tree planting densities shall not exceed the prescribed soil volume.
- (f) Sections through the planters supporting the trees and shrubs over structures are required to show the above requirements.
- (g) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
- (h) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.
- (i) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Condition reason: To ensure the creation of functional gardens.

56. **Statement on Tree Protection Management Plan**

A Tree Protection Plan (TPP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for the relevant Construction Certificate(s). This TPP is to identify the 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. It will cover all stages of the works and 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 by TMS.
- (b) Provide details of any encroachment into the root system and/or canopy on the plan;
- (c) The TPP must identify the location and the specific tree protection type required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*.

- (d) The TPP must discuss the specific non-destructive construction method of approved works within the TPZs of the street trees numbered T1, T2, T11, T12 to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works.
- (e) Discuss supervision of any approved demolition and/or works to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected.
- (f) 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);
- (g) Provide guidance on the approved landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ. No planting or structures to occur within the SRZ);
- (h) Construction of any structure which requires a modified footing or that is to be built above grade;
- (i) Any other stages that the Project Arborist deems necessary.
- (j) Identify hold points at key stages in the construction works;
- (k) Regular Periodic Tree Inspections are required to be carried out by the Project Arborist supervising the works. Photographic evidence and statement demonstrating the works have been undertaken in compliance with the above requirements, AS4970:2009 and the Conditions of Consent;

Condition reason: To ensure adequate protection of existing trees.

57. **Noise impact on residential building**

Prior to the issue of the relevant Construction Certificate(s), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:

- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am;
- (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom) 40dB(A) at any time.

Condition reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP.

58. **Acoustic Report**

The recommendations outlined in the Construction Noise and Vibration Management Plan prepared by Acoustic Logic Pty Ltd with reference number 20240328.2/1804A/R0/PF dated 18 April 2024 and the DA Acoustic Assessment prepared by Acoustic Logic Pty Ltd with reference number 20240328.1/0904A/R0/PF dated 9 April 2024 shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate(s) to the satisfaction of the Principal Certifier.

Condition reason: To ensure a suitable level of residential amenity.

59. **Noise Management Plan – Construction Sites**

A noise management plan must be submitted to the principal certifying authority for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person who possesses qualifications to render them eligible for membership with the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include, but not be limited to, the following:

- (a) Identify sensitive locations near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);
- (c) Mitigation measures to control noise from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Condition reason: To maintain appropriate amenity to nearby occupants.

60. **Management of Construction and/or Demolition Waste**

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to reuse or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. Receipts of all waste/recycling tipping must be retained and produced in a legible form to any authorised officer of the Council who asks to see them.

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

61. **Support for Council Infrastructure**

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 must accompany an application for the relevant Construction Certificate(s) 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.

Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural 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 shall accompany the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

Condition reason: To protect Council's infrastructure

62. **Detailed Site Investigation**

Prior to the issue of any construction certificate for the site, the benefactor of this consent is to engage a suitably qualified professional to prepare a Detailed Site Investigation ('DSI') in accordance with the recommendations of the approved Preliminary Site Investigation prepared by Stantec (Reference Number 304501471 rev. 5) dated 14 April 2025. The DSI is to include a groundwater contamination assessment, an intrusive investigation of potential for off-site contaminant sources, and address all identified data gaps in the approved PSI. A copy of the DSI (along with any Remediation Action Plan (if required)) is to be submitted to Council for approval by Council's DTSU Manager prior to the issue of the relevant Construction Certificate(s).

Condition reason: To ensure the site is in a suitable state to support the approved development.

63. **Dial Before you Dig Service**

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.

Condition reason: To ensure Council's assets are not damaged.

64. **De-watering of Excavated Sites**

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: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of the relevant Construction Certificate(s).

Condition reason: To protect against subsidence, erosion and other nuisances.

65. **Archival recording**

Prior to demolition, the building is to be recorded in accordance with the NSW Office of Environment and Heritage guidelines for Recording of Heritage Items. The details of these guidelines can be found at:

http://www.heritage.nsw.gov.au/docs/info_photographicrecording2006.pdf .

The archival recording(s) are to be submitted to Council for record keeping purposes.

Condition reason: To provide a historical record of notable works on the site for archival purposes

66. **Research Design and Archaeological Excavation Methodology**

Prior to the release of any construction certificate, the applicant/developer is to engage a suitably qualified archaeological consultant to prepare a detailed Research Design and Archaeological Excavation Methodology. The Methodology shall be submitted to the satisfaction of the principal certifier and implemented during excavation works.

Condition reason: To protect potential archaeological relics.

67. **Parramatta Historical Archaeology Landscape Management Study**

All excavation works must adhere to the recommended site management procedures set out in the *Parramatta Historical Archaeology Landscape Management Study* (where applicable).

Condition reason: To ensure compliance with DCP requirements.

68. **Arts Plan is to be completed in full & approved**

A detailed public art plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the approved Public Art Strategy prepared by UAP dated February 2025 (reference number P3820) and the City of Parramatta's 'Interim Public Art Guidelines for Developers' shall be submitted to and approved by Council's DTSU Manager, prior to the issue of any Construction Certificate for works at ground level or above.

The Public Art Plan is to include contextual and historical themes, and design details of each public art work, including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork, and an estimated budget, indicated on the approved plans.

Condition reason: To comply with Development control requirements.

69. **Access and Services for People with Disabilities**

Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for the relevant Construction Certificate(s) to the satisfaction of the Principal Certifier.

Condition reason: To ensure the provision of equitable and dignified access for all people in accordance with the *Disability Discrimination Act 1992* and relevant Australian Standards.

70. **Adaptable Dwellings for Multi-unit and RFB's**

The development must incorporate 59 adaptable dwellings. Plans submitted with the relevant Construction Certificate(s) must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

Condition reason: To ensure the required adaptable dwellings are appropriately designed.

71. **Liveable Housing**

At least 91 of the residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the Principal Certifier prior to the issue of the relevant Construction Certificate(s).

Condition reason: To ensure the required liveable dwellings are provided.

72. **Universal Access Requirements**

The following details are to be illustrated on plans accompanying an application for the relevant construction certificate(s), to the satisfaction of the principal certifying authority.

- Low level thresholds 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 roof top seating will require accessible and inclusive features suitable for a person with a mobility and other impairments.
- Signage directing people to accessible entries is to be provided strategically throughout the site.
- Sanitary facilities in commercial levels are to include dimensions that accord with the requirements of AS1428.1 2009. Accessible WCs and ambulant cubicles are required within the male and female amenities on all levels.

Condition reason: To ensure universal access requirements are met.

73. **Amendments to Approved Design**

The following amendment shall be made to the approved design.

- The 1.5m x 1.5m recess on the Phillip Street interface resulting from the articulated vertical break that runs up the podium and tower shall have a raised step platform set at kerb height and work in tandem with the slope shown on the approved plans to limit rubbish/leaf collection.

The amendment shall be made by instituting the above changes on the drawings accompanying the application for the relevant construction certificate(s), to the satisfaction of the principal certifying authority.

Condition reason: To ensure the design of the building does not accumulate litter/debris and achieves design excellence.

74. **Construction Drawing Review**

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.

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

75. **Facade Visual Mock-Up**

- (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.

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

76. **SEPP Housing Verification**

Design Verification issued by a registered architect is to be provided with the application for the relevant Construction Certificate(s) detailing the construction drawings and specifications are consistent with the design quality principles in *State Environmental Planning Policy (Housing) 2021*, Schedule 9.

Note: Qualified designer in this condition is as per the definition in SEPP Housing.

Condition reason: To ensure compliance with the SEPP

77. **Storage Provision**

Prior to the issue of the relevant Construction Certificate(s), the basement storage areas will be allocated to the applicable units to the satisfaction of the Principal Certifier. The allocation will be such that each unit has a minimum total secure storage volume (including the storage space within each unit) as follows:

- (a) Studio units - 4m³
- (b) 1 bedroom units - 6m³
- (c) 2 bedroom units - 8m³
- (d) 3+ bedroom units - 10m³

Condition reason: To ensure each unit has sufficient on-site storage capacity.

