

**ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979**

**DETERMINATION OF MAJOR PROJECT NO. 06\_0333**

**(FILE NO. S07/00040-2)**

**PROPOSED COMMERCIAL OFFICE BUILDING FOR SYDNEY WATER AT CIVIC  
PLACE PRECINCT, PARRAMATTA**

I, the Minister for Planning, under section 75J of the *Environmental Planning and Assessment Act*, 1979, approve the major project referred to in Schedule 1 subject to the conditions in Schedule 2 and the Statement of Commitments of the Proponent in Schedule 3.

Frank Sartor MP  
**Minister for Planning**

Sydney, 1 March 2007

## SCHEDULE 1

### PART A—TABLE

|                                   |                                                                                                                                                                                                                                                                                                                |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application made by:</b>       | Multiplex Constructions Pty Ltd on behalf of Sydney Water Corporation                                                                                                                                                                                                                                          |
| <b>Application made to:</b>       | Minister for Planning                                                                                                                                                                                                                                                                                          |
| <b>Major Project Application:</b> | MP 06_0333                                                                                                                                                                                                                                                                                                     |
| <b>On land comprising:</b>        | 1 Smith Street, Parramatta comprises the following lots: <ul style="list-style-type: none"> <li>▪ Lot 1 DP 209425.</li> <li>▪ Lot 1 DP 128540.</li> <li>▪ Lots 1 &amp; 2 DP 511141.</li> <li>▪ Lot 3 DP 207682.</li> <li>▪ Lot A DP 324342.</li> <li>▪ Lot A DP 323787.</li> <li>▪ Lot 2 DP 207682.</li> </ul> |
| <b>Local Government Area:</b>     | City of Parramatta                                                                                                                                                                                                                                                                                             |
| <b>For the carrying out of:</b>   | Construction of a 17 storey commercial office building for Sydney Water with ancillary retail /café and associated basement carparking and public domain works.                                                                                                                                                |
| <b>Estimated cost of works:</b>   | \$129,000,000                                                                                                                                                                                                                                                                                                  |
| <b>Type of development:</b>       | Major Project                                                                                                                                                                                                                                                                                                  |
| <b>S.119 public inquiry held:</b> | No                                                                                                                                                                                                                                                                                                             |
| <b>Determination made on:</b>     | 1 March 2007                                                                                                                                                                                                                                                                                                   |
| <b>Approval Lapses on:</b>        | 1 March 2012                                                                                                                                                                                                                                                                                                   |

### PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 06\_0333

Responsibility for other approvals / agreements

The Proponent is solely responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Appeals—Third Party

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

## PART C—DEFINITIONS

In this approval,

**Act** means the *Environmental Planning and Assessment Act, 1979* (as amended).

**Advisory Notes** means advisory information relating to the approved development but do not form a part of this approval.

**BCA** means the Building Code of Australia.

**Council** means Parramatta City Council.

**Self-Certifying Authority** where the building works are undertaken by the Crown has the same meaning as in S116G of the Act.

**Department** means the Department of Planning or its successors.

**Director** means the Director of Urban and Coastal Assessments or its successors.

**Director-General** means the Director-General of the Department of Planning.

**Environmental Assessment** means the Environmental Assessment prepared by Urbis JHD on behalf of Multiplex Constructions Pty Ltd and dated November 2006

**Minister** means the Minister for Planning.

**MP No. 06\_0333** means the Major Project described in the Proponent's Environmental Assessment Report.

**Proponent** means Multiplex Constructions Pty Ltd or any party acting upon this approval.

**Regulation** means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

**Self certification for construction** means the

**Subject Site** has the same meaning as the land identified in Part A of this schedule.

## SCHEDULE 2

### RECOMMENDED CONDITIONS OF APPROVAL

#### MAJOR PROJECT NO. 06\_0333

#### PART A—ADMINISTRATIVE CONDITIONS

##### **A1      *Development Description***

- (1) Approval is granted only to carrying out the development described in detail below:  
     To construct a 17 storey office building including ancillary retail / cafe space and associated underground parking.
- (2) Development must be carried out consistently with the Statement of Commitments (including Public Domain Contributions) except as amended by the conditions of approval.
- (3) These conditions of approval do not relieve the Proponent of its obligations under any other Act.
- (4) This approval lapses five years from the date of approval.

##### **A2      *Development in Accordance with Plans***

The approval shall be in accordance with MP 06\_0333 and with the Environmental Assessment dated November 2006 prepared by Urbis JHD including all Appendices, and the following drawings:

| <b>Architectural (or Design) Drawings prepared by Denton Corker Marshall</b> |                 |                                        |             |
|------------------------------------------------------------------------------|-----------------|----------------------------------------|-------------|
| <b>Drawing No.</b>                                                           | <b>Revision</b> | <b>Name of Plan</b>                    | <b>Date</b> |
| A0000                                                                        | -               | Location Plan                          | 9.11.06     |
| DA_A1001                                                                     | 3               | Level 01 (Ground) Floor Plan           | 22.2.07     |
| DA_A1002                                                                     | 2               | Level 02 Floor Plan                    | 19.2.07     |
| DA_A1003                                                                     | 2               | Level 03 Floor Plan                    | 19.2.07     |
| DA_A1020                                                                     | 2               | Level 04 Floor Plan                    | 19.2.07     |
| A1004                                                                        | -               | Typical Tower Floor Plan               | 9.11.06     |
| A1005                                                                        | -               | Level 16 Floor Plan                    | 9.11.06     |
| A1006                                                                        | -               | Level 17 Floor Plan                    | 9.11.06     |
| A1008                                                                        | -               | Level 18 (roof) Plan                   | 9.11.06     |
| A1010                                                                        | -               | Basement Level B1 Mezzanine Floor Plan | 9.11.06     |
| A1011                                                                        | -               | Basement Level B1 Floor Plan           | 9.11.06     |
| A1012                                                                        | -               | Basement Level B2 Floor Plan           | 9.11.06     |
| A1013                                                                        | -               | Basement Level B3 & B4 Floor Plan      | 9.11.06     |
| A1014                                                                        | -               | Basement Level B5 Floor Plan           | 9.11.06     |
| DA_A1100                                                                     | 3               | North Elevation                        | 22.2.07     |
| DA_A1101                                                                     | 3               | South Elevation                        | 22.2.07     |

|                                                                                                                                                        |                 |                                          |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------------------|-------------|
| DA_A1102                                                                                                                                               | 3               | East Elevation                           | 22.2.07     |
| DA_A1103                                                                                                                                               | 3               | West Elevation                           | 22.2.07     |
| DA_A1200                                                                                                                                               | 2               | Section AA                               | 19.2.07     |
| A1201                                                                                                                                                  | -               | Section BB                               | 9.11.06     |
| A8100                                                                                                                                                  | -               | Tower Façade Details                     | -           |
| SK_204                                                                                                                                                 | S1              | Site Plan showing setbacks from boundary | 27.2.07     |
| <b>Stormwater Plan prepared by <i>Lincolne Scott Consulting Engineers</i> at Appendix K of the Environmental Assessment (SEE prepared by UrbisJHD)</b> |                 |                                          |             |
| <b>Drawing No.</b>                                                                                                                                     | <b>Revision</b> | <b>Name of Plan</b>                      | <b>Date</b> |
| H101A                                                                                                                                                  | A               | Stormwater Concept Plan                  | 13.11.6     |
| <b>Materials and Finishes Board prepared by <i>Denton Corker Marshall</i></b>                                                                          |                 |                                          |             |

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in *Parramatta Council Local Environmental Plan2001* or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this approval.

### **A3     *Inconsistency between documents***

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

### **A4     *Prescribed Conditions***

The Proponent shall comply with the prescribed conditions of approval under clause 98 of the Regulation.

## **PART B—PRIOR COMMENCEMENT OF WORKS**

### ***B1 Submission of Final Plans of Building***

Prior to commencement of works, the Proponent shall submit to the satisfaction of the Director-General three copies of plans, elevations and sections to reflect the building being setback to the north and to the west approximately by 4 metres consistent with Sketch Drawing No. SK\_204\_S1 dated 27 February 2007.

### ***B2 Provision of footpaths on Smith and Darcy Streets***

- (1) Prior to commencement of works, a draft plan shall be submitted to and approved by Director General showing a 3 metre wide public footpath to be provided both along Smith Street and Darcy Street boundaries within the site, as shown in concept in Sketch Drawing No. SK\_204\_S1 dated 27 February 2007.
- (2) A draft section 88B Instrument to shall be submitted to demonstrate the creation of a public pedestrian right-of-way shall be submitted to the satisfaction of the Director-General. The easements as shown in the 88B instrument shall be placed on title prior to occupation.

### ***B3 Landscaping and Public Domain Plan***

Prior to commencement of works above ground, a detailed Landscape and Public Domain Plan shall be submitted to and approved by Director-General. The plan shall clearly indicate site levels, elevations and sections (where necessary) as well as explanation of all materials, paving types etc. and to include:

- (1) Location of the building and other building elements on the site;
- (2) Materials and finishes of all paved areas / hard surfaces / footpaths around the perimeter of the building in accordance with the requirements of the relevant Council public domain policy for the Civic Place Precinct;
- (3) Details of public seating and lighting;
- (4) Location, numbers and type of plant species;
- (5) Details of planting procedure and maintenance;
- (6) Details of drainage and watering systems; and
- (7) Any artwork, and appropriate treatment of fire stairs and exhaust vents protruding above ground level.

### ***B4 Revised Wind Report***

Prior to commencement of works the proponent is to review the recommendations of the Wind Environment Study prepared by WindTech dated 27 February 2007 as a result of amendments to the building location as detailed in Conditions B1 and B2. All recommendations are to be implemented prior to occupation.

### ***B5 Access during construction of future Civic Place Development***

- (1) Unless otherwise agreed to by the Director-General, the Proponent is to submit to the Director-General, evidence that there is an Agreement between the Proponent and the adjoining land owner, for temporary access to the Sydney Water site during construction of the future development of Civic Place, as it affects Darcy Street. This is to be undertaken prior to the commencement of works;

- (2) Access shall be via a loading bay at RL8.2 at the north-eastern corner of the site, or at a location agreed by both parties.

The details of the necessary building work required to the façade and basement to allow the temporary access shall be shown;

- (3) The Proponent is required to use the agreed access. The intent is to provide for alternative access, so Darcy Street can be utilised for construction related activity for Civic Place.

#### ***B6 Alternative permanent access to Sydney Water via Civic Place***

- (1) Unless otherwise agreed to by the Director-General, the Proponent is to submit to the satisfaction of the Director-General evidence that there is an Agreement between the Proponent and the adjoining land owner, for the provision of a single, integrated access to the Sydney Water site, with the exception of trucks, through any future Civic Place vehicle portal and basement area. This is to be undertaken prior to the commencement of works;
- (2) The Proponent is required to use the agreed access via the Civic Place portal for all vehicles except for trucks. Trucks may use the at-grade access to the Sydney Water site via Darcy Street.

#### ***B7 Structural Details***

Prior to commencement of works, all structural drawings must have been prepared and signed by a suitably qualified practising Structural Engineer and compliance must be met with:

- (1) the relevant clauses of the BCA;
- (2) these conditions of approval;
- (3) the drawings and specifications comprising the self-certified construction certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Prior to works commencing, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to the body issuing the self-certification.

#### ***B8 Stormwater and Drainage***

- (1) Prior to commencement of works, details of the proposed stormwater disposal and drainage must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (2) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to the commencement of any work within the public way.
- (3) The requirements of Sydney Water (as regulator) with regard to the on-site detention and disposal of stormwater must be must be submitted.

**B9        *Sydney Water – Section 73 Certificate***

Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) shall form part of the self-certified construction documentation, prior to the commencement of works.

**B10        *Construction Management Plan***

Prior to commencement of works, the Proponent shall submit for a Construction Management Plan to the approval of Council. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work;
- (2) contact details of site manager;
- (3) traffic and pedestrian management;
- (4) dust management;
- (5) noise and vibration management;
- (6) waste and recycling management;
- (7) erosion and sediment control measures.

The Proponent shall submit a copy of the approved Plan to the Department.

**B11        *Traffic and Pedestrian Management Plan***

Prior to commencement of works, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by Council. The Plan shall address, but not be limited to, the following matters:

- (1) vehicular site ingress and egress,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes,
- (4) pedestrian and traffic management methods, and
- (5) the management of pedestrian and vehicular traffic during related construction activities.

The Proponent shall submit a copy of the approved Plan to the Department.

**B12        *Dust Control Measures***

Prior to commencement of works, a Dust Management Plan detailing adequate measures to be taken to prevent dust affecting the amenity of the neighbourhood during construction, shall be prepared by a suitably qualified person and submitted to and approved by the Self-Self-Certifying Authority.

The Proponent shall submit a copy of the approved plan to Council.

**B13        *Waste Management Plan***

Prior to commencement of works, the Proponent shall provide a Waste Management Plan addressing demolition and construction waste for the approval of the Council.

**B14      *Car Parking Spaces and Dimensions***

Approval is given for 254 car parking spaces of which 11 spaces are to be allocated for disabled spaces.

The design including a bicycle storage area, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking. The details must be submitted to and approved by the Self-Certifying Authority prior to commencement of works.

**B15      *Footpath and Road Damage Bank Guarantee***

Prior to commencement of works the Proponent must provide a bank guarantee for a reasonable sum to be determined by Council as security for rectification of any damage to the public way and roadways adjacent to the site resulting from the works the subject of this approval.

**B16      *Long Service Levy***

Prior to commencement of the works the long service levy of 0.35% of the construction cost payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* must be paid to Council (or, where such a levy is payable by instalments, the first instalment of the levy).

**B17      *Section 94 Contribution***

Prior to commencement of works, a Section 94 contribution of \$778,000.00 in accordance with Council's Section 94 requirements shall be paid to Council.

**B18      *Application for Hoarding***

A separate application is to be made to the Council, and approved prior commencement of works, to erect an appropriate hoarding surrounding the site and such application is to have regard to Council's policies.

**B19      *Reflectivity***

The visible light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed in accordance with the recommendations of the Solar Light Reflectivity Analysis prepared by Windtech and dated 13 November 2006 so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Self-Certifying Authority prior to commencement of works.

**B20      *Electrolysis Risk***

Prior to commencement of works, the Proponent is to procure a report on the Electrolysis Risk to the development from stray currents from the nearby railway infrastructure, and the measures that will be taken to control that risk. The report must be submitted to RailCorp for review.

**B21      *Dilapidation***

Dilapidation report/s shall be prepared for all adjacent buildings and roads and details are to be submitted to the satisfaction of the Self-Certifying Authority prior to commencement of works.

**B22            *Geotechnical Report***

Prior to the commencement of works, a Geotechnical Report in relation to the excavation works prepared by a suitably qualified consultant, must be submitted to the satisfaction of the Self-Certifying Authority and in accordance with the relevant requirements of the BCA.

**B23            *Barricade Permit***

Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the Local Government Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

**B24            *Crane Operation***

Prior to the commencement of work, the Proponent must demonstrate to the satisfaction of RailCorp that all crane and overhead wiring or transmission lines must be strictly controlled. and the must submit any proposals to RailCorp for the use of lights, signs and reflective materials.

**B25            *Utility Services***

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the Proponent is to negotiate with the utility authorities (eg. Energy Australia, Sydney Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

**B26            *Contact Telephone Number***

Prior to the commencement of the works, the Proponent shall forward to Council a 24 hour telephone number for the site manager to be operated for the duration of the construction works.

**PART C—DURING CONSTRUCTION****C1            *Construction Management Plan***

All works are to be carried out in accordance with the approved Construction Management Plan including but not limited to identification of hours of work, construction noise and vibration management, soil erosion and sediment control plan, air quality and dust control procedures, waste management plan, storage and handling of material, and emergency procedures.

**C2      *Disposal of Seepage and Stormwater***

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

**C3      *Approved Plans to be On-site***

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department or Council.

**C4      *Site Notice***

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Self-Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

**C5      *Hours of Work***

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 8:00 pm, Mondays to Fridays inclusive;
- (2) between 7:00 am and 8:00 pm, Saturdays;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) the work is approved through the Construction Noise and Vibration Management Plan; and
- (7) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

**C6      *Loading and Unloading during Construction***

The following requirements apply:

- (1) all loading and unloading associated with construction must be accommodated on site;
- (2) if, during excavation, it is not feasible for loading and unloading to take place on site, a construction zone on the street may be considered by the Council;

- (3) if a construction zone is warranted an application must be made to the Council prior to commencement of work on the site. An approval for a construction zone may be given for a specific period and certain hours of the days to meet the particular need of the site for such a facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

### ***C7 Public Way to be Unobstructed***

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

### ***C8 Asbestos Removal***

All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".

### ***C9 Notification of Excavation Works***

The AC and Council must be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

## **PART D —PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**

### ***D1 Consolidation of Lots***

Prior to occupation, the lots which form the subject site are to be consolidated and the Plan of Consolidation registered with the Land Titles Office. Evidence of the registration of the Consolidation shall be provided to the satisfaction of the Self-Certifying Authority.

### ***D2 Fire Safety Certificate to be Submitted***

A Fire Safety Certificate must be submitted to the Self-Certifying Authority for all of the items listed in the Fire Safety Schedule prior to occupation of the building.

### ***D3 Post-construction Dilapidation Report***

- (1) The Proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (2) The report is to be submitted to the Self-Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Self-Certifying Authority must:
  - (a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by Condition B22 of this consent, and
  - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (3) A copy of this report is to be forwarded to Council.

***D4 Road Damage***

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent prior to occupation of the building.

**PART E — POST OCCUPATION AND DURING OPERATION*****E1 Annual Fire Safety Certification***

The owner of the building shall certify to the Council every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

## **ADVISORY NOTES**

### ***AN1 Further Approvals***

This approval does not include:

- (1) Building identification signage or directional signage;
- (2) Internal fitout of the building;
- (3) The use and operation of retail spaces;
- (4) Any proposed cantilevered terrace over the adjoining land.

Separate development applications for these matters shall be lodged with Council under Part 4 of the Act (except where exempt and complying development).

### ***AN2 Requirements of Public Authorities for Connection to Services***

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent.

### ***AN3 Use of Mobile Cranes***

The Proponent should obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from the relevant road authority:
  - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of road authority will create minimal traffic disruptions, and
  - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of the road authority, will create significant traffic disruptions.
- (2) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building:
- (3) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30 am without the prior approval of Council.

### ***AN4 Movement of Trucks Transporting Waste Material***

The Proponent should notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

### ***AN5 Approval under Roads Act 1993***

The Proponent should obtain, as necessary, approvals under Section 138 of the Roads Act 1993 for any works to be carried out on public roads.

**AN6 Construction Inspections**

Compliance certificate/s should be issued by the Self-Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction.

**AN7 Noise Generation**

Any noise generated during the construction of the development should not exceed limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

**AN8 Temporary Structures**

An approval under Section 68 of the Local Government Act 1993 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the Local Government Act 1993 to certify the structural adequacy of the design of the temporary structures.

**AN9 Disability Discrimination Act**

This major project has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

**AN10 Commonwealth Environment Protection and Biodiversity Conservation Act 1999**

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This major project has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

## **SCHEDULE 3**

**MP 06\_0333**

**PROPOSED COMMERCIAL OFFICE BUILDING FOR SYDNEY WATER AT CIVIC  
PLACE PRECINCT, PARRAMATTA**

**STATEMENT OF COMMITMENTS**

**(SOURCE: PRFERRED PROJECT REPORT)**

### **General Commitments**

- The development will be undertaken in accordance with the Preferred Project Plan.
- The proponent is committed to ESD principles as defined in the Environmental Planning and Assessment Act (1979), and committed to providing a five star ABGR Base Building and a five star Green Star Office Design Rating. In addition the building will utilize water saving devices in the selection of fittings and provide blackwater treatment with the overall benefit of there being minimised discharge into the sewer system, all water is recycled.
- The planning, design, construction and operation of the building will be undertaken in accordance with the requirements of the BCA and Australian Standards.
- All necessary approvals required by State and Commonwealth legislation will be obtained prior to undertaking work.
- The project will be consistent with the objectives of the neighbouring proposed or current ? Civic Place Master Plan 2003 and the subsequent proposed concept plan as prepared by Parramatta City Council.

### **Built Form, Urban Design**

- The detailed design of the facilities will incorporate the strategies of resource consumption, environmental demands, quality of indoor environment, functionality as well as the wider planning issues associated with economics, management, transport and cultural environment as outlined in the SREP 28 and the Civic Place Masterplan and the Stage 1 DA approved for the Sydney Water site including density, street frontage, scale, height, and built form.
- The detailed design phases will comply with the principles and development controls set out in the Preferred Project Application.
- Landscape and building setbacks will be in accordance with the consistency and character of development in the locality and relative to what is able to be ascertained from the Civic Place Masterplan for adjacent buildings.

Initiatives to be adopted include:

- Provide articulation and interest to the facade of the building along Darcy Street through the use of grey granite to streetscape level at the human scale, with pre-finished aluminium panels above.
- Provision of activated streetscape through increased retail space along western site boundary frontage adjacent the proposed Station Square
- Provide increased visibility through enlarged areas of glazing at street level along Darcy Street.
- Establishment of complementary landscaping in the setback.
- Use of non-reflective materials and sunshading to the building façade to reduce energy demand of the occupied floors.
- Given the proximity to the public transport links, upgrade pedestrian footpaths and public domain including signage and lighting.
- Establish interface in compliance with Parramatta City Council policy and Civic Place Masterplan along the northern and western site boundaries.
- Mitigate wind impacts through shielding at street level and articulation of the façade above.

In addition, recent discussions with Parramatta City Council / Grocon have developed an agreement “in principle” that provides increased public amenity through the provision of a footpath width of three (3) metres to the southern site boundary along Darcy Street as well as to the western boundary along Smith Street through shifting the Sydney Water building to the north and to the west. The latter initiative will allow an additional lane to Smith Street. Moving the building away from the southern boundary will provide the Civic Place development with the necessary space to accommodate a three lane divide structure along Darcy Street as well as a single lane ingress and single lane egress to the proposed Station Square “kiss and ride” roundabout for joint Sydney Water and Civic Place use (all items outside of Sydney Water site boundaries to be provided by Parramatta City Council / Grocon).

### **Landscaping**

We will provide landscaping in accordance with the requirements of current Parramatta City Council policy and the details available from the Civic Place Master Plan 2003, including an ongoing maintenance programme. Selection of appropriate species and high quality materials and landscaping will aid integration with the proposed development for the remainder of Civic Place.

### ***Public Domain / Pedestrians***

#### *Heritage and Archaeological Impacts*

A Heritage Impact Statement has been prepared that recommends adoption of an interpretation strategy following the earlier archaeological assessment of the site.

### ***Transport, Traffic and Access***

- An Access and Safety Plan will be prepared as part of the Construction Management Plan (CMP) to maintain access and use of the adjoining properties during and after the redevelopment of the site to ensure the safety of staff and visitors. In particular, the plan will address the pedestrian access in the context of the Civic Place redevelopment and the Transport Interchange.
- A traffic impact statement for parking and access to the site and the surrounding site has been prepared in accordance with the RTA's relevant policies and guidelines. We have adopted the long term use of shared access with the Civic Place development (when completed) in our review of traffic impacts on the existing intersections and the capacity of road network to safely and efficiently cater for the additional vehicular traffic generated by the Civic Place development.
- Assessment of pedestrian, cyclist and public transport issues includes addressing pedestrian movement along Darcy Street through the agreement in-principle with Parramatta City Council / Grocon to provide a three metre wide footpath. This will give adequate access in an east-west direction for pedestrian traffic along Darcy Street prior to completion of Civic Place when its proposed large public domain and open space may encourage greater use of that space away from the access divide structures in Darcy Street.
- The design of facilities will permit effective, appropriate, safe and dignified use by all people, including those with disabilities and will generally be in accordance with AS 1428, Parts 1 and 2 and the Building Code of Australia.
- Appropriate signage improvements on the surrounding road network will be necessary to satisfy way finding requirements.
- Approximately 250 car parking spaces will be provided on site to meet the building use demands, the final car park numbers are being finalized following amendments to the building location with respect to boundaries that has affected the car parking layouts and required construction of an additional basement level.
- A loading dock facility will be provided to service the Sydney Water building off Darcy Street. The intention is that this access will service the building after completion. This loading dock and car park entry will remain until the future Civic Place development requires Darcy Street to be closed for the purposes of construction of the access ramp to the adjoining development.
- Prior to that point in time, the Civic Place developer will be required to provide an alternative means of access to a through-connection point at RL 8.2 in the north-eastern corner of the Sydney Water site to allow access off Smith Street.
- Subsequently, the design of the Sydney Water building will allow for future connection at RL 4.3 of car park entry from the future Civic Place ramp at the western site boundary off Darcy Street.

Measures to promote effective transport use include:

- Coordinated access points with the adjoining Civic Place development, sharing car park ramp portals with Civic Place to minimise potential for vehicle and pedestrian conflicts.
- Access points are located to minimise traffic conflict and provide direct links to the regional road system.
- Provision of on site secure bicycle storage facilities with shower and change facilities within the building.

**Services and Infrastructure**

- We will comply with the requirements of the relevant utilities in regard to the connection to, relocation and / or adjustment of services affected by the construction of the proposed development.
- The diversion of the existing services will be carried out in consultation with the relevant authorities and Council and in accordance with necessary requirements.

**Contamination and Geotechnical**

The final extent of contamination issues are to be confirmed by a qualified engineer and appropriate mitigation measures incorporated into the CMP.

**Noise and Vibration**

- A noise and vibration assessment and management plan will be included as part of the CMP for construction. The plan includes an assessment of the likely noise and vibration emissions and impact on the surrounding environment.
- Use of standard noise control measures associated with mechanical services such as duct linings and attenuations together with appropriate location selection will be established in detailed design.
- Detailed design is subject to a detailed noise and vibration assessment to ensure that the minimum standards of Parramatta City Council are met.

**Crime Risk**

Incorporate best practice CPTED principles as outlined in the report prepared by Leon Harris into detailed design development.

**Drainage, Stormwater and Water Management**

- The design of the stormwater disposal system will be based on Authority Guidelines and AS3500.
- In-ground stormwater drainage will be designed in consultation with Parramatta City Council.
- Measures to control soil erosion during construction will be in accordance with principles as described in *Managing Urban Stormwater* (EPA NSW)

**Construction Management**

Prior to commencement of construction, a Construction Management Plan will be issued including:

- Development of a site specific soil erosion and sediment control plan.
- Confirmation of construction hours in accordance with the conditions of consent.
- Air quality/dust control procedures.
- Noise management procedures.
- Waste Management Plan.
- Community Safety Plan.
- Arrangements for temporary pedestrian and vehicular access.
- Storage and handling of materials procedures.
- Environmental training and awareness.
- Contact and complaints handling procedures.
- Emergency preparedness and response.

**Operation**

An operational environmental management plan will be prepared prior to the opening of the building. The plan will address, but will not be limited to, the following matters:

- Visitor safety.
- Site security.

- Noise management.
- Traffic and pedestrian management.
- Emergency and evacuation procedures.
- Fire safety.
- Waste management and ESD initiatives.
- Lighting
- Signage

### **Section 94 Contributions**

Sydney Water agrees to section 94 contributions in the amount of **\$778,000** as follows:

|                                      |                  |
|--------------------------------------|------------------|
| - Traffic and Transport              | <b>\$654,000</b> |
| - Open Space and Public Recreation   | Nil              |
| - Community and Cultural             | <b>\$ 16,000</b> |
| - Plan Management and Administration | <b>\$108,000</b> |

### **Public Domain Contributions**

Stage 1 DA Condition No. 4

Sydney Water agrees 14.3% is a fair apportionment of the cost of the public domain works to be paid by Sydney Water for Civic Place and agrees the maximum amount payable of **\$2,674,236** plus any accrued interest on a fully accountable, independently verified basis from an escrow account specially established for its payments. Sydney Water will pay 14.3% of each (independently verified) invoiced cost for public domain works for Civic Place up to the "completion date" of 31 December 2017. The "completion date" occurs when the total amount of the escrow account is expended or the Civic Place public domain works is complete or 31 December 2017, whichever occurs first.

This contribution of costs is to provide public domain in the proposed public squares located within the area of land bounded by the road reserves for Smith, Darcy, Church and Macquarie Streets. The public domain works does not include roadworks and footpaths to the abovementioned streets. While the Civic Place Master Plan includes for particular ground level public access, the Sydney Water development provides a north-south public thoroughfare on its western side in addition to open public space on the other three sides within Sydney Water's land. The Sydney Water development also includes licences / easements necessary for the operation of an outdoor / café on Parramatta City Council's land. This portion of land is included in Sydney Water's development site for public domain purposes. The construction of these public domain works account for any contributions that might otherwise be sought for public thoroughfares.

The scope of public domain works is limited to the works above the membrane of subsurface structures and does not include works under the building curtilage.