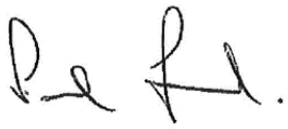
Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, the Planning Assessment Commission of NSW approves the modification application referred to in schedule 1, subject to the conditions in schedules 2.

These conditions are required to:
- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Paul Forward
MEMBER OF THE COMMISSION

Sydney 5 November 2015

SCHEDULE 1

Application Number:	MP 09_0167 MOD 4
Proponent:	Crown Landmark Development Pty Ltd
The Authority:	Minister for Planning
The Land:	45-47 Macquarie Street and 134-140 Marsden Street, Parramatta Lot 1 DP 61073, Lots A, B and C DP 82967, Lots 1 and 2 DP 213184, Lot 1 DP 539968 and Lots 101, 102 and 103 DP 785428
Project Approval:	Mixed use development granted on 28 October 2011 by the Planning Assessment Commission
Project:	Mixed use retail/commercial and residential development including an archaeological interpretation centre.
Modification:	**MP 09_0167 MOD 4**, the modification includes: • increase the height of Block D by seven storeys (from RL 54.8 metres (12 storeys) to RL 74.90 (19 storeys); • increase of 3,822.33m^2 of overall GFA (from 43,424.67m^2 to 47,247m^2); • an increase of 114 residential apartments (from 477 to 591); • deletion of all 42 serviced apartments;

- increase of 180m^2 of conference centre GFA (from 485m^2 to 665m^2);
- increase of 25m^2 of the archaeological interpretation centre GFA (from 423m^2 to 448m^2) and amendment to the archaeological display area;
- external amendments to all facades;
- internal reconfiguration and amendments;
- provision of a roof-top bar and outdoor terrace at level 26 of Block C;
- an increase of eight car parking spaces (from 566 to 574) and reconfiguration of basement car parking levels;
- amendment of the below ground archaeological display area;
- stratum subdivision of uses; and
- provision of building and business identification signage and signage zones.

The Project Application for MP09_0167 is modified as follows:

SCHEDULE 2
PART A – ADMINISTRATIVE CONDITIONS

(a) Schedule 2 Part A – Term of Approval A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

A1 DEVELOPMENT DESCRIPTION

Except as amended by conditions of this approval (including Condition A16), project approval is granted for the following:

- ~~**477**~~ **591** residential apartments, comprised of:
  - ~~**46**~~ **76** x studio apartments;
  - ~~**277**~~ **318** x 1-bedroom apartments;
  - ~~**181**~~ **180** x 2-bedroom apartments; and
  - ~~**15**~~ **17** x 3-bedroom apartments.
- ~~**42 serviced apartments;**~~
- A ~~**423**~~ **448**m^2 archaeological interpretation centre;
- A ~~**485**~~ **665**m^2 conference centre;
- Construction and use of a new mixed use development with a maximum GFA of ~~**43,424.67**~~ **47,247**m^2.
- Operation and use of six levels of basement car park accommodating ~~**566**~~ **574** car parking spaces (inclusive of ~~**17 tandum**~~ **11 stacked** spaces), ~~**10**~~ **14** motorcycle spaces and ~~**50**~~ **70** bicycle parking spaces.

(b) Schedule 2 Part A – Terms of Approval A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

A2 DEVELOPMENT IN ACCORDANCE WITH THE PLANS AND DOCUMENTATION

The development shall be undertaken generally in accordance with:

- MP No. 09_0167 and the Environmental Assessment except where amended by the Preferred Project Report dated February 2011, prepared by JBA Planning~~; and~~
- **Section 75W Modification to MP 09_0167 (MOD2), prepared by JBA Planning, dated November 2012 as amended by Preferred Project Report dated December 2013;**
- **Section 75W Modification to MP 09_0167 (MOD4), prepared by JBA Planning, dated October 2014 as amended by Response to Submissions dated 1 April 2015 and Design Amendments dated 7 July 2015 (updated 4 August 2015); and**
- the following drawings:

Architectural Drawings prepared by Allen Jack+Cottier			
Drawing No.	**Revision**	**Name of Plan**	**Date**
2000	**9**	**Ground Floor**	**Undated**
~~**DA**~~2001	~~**18**~~ **9**	Basement 1	~~**17 October 2012**~~ **Undated**
~~**DA**~~2002	~~**15**~~ **9**	Basement 2~~**, 3, 5**~~	~~**17 October 2012**~~ **Undated**
2003	**9**	**Basement 3**	**Undated**
~~**DA**~~2004	~~**14**~~ **9**	Basement 4	~~**17 October 2012**~~ **Undated**
2005	**9**	**Basement 5**	**Undated**
~~**DA**~~2006	~~**14**~~ **10**	Basement 6	~~**17 October 2012**~~ **Undated**

~~DA2099~~ **2100**	~~14~~ **10**	Mezzanine	~~3 April 2013~~ **Undated**
~~DA2100~~	~~19~~	~~Ground Floor~~	~~3 April 2013~~
~~DA~~2101	~~20~~ **10**	Level 1	~~3 April 2013~~ **Undated**
~~DA~~2102	~~16~~ **10**	Level 2	~~3 April 2013~~ **Undated**
~~DA~~2103	~~18~~ **10**	Level 3	~~17 October 2012~~ **Undated**
~~DA~~2104	~~18~~ **10**	Level**s** 4-~~11~~ **9**	~~17 October 2012~~ **Undated**
~~DA~~2112	~~13~~ **10**	Level**s** ~~12~~ **10-15**	~~17 October 2012~~ **Undated**
~~DA2113~~	~~6~~	~~Level 13~~	~~17 October 2012~~
2117	**2**	**Level 16 & 17**	**Undated**
2118	**10**	**Level 18**	**Undated**
2119	**10**	**Level 19**	**Undated**
~~DA2114~~ **2120**	~~14~~ **10**	Level ~~14 –~~20	~~17 October 2012~~ **Undated**
~~DA~~2121	~~8~~ **10**	Level 21 – ~~15~~ **25**	~~17 October 2012~~ **Undated**
~~DA~~2126	~~14~~ **10**	Level 26	~~3 April 2013~~ **Undated**
~~DA~~2127	~~18~~ **10**	Level 27	~~3 April 2013~~ **Undated**
~~DA~~2128	~~13~~ **10**	Level 28	~~3 April 2013~~ **Undated**
~~DA~~2129	~~3~~ **10**	Level ~~19~~ **29**	~~17 October 2012~~ **Undated**
2200	**10**	**Roof**	**Undated**
~~DA~~3100	~~14~~ **10**	North Elevation	~~3 April 2013~~ **Undated**
~~DA~~3101	~~12~~ **10**	South Elevation	~~3 April 2013~~ **Undated**
~~DA~~3102	~~14~~ **10**	East Elevation	~~3 April 2013~~ **Undated**
~~DA~~3103	~~13~~ **10**	West Elevation	~~3 April 2013~~ **Undated**
3110	**2**	**V LOUNGE ELEVATIONS**	**Undated**
3111	**2**	**Marsden St Signage**	**Undated**
~~DA~~3200	~~14~~ **10**	Section	~~3 April 2013~~ **Undated**
Signage	**C**	**General Exterior Signage for the V by Crown Development**	**4 August 2015**

Landscape Drawings prepared by Taylor Brammer Landscape Architects

Drawing No.	Revision	Name of Plan	Date
LA01	**A**	**S75W Landscape Plan – Public Domain / Ground Floor**	**26/02/2014**
LA02	**B**	**S75W Landscape Plan – Level 1 / Pool**	**20/06/2014**
LA03	**A**	**S75W Landscape Plan – Level 3**	**20/06/2014**
LA05	**A**	**S75W Landscape Plan – Level 19**	**18/06/2014**
LA06	**A**	**S75W Landscape Plan – Level 26**	**20/06/2014**

Stratum Subdivision Drawings prepared by Anthony Todarello

Drawing No.	Issue	Name of Plan	Date
7782-statum	**F**	**PLAN OF SUBDIVISION OF LOT 100 IN D.P. 1173658 (SHEETS 1 TO 16)**	**15/10/2014**

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- otherwise provided by the conditions of this approval.

(c) Schedule 2 Part A – condition A16 is amended by the deletion of the ~~**bold struck out**~~ words/numbers as follows:

A16 Design Modification

The architectural plans prepared by AJ&C Architects and the landscape plans prepared by TaylorBrammer shall be modified to the satisfaction of the Director-General for approval prior to the issue of a Construction Certificate for above ground works to:

- ~~**Remove the serviced apartments located on level 8 and conversion of these apartments to residential apartments;**~~
- ~~**Limit the serviced apartments to 42 serviced apartments located within levels 2 to 7 of 'Block D';**~~
- ~~**Amend drawings DA2102 (Revision 16), DA2102 (Revision 16), and DA2103 (Revision 18) to:**~~
  - ~~**install an automatic fail-open security door adjacent to the 'Block D' lift core; and**~~
  - ~~**delete the access door located within the southern corridor of 'Block D' as per plan provided at Attachment A.**~~
- ~~**Convert apartment numbers 12.16 and 13.16 from 1-bedroom apartments to studio Apartments; and**~~
- Revise the ground level landscaping to ensure compliance with the requirements of the *Parramatta Public Domain Guidelines* and Parramatta Council's *Street Tree Masterplan 2011*.

SCHEDULE 2
PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

(d) Schedule 2 Part B – Condition B4 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

B4 Section 94A Contribution

A monetary contribution comprising three percent of the value of the proposed works is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979* and the *Parramatta City Centre Civic Improvement Plan*. Payment must be by cash, EFTPOS, bank cheque or credit card only.

The contribution is to be paid in stages to Council as follows:

- $227,133 is to be paid prior to the issue of a Construction Certificate for excavation, basement works and ground level building works (up to a maximum RL 12.5);
- for all works above RL 15.5 the balance of the contribution is to be paid on a pro-rata basis based upon the value of works associated with each Construction Certificate
- the value of each staged payment is to be agreed with Parramatta City Council prior to the issue of each Construction Certificate for works above RL 15.5.

Note[1]: The value of the proposed works will be calculated based on the requirements of section 25J of the Environmental Planning and Assessment Regulation 2000 as identified in the final Quantity Surveyor's report approved by the Director-General under Condition B~~18~~**30**

(e) Schedule 2 Part B – Condition B4A is added by the insertion of the **bold and underlined** words / numbers as follows:

B4A Affordable Housing

As set out in the Proponent's revised statement of commitments (see the end of this document), the Proponent shall dedicate 5 affordable housing units to Parramatta City Council. The units shall:

a) **be dedicated to Council prior to the issue of any occupation certificate for block D;**
b) **comprise a 2 bedroom apartment, 2 x 1 bedroom apartments and 2 x studio apartments;**
c) **comply with SEPP 65 solar access, natural cross ventilation and privacy requirements and the minimum unit size of the Residential Flat Design Code; and**
d) **be identified prior to the issue of any construction certificate for block D.**

In the event that the Proponent and Council are unable to agree on the suitability of apartments to be dedicated, the decision of the Director-General shall be final.

(f) Schedule 2 Part B – Condition B10 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

B10 Layout of Car Parking Spaces

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas shall comply with the current relevant Australian Standards, including Australian Standard AS2890.1 (2004), AS2890.2 (2002), and AS2890.6. **In addition, bollards shall be installed on the shared area adjacent to all disabled parking spaces in the development.**

Confirmation from an appropriately qualified traffic consultant that the car park layout complies with the abovementioned requirements shall be provided to the Certifying Authority prior to the issue of the relevant Construction Certificate for the basement and podium works.

In addition to the above, the PCA shall certify that no new elements within the basement car park and podium levels such as columns, garage doors, fire safety measures and the like will not compromise compliance with Australian Standard AS2890.1 (2004), AS2890.2 (2002), and AS2890.6.

(g) Schedule 2 Part B – Condition B10A is added by the insertion of the **bold and underlined** words/numbers as follows:

B10A Bicycle Parking Layout

The layout and configuration of bicycle parking/racks shall comply with AS 2890.3-1993.

(h) Schedule 2 Part B – Conditions B18 to B29 are amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words/numbers as follows:

B~~18~~30 REVISED QUANTITY SURVEYOR'S REPORT

The proponent must submit a revised Quantity Surveyor's report to the Director-General for approval prior to the issue of a Construction Certificate for above ground works.
The revised Quantity Surveyor's report must provide:

(1) A detailed breakdown of the costs of constructing the project, if it was constructed in accordance with the plans approved under Condition A2 of the original project approval (MP09_0167); and
(2) A detailed breakdown of the cost of constructing the project based on the plans approved under Condition A2 as they are modified under ~~**MP09_0167 MOD 2**~~ **the latest approved modification**.

The revised report must also include a section which provides a breakdown of the cost of the works as approved under **~~MP09_0167 MOD 2~~ the latest approved modification**, calculated in accordance with section 25J of the *Environmental Planning and Assessment Regulation 2000*.

B~~19~~31 NUMBER OF CAR PARKING, MOTORBIKE AND BICYCLE PARKING SPACES

The approved car parking, bicycle parking and motorbike parking is as follows:

- ~~**566**~~ **574** car spaces. A total of ~~**519**~~ **526** of these car spaces are approved for the multi-unit dwellings **and a further 36 residential visitor spaces are approved~~and serviced apartments~~**. For all other uses, ~~**47**~~**12** car spaces are approved; and
- ~~**10**~~ **14** motorbike parking spaces and ~~**50**~~ **70** bicycle parking spaces.

~~**(1) Details and drawings showing the car parking allocation for each use[1] and the loading arrangements shall be submitted for the approval of the Director-General, prior to the issue of the first Construction Certificate.**~~

~~**(2)**~~**(1)** Individual non-residential uses must not exceed each maximum **car parking** requirement for that type of use under the Council's LEP.

~~**(3)**~~**(2)** Any future strata subdivision shall reflect the car parking allocation as approved above.

~~**Note [1]: The breakdown and allocation is to be in accordance with the Council's LEP and is required to indicate: residential spaces, residential spaces for persons with a disability and residential visitor spaces; serviced apartment spaces, serviced apartment spaces for persons with a disability; spaces for retail customer and for retail staff (based on Council's LEP requirement for 'Shops'); and spaces for commercial use. Where the final use of tenancies is unknown, a scenario for the allocation of uses is to be provided.**~~

B~~20~~32 DETAILS OF COLOURS, MATERIALS AND FINISHES

A final schedule of materials and finishes shall be submitted to and approved by the Director-General prior to the issue of a Construction Certificate for above ground works.

B~~21~~33 NOISE MITIGATION MEASURES

Prior to the issue of each Construction Certificate, all noise mitigation measures identified in the V by Crown, 45 Macquarie Street, Parramatta Noise Impact Assessment (Revision 0) prepared by Acoustic Logic and dated 27 August 2012, shall be incorporated into the Construction Certificate Drawings to the satisfaction of the PCA.

Note: In the event that Construction Certificates are issued on a level by level basis, all noise mitigation measures relevant to the level(s) being certified must be identified on the Construction Certificate drawings prior to the issue of the corresponding Construction Certificate.

B~~22~~34 WIND MITIGATION MEASURES

Prior to the issue of each Construction Certificate, all wind mitigation measures identified in section 8 of the Pedestrian Wind Environment Study V by Crown, Macquarie Street, Parramatta (Revision 0) prepared by Windtech and dated 12 September 2012, shall be incorporated into the Construction Certificate Drawings to the satisfaction of the PCA.

Note: In the event that Construction Certificates are issued on a level by level basis, all wind mitigation measures relevant to the level(s) being certified must be identified on the Construction Certificate drawings prior to the issue of the corresponding Construction Certificate

B~~23~~35 REFLECTIVITY MITIGATION MEASURES

Prior to the issue of each Construction Certificate, the glazing specifications identified in section 4 of the Solar Light Reflectivity Analysis V by Crown, Parramatta (Revision 0) prepared by Windtech and dated 14 August 2012, shall be incorporated into the Construction Certificate Drawings to the satisfaction of the PCA.

Note: In the event that Construction Certificates are issued on a level by level basis, all reflectivity mitigation measures relevant to the level(s) being certified must be identified on the Construction Certificate drawings prior to the issue of the corresponding Construction Certificate

B~~24~~36 DISABLED ACCESS - GENERAL

Access and facilities for people with disabilities shall be designed in accordance with Part D3 of the BCA Access Policy and the recommendations contained in the V by Crown Access Review s.75W Application prepared by Morris Gooding Accessibility Consulting, dated 12 June 2013. Prior to the issue of the relevant Construction Certificate, a statement confirming compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

B~~25~~37 WIND MITIGATION MEASURES

Prior to the issue of each Construction Certificate, all wind mitigation measures identified in section 8 of the Pedestrian Wind Environment Study V by Crown, Macquarie Street, Parramatta (Revision 0) prepared by Windtech and dated 12 September 2012, shall be incorporated into the Construction Certificate Drawings to the satisfaction of the PCA.

Note: In the event that Construction Certificates are issued on a level by level basis, all wind mitigation measures relevant to the level(s) being certified must be identified on the Construction Certificate drawings prior to the issue of the corresponding Construction Certificate

B~~26~~38 GFA AND HEIGHT CERTIFICATION

A Registered Surveyor must certify that the Gross Floor Area (GFA) of the building does not exceed ~~**43,424.67**~~ **47,247**m^2, and the maximum height of the building does not exceed RL 112.4m. Details shall be provided to the Certifying Authority demonstrating compliance with this condition prior to the issue of the first Construction Certificate for works above ground floor level (RL 7.5).

Note: 'Height' (building height) is as defined in Standard Instrument (Local Environmental Plans) Order 2006. Accordingly, the height of the architectural roof feature on the northern elevation may exceed RL 112.4 m, however it shall not exceed a maximum of RL 123.23 m.

B~~27~~39 BASIX CERTIFICATION

A revised BASIX Certificate, incorporating all of the changes approved under MP09_0167 MOD 2 shall be submitted to the Certifying Authority and the Director-General prior to the issue of a Construction Certificate for above ground works.

B~~28~~40 MANAGEMENT OF OVERSIZE VEHICLES

An Oversize Vehicle Access Permit must be lodged with the Council and approved prior to the commencement of works.

B~~29~~41 ROAD OCCUPANCY PERMIT

A Road Occupancy Permit must be lodged with the Council and approved prior to the commencement of works.

(i) Schedule 2 Part B – Condition B42A is added by the insertion of the **bold and underlined** words/numbers as follows:

B42 DELETION OF RETAIL SIGNAGE ZONE

Prior to the issue of the relevant Construction Certificate, amended plans shall be submitted to the satisfaction of the PCA showing, at the entrance of the northern lobby fronting Macquarie Street:

a) the deletion of the two retail signage zones (RT04 or RT05); and

b) the provision of a single retail signage zone (600mm x 900mm) in the location of deleted retail signage zones RT03 or RT04.

SCHEDULE 2
PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

(j) Schedule 2 Part E – Condition E7 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words / numbers as follows:

E7 Landscaping

~~**The**~~ **All** landscaping shall be completed in accordance with the **approved** Landscape Plan**s** ~~**approved under**~~ **listed at** Condition ~~**A16**~~ **A2** prior to the issue of an Occupation Certificate.

Note: In the event that Occupation Certificates are issued on a level by level basis, all landscaping relevant to the level(s) being certified must be installed prior to the issue of the corresponding Occupation Certificate.

(k) Schedule 2 Part E – Conditions E16 to E19 are amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold struck out**~~ words / numbers as follows:

E16 Noise Mitigation Measures

Prior to the issue of the first Occupation Certificate, all noise mitigation measures identified in section 6 of the V by Crown, 45 Macquarie Street, Parramatta Noise Impact Assessment (Revision ~~**0**~~ **1**) prepared by Acoustic Logic and dated ~~**27 August 2012**~~ **13 August 2014**, must be installed to the satisfaction of the PCA:

Note: In the event that Occupation Certificates are issued on a level by level basis, all noise mitigation measures relevant to the level(s) being certified must be installed prior to the issue of the corresponding Occupation Certificate.

E17 WIND MITIGATION MEASURES

Prior to the issue of the first Occupation Certificate, all wind mitigation measures identified in section ~~**8**~~ **6** of the Pedestrian Wind Environment Study V by Crown, Macquarie Street, Parramatta (Revision ~~**0**~~ **1**) prepared by Windtech and dated ~~**12 September 2012**~~ **17 July 2014**, must be installed to the satisfaction of the PCA:

Note: In the event that Occupation Certificates are issued on a level by level basis, all noise mitigation measures relevant to the level(s) being certified must be installed prior to the issue of the corresponding Occupation Certificate.

E18 REFLECTIVITY MEASURES

Prior to the issue of the first Occupation Certificate, the mitigation measures identified in section ~~**4**~~ **3** of the Solar Light Reflectivity Analysis V by Crown, Parramatta (Revision ~~**0**~~ **2**) prepared by Windtech and dated ~~**14 August 2012**~~ **30 July 2014**, must be installed to the satisfaction of the PCA:

Note: In the event that Occupation Certificates are issued on a level by level basis, all reflectivity mitigation measures relevant to the level(s) being certified must be installed prior to the issue of the corresponding Occupation Certificate.

E19 GFA AND HEIGHT CERTIFICATION

A Registered Surveyor must certify that the Gross Floor Area (GFA) of the building does not exceed ~~**43,424.67**~~ **47,247**m^2, and the maximum height of the building does not exceed RL 112.4 m. Details shall be provided to the PCA demonstrating compliance with this condition prior to the issue of the relevant Occupation Certificate.

Note: 'Height' (building height) is as defined in Standard Instrument (Local Environmental Plans) Order 2006. Accordingly, the height of the architectural roof feature on the northern elevation may exceed RL 112.4 m, however, it shall not exceed a maximum of RL 123.23 m.

SCHEDULE 2
PART F – DURING OPERATIONS

(l) Schedule 2 Part F – Condition F14 is deleted by the ~~**bold struck out**~~ words / numbers as follows:

~~**F14 Separation of Serviced Apartments and Residential Uses**~~

~~**Security separation must be provided between the serviced apartment and the residential components of the development via the use of security lift key cards, and the provision of security separation doors in common corridors as approved under Condition A16.**~~

(m) Schedule 2 Part F – Condition F14 is added by the insertion of the **bold and underlined** words / numbers as follows:

F14 Business and Building Identification Signage

Business and building identification signage shall comply with the following:-

a) The signage shall be utilised as building and business identification signage only and shall not be adapted or altered to be third party advertising signage without the further consent;

b) The signage shall not:-

- **i) flash, move, be animated, scintillate or be decorated with rotating flashing lights;**
- **ii) include any apparatus to provide any sound;**
- **iii) carry a message(s) which is offensive;**
- **iv) give instructions to traffic by the use of the words 'Halt', 'Stop', or any other direction, nor imitate traffic signs in respect to shape, layout or colour;**
- **v) contain interchangeable or movable parts;**
- **vi) impair or distract the vision of a driver through the intensity of the illumination of the sign; and**
- **vii) must not impede the ability of the occupants to exit the building under emergency conditions.**

c) The approved signage shall be appropriately maintained at all times; and

d) The wording to the signage shall be primarily displayed in English but may include a translation in another language.

(n) Schedule 2 Part F – Condition F15 is added by the insertion of the **bold and underlined** words / numbers as follows:

F15 Rooftop Bar Operation

The roof top bar at level 26 of Block C shall be operated in accordance with the following requirements:

a) the operation of the roof top bar, including patron access arrangements via lift, shall be carried out in accordance with the Rooftop Bar (V Lounge) Plan of Management and Security Plan of Management prepared by JBA dated June 2015;

b) the use of the premises shall not give rise to:

- **i. a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background (LA90) noise**

level in the absence of the noise under consideration by more than 5 dB(A). The source noise level shall be assumed as an LAeq, 15 min and adjusted in accordance with Environmental Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the *NSW Environmental Planning and Assessment Act 1979: Environmental Noise Control Manual Industrial Noise Policy 2000* and the *Protection of the* Environment Operations Act 1997; and

ii. the transmission of unacceptable vibration to any place of different occupancy.

c) the operation of the bar shall not occur outside the hours of 7.00am and midnight, seven days a week. Extended operating hours may be sought through Parramatta City Council;

d) in addition to the requirements of F15b) above, to further minimise noise impacts to residents, speakers may not be installed or operated on the terrace (other than to satisfy any requirements for emergency evacuation alarms) and the doors to the terrace shall be closed from 10pm each evening;

e) the communicating doors between the rooftop bar and the adjoining residential communal corridors shown on drawings 2126-9, 2127-8 and 2128-7 shall be alarmed and only be used in the case of emergency;

f) signs must be placed in clearly visible positions within and outside the southern residential lobby fronting Hunter Street requesting patrons to upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area;

g) the management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises and in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with;

h) the supply of alcohol is not permitted until consent has been obtained from the Office of Liquor Gaming and Racing; and

i) takeaway liquor sales or the provision of gaming are not permitted unless approval is obtained from Council.

(o) Schedule 2 Part G – Conditions G1 to G3 are added by the **bold and underlined** words / numbers as follows:

SCHEDULE 2
PART G – PRIOR RO ISSUE OF SUBDIVISION CERTIFICATE

G1 (S88B) Use of Car Spaces

The following conditions apply to car parking:

a) the on-site car parking spaces, exclusive of service and visitor car spaces, are not to be used by those other than an occupant, tenant or resident of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant, lessee or register proprietor of a unit in the building;

b) the on-site car parking spaces allocated to the commercial component of the development shall be available for use of visitors outside of standard office hours;

c) a documentary Restrictive Covenant, is to be registered on the Title of the development site pursuant to Section 88E of the Conveyancing Act 1919, to the effect of (a) and (b) above. The Covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council; and

d) Any future strata subdivision of the site is to include a Restriction on User pursuant to Section 39 of the Strata Titles (Freehold Development) Act 1973, as amended, burdening all utility car parking allotments in the strata Plan and/or an appropriate Restrictive Covenant pursuant to Section 88B of the Conveyancing Act 1919 burdening all car parking part – lots in the strata scheme.

G2 (S88B) Access

Documentary easements for access must be created over the appropriate lots in the subdivision to provide for public access and access to lifts, lobbies, fire stairs, service areas, loading areas and car parking areas, pursuant to Section 88B of the Conveyancing Act 1919.

G3 (S88B) Services

Documentary easements for services, support, drainage, shelter, use of plant and equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to Section 88B of the Conveyancing Act 1919 or registered as a shared facility in the strata management statement.

SCHEDULE 2
PART H – ADVISORY NOTES

(p) Schedule 2 Part H – Advisory note AN6 are added by the **bold and underlined** words / numbers as follows:

AN6 Commonwealth Environment Projection 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 application has been assessed in accordance with the New South Wales Environmental Planning and Assessment Act 1979. The determination of this assessment has not involved any assessment of the application of Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Environment to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval 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.

(q) The Proponent's Statement of Commitments is added to the end of the approval as follows:

Statement of Commitments

Subject	Commitments	Timing
Developer contribution	A total monetary contribution comprising $1,500,000 is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta City Centre Civic Improvement Plan. Payment must be by cash, EFTPOS, bank cheque or credit card only. Staged contributions are to be paid to Council prior to the issue of the occupation certificate for each	Prior to final occupation certificate being issued.

<table>
<tr><th>Subject</th><th>Commitments</th><th>Timing</th></tr>
<tr><td></td><td>completed stage of the development. The staged contributions will be calculated according to the proportional value of the work stage that has been completed. 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.</td><td></td></tr>
<tr><td>Contamination</td><td>A preliminary Site Investigation Report and (if required) a Remedial Action Plan (RAP) will be prepared for the site. If required remediation activities will be carried out in accordance with the RAP and a Site Audit Statement will be prepared for the site.</td><td>Prior to the construction certificate being issued.</td></tr>
<tr><td>Traffic Noise</td><td>▪ Traffic noise impacted apartments will be designed as per the requirements of AS3671-1989 to comply with internal noise levels specified in AS2107-2000.
▪ Levels 3 to 9 facing Marsden Street (the eastern facade) will be constructed with standard block construction
in a reinforced concrete frame to provide a high level of traffic noise reduction without the need for any additional insulation.
▪ Standard concrete block construction for external walls and upgraded glazing to a thickness of 7.78mm laminated glass will be used.
▪ Mechanical ventilation (air conditioning) complying the BCA requirements will be provided in the traffic noise affected apartments.
▪ Recommended glazing thickness for windows/ sliding doors to prevent traffic noise intrusion presented in the table below will be implemented during construction:</td><td>Detailed design and construction</td></tr>
<tr><td>Traffic Noise</td><td>Table 4.1 - Required R_w Ratings for Glazing
<table>
<tr><th colspan="5">Macquarie Place – North Facade – Facing Macquarie Street
Calculated Glazing R_w Values</th></tr>
<tr><th>Location</th><th>Level 3 – 9 Inclusive</th><th>Level 10 – 13 Inclusive</th><th>Level 14 – 17 Inclusive</th><th>Level 18 & Above</th></tr>
<tr><td>Bedroom</td><td>28</td><td>26</td><td>25</td><td>24</td></tr>
<tr><td>Living Room</td><td>26</td><td>23</td><td>22</td><td>21</td></tr>
<tr><td>Ensuite</td><td>27</td><td>25</td><td>24</td><td>23</td></tr>
</table>
<table>
<tr><th colspan="5">Macquarie Place – South Facade – Facing Hunter Street
Calculated Glazing R_w Values</th></tr>
<tr><th>Location</th><th>Level 3 – 9 Inclusive</th><th>Level 10 – 13 Inclusive</th><th>Level 14 – 17 Inclusive</th><th>Level 18 & Above</th></tr>
<tr><td>Bedroom</td><td>30</td><td>26</td><td>25</td><td>24</td></tr>
<tr><td>Living Room</td><td>28</td><td>26</td><td>22</td><td>21</td></tr>
<tr><td>Ensuite</td><td>29</td><td>25</td><td>24</td><td>23</td></tr>
</table>
<table>
<tr><th colspan="5">Macquarie Place – East Facade – Facing Marsden Street
Calculated Glazing R_w Values</th></tr>
<tr><th>Location</th><th>Level 3 – 9 Inclusive</th><th>Level 10 – 13 Inclusive</th><th>Level 14 – 17 Inclusive</th><th>Level 18 & Above</th></tr>
<tr><td>Bedroom</td><td>33</td><td>33</td><td>31</td><td>30</td></tr>
<tr><td>Living Room</td><td>30</td><td>30</td><td>28</td><td>26</td></tr>
<tr><td>Ensuite</td><td>32</td><td>32</td><td>30</td><td>28</td></tr>
</table>
<table>
<tr><th colspan="5">Macquarie Place – West Facade
Calculated Glazing R_w Values</th></tr>
<tr><th>Location</th><th>Level 3 – 9 Inclusive</th><th>Level 10 – 13 Inclusive</th><th>Level 14 – 17 Inclusive</th><th>Level 18 & Above</th></tr>
<tr><td>Bedroom</td><td>21</td><td>20</td><td>20</td><td>20</td></tr>
<tr><td>Living Room</td><td>16</td><td>17</td><td>17</td><td>17</td></tr>
<tr><td>Ensuite</td><td>18</td><td>19</td><td>19</td><td>19</td></tr>
</table>
<table>
<tr><th>R_w Value</th><th>GLAZING TYPES</th></tr>
<tr><td>26 or less</td><td>Standard window frame and glazing</td></tr>
<tr><td>27 to 30 Inclusive)</td><td>6.38mm laminated safety glass in an acoustically sealed frame</td></tr>
<tr><td>31 or more</td><td>6.78mm laminated safety glass in an acoustically sealed frame</td></tr>
</table></td><td>Detailed design and construction</td></tr>
<tr><td>Internal noise mitigation measures</td><td>▪ The recommended treatments detailed in the Building Services Acoustic Report prepared by
VDM Consulting and dated 9 March 2010 will be incorporated into the design and construction of
the proposal.
▪ This is supplemented by additional recommendations provided in response to the revised design. Partition walls should be constructed according to the following standards (refer to Appendix B of PPR for plans):
- Wall Type ‘Yellow’
Wall type ‘Yellow’ must have an Rw+Ctr (airborne) rating of not less than 50 and be of discontinuous construction. Discontinuous construction meaning that the wall provides for a minimum 20mm cavity between two separate leaves.
- Wall Type ‘Red’
Wall type ‘Red’ must have an Rw + Ctr rating of not less than 50.
- Wall Type ‘Green’</td><td>Detailed design and construction</td></tr>
</table>

Subject	Commitments	Timing
	Wall type 'Green' must have an Rw rating of not less than 50. - **Wall Type 'Blue'** Wall type 'Red' must have an Rw + Ctr rating of not less than 40. - **Wall Type 'Pink'** Wall type 'Red' must have an Rw + Ctr rating of not less than 25. ▪ Services must not be chased into the concrete element of the wall. If a services cavity is required the wall should include: - Furring channels not less than 28mm deep fixed to concrete element; - Cavity filled with fibreglass insulation; and - One layer 16mm plasterboard (waterproof material for wet areas) fixed to furring channels. All fixed to both sides of the concrete element.	
Environmentally Sustainable Design	The minimum 40% BASIX water efficiency requirements will be achieved with: ▪ Efficient fixtures – 4 star ELS rated toilet, taps and dishwashers, 3 star showers ▪ Shaded swimming pool ▪ Rainwater or stormwater collection into a 50kL tank to provide water for irrigation and some toilets The minimum 20% BASIX energy efficiency requirements will be achieved with: ▪ passive design principles including shading, natural ventilation, natural daylight and insulation ▪ Gas cook tops and electric ovens, ventilated fridge spaces ▪ Compact fluorescent lighting ▪ Heat pump hot water with gas boost ▪ Timer switches, motion sensors and/or daylight sensors for all common area ventilation and lighting ▪ Naturally ventilated lobby and corridor areas ▪ Air conditioning to all units, 3-3.5 EER efficiency ▪ Swimming pool with heat pump water heating Health wellbeing and amenity will be achieved by complying with SEPP 65, BASIX requirements for thermal comfort and BCA Section J thermal requirements including the following: ▪ Dual aspect for 60-70% of dwellings ▪ Natural ventilation to 25% of kitchens ▪ 2 hours of sunlight to 70% of all living areas ▪ Low VOC paints, adhesives, sealants and carpets ▪ Low formaldehyde composite wood ▪ Roof insulation to minimum R3.2 ▪ Wall insulation to minimum R1.7	Detailed design and construction
Aboriginal heritage	The Department of Climate Change and Water (DECCW) will be notified immediately should an aboriginal object be uncovered during excavation or construction. Stop work procedures and management of objects during the construction phase of a development will be consistent with the provisions of Part 3A of the EP&A Act. All new Aboriginal objects will be registered with the DECCW in accordance with s91 of the NPW Act.	During excavation and construction
Corridor Lighting Strategy	Lighting controls to be included to ensure artificial lighting is not used when sufficient daylight is available. These controls will include: ▪ Daylight sensors to switch off unnecessary lighting when sufficient daylight is available; or ▪ Timer switches to switch off superfluous lights during daylight hours; and ▪ Separate lighting wiring so that lights that are required during daylight hours can be left on while superfluous lighting is switched off.	Detailed design and construction
Site Remediation Works	Excavation procedures will be carried out generally in accordance with the recommendations in the Preliminary Report on Geotechnical Investigations peraperd by Douglas Partners and dated March 2010 (Appendix P of EAR). Where the specific recommendations are considered inappropriate, alternative solutions will be provided.	Excavation and construction
Acid Sulphate Soils	Additional investigation into Acid Sulphate Soils onsite will be undertaken during the excavation phase of the project to determine which soils will need to be treated before disposal and the extent of the treatment. Douglas Partners assume that 25% of soils will need to be treated and disposed of as general soil waste.	Excavation and construction

Subject	Commitments	Timing
Security	The following security management actions will be undertaken: ▪ Consultation with local police, Parramatta City Council, Chamber of Commerce and Heritage Council representatives will be undertaken to ensure that the proposal converges with similar security and crime prevention initiatives in place throughout the Parramatta City Centre. ▪ Carefully managed 24 hour 7 days a week limited and secure access will be implemented to the development to achieve desirable crime prevention outcomes. ▪ Lighting design will incorporate down lighting where appropriate to maximise surveillance opportunities. ▪ Signage will be directional and controlling. ▪ CCTV technology will be utilised for the development and cameras will be located in key areas, such as the Macquarie Street frontage, main entry and heritage area, pedestrian points in Marsden and Hunter Streets, reception foyers, lift lobbies, building perimeters, vehicle entry and loading points and vehicle parking areas.	Construction and operation
Archaeological heritage conservation, interpretation and display	The process of sorting and culling the collection into three categories - display, research and public distribution - will be undertaken with NSW Heritage Branch approval.	Detailed design
Further archaeological excavation	Further archaeological excavation will be undertaken in the following locations: ▪ The well on Allotment 16 was only partially excavated. The remainder of the well shaft remains unexcavated and has the potential to provide well preserved artefacts, relating to the occupation of 1830s cottage. ▪ Within the concrete footings of the 1890s house on Allotment 17 are the only surviving remains of the house shown on this allotment in 1823. The building survived until at least 1854. Further archaeological investigation may reveal whether this building was originally a 'convict hut'. This additional archaeological excavation work will be undertaken at the same time as the excavation for the basement carpark.	Excavation
Performance Requirements for Conservation of Archaeological Remains	The following performance requirements will be met to ensure ongoing conservation of archaeological remains. *Ground Moisture, Run-off and Flooding* 1. Prevention of overland flow of floodwater. 2. Maintenance of ground water table level no higher than a level to be determined at detailed design stage below the current surface profile of the soil. 3. Management of soil moisture content at a level to be determined at detailed design stage, but generally high. 4. Prevention of rainfall directly onto the remains. 5. Prevention of run-off from the roof, façade and plaza flowing onto the remains. 6. Management of moisture content of masonry at a level to be determined at detailed design stage. 7. Management of moisture content of exposed timber floorboards at a level to be determined at detailed design stage. *Biological Growth* 8. Allowance for active management of all forms of biological growth (mould, fungi, cyanobacteria, algae, higher plants). Ambient Air 9. Management of air above the remains (and possibly air flow) in order to control air flow, moisture content and temperature. 10. Facilitation of a mechanism to “buffer” the archaeological remains from extreme fluctuations in air qualities (temperature, moisture level, flow etc).	Detailed design, construction and operation.
Performance Requirements for Conservation of Archaeological Remains	*Temperature* 11. Provisions to be made to manage fluctuation in temperature around the remains so as to minimise thermal cycling of the archaeological materials. 12. Maintenance of the temperature as low as possible to limit the rate of evaporation of moisture from the materials. *Access* 13. Prevention of public access directly onto the remains. 14. Provision for safe maintenance access to all areas of exposed (ie. not buried) remains. 15. Implementation of mechanism to ensure that the exposed remains are secure and safe from vandalism.	Detailed design, construction and operation.

Subject	Commitments	Timing
	16. Provision of good visual access to the public in a safe manner *Maintenance and Longer-term Considerations* 17. Allowance for active management (including on-going maintenance) of the in situ remains. 18. Monitoring the behaviour of the remains over time to confirm performance against established performance requirements. 19. Allowance for periodic review of the effectiveness of implemented preservation solutions.	
Ongoing conservation (operation)	An appropriate legal mechanism for managing the financial contributions and maintenance program associated with the ongoing conservation of the archaeological remains will be established.	Prior to the final Occupation Certificate
Schedule of Conservation Works	Geotechnical advice on the likely impact of surrounding piling and other ground works on water table levels will be sought.	Detailed design
	Analysis of predicted wind patterns to be carried out within the plaza area to understand the extent to which prevailing winds will access the remains below the deck.	Detailed design
	Investigation of optimum size and orientation of openings in plaza deck to give best balance between visibility of the remains and stability of the microclimate around the remains to be undertaken.	Detailed design
	Detailed design to be prepared for surrounding deck to prevent water ingress.	Detailed design
	Allowance for future make-up or draw-down options for ground water table below remains to be made.	Detailed design and construction
Schedule of Conservation Works	Possible options to facilitate managing soil moisture to be documented and incorporated into current design details. Concepts discussed include gravel surface treatment to ground, spray or drip irrigation systems, below grade sump pumps.	Detailed design and construction
	Protection of the archaeological remains during construction to be documented including a methodology and implementation strategy.	Detailed design, construction and operation
	Environmental control devices (and provision for future devices if required) to be designed and documented.	Detailed design and construction
	Condition of remains to be assessed– analysis and recommendations for any remediation works to be made.	Detailed design and construction
	Ground moisture content to be managed	Construction and operation
	Condition of remains to be monitored, observed and recorded	Construction and operation
	Biological growth to be managed.	Construction and operation
	Higher plant material to be removed.	Construction and operation
	Temporary structural stabilisation of remains during construction to be implemented and to be monitored during construction Protection to be removed after construction	Construction and post-construction
	Remnants of the following to be cleaned up: ▪ Biological growth ▪ Mud	Construction and post-construction
	Fabric of remains to be consolidated e.g. timber, mortar, brick, stone	Construction
	Elements with original materials to be reinstated/repaired in relation to the following: ▪ Brick ▪ Stone ▪ Timber	Construction
Schedule of Conservation	Where relevant elements of the following to be reconstructed:	Construction

Subject	Commitments	Timing
Works	▪ Brick ▪ Stone ▪ Timber	
	Access to remains to be designed and documented for the following purposes: ▪ Maintenance ▪ Interpretation	Construction and post-construction
	Long term structural stabilisation of remains to be carried out, including: ▪ Foundations ▪ Reconstruction of footings ▪ Pinning of cracked elements ▪ Mortar joints	Construction
	Desalination of porous masonry elements to be undertaken if required	Construction
	Biological growth control programme to be developed	Post-construction
	Environmental control devices to be installed, such as: ▪ Monitors ▪ Sprinklers / drippers ▪ Heater / AC	Construction
	Surface finishes around remains to be installed	Construction
	▪ Interpretive elements to be installed including: ▪ Signs ▪ Lights ▪ Other	Construction
	Monitoring and maintenance manual including schedule programme and procedures to be prepared.	Prior to occupation certificate
Schedule of Conservation Works	Ongoing cleaning of remains to be undertaken, including: ▪ Dust ▪ Litter ▪ Biological growth ▪ Access traces	Operation
	Monitoring and maintenance manual to reviewed on a regular basis	Long Term
	Biological growth control program to be operated	Operation
Protection of archaeological relics during construction	**Phase 1 - Project Planning** *Site Induction/Access Management* The following measures will be carried out to limit access to the remains and impact on the archaeological remains: ▪ Arrange and attend site orientation meeting with the Contractor and all ground works subcontractors, archaeologist and archaeological conservator to discuss significance of remains and required work methods to prevent impact on remains (pre and post contract works). ▪ Mandatory site inductions for all personnel who enter the site to be provided. Induction will address significance of remains and required work methods to prevent impact on remains. ▪ Control site access to authorised personnel only. ▪ Provide secure hoarding around perimeter of site. ▪ Ensure all visitors to the site are accompanied by certified site personnel (pre and post contract works). *Cranes* The use of cranes during construction will consider the following guidelines: ▪ Do not erect or mount a crane within either of the archaeological conservation zones. ▪ Avoid placing crane in areas where there are exposed archaeological remains between or around conservation zones. ▪ If tower crane is required, position structure on the site of the future building or on adjacent street. Do not position crane on areas where there are unexcavated or reburied archaeological remains. ▪ Use mobile cranes situated on adjacent streets or on the site of the future building wherever possible. ▪ Mobile cranes will not be moved or placed within 10m of the archaeological	Detailed Design and Construction

Subject	Commitments	Timing
	remains. ▪ Crane loads will be placed only on areas away from archaeological remains or on areas that have been otherwise appropriately protected.	
Protection of archaeological relics during construction	*Heavy Machinery* Planning for heavy machinery use on a site with in situ archaeological relics will consider the following: ▪ Use heavy machinery on the site of the future building or on adjacent street. ▪ Heavy machinery will not be moved or placed within 10m of the excavated archaeological remains. ▪ Limited heavy machinery will be used over unexcavated or reburied archaeological remains. *Excavation* Excavation during construction will be carefully planned and consider the following: ▪ In areas that are designated as being "unexcavated": - Apply for relevant archaeological permits (where required) - Undertake on-going monitoring by archaeologist during excavation ▪ In areas where excavation is occurring adjacent to exposed archaeological remains: - Minimise area of excavation; - Ensure adjacent excavation does not destabilise any retaining features or cause collapse of the sides of excavations. - Use handheld equipment before mobile excavators - Use small light excavators or drill rigs as a last resort ▪ Install protective work platforms to prevent access directly on remains *Work Methodologies* All work on or around the archaeological remains will be thoroughly planned and include the following: ▪ Preparation of Work Method Statement (WMS) for all actions around and within the conservation areas with a focus on methodology and sequencing to minimise time and impact on site. ▪ Preparation of Work Method Statement (WMS) for all works around and within the unexcavated and/or reburied areas with a focus on minimising surface and subsurface disturbance. ▪ Review of WMS by archaeological conservator and archaeologist prior to commencement on site. Sign off of WMS by all site contractors involved with specific works will be mandatory.	Detailed Design and Construction
Protection of archaeological relics during construction	**Phase 2- Site Preparation** *Site Preparation* Site preparation will include works to "unclutter" the site and facilitate viewing of the archaeological remains, namely: ▪ Weedicide Application - Spray leaves of higher plants with weedicide (product containing glyphosphate such as Round-Up). - Leave plants for 1-2months until plants have wilted and died. ▪ Plant Removal - Cut back the higher plants as far down the stalk as possible to remove the bulk of the foliage and stalk. - Do not remove/pull up roots from ground or from within archaeological features. This may disturb subsurface features or damage features. *Stabilisation works* A detailed installation methodology will be developed once the site has been cleared of biological growth and the full condition of the site has been ascertained. The stabilisation strategy will be based on ICS's recommended stabilisation strategy in the report titled Recommendations for Protection of Archaeological Remains during Construction prepared by ICS and dated March 2010. **Phase 3 - Initial Structural Works** *General Guidelines*	Detailed Design and Construction

Subject	Commitments	Timing
	▪ In all instances, minimise the area of disturbance ("disturbance zone") resulting from construction works. ▪ Consult archaeological site conservator immediately should any unexpected slippage, slumping or site disturbance occur (pre and post contract works). ▪ Immediately document (with both photographs and theodolite points) any unexpected slippage, slumping or site disturbance (pre and post contract works). ▪ Any disturbance or unforeseen disruption to the site (ie. including "disturbance zones" as a result of excavation) will be reinstated in a way sensitive to the original archaeological remains and in a way that interprets the original historical scheme; plans for reinstatement should be reviewed by the archaeologist and archaeological site conservator prior to commencement.	
Protection of archaeological relics during construction	*Structural columns* ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. ▪ Minimise vibrations during installation. ▪ Use auger excavation as a priority, particularly for first 2-5m; minimise use of pounding or other machine generated vibrations. ▪ Remove backfill immediately from the area; do not load the zone with backfill. ▪ Heavy machinery used for pile excavation/installation should be established and used outside of the zone wherever possible. ***Sheet piling*** ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Use combination of excavation and sheet piles to minimize site disturbance. ▪ Minimise pounding and other machine generated vibrations. ▪ Excavate small amounts just inside sheet piling if required to minimise heaving. ▪ Progress work at a careful and steady pace. ▪ Minimise vibrations during installation. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. ▪ Stop work immediately if heaving or other disturbance is evident; Consult archaeological conservator and structural engineer immediately.	Detailed Design and Construction
Protection of archaeological relics during construction	*Reinforced concrete walls* ▪ Provide Work Method Statements (WMS) for installation methodologies prior to carrying out works; WMS should be reviewed by archaeologist and conservator. ▪ Minimise size of excavation wherever possible, particularly on the Conservation Zone side of the walls. ▪ Monitor the zone during all excavation and piling for evidence of disturbance or ground heaving. ▪ Minimise vibrations during installation. ▪ Use hand excavation as a priority, particularly for first 600-900mm of depth; minimise use of pounding or other machine generated vibrations. ▪ Remove backfill immediately from the area; do not load the zone with backfill. ▪ Heavy machinery used for footing excavation/installation should be established and used outside of the zone wherever possible.	Detailed Design and Construction
	Phase 4 - During Construction *Protection Options - Raised Deck* Install a waterproof raised deck with perimeter drainage over all areas of exposed archaeological remains. *Infill Panels* If additional site storage / shedding space is required, consideration could be given to installing structural infill panels to the openings in the public deck over the Conservation Zones. *Monitoring Inspection* In all instances, Monitoring inspections should be carried out: ▪ Weekly, by the contractor's site foreman / engineer ▪ Monthly, in conjunction with the archaeological conservator ▪ As required following any incidents involving impact or spillage on the protection	

Subject	Commitments	Timing
	system.	
Heritage Branch of the Department of Planning conditions	▪ A specialist heritage manager or heritage consultant shall be nominated for the works which affect the archaeological heritage of the site. The consultant shall have appropriate qualifications and experience commensurate with the significance of the site and the scope of the Major Project works. The name and experience of this consultant shall be submitted to the Director, Heritage Branch, for approval prior to commencement of works. The heritage consultant shall advise on the detail design resolution of new works, undertake on site heritage inductions, and shall inspect new works, design and installation of services (to minimise impacts on significant fabric) and manage the implementation of the conditions of approval for the Project. A report by the heritage consultant (illustrated by works' photographs) shall be submitted to the Director, Heritage Branch, for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out. ▪ All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW. ▪ Significant archaeological heritage items and remnant built fabric elements are to be adequately protected during the works from potential damage. Protection systems shall ensure historic fabric is not damaged or removed. ▪ All affected areas within the site which are of historical archaeological significance and will be affected by the construction works shall be subject to professional archaeological excavation and/or recording. A Research Design including an Archaeological Excavation Methodology shall be prepared in accordance with Heritage Council guidelines for each site which is to be excavated. Those documents should be prepared for the approval of the Director, Heritage Branch, Department of Planning. ▪ After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and the Local Historical Society in the Parramatta Local Government area. The proponent shall also be required to nominate a repository for the relics salvaged from any further historical archaeological excavations. The information within the final excavation report shall be required to include the following: - An executive summary of the archaeological programme; - Due credit to the client paying for the excavation, on the title page;	Prior to, during and following construction
Heritage Branch of the Department of Planning conditions	- An accurate site location and site plan (with scale and north arrow); - Historical research, references, and bibliography; - Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved; - Nominated repository for the items; - Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design); - Conclusions from the archaeological programme; and - Details of how this information about the excavations has been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites). ▪ After the completion of the additional archaeological fieldwork the previously prepared Appendix S of EAR - Heritage Interpretation Plan shall be revised and updated to incorporate the findings from the archaeological works and the detailed design development phase. An updated final Interpretation Plan which includes specific detail regarding the design, locations; media; devices and messages	Prior to, during and following construction

Subject	Commitments	Timing
	which are proposed to the used at the site shall be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development. The Plan shall be prepared in consultation with a materials conservator and an archaeologist in order to ensure that physical conservation needs of the archaeology are adequately reflected in final proposals. ▪ The previously prepared Appendix T of EAR - Recommendations for protection of Archaeological Remains during Construction, shall be supplemented by an additional document which provides specific detail regarding the long-term maintenance needs of the retained physical archaeological 'relics' and associated artefact displays. A Monitoring and Maintenance Plan to address these aspects with designated schedules, programs and cycles for maintenance shall be prepared by a materials conservator. The Plan shall be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development.	
Disabled Access	**Macquarie Street Entry Plaza** ▪ Provide a minimum internal latch-side clearance of 145mm over a minimum depth of 1040mm at the main entry gate at the bottom of the main 1:14 entry ramp, compliant with AS 1428.1. ▪ Provide handrails compliant with AS 1428.1 on either side of the Marsden Street main entry ramp and on either side of each the Macquarie Street and Marsden Street main entry stairways **Residential Main Entrances** ▪ Provide handrails compliant with AS 1428.1 on either side of the Hunter Street residential main entry stairway and on either side of the 1:14 ramp within the residential lobby at grid reference N.5. ▪ Provide handrails compliant with AS 1428.1 on either side of the Hunter Street residential main entry stairway and on either side of the 1:14 ramp within the residential lobby at grid reference N.5. **Commercial Main Entrance (Marsden Street)** ▪ Provide a direct continuous accessible path of travel from street frontage to the commercial main entry lobby. The provision of a low-rise platform lift compliant with AS 1735.14 is recommended. Ensure the low-rise platform lift is installed in a sheltered location. ▪ Provide handrails compliant with AS 1428.1 on either side of the commercial main entry stairway. **Retail and Cafe Tenancy Main Entrances** ▪ Ensure at least one leaf of each of the dual-leaf rear entry doorways at each of the ground level retail tenancies has a minimum clear width of 850mm (920mm door leaf). A minimum clear width of 850mm is preferred at both leaves. ▪ Provide a level landing a minimum of 1350mm in depth respectively at the top of the 1:14 ramp at grid reference O.14 and at the bottom of the 1:14 ramp at grid reference N.14. ▪ Provide handrails compliant with AS 1428.1 on either side of each of the rear 1:14 ramps which lead to the retail tenancies. ▪ Ensure the back-of-house retail entries are re-designated as front-of-house main entries. Ensure the rear entries are designed to an aesthetic standard which is equivalent to that of the main entries at street frontage. ▪ Provide a vertical platform lift compliant with AS 1735.14 at the main entrance into the Hunter Street retail tenancy at grid reference F.11. In the alternative, provide a 1:14 ramp at the Hunter Street residential main entrance and a new retail main entrance at the top of the ramp into the F.11 retail tenancy. Ensure the entry ramp is publicly accessible – that is, not security-controlled for residents only. Note that the latter option affords the opportunity to ensure the Hunter Street residential main entrance is accessible. ▪ Provide a comprehensive system of way-finding signage directing users to the location of the rear retail main entries.	Detailed Design and Construction
Disabled Access	**Emergency Egress** ▪ Consideration to be given to ensuring that each doorway connecting to emergency egress stairways has a minimum clear width of 850mm (920mm door leaf), so as to allow a wheelchair user some measure of protection in the event of an emergency. ▪ Where emergency warning systems are to be provided in the present development, consideration to be given to providing an emergency warning	Detailed Design and Construction

Subject	Commitments	Timing
	system with both visual and audio capabilities. **Archaeological Centre** ▪ Provide handrails compliant with AS 1428.1 on both sides of the Archaeology Centre entry lobby stairway. **Commercial Office Tenancies** ▪ Ensure the main entry doorway to each of the commercial office tenancies on levels 1, 2, and 3, has a minimum clear width of 850mm (920mm door leaf). ▪ Provide a minimum internal latch-side clearance of 460mm at the main entry doorway to the commercial tenancy at grid reference N.5 on level 1. **Commercial and Archaeology Centre Passenger Lifts** ▪ Ensure that components in the lift 7 and 8 lift cars (control panels, audio/visual indicators, handrails and light levels) comply with AS 1735.12. **Commercial Sanitary Facilities (Levels 1 and 3)** ▪ Provide a minimum clear width of 850mm (920mm door leaf) at the entry doorway of the unisex accessible toilets on levels 1 and 3 and the basement level 1 accessible shower room. ▪ In accordance with Parramatta City Centre DCP, ensure the commercial accessible toilets on levels 1 and 3 each comply with AS 1428.2. That is, provide a minimum circulation area of 2300mm x 1900mm around the pan, with the washbasin to sit outside this area. **Passenger Lifts** ▪ Ensure that components in all lift cars (control panels, audio/visual indicators, handrails and light levels) comply with AS 1735.12. ▪ There is a commercial passenger lift at grid references N.5. There are a total of 4 residential passenger lifts at grid reference F.7. There is a residential passenger lift at grid reference F.10. Ensure each of the above lift cars has minimum internal floor dimensions of 1400mm (width) x 1600mm (length), compliant with DDA Access Code 2010 Table E3.6. **Adaptable Units: Design** ▪ Provide an 800mm-long bench adjacent to the sink, cooktop and wall-mounted oven unit designs 305 and 512 respectively.	
Disabled Access	**Residential Common Facilities** ▪ Ensure at least one leaf of the double doors at the main entries to the cinema and the library respectively on level 1 has a minimum clear width of 850mm (920mm door leaf). Currently, each leaf of the above double doors has a clear width of 750mm. ▪ Provide one wheelchair seating space in the cinema on level 1. Where provided, ensure the wheelchair seating space minimum internal dimensions of 1300mm (length) x 800mm (width). A cinema seat which is designed so as to be readily removable if and when required will satisfy this requirement. Provide an unobstructed circulation area a minimum of 1550mm adjacent to the wheelchair seating space. Ensure the wheelchair seating space is located adjacent to a seat for a carer. ▪ Ensure there is an appropriate unobstructed circulation space (1550mm in diameter) in front of each bank of residential letter boxes, compliant with AS1428.2. ▪ Provide a minimum clear width of 850mm (920mm door leaf) and a minimum internal latch-side clearance of 460mm at the entry doorways of the garbage rooms on each residential level. ▪ Consideration to be given for future provision of sling-style swimming pool lift at the pool. **Residential Common-Use Accessible Toilets (Level 1)** ▪ Provide a minimum clear width of 850mm (920mm door leaf) at the entry doorway to the residential common use accessible toilet on level 1. ▪ Provide a circulation area of 2300mm x 1900mm around the pan. The washbasin is to sit outside this area. This is achievable through the relocation of the washbasin. **Ingress and Egress** ▪ Define a continuous accessible path of travel from street frontage to each of the following: - To the main residential entry lobby at grid reference J.8 on ground level (currently, there is a step up from RL9.80 at the footpath to RL10.60 in the	Detailed Design and Construction

Subject	Commitments	Timing
	lobby). - To the commercial main entry doorway at grid reference N.4 on ground level (currently, here is a step up from RL9.50 at the footpath to RL10.60 at the landing in front of the main entry doorway). - Into each of the two retail tenancies that front Hunter Street on ground level (currently, there is a step up from RL10.50 to RL11.00) ▪ Provide handrails compliant with AS 1428.1(2009) on either side of each of the following: - main residential entry ramp at grid reference G.12 fronting Hunter Street. - main residential entry stairway at grid reference G.12 fronting Hunter Street - main entry stairway fronting Macquarie Street	
Disabled Access	▪ Currently, the bottom riser of the Macquarie Street main entry stairway is set back approximately 450mm from the allotment boundary. As it stands, the provision of TGSIs compliant with AS 1428.4.1 at the bottom of the above stairway will necessarily result in encroachment over the allotment boundary. As this is an undesirable result, adopt one of the following options: - Ensure the main entry stairway which fronts Macquarie Street is set back 900mm from the Macquarie Street footpath; or - Extend the adjacent café terrace eastward such that the current bottom riser is deleted. **Paths of Travel: Commercial** ▪ Provide handrails compliant with AS 1428.1(2009) on either side of the common-use commercial stairway at grid reference G.4 which connects levels 1, 2, and 3. ▪ Provide a minimum clear width of 850mm (920mm door leaf) at the each of the following doorways: - All of the commercial office tenancy main entry doorway on levels 1, 2 and 3 - All of the commercial meeting room entry doorways on levels 1, 2, and 3 - Commercial amenities and commercial gym on level 1 ▪ Provide a minimum external latch-side clearance of 510mm at the main entry doorway of the commercial tenancy at grid reference H.10 on level 1. **Paths of Travel: Residential** ▪ Provide handrails compliant with AS 1428.1(2009) on either side of each of the following: - the stairway in the southern residential entry lobby on ground level at grid reference G.10 - the ramp in the southern residential entry lobby on ground level at grid reference G.10. ▪ Provide a path of travel with a minimum clear width of 1000mm throughout to the residential letterboxes at grid reference F.8 on ground level. ▪ Provide a minimum clear width of 850mm (920mm door leaf) at the entry doorway of the following residential common facilities rooms/areas, all of which are located on level 1: - Residential common amenities suite - Residential cinema - Residential gym ▪ Conference/dining room – both the dual-leaf and single-leaf entry doorways ▪ Define a continuous accessible path of travel from the internal areas to the external swimming pool and garden area on level 1.	Detailed Design and Construction
Disabled Access	▪ Provide a minimum clear width of 850mm (920mm door leaf) and a minimum internal and external latch-side clearance of 510mm at the main entry doorway to the office adjacent to the concierge desk on ground level at grid reference G.7, compliant with AS1428.1. **Common-Use Accessible Toilets** ▪ Provide one unisex accessible toilet compliant with AS 1428.1(2009) at the following locations, compliant with DDA Access Code 2010 Table F2.4(a): - adjacent to each bank of commercial toilets on levels 2 and 3. - within the residential amenities suite on level 1	Detailed Design and Construction

Subject	Commitments	Timing
	▪ It is assumed that toilets will be provided within the change-room suite adjacent to the commercial gym. Accordingly, provide a unisex accessible toilet compliant with AS1428.1(2009) within the above change-room suite. ▪ Provide a minimum pan circulation area of 2300mm (length) x 1900mm (width) at the commercial unisex accessible toilet on level 1 at grid reference G.8, with the washbasin to sit outside this area, compliant with AS 1428.1(2009). Currently, the washbasin sits within this area. **Residential Accommodation** ▪ The provision of pre- and post-adaptation drawings of the adaptable units will be required, compliant with AS4299(1995) clause 2.3. Currently, the drawings show the adaptable units in their post-adaptation state configuration only. ▪ Parramatta City Centre DCP clause 4.1(c) requires the provision of 'barrier-free' access to a minimum of 20% of all residential units. This is taken to mean the provision of 20% 'visitable' units, as defined under AS 4299. Ensure a minimum 20% of all units possess all of the following: - A minimum clear width of 850mm (920mm door leaf) at the main entry doorway; - A path of travel with a minimum clear width of 1000mm throughout from the unit main entry doorway to the living area; - A minimum clear width of 850mm (920mm door leaf) at the main entry doorway of at least one bathroom; and ▪ A minimum clearance of 1250mm (length) x 900mm (width) in front of the pan within the same bathroom, with no door swing or basin to encroach onto this space.	
Disabled Access	**Adaptable Units** ▪ Provide a minimum clear width of 820mm at each doorway connecting to the unit balconies. ▪ Ensure the bedroom has internal dimensions which will accommodate a queen-size bed, a clearance of 1000mm on either side of the bed, a clearance of 1200mm at the foot of the bed, and a circulation area a minimum of 1550mm in diameter, preferably near the bedroom entry doorway. The wardrobe is to sit outside this area. ▪ There is one post-adaption bathroom design which is common to all of the adaptable units in the development. Where it is anticipated that construction certificate for this development will occur before 1 May 2011, it is confirmed that the bathroom set-out is suitable for compliance with AS 1428.1(2001). However, where it is anticipated that construction certificate for this development will occur on or after 1 May 2011, the pan circulation will need to increase to 2300mm (length) x 1900mm (width), with the washbasin sitting outside this area, compliant with AS 1428.1(2009). Currently, the washbasin sits within this area. ▪ Provide separate cook top and oven. Provide a work bench space (800mm in width) adjacent to cook top, oven and sink. **Car Parking** ▪ Ensure 1% of all commercial and 1% of all retail car parking is accessible, compliant with DDA Access Code 2010 Table D3.5. ▪ Where it is anticipated that construction certificate will occur on or after 1 May 2011, ensure all commercial and retail accessible car parking is designed in accordance with AS2890.6(2009). That is, ensure each accessible car parking has minimum internal dimensions of 2.4m (width) x 5.4m (length). Provide, in addition, a hatched shared area adjacent to each accessible car parking, also with internal dimensions of 2.4m (width) x 5.4m (length). ▪ Provide 1 adaptable unit car parking bay for each adaptable unit, compliant with AS4299 clause 3.7.3. Ensure each adaptable unit car parking bay has a minimum clear width of 3.8m. ▪ Ensure all adaptable unit and accessible car parking bays are located as close as possible to the relevant passenger lift. ▪ Provide a minimum vertical clearance of 2500mm over each over each accessible car parking bay, compliant with AS 2890.6(2009). ▪ Consideration to be given providing a minimum vertical clearance of 2500mm over each over each adaptable unit parking bay, compliant with AS 4299. ▪ Provide a minimum vertical clearance of 2200mm over the vehicular path of travel from the vehicular entrance to each adaptable-unit and each accessible car parking bay.	Detailed Design and Construction

Subject	Commitments	Timing
Disabled Access	**Miscellaneous** ▪ There is a residential common-use cinema and a conference room on level 1. Given that the above cinema and conference room each have a floor area which is less than 10% of the overall floor area of the storey, it is assumed that they are classified as a class 2 buildings rather than a class 9b building. Confirmation should nevertheless be sought from the project certifier that this assumption is correct. ▪ Consideration to be given to providing a system of hearing augmentation within the cinema. Where an inbuilt amplification system has been provided in the conference room, consideration to be given to providing a system of hearing augmentation.	Detailed Design and Construction
Wind amelioration	The following wind mitigation measures to be implemented: ▪ A strategic layout of densely foliating evergreen trees, capable of growing to a height of 5m with a 4m wide canopy, for the ground level areas within an around the development site. ▪ 3m high impermeable screens along the perimeter of the Level 1 Podium terrace areas. ▪ A combination of 2m and 3m high impermeable screens along the perimeter of the level 22 private roof terrace areas. ▪ 1m high impermeable balustrades be included along the perimeter of the private balconies of residential units 2110 to 2113 on Level 21, and residential units 2301 to 2303 and 2307 to 2309 on Level 23.	Detailed design and construction.
Reflectivity	▪ The reflectivity of glass of the facade for the 015° aspect of the proposed development up to and including level 4, including 015° aspect of the north-east most cafe/retail area will not exceed a normal spectral reflectivity of light value of 15%; or ▪ Vertical mullions external to the glass line of the 015° aspect that can block solar reflections up to 8 degrees from the centre of the glass to be installed. ▪ All other areas of the facade of the proposed development will have a maximum normal specular reflectivity of visible light of 20 percent.	Detailed design and construction.
Loading dock arrangements	Warning lights and signage will be provided to advise tenants entering and departing the site when a truck is reversing into the dock. Minor modifications will be made to the layout of the loading dock (splaying of garbage room and relocation of column to south dock by about a metre) to allow access by an MRV.	
Construction and Traffic Management Plan (Council recommended condition)	Prior to the commencement of any works on the site the applicant must prepare a Construction and Traffic Management Plan. The following matters must be specifically addressed in the plan: ▪ Construction Management Plan for the Site; ▪ A plan view of the entire site and frontage roadways indicating: - Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways; - Turning areas within the site for construction and spoil; - Removal vehicles, allowing a forward egress for all construction vehicles on the site; - The locations of proposed Work Zones in the egress frontage roadways; - Location of any proposed crane standing areas; - A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries; - Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; and - The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible. ▪ Traffic Control Plan(s) for the site: - All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring	Prior to construction

Subject	Commitments	Timing
	specific construction management measures are to be identified and specific traffic control measures identified for each, - Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property. ▪ A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors. Where applicable, the plan must address the following: ▪ Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Road;	
Construction and Traffic Management Plan (Council recommended condition)	▪ A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations; ▪ Minimising construction related traffic movements during school peak periods; The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.	Prior to construction
Driveway Crossing Application (Council recommended condition)	Prior to any work occurring on the driveway crossings within Council's road reserve, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City 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). In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay the appropriate fee of $166.30 Note: 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.	Prior to construction
Damage to public infrastructure