78. **Public Domain Construction Drawings requirements**

Prior to the issue of a Construction Certificate for any construction work relating to the public domain works, or any publicly accessible internal site works including the through site links and the publicly accessible central plaza, a set of detailed Public Domain Construction Drawings as per chapter 2 of the Parramatta Public Domain Guidelines, must be submitted

to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings must be based on the approved drawings under Condition 1.

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 & side setbacks
- Any publicly accessible areas including the through site links and the central plaza,
- Any works in carriageway,
- Works to integrate with adjacent through-site links, and
- Onsite landscape work.

Grading of the pedestrian footway:

- 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 (PPDG);
- The approved public domain drawings,
- The approved public domain alignment drawings,
- The approved landscape drawings,
- George Street public domain must be coordinated with Parramatta CBD Cycleways proposal,
- Phillip Street driveway and additions to public domain must be coordinated with the design of Council's project for Phillip Street Upgrades and
- All the conditions listed in this consent.

Important - Coordination with services: 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 street trees shown on the stamped DA drawings are possible to be planted and there are no clashes with any services, existing or proposed.

Where possible, preserve a services exclusion zone when major street planting is proposed / occurs. Document this exclusion zone on all drawings. Council will not entertain deletion / removal of street trees at CC stage due to a services' coordination or other construction matter, not previously addressed, because of poor services coordination. It is assumed at this stage that there are no clashes or conflicts with any services existing or proposed.

The Public Domain Construction Drawings must be prepared to reflect the following changes:

- The stone paving within the through site links and the central plaza should be granite and match the stone used within the public domain. The paver sizes and finish of the

stone can vary, thus imparting both a sense of continuity with the streets and at the same time distinguishing the lanes quarter as a special place.

- The driveway entry along Phillip Street, if different from the one already constructed under Council upgrades, and the proposed additional tree, should be shown as public domain works to be carried out along Phillip Street frontage within the public domain alignment drawings. Any areas disturbed/ damaged should be made good to suit.

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

79. Public Domain Footway Specifications

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

Footpath

Adelaide Black granite pavers, as per the PDG, with exfoliated finish shall be applied to the entire public domain areas in George Street and Phillip Street (where applicable) to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

The footpath paving set out and details must comply with Council's design standard (DS45).

Note: Acquiring Adelaide Black currently comes with a long lead time. Adequate quantities of the same should be pre-ordered at a very early stage of the project to secure the quantities required, so as not to jeopardise the work program.

Evidence of the order must be submitted to the satisfaction of Council's DTSU Manager with the Public Domain Construction Drawings.

Size and stone type adjustments based on lack of project co-ordination will not be permissible.

Unit paving layouts to be shown as part of drawings, including slab jointing. Paver layout to include detailing around all corners, around ramps, splays and cut pavers as required. Order larger unit pavers as necessary to minimise need to cut pavers around edges.

A copy of the Design Standard (DS) Drawings referenced above is available on the Council Website (<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2023-02/SD-INDEX-FINAL.pdf>) or can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS45 sheets 1-7), using Adelaide Black granite pavers with exfoliated finish as per the PDG.

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 **Adelaide Black granite pavers** with exfoliated finish (adjust according to correct finish) for vehicle crossing.

Pit Lids, Frames and Grates

All Pit lids and grates in paved areas of the public domain and all publicly accessible spaces should be level with the paving around and aligned with the paving pattern as per the PDG or as agreed. 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 as per AS 3996 and DS 25 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

Pre and post sealant applications to be applied to all stone and concrete unit paved surfaces in the public domain in accordance with Council requirements.

Post sealant applications: 2 coats, rolled on, not sprayed on.

Slip Resistance

All stone shall have **non-slip surfaces** that comply with a P4 rating as per AS4586:2013. Independent slip resistance test results of completed works and after application of sealant, should be submitted complying to P5 Classification (Wet Pendulum Test).

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 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 and/or Phillip Street as per the PDG and as agreed with Council. Location outside of this zone to be agreed by Council's DTSU Group Manager prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Multi-media conduit

All multi-media conduit installations must comply with the relevant Australian Standards for communication infrastructure.

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications.

Design should consider the capacity and accessibility of multimedia conduits. Ensure conduits have sufficient capacity to accommodate various communication technologies to meet current and anticipated future needs of the community. Coordinate with City of Parramatta.

High-quality and durable materials for multi-media conduit infrastructure to ensure longevity and maintenance and upgrade requirements.

Prior to handover, conduct a joint inspection of the assets to ensure compliance with design and installation standards.

Electrical Pillars

Green Pillars for electrical connections, where required, should be coordinated with public domain elements, be outside the clear path of travel, shown on drawings, and must be neatly located 100mm away from the face of the building / property boundary wall and be installed square and plumb

Any existing green pillars must be moved and relocated as necessary to achieve the 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(s).

Condition reason: To comply with the Public Domain Guidelines and Council's standard details.

80. **Lighting**

General:

- Pedestrian and Council-owned Street lighting assets must comply with City of Parramatta Street Lighting Guidelines 2019 and all relevant Australian Standards, including but not limited to AS/NZS 1158, among others.
- All assets intended for handover to electricity distributor (Ausgrid or Endeavour Energy) must comply with the relevant electricity distributor's network standard and requirements, including:
 - Ausgrid Network Standard NS119 or Endeavour Energy Network Standard
 - Standard equipment lists specified by the respective distributor
 - All applicable Australian Standards, including but not limited to AS/NZS 1158, among others.
- All lighting features in the public domain shall be detailed in the Public Domain Construction Documentation.
- **Install all light poles in the public domain with footings and bolt assemblies buried below the finished surrounding surface** like pavement or other surrounding surfaces like mulch, grass or planting. Refer DS 38 for details. This includes any street light poles as well as any other pedestrian light poles.
- Streetlights in the public domain are to be located at the back of kerb within the furniture zone as per the PDG.
- The Developer shall be responsible for reimbursing Council for any costs associated with the premature removal of street lighting assets, including but not limited to:
 - Fees incurred by Council for the removal of such assets.
 - Residual value of the assets - calculated based on their remaining useful life at the time of removal.

Lighting Design:

- Lighting design shall be undertaken by a full Member of Illuminating Engineering Society Australia and New Zealand (IESANZ) (MIES).
- Lighting design of any assets that are owned or proposed to be owned by Council shall be submitted to Council for approval.
- Lighting design requirements (e.g. sub-categories and any other requirements) shall be confirmed in writing by Council before commencing any lighting design.
- The lighting designer shall provide a comprehensive lighting design and a signed statement confirming that the design meets the requirements of AS/NZS 1158, AS/NZS 4282, and if any electricity distributor (Ausgrid or Endeavour Energy) assets are involved, all requirements of the relevant electricity distributor including their standard equipment list.
- All submitted designs shall be in Agi32, Lighting Reality or Perfectlite software program format.
- The lighting design drawings and accompanying luminaire schedule & description shall be provided with below details:
 - Manufacturer, name of luminaire, power consumption (Watts), distribution (optics) type, colour temperature, outreach arm dimensions, pole type, mounting height to luminaire optical centre, pole offset, lamp/luminaire lumens, light loss factor (LLF) and luminaire/pole colour.
 - Calculation summary shall indicate all relevant light technical parameters and compliance as per AS/NZS 1158 for category V & P lighting respectively.
 - In the case of Category V straight sections of road lighting, AGi32/Lighting Reality/Perfectlite pole spacing table confirming compliance for relevant Category V shall be submitted along with the lighting layout. Lighting layout shall indicate pole spacing as a reference point.
 - The lighting design drawings shall be signed as compliant by a qualified lighting engineer (e.g. a full member of the IESANZ) and are to be submitted as part of the public domain documentation.
 - Drawings showing the lighting isolux curves shall be provided.
 - Lighting calculation points for horizontal/vertical illuminance shall comply with the requirements as specified in AS/NZS1158.2.
 - Provide luminaire labels with mounting height.
 - Provide obtrusive lighting calculations on adjacent residential properties as per Australian standards, where required.
 - Indicate luminaire orientation where it is not shown by symbol.
 - Highlight all areas of non-compliance.
 - Be accompanied by all completed documentation requirement by relevant electricity distributor (Ausgrid or Endeavour Energy)
- Where public lighting is located in proximity to areas of environmental significance, the design shall take into account the 'National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds, Commonwealth of Australia 2020'. This includes considering the potential of light pollution on species and incorporating design elements that minimise harm.

Electrical Reticulation:

- Electrical design shall be undertaken by a competent practising electrical engineer.

- Electrical design shall comply with AS/NZS 3000, AS/NZS 3100, all relevant guidelines, regulations and legislative requirements in NSW and, if any electricity distributor assets are involved, all requirements of the electricity distributor including their standard equipment list.
- Electrical Design Certificate signed as compliant by an ASP Level 3 Designer shall be provided.
- Electrical design of any assets that are owned or proposed to be owned by Council shall be submitted to Council for approval before commencing any installation works on site.

Switchboards:

The location of any switchboard is to be in a position off the public street, wherever possible, and out of the main path of travel. The location must be approved by Council.

Poles:

All new street lighting poles shall be taken from Council's approved list of poles (Refer to PDG and City of Parramatta Street Lighting Guidelines 2019).

Where applicable, multi-function Poles must be identified on the drawing separate to all other light poles. The design must identify & specify all requirements of the pole.

The following requirements should be as agreed with Council officers –

- Height of the pole
- Type of the pole
- fixtures and fittings that go on it
- size position and number of access hatches, banners, street light etc. as applicable.
- All new poles installed within public domain area where banner display is permitted shall be compulsorily equipped with compatible banner arm assembly. Refer to Banner Strategy in PDG.

Luminaires and Smart Controls:

- All new and replacement lighting shall utilise LED technology and incorporate Smart Controls to enable better control of lighting levels, reduce energy consumption, mitigate potential environmental harm, facilitate a variety of asset management benefit and monitor for faults which will allow optimisation of maintenance resources.
- All new LED luminaires shall include 7pin NEMA socket (NEMA/ANSI C136.41 receptacle) on top to accommodate Smart Control modules.
- Where possible, new Council-owned luminaires shall include additional Zhaga Book 18 receptacle on bottom to accommodate integration of future smart city sensors.
- All luminaires and Smart Controls installed on electricity distributor assets must comply with the distributor's requirements, including their standard equipment list.

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(s).

Condition Reason: To comply with the Public Domain Guidelines and Council's standard details.

81. Public Domain Street Tree Specifications

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

Street	Botanical Name	Common Name	Pot Size	Quantity	Average Spacing
George St	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 Council.
Phillip St	Flindersia australis (unless directed otherwise by Council Officers)	Australian Teak	400L		

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 in the public domain 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 structural soil system is required around proposed street trees in paved areas 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 vaults. Granular structural soil systems are not preferred because they significantly reduce soil volume available to trees.

The systems are generally required where trees are planted in full paving or where required soil volumes cannot be achieved by verges alone, and thus additional soil volumes are required under the footpaths.

Tree grates may be required depending on context. For tree pit finishes requirements details and locations refer to chapter 4 of the PPDG.

The base of all tree pits shall incorporate a drainage layer and subsoil pipe that connects to the nearest stormwater pit and must be shown on the Public Domain Construction Drawings. The invert level of the storm water pit receiving the drainage water from the tree pits and the level of connection point must also be shown on the Public Domain Construction Drawings.

Where **structural cells** are to be installed, the following points should be considered while designing –

- Installation of structural cells must be in accordance with Council's design standards. The details should be modified to suit site conditions and as agreed with Council officers.
- While designing these systems, the following design criteria should be taken into consideration like
 - product durability and design life,
 - maintenance required
 - expected loads,
 - Trech layout of structural cells must be contiguous across trees where possible
 - Layouts should include required standard clearances to the street elements and/or underground services

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 soil media depth of 1.2 m excluding any drainage layers.

For all planting on podium slabs or built planters, required soil volumes should be suitable to the tree size proposed as specified in ADG. Refer Apartment Design Guide, Section 4P, Table 5.

Soil Mix

Refer to City's Standard Design (DS) series and specifications. The soil is placed in two horizons, the surface horizon (A) and the subsoil (B). These soil fills need to be consolidated and compacted by foot (light compaction) before planting to minimise degree of future settlement. This consolidation should be carried out in layers. The contractor should allow for additional fill material to achieve design finish levels in case future settlement occurs.

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(s).

Condition reason: To support street trees that will thrive in the long term, minimise plant failure rate and ensure high quality of stock utilised.

82. **Reflectivity of external finishes**

External materials must be pre-colour coated on manufacture having a low glare and reflectivity finish. The 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 relevant construction certificate(s) to the satisfaction of the Principal Certifier.

Condition reason: To have a minimal impact on the neighbouring property.

83. **Delivery of NABERS ratings requirements**

Before the issue of the relevant Construction Certificate(s), the Certifying Authority is to be satisfied that:

- (a) A NABERS Commitment Agreement must be executed with the NSW Department of Planning, Housing and Infrastructure for the office portion of the development to achieve 5.5 star NABERS Energy certification
- (b) The design and documentation must include all measures required deliver the NABERS Energy 5.5 star rating and requirements of the NABERS Energy Commitment Agreement.
- (c) The design and documentation must include all measures required deliver the NABERS Water rating of 4.5 star.

Note: The requirements of this condition apply to the part of the approved development to which the NABERS Commitment Agreement applies (i.e. office use).

Condition reason: To comply with the High Performing Building Requirement of the Parramatta LEP.

84. **Sustainability**

Prior to the issue of the relevant Construction Certificate(s), the following must be demonstrated, to the satisfaction of the Certifying Authority:

- 1) The building and its end uses are to be delivered as an all-electric building and is not to be connected to the natural gas network (with the exception of a capped gas connection/meter should there be demand from a future food and drink premises tenant).
- 2) A dual reticulation (dual pipe) system is to be installed throughout the development to support the immediate or future connection 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. To facilitate this, the dual reticulation system is to have:

- a) One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - b) One reticulation system servicing all non-drinking water uses.
 - c) 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.
- 3) All new air-conditioning and heat pumps are to use refrigerants with a Global Warming Potential ('GWP') of less than 10.
- 4) The glazed portions of modules A + B on the northern facade are to be provided with a bird-friendly treatment. The bird-friendly treatment may be:
- i) Bird strike glazing UV patterning
 - ii) Fritted, etched, channeled or translucent glass with an untreated glazing surface area of no larger than 100 mm x 100 mm
- 5) All resident car parking spaces must have an EV Ready Connection, and:
- a) Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready Connections.
 - b) Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
 - c) Each EV Ready Connection is served from a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
 - d) EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard. The distribution board must provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable the body corporate to measure individual EV usage in the future.
 - e) EV Load Management System is to be capable of:
 - i) reading real-time current and energy from the electric vehicle chargers under management
 - ii) determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged.
 - iii) scale to include additional chargers as they are added to the site over time.
 - f) All car share spaces and spaces allocated to visitors must have a minimum Level 2 40A fast charger in each car parking space.
- 6) All commercial building car parking must provide:
- a) A minimum Level 2 40A fast charger for every 10 commercial car spaces distributed throughout the car park to provide equitable access.
- 7) Where surfaces on roof tops or podiums are not used for the purposes of private or public open space, or for solar panels or heat rejection plant, the development must demonstrate the following:
- a) Materials used have a minimum solar reflectivity index (SRI) of 82 for a horizontal surface or a minimum SRI of 39 for sloped surface greater than 15 degrees; or
 - b) 75% of the total roof or podium surface should be covered by vegetation; or

- c) A combination of (a) and (b) for the total roof surface.

Condition reason: To deliver the sustainability objectives of the DCP.

85. Solar Reflectivity (Glare)

Prior to the issue of the relevant Construction Certificate(s), the following must be demonstrated to the satisfaction of the Council's DTSU Manager:

- a) All opaque materials used on the facade must have a specular solar light reflectivity of no greater than 20%.
- b) All glazing must have a visible light reflectivity not greater than 20% (measured at the normal angle).

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

86. Amendments to Sustainability Management Plan

The Sustainability Management Plan approved under Condition 1 of this consent (Rev. 02, dated 29 April 2024, prepared by Introba Consulting Pty Ltd) shall be amended to incorporate the alternative heating system shown in BASIX Certificate No 1745364M_03 dated 13 May 2025.

The principal certifier must be satisfied that the requirements of this condition have been met prior to the issue of the relevant construction certificate(s).

Condition reason: To ensure BASIX commitments are met and are reflected in approved documentation.

Before building work commences

87. Appointment of Principal Certifying Authority (PCA)

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.

Condition reason: To comply with legislative requirements.

88. Cigarette butt receptacles

Cigarette butt receptacles must be provided during the construction stage of the development. The receptacles are to be placed adjacent to designated break room/area of the site.

Condition reason: To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.

89. Enclosure of the site

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 Certifier prior to the commencement of any work on site.

Condition reason: To ensure public safety.

90. Erection of hoardings in the City Centre LEP area

A Hoarding Application to enclose public space is to be accompanied by the appropriate fee calculated according to Council's adopted fees and charges, together with details showing the location and type of hoarding proposed as required by Council's Hoarding Policy. No demolition or works can commence until approval for the hoarding has been obtained.

Condition reason: To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

91. Payment of Security deposits

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
Hoarding: \$3,170-\$12,655 per street frontage in current financial year.	As per Council's Schedule of Fees and Charges
Street Furniture: \$2,410 per item in current financial year.	
Development Sites Bonds: Applies to all developments with a cost greater than 25K and swimming pools regardless of cost (fee is per street frontage). See current Schedule of Fees and Charges.	
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.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/327/2024;
- (c) 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.

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

92. **Public liability Insurance**

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.

Condition 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.

93. Site Maintenance

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.

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

94. Toilet facilities on site

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

Condition reason: To ensure adequate toilet facilities are provided.

95. Construction and Pedestrian Traffic Management Plan

Prior to the issue of any Construction Certificates, the applicant shall submit a Construction and Pedestrian Traffic Management Plan (CPTMP) to the satisfaction of Council's DTSU Manager. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The CPTMP must be approved by Council prior to any works commencing and must be complied with at all times including any additional conditions imposed by Council and/or TfNSW in the approval of the plan.

In preparing the CPTMP, the following matters, but not limited to, must be specifically addressed.

- (d) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (e) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (f) The location of proposed Work Zones in the egress frontage roadways,

- (g) Location of any proposed crane standing areas,
- (h) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (i) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (j) 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,
- (k) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- (l) Proposed construction hours,
- (m) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- (n) Construction program that references peak construction activities and proposed construction 'Staging',
- (o) 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,
- (p) Cumulative construction impacts of projects in the Parramatta City Centre. Should any impacts be identified, the duration of the impacts should be quantified,
- (q) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified, and,
- (r) 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,
- (s) Evidence of TfNSW concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable,
- (t) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations,

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 DTSU Manager 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.

TfNSW Requirements

In addition to the above, the CPTMP is to incorporate the following details as required by TfNSW.

- A description of the development.
- Location of any proposed work zone(s).
- Details of crane arrangements including location of any crane(s) and crane movement plan.
- Haulage routes.
- Proposed construction hours.
- Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods.
- Construction vehicle access arrangements.
- Construction program and construction methodology, including any construction staging.
- A detailed plan of any proposed hoarding and/or scaffolding.
- Measures to avoid construction worker vehicle movements within the Parramatta Precinct.
- Consultation strategy for liaison with surrounding stakeholders, including other nearby developments.
- Identify any potential impacts to general traffic, cyclists, pedestrians, bus services and any light rail within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and
- Identify the cumulative construction activities of the development and other projects within or around the development site, including infrastructure projects and private development. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP.
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing, and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number is current during construction.

Submit a copy of the final plan to TfNSW for endorsement at development.ctmp.cjp@transport.nsw.gov.au.

Condition reason(s): 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.

To ensure TfNSW requirements are met.

96. **Air Space Encroachment**

No part of a tower crane is to extend, operate or otherwise encroach the airspace of any adjoining properties at any time, including outside construction work hours, unless an agreement to do so has been reached between the developer and any relevant property owner/s, including any Strata body. Such an agreement must be in place prior to installation of any component of the tower crane.

Condition reason: To preserve the amenity of adjoining property and ensure consistency with the requirements of Council's Hoarding and Tower Crane Policy 233.

97. **Special Permits**

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.

Condition reason: Proper management of public land.

98. Driveway Crossing Application

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 Council's 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.

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

99. Road Opening Permits - DA's involving drainage work

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.

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

100. Tree Protection During Construction (as per Method statement)

Tree protection measures are to be installed as per the Arborist Methodology Statement as per the Conditions of Consent. They 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". The tree protection measures are to be certified by the Project Arborist before any work commences.

on site and periodically checked and certified by the Project Arborist throughout the construction phase to ensure they are maintained in place.

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

101. Tree Protection Signage

Prior to any works commencing on site, tree protection signage is to be attached to the fencing of each Tree Protection Zone. It is to be displayed in a prominent position and in locations where the fence changes direction. Each sign must contain the following detail in a clear and legible form:

- (a) The Tree Protection Zone is a 'No-Go Zone';
- (b) This fence has been installed to prevent damage to the trees and their growing environment, both above and below ground level. Access to this area is restricted and is not to be removed without the presence or written permission of the site Arborist and;
- (c) The name, address, and telephone number of the developer and site Arborist.

Condition reason: To protect existing trees during the construction phase.

102. Evidence of health of trees prior to delivery

Prior to delivery of any Street Trees to site for installation, the following must be submitted to the satisfaction of the Council's Group Manager Development Traffic Services Unit.

- 3 photographs of each tree to be planted, showing three different angles of the tree in the ground without stakes and ties. These photographs must be accompanied with a 'Nursery Certificate' noting their state of health and their care, including the location details. The certificate must state the trees were grown to the nursery stock standards and must be provided by the nursery that grew/supplied the tree; and
- Imported topsoil data sheet.

These certificates are to be provided before the delivery of trees to site and / or prior to raising the inspection request.

Condition reason: To ensure the health of street trees prior to delivery on site.

103. Dilapidation survey & report for private properties

Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with an electronic copy forwarded to Council at council@cityofparramatta.nsw.gov.au) 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 that 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.

Condition reason: Management of records.

104. **Geotechnical report**

Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), 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 C1 of AS 2870 - 1996

Condition reason: To ensure the ongoing safety and protection of property.

105. **Construction Environmental Management System and Plan**

A Construction Environmental Management System and Plan (CEMP) shall be submitted to the satisfaction of the certifying authority 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 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.

Soil 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.

The CEMP and Environmental Management System must be implemented throughout the work.

Condition reason: To ensure adequate environmental protection.

106. Erosion & Sediment Controls in Place

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.

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.

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

107. Notice Regarding Dilapidation Report

Before the commencement of any site or building work, the principal certifier must ensure the adjoining building owner(s) is provided with a copy of the dilapidation report for their properties no less than **14 days** before the commencement of any site or building works and provide a copy of the report to Council at the same time.

Condition reason: To advise neighbours and Council of any dilapidation report.

108. Shoring and adequacy of adjoining property

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.

Condition reason: As prescribed under the *Environmental Planning and Assessment Regulation 2000*.

109. Section 140 Permit Application

A Section 140 permit under the *Heritage Act 1977* is required for archaeological monitoring prior to commencement of any site works. The application must include an archaeological assessment report, archaeological research design, excavation methodology and nominate an appropriately qualified excavation director. Dependent on the results of the monitoring, the proposed development may need to be modified to avoid impacting State significant archaeological relics and/or additional approvals may be required.

Condition reason: An excavation permit is required to ensure archaeological relics are managed under appropriate supervision and to avoid offences.

During building work

110. Building Work Compliance with BCA

All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code) and ABCB Housing Provisions Standard.

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

111. Copy of development consent

A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site 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.

Condition reason: To ensure compliance with this consent.

112. Hours of work and noise

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

- 7am to 5pm on Monday to Friday
- 7am 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:

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

Condition reason: To protect the amenity of the surrounding area.

113. Complaints register

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:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) 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 Certifier upon request.

Condition reason: To allow the Principal Certifier/Council to respond to concerns raised by the public.

114. Implementation of the site management plans

While site work is being carried out:

- (a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and
- (b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

Condition reason: To ensure site management measures are implemented during the carrying out of site work.

115. Materials on footpath

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*.

Condition reason: To ensure pedestrian access.

116. Dust control

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 Section 126 of the *Protection of the Environment Operations Act 1997*.

Condition reason: To protect the amenity of the area.

117. Pool Safety Requirements

The owner of the pool shall display a notice showing:

- (a) A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques for infants, children and adults. This sign is to be displayed in a prominent position in the immediate vicinity of the swimming pool.
- (b) The occupier of any premises on which a swimming pool is situated must ensure that there is at all times a sign which must contain the following words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", "POOL GATES MUST BE KEPT CLOSED AT ALL TIMES", and "KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES",

Note: This notice shall be kept in a legible condition and at the pool side.

Condition reason: To ensure an adequate level of safety for young pool users and compliance with the *Swimming Pools Act 1992* and the *Swimming Pools Regulation 2008*.

118. Responsibility for changes public infrastructure

While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).

Condition reason: To ensure payment of approved changes to public infrastructure.

119. Swimming Pool – Fences

The swimming pool must be fenced in accordance with provisions *Swimming Pool Act 1992* and the *Swimming Pools Regulation 2018* together with the referenced Australian Standard AS 1926 Parts 1 and 2 (2012), prior to the filling of the pool with water. The fence shall be installed to the satisfaction of the Principal Certifier.

Condition reason: To comply with the Legislative requirements.

120. **Swimming Pools - Surface Waters**

Surface waters from about the swimming pool must be collected and disposed of to the satisfaction of the Principal Certifier.

Condition reason: To protect the amenity of the adjoining neighbours.

121. **Swimming Pool Water to Sewer**

The swimming pool water including the backwash overflow water shall be discharged to the sewer. The consent of Sydney Water to dispose of wastewater shall be obtained and compliance with any conditions imposed by Sydney Water.

Condition reason: To comply with the Legislative requirements.

122. **Damage to public infrastructure**

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.

Condition reason: To protect public safety.

123. **Road Occupancy Permit**

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.

Condition reason: To ensure proper management of Council assets.

124. **Driveway trench at boundary**

A 200mm wide grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.

Condition reason: Stormwater control.

125. Oversized Vehicles

Oversized vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversized Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving through local roads within the City of Parramatta LGA.

Condition reason: To ensure maintenance of Council's assets.

126. Car parking & driveways

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.

Condition reason: To ensure appropriate car parking.

127. Vehicle egress signs

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

Condition reason: To ensure pedestrian safety.

128. Drainage to existing system

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).

Condition reason: To ensure satisfactory stormwater disposal.

129. Polluted water excavation – analysis before discharge

Site water discharged must not exceed suspended solid concentrations of 50 parts per million and must 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 Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality. Other options for the disposal of excavation pump-out water 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.

Condition reason: To prevent pollution of waterways.

130. Nomination of Engineering Works Supervisor

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.

Condition reason: To ensure Council's assets are appropriately constructed.

131. Trees with adequate root volume

All trees/shrubs planted within the site must be of adequate root volume and maturity so as not to require staking or mechanical support unless in a wind-prone area. Planting must be carried out in accordance with the approved Landscape Plan and conditions of consent.

Condition reason: To ensure the trees/shrubs planted within the site are able to reach their required potential.

132. Tree Removal

Trees to be removed are:

Tree No.	Name	Common Name	Location	Condition	Reason
3	Lophostemon confertus	Brush Box	Within the site	Fair / 14m	Building footprint
4	Ulmus minor	Elm Tree	Within the site	Poor/ 6m	Building footprint
5	Acmena smithii	Lily Pilly	Within the site	Poor / 10m	Building footprint
6	Stenocarpus sinuatus	Fire Wheel Tree	Within the site	Fair / 16m	Building footprint
7	Syzygium luehmannii	Riberry	Within the site	Fair / 7m	Building footprint
8	Syzygium luehmannii	Riberry	Within the site	Fair / 10m	Building footprint
9	Magnolia soulangeana	Chinese Magnolia	Within the site	Fair / 8m	Building footprint
Group 1	Archontophoenix cunninghamiana	Bangalow Palm	Within the site	Good / mixed height 3-20m	Building footprint
Exact No. N/A	Phoenix roebelenii	Dwarf Date Palm	Within the site	Good / mixed height 3-20m	Building footprint
Group 2	Dyopsis lutescens	Golden Cane Palm	Within the site		Exempt
Exact No. N/A	Syagrus romanzoffianum	Cocos Palm	Within the site		Exempt

Condition reason: To facilitate the approved development.

133. No trees are to be removed on public property

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works, unless approved in this consent.

Condition reason: To protect public trees.

134. Advanced tree planting

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 relevant Occupation Certificate(s).

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

135. Material storage and trees

No materials (including waste and soil), equipment or goods of any type are to be stored, kept or placed within the Tree Protection Zone (TPZ) of trees to be retained and protected, at any time. This is a No Access Zone.

The following activities are prohibited within the specified Tree Protection Zones:-

- All activities involving soil level changes and soil disturbance; (such as re-grading, excavation, compaction and any additional fill material)
- All types of cleaning activities;
- Refuelling;
- Trenching;
- Ripping or cultivation of soil;
- Mechanical removal of vegetation;
- Access and storage of plant, equipment & vehicles;
- Erection of site sheds;
- Cleaning
- Disposal of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids;
- And any other activity likely to cause damage to the tree.

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

136. Post Construction Arboricultural Certification

The Project Arborist (AQF Level 5) shall undertake a final tree inspection to certify that the completed works within the TPZ and tree protection measures have been carried out in accordance with the approved plans and specifications for tree protection for the site. Certification shall include a statement on the condition of the retained trees, details of any deviation from the tree protection plan and any impacts this may have upon the retained

trees. Copies of the tree protection and monitoring documentation recorded throughout the entire development works, shall form part of the final tree protection report and certification. The report shall be submitted to the written satisfaction of the certifying authority.

Condition reason: To ensure trees/vegetation has been adequately protected.

137. **Removal of trees by an arborist**

All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and undertaken in accordance with the Code of Practice for Amenity Tree Industry 1998.

Condition reason: To ensure tree works are carried out safely.

138. **Construction Noise**

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.

Condition reason: To protect the amenity of the neighbourhood.

139. **Waste Management**

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated 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 was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled

140. **Asbestos—records of disposal & licensed waste facility**

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.

All friable and non-friable asbestos-containing waste material 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 2014* and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Condition reason: To ensure appropriate disposal of asbestos materials.

141. Waste data maintained

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

Condition reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2023 are met.

142. Contaminated waste to licensed EPA landfill

Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Condition reason: To comply with the statutory requirements of the *Protection of the Environment Operations Act 1997*.

143. Liquid and solid waste

Liquid and solid wastes generated onsite shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014* and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999) and NSW EPA Waste Classification Guidelines.

Condition reason: To prevent pollution of the environment.

144. Hazardous/intractable waste disposed of in accordance

Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework 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; NSW EPA Waste Classification Guidelines.

Condition 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.

145. Cut and fill

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier.
- (b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the NSW EPA. The fill material is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested

While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier: -

- (a) All footings/ foundations
- (b) At other stages of construction – any marks that are required by the principal certifier.

Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.

146. Managing Land Contamination

In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the *Contaminated Land Management Act 1997* and *Contaminated Land Management Regulation 2013*.

Condition reason: To ensure that the provisions set out in Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* have been met and the use of the land poses no risk to the environment and human health.

147. Aboriginal and European Archaeology

If any European archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must

be notified, in accordance with the *NSW Heritage Act*.

If any Aboriginal archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the *NSW National Parks and Wildlife Service Act*.

Condition reason: To ensure that the requirements of the Office of Environment and Heritage are met.

148. Public Domain Works Inspections

Prior to any work the Principal Certifying Authority is to confirm the ground floor slab levels, including finishes, will be flush with the existing and/or proposed public domain as per the approved Public Domain Alignment Drawings;

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 pre-work site meeting is required with Council's Road Asset Planning Team before start of any works on site to confirm the works as per the approved CC drawing set and to discuss any critical issues that may arise.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Group Manager Development Traffic Services Unit for each inspection listed below. At least **48 hour** notice must be given for all inspections, except tree inspections which require a 7 days' notice.

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, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits
- Formwork inspection for all footpaths and footpath crossings.
- 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.
- Installation of street trees including required sub-drainage layer installed as specified. Council's City Arborist and Tree Operations team should be notified 7 days prior to installation to enable inspection at the time of installation.
- Trees shall be installed within 24hrs of delivery; the contractor shall provide Council officers, certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.
- Practical completion - defects inspection following completion of all public domain works 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.

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 construction standards. The civil engineer is to provide certification of the above prior to achieving the Occupation Certificate.

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

Before issue of an occupation certificate

149. Occupation Certificate

Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 and/or 6.10 of the *Environmental Planning and Assessment Act 1979*.

Condition reason: To comply with legislative requirements of the *Environmental Planning and Assessment Act 1979*.

150. Dedication of Land

Evidence of registration of the land identified under the Land Reservation Acquisition Map under the Parramatta Local Environmental Plan 2023 (and shown as 'Road Widening' on the approved Stratum Subdivision Plan under Condition 1 of this consent) and its dedication to Council at no cost to Council must be completed prior to the issue of any Occupation Certificate.

All works intended to be dedicated to Council, including roads, footpaths, drainage, lighting, furniture, and other landscape treatments shall be designed and constructed to Council's specifications and standards as outlined in this development consent.

Condition reason: To ensure dedication of land to Council in accordance with the *Parramatta Local Environmental Plan 2023*.

151. Registration of Easements

Prior to the issue of the final Occupation Certificate, the following easements must be registered to the title of the relevant allotment(s).

- Easements for public right-of-way for all publicly accessible areas are to be registered to the title of each allotment. Allowance can be made in the terms of the easement for occupation of areas adjacent commercial premises for seating and the like.
- A right of access and easement for Council to facilitate waste and recycling removal for the residential use of the land, using terms available from Council, must be registered on the land title with NSW Land Registry Services pursuant to Section 88B of the *Conveyancing Act 1919*. The easement must entitle Council, its servants and agents and persons authorised by it, to enter upon the subject land and to operate thereon, including vehicles and other equipment, for the purposes of waste and recycling collection. The easement shall apply to the relevant lot in the stratum plan.
- An easement for public access to, and use of, the on-site car share spaces must be registered to the title of the relevant allotment.

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

Condition reason: To ensure all required easements are registered to the title of allotment(s).

152. Registration of a Swimming Pool/Spa

Prior to the issue of the relevant Occupation Certificate(s) the swimming pool/spa is to be registered on the NSW state register of swimming pools and spas. To register the swimming pool/spa you are to log onto www.swimmingpoolregister.nsw.gov.au and follow the prompts. A copy of the registration certificate is to be submitted to the Principal Certifier to confirm the registration.

Condition reason: To comply with NSW legislative requirements relating to Swimming pools and Spas.

153. Broadband access for major developments

Prior to the issue of the relevant Occupation Certificate(s), the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband NBN Co or similar operator where relevant and implemented at no cost to Council for the provision of broadband access to the development.

Note: For more information contact NBN Co.;
Development Liaison Team:
Call 1800 881 816;
Email: newdevelopments@nbnco.com.au;

Web: www.nbnco.com.au/NewDevelopments

Condition reason: To ensure that appropriate provision has been made to accommodate broadband access to the development.

154. **Certify mechanical ventilation installation**

Adequate ventilation to work areas and other occupied enclosures shall be provided in accordance with the requirements of the Building Code of Australia. Where any system of mechanical ventilation is installed, certification that the system functions in accordance with Australian Standard AS/NZS 1668.2.2012 is to be provided to the certifying authority prior to occupation of the premises.

Condition reason: To comply with the Building Code of Australia and the relevant Australian Standard.

155. **Fire safety measures - final fire safety certificate**

Prior to the issue of an 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*.

Condition reason: Protection of life and to comply with legislative requirements.

156. **Provisions for swimming pools**

The following conditions shall be complied with:

- (a) Any mechanical equipment associated with the swimming pool and spa shall be located in a sound-proof container and positioned so that noise levels associated with spa/pool pumping units shall not exceed 5 dBA at the boundaries of the site..
- (b) To maintain the visual amenity of the area, devices or structures used for heating swimming pool water must be placed where it is not visible from a public place.
- (c) Lighting from the swimming pool and other communal facilities shall not detrimentally impact the amenity of other premises and adjacent dwellings.

Condition reason: To ensure compliance with the *Swimming Pools Act 1992*, the *Swimming Pools Regulation 2008* and the National Construction Code together with maintaining amenity.

157. **Release of Securities/Bonds**

When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with Council's policy.

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.

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

158. **Repair of Infrastructure**

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

159. **Separate occupation**

The occupation of the commercial/retail premises (including the **neighbourhood supermarket**) must be the subject of further development approval for such use or occupation.

Condition reason: To ensure development consent is obtained prior to that use commencing.

160. **Street Numbering**

An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.

Note: Notification of all relevant authorities of the approved street numbers must be carried out by Council.

Condition reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

161. **Mechanical Ventilation Systems**

The applicant shall submit certification to the Principal Certifying Authority from a practicing consulting engineer, that the mechanical ventilation system has been tested and found to comply with the approved plans, specifications and Australian New Zealand Standard AS/NZS 1668.2:2012 The use of ventilation and air-conditioning in buildings, Mechanical ventilation in buildings.

Condition reason: To ensure the required standards are met.

162. **Section 73 Certificate**

A compliance certificate must be obtained from Sydney Water, under Section 73 of the *Sydney Water Act 1994*. Sydney Water's assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

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

163. **Green Travel Plan**

Prior to the issue of the relevant Occupation Certificate(s), a Green Travel Plan, is to be submitted to the PCA, 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.

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents and information pack on public transport to encourage use of public transport. The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential units in perpetuity.

TfNSW Requirements

In addition to the above, the Green Travel Plan is to incorporate the following details required by TfNSW.

- objectives and modes share targets (i.e., site and land use specific),
- measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP.
- specific tools and actions to help achieve the objectives and mode share targets.
- measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP.
- quantification and analysis of staff shift times and numbers on the Site and analysis of workforce residential post code data to properly understand public transport and car

parking demand and develop effective strategies in response, as well as help to inform service planning considerations.

- consideration of a staff travels survey and workforce data analysis to inform likely staff travel patterns and resultant travel plan strategies to / from the subject site.
- strategies for promoting higher mode share targets for alternate transport use, particularly amongst day shift and administrative staff.
- identification of a responsible party (or Committee) for the ongoing implementation of the GTP and its initiatives.
- confirmation of extent and nature of end of trip facilities and bike parking, including their location, and how they will be promoted to staff.
- Encourages the use of carpooling through the implementation of a carpooling scheme for staff.
- Considers the potential for fleet bikes to be used for travel within the site and its surrounds.
- identification of a communications strategy for conveying GTP information to staff, and visitors, including for the Travel Access Guide.
- consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets (such as pricing, prioritisation for those that carpool, use of wait lists, etc);
- a detailed action plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs.
- an implementation checklist to achieve the proposed initiatives. o alternative actions to undertake where targets are not achieved.
- the set-up of a steering group or committee of relevant internal and external stakeholders to inform future targets and the ongoing monitoring and revision of the GTP for five years; and
- details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

A copy of the Green Travel Plan is to be submitted to TfNSW at development.ctmp.cjp@transport.nsw.gov.au.

Condition reason: To comply with Parramatta DCP 2023 and TfNSW Requirements.

164. Completion of Public Utility Services

Before the issue of the relevant occupation certificate(s), confirmation must be obtained from the relevant authority that 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, have been completed and this confirmation must be provided to the principal certifier.

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

165. Notification agreement from Energy provider.

A Notification Agreement outlining the electrical construction requirements and associated fees shall be obtained from an energy provider prior to the release of the subdivision certificate.

Condition reason: To ensure electricity supply is available to all properties.

166. Trade Waste

The property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. Sydney Water's approval must be obtained for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission. The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au.

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

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

167. Vehicle Wash Bay–Trade Wastewater Disposal

The vehicle wash bay(s) shall comply with Sydney Water liquid waste on-site pre-treatment requirements. The applicant shall provide a report to Council's Environment and Health unit from a qualified person stating that the wash bay complies with Sydney Water requirements and furnish Council with a copy of the manufacturer's specification and maintenance schedule for the wash bay prior to the issue of the relevant occupation certificate(s).

Condition reason: To prevent contamination of the stormwater drainage system.

168. Car Share Space

Minimum 2 car parking space(s) are to be allocated for car share parking space. Car share parking space(s) shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided to Council prior to the issue of the relevant occupation certificate(s), demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The PCA shall ascertain that an agreement with a commercial operator is subscribed prior to issue of the relevant occupation certificate(s).

If one or more car share provider accepts the applicant's offer of car share space(s), those 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.

Condition reason: To comply with Council's Development Control Plan.

169. Reinstatement of laybacks

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 the relevant Occupation Certificate(s). All costs must be borne by the applicant.

Condition reason: To provide satisfactory drainage.

170. Driveway Crossover

Prior to the issue of the relevant Occupation Certificate(s), an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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 be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels.

The detailed plan must be submitted to Council's DTSU Manager for approval prior to commencement of the driveway crossing works.

A fee in accordance with Council's 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.

Condition reason: Pedestrian and Vehicle safety.

171. Exclusion from Parking Permits

Prior to issue of the relevant Occupation Certificate(s), a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner of the residential lot with disqualification from participation in any

existing or future City of Parramatta Council on-street resident parking permit scheme. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the 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 car share spaces within the lot.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifier prior to occupation or use of the site.

Note: The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW.

Condition reason: To reduce parking demand.

172. No articles or vehicles stored on public property

No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

Condition reason: To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.

173. Loading and unloading

All loading and unloading must:

- (a) take place within the approved loading dock to minimise disruption of public spaces, and
- (b) is to be carried out wholly within the site

Condition reason: To protect the amenity of the neighbourhood.

174. Registration of SIP facilities on Property Title

The Shelter-in-Place facilities must be registered on the property title before the relevant Occupation Certificate(s) (OC) is issued. Evidence of registration must be submitted to Council.

Condition reason: Protection of SIPs on title in perpetuity.

175. OSD Positive Covenant/Restriction

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.

In the event that evidence has been provided to Council's satisfaction, demonstrating that on-site stormwater detention facilities are not required (pursuant to Condition 49 of this consent), the requirements of this condition do not apply.

Condition reason: To ensure maintenance of on-site detention facilities.

176. **Work-as-Executed Plan**

Works-As-Executed stormwater plans are to address the following:

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) 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.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table)
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.

- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer

The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.

In the event that documentation is provided to Council's satisfaction demonstrating that on-site stormwater detention facilities are not required (as per Condition 46), the Work-as-Executed plans will not be required to show OSD details (as noted above).

Condition reason: To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.

177. Landscape Works required to be Certified

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.

Condition reason: To ensure restoration of environmental amenity.

178. Submission of Reports

Prior to the issue of the relevant occupation certificate(s) (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

- (a) Acoustic Report No. 20240328.1/0904A/R0/PF, dated 09/04/2024, prepared by Acoustic Logic Pty Ltd
- (b) Acoustic Report No. 20240328.2/1804A/R0/PF dated 18/04/2024, prepared by Acoustic Logic Pty Ltd.
- (c) Construction Management Plan for DA Submission – Roberts Co – April 2024

Condition reason: To demonstrate compliance with submitted reports.

179. Final Inspection of Waste Storage Areas

Prior to the relevant Occupation Certificate(s) being issued, a final inspection of the waste storage areas and facilities must be undertaken by a member of Council's Waste Team. This is to ensure compliance with Council's design specifications and that necessary arrangements are in place to commence the domestic waste collection by Council. Written confirmation will be provided by Council upon the development satisfying Council's requirements.

Condition reason: To ensure that waste management facilities and storage areas in multi-dwelling housing and mixed-use developments are compatible with Council's servicing requirements.

180. Details of commercial contract for collection

Prior to issue of the relevant occupation certificate(s), the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all waste contracts and receipts shall be kept on site and made available to Council officers on request.

Condition reason: To comply with the requirements of the *Protection of the Environment Operations Act 1997* and Regulations.

181. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

182. Ventilation - waste storage rooms

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 certifying authority prior to occupation of the premises.

Condition reason: To ensure compliance with BCA requirements.

183. Post Construction Private Property Dilapidation

Before the issue of the relevant occupation certificate(s), a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

- (a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- (b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of the relevant occupation certificate(s), the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

Condition reason: To identify damage to adjoining properties resulting from building work on the development site.

184. Final document including details of fabrication and installation of Public Art

Final documentation including details of fabrication and installation of the work including a maintenance schedule must be submitted and approved by Council's DTSU Manager and Artwork completed in full and installed to the satisfaction of Council prior to the issue of the relevant Occupation Certificate(s).

Condition reason: To comply with development control plan requirements.

185. Adaptable dwellings Multi-unit and RFB's modification

Certification must be provided prior to the issue of the relevant occupation certificate(s) that the required adaptable dwelling(s) have achieved a class C design in accordance with the requirements of AS 4299 -1995.

Condition reason: To ensure the requirements of DCP 2023 have been met.

186. Revised Plan of Management

Prior to the issue of the relevant residential occupation certificate(s), the approved Plan of Management shall be updated to include provisions requiring the operator to make units fully accessible (upon request) in accordance with the relevant Australian Standards and Building Code of Australia, at no cost to the tenant.

Condition reason: To ensure units are made accessible when required.

187. Liveable Housing

Confirmation that 91 units comply with the Liveable Housing Guidelines Silver Level design feature is to be prepared by a suitably qualified consultant and submitted to Council prior to the issue of the relevant Occupation Certificate(s).

Condition reason: To ensure that the development provides accessible dwelling options for future occupants.

188. SEPP Housing verification statement OC stage

Design Verification issued by a registered architect is to be provided with the application for the relevant Occupation Certificate(s), verifying that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in the *State Environmental Planning Policy (Housing) 2021*.

Note: Qualified designer in this condition is as per the definition in SEPP Housing 2021.

Condition reason: To comply with the requirements of SEPP Housing 2021.

189. Shopfront appearance

Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

Condition reason: To provide an appropriate streetscape appearance.

190. Public Domain Occupation Certificate Requirements

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 and final defects rectified, with a **final approval** obtained from Council's Road Asset Planning, Catchment Management & Environment Manager.

Any defects raised by Council officers during the above construction and defects period inspections, will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans, longitudinal sections and specifications or the public domain guidelines. All defects raised by Council officers during the construction period and at final inspection need to be rectified prior to and signed off at the final defects' inspection by Council officers to achieve Occupation Certification.

A 52 week defects period will commence with issue of an Occupation Certificate. Further signoff of defects will again be needed prior to final handover.

The Certificate of Completion shall not be issued until Council's final approval is obtained. 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. The WAE drawings shall be submitted to Council as both CAD and PDF drawings. A **landscape maintenance schedule** prepared by a qualified Landscape Architect shall be submitted to Council specifying the required plant establishment to be provided by the applicant following OC.

Maintenance of plant material to commence following OC for plant establishment period of –

- 52 weeks plant establishment & maintenance period for street trees
 - A two-year (104 weeks) plant establishment and maintenance period for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc; and
 - A 5-year plant establishment and maintenance period for all soft works for any park area
- Important – If any trees have been replaced (due to death or damage of the previous tree) within 3 months of the handover, the maintenance period for those trees will be extended to suit the above time requirements.**

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

191. Delivery of NABERS ratings requirements

The design and documented requirements to deliver the NABERS Energy rating and requirements of the NABERS Energy Commitment Agreement are to be completed prior to occupation.

Condition reason: To comply with legislative requirements and ensure compliance with NABERS agreement.

192. Occupation Certificate Design Integrity Review

Prior to issue of any Occupation Certificate(s), the applicant is to submit for approval by Council's DTSU Manager, 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.

Condition reason: To ensure the proposal achieves design excellence.

193. Subdivision Certificate

A separate application must be made for a subdivision certificate. The following information shall be submitted:

- (a) Evidence that all relevant conditions of this development consent have been satisfied;
 - (b) Evidence of payment of all relevant fees;
 - (c) Stratum Subdivision Plans, Section 88B Instrument and Deposited Plan Administration Sheet, all generally in accordance with the final draft plans and documents, except as otherwise required to be amended via other conditions of this consent. These documents shall include full details of easements, instruments, covenants and the like necessary to create new titles and are to be certified by a Registered Surveyor;
 - (d) A Building Management Statement. The Building Management Statement must set out how shared facilities are accessed, maintained and funded and must adequately address the ongoing maintenance, and structural adequacy of each stratum lot to Council's satisfaction;
 - (e) All relevant surveyors or engineers' certification if required by the development consent.
- A set of title documents shall be compiled including Stratum Plans of Subdivisions and all Instruments on Title. This set of title documents shall be in a form acceptable to Council as meeting standards for release of the Subdivision Certificate and for registration with NSW Land Registry Services. Two sets of Deposited Plans shall be provided, one showing architectural shadows/outlines superimposed on the DP title set out and the other set clearly

showing survey stratum subdivision boundaries and other title markings/annotations without the architectural layer.

Condition reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

Occupation and ongoing use

194. Graffiti Management

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.

Condition reason: To ensure the removal of graffiti.

195. Annual fire safety certificate

During occupation and ongoing use of the building, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 88 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Condition reason: To ensure annual checks on fire safety measures

196. Agreement for outdoor furniture

Prior to the placement of the tables, chairs, and safety barriers on Council's footpath, a licence agreement between the proprietors of the business and Council must be entered into.

Please contact Parramatta City Council's Property Management Officer, Council on 9806 5000.

Condition reason: To ensure requirements are adhered to, and there is an agreement for operations on Council's footpath.

197. Dangerous goods storage

All Dangerous Goods shall be stored in accordance with:

- (a) AS 1940-2017: The Storage and Handling of Flammable and Combustible Liquids;
- (b) *Work Health and Safety Act 2011*;
- (c) Model code of Practice: Managing risks of Hazardous Chemicals in the workplace.

Condition reason: To ensure that the dangerous goods are correctly contained.

198. Fire safety measures

All new and existing fire safety measures identified in the Fire Safety Schedule shall be maintained in working condition at all times.

Condition reason: Protection of life and to comply with legislative requirements.

199. Trade Waste

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

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

200. Roller shutter door intercom is installed

If a roller shutter door or other control point is to be provided at the driveway entry and exit from Phillip Street, it is to be opened at all times during commercial operating hours and during any time when deliveries are expected/scheduled as nominated by the loading dock management plan.

Condition reason: To comply with Council requirements.

201. Deliveries to the premises shall take place

All commercial deliveries must take place between the hours of 7am and 10pm. No deliveries are to take place on weekends and public holidays.

Condition reason: To protect the amenity of the neighbourhood.

202. Green Travel Plan - Ongoing Use

The facilities provided and the uses on site are to be operated at all times in accordance with the recommendations of the approved Green Travel Plan.

The Green Travel Plan, required by these conditions, shall be displayed throughout the residential and commercial areas of the site at all times.

Condition reason: To ensure implementation of the Green Travel Plan.

203. Review report of Green Travel Plan

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.

Condition reason: To ensure the effective management of the Green Travel Plan.

204. No queuing vehicles outside the site

The site manager is to ensure delivery vehicles arriving to the site can be accommodated within the site. Delivery vehicles are not to wait outside the site.

Condition reason: To ensure maintenance of traffic flow along the road.

205. Exit in a forward direction

All vehicles are to enter and exit the site in a forward direction onto Phillip Street and are to be wholly contained on site before being required to stop. Reversing from the access driveway is to be prohibited for safety reasons.

Condition reason: To ensure all road users safety.

206. Maintenance of wastewater & stormwater treatment device

During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Condition reason: To protect sewerage and stormwater systems.

207. Storage of Goods Below Flood Planning Level

Any storage of goods below the Flood Planning Level for the three retail tenancies fronting George Street is not permitted.

Condition reason: To ensure compliance with Council's DCP.

208. Landscape Maintenance

All landscape works (including any street tree and turf planting in the street verge / nature strip/ road reserve) shall be maintained and watered for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Condition reason: To ensure restoration of environmental amenity.

209. Use of pool pump

The swimming pool pump must not be operated between the hours of 8.00p.m. and 7.00a.m. Monday to Friday and 8.00p.m. to 8.00a.m. Saturdays, Sundays and Public Holidays.

Condition reason: To protect the amenity of surrounding properties.

210. Air Conditioners in Residential Buildings

The air conditioner/s must not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open)
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7.00am and after 10.00pm on any other day.
- (b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

Condition reason: To prevent loss of amenity to the area.

211. Noise from mechanical equipment

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*.

Condition reason: To protect the amenity of the area.

212. Use is not to cause offensive noise or vibration

The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the *NSW Environmental Planning & Assessment Act 1979*: Noise Policy for Industry 2017 and the *Protection of the Environment Operations Act 1997*.

Condition reason: To prevent loss of amenity to the area

213. Compliance with Servicing Requirements

All waste servicing instructions from Council must be complied with at all times. This includes any directives regarding the presentation of bins to a designated collection point and the maintenance of waste storage areas.

Condition reason: To ensure the safety and effectiveness of ongoing waste collection services.

214. Management of waste storage facilities

All waste storage areas are to be maintained in a clean and tidy condition at all times.

Condition reason: To ensure the ongoing management of waste storage areas.

215. Ongoing Management of Wastes (general)

All waste generated onsite must be removed at regular intervals and no less frequent than once weekly for garbage and once fortnightly for recycling. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection without the formal approval of Council. Waste collection vehicles servicing the development onsite must enter and exit a property in a forward direction.

All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

In the event that the occupation and use of the residential component of the building occurs prior to the introduction of Council's Medium Rigid Vehicle (MRV) waste collection fleet, the operator is to enter into a private waste contract until such time as Council can adequately service the development.

Condition reason: To ensure that waste does not accumulate onsite.

216. **Signage in Shared Waste Areas**

Signage to encourage correct recycling and reduce contamination is required within shared waste rooms / bin storage areas. Standard signage is available through Council.

Condition reason: To encourage proper waste and recycling practices onsite.

217. **Storage of bins between collection periods**

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.

Condition reason: To ensure waste is adequately stored within the premises.

218. **Use is not to cause air impurities**

The operation of the premises is not to give rise to emissions of air impurities in contravention of the *Protection of the Environment Operations Act 1997*. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

Condition reason: To prevent loss of amenity to the area.

219. **Delivery of NABERS ratings requirements**

The following information is to be provided to the consent authority using the NSW planning portal within 24 months from the issue of the residential occupation certificate:

- (a) NABERS Water certificate and rating report for the office portion of the development
- (b) NABERS Energy certificate and rating report for the office portion of the development

Condition reason: To comply with the High Performing Building Requirement of the Parramatta LEP and clause with legislative requirements of Clause 79A of the Environmental Planning & Assessment Regulation 2021.

General Advisory Notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means CITY OF PARRAMATTA COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Parramatta Local Planning Panel

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,

- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Sydney Central City Planning Panel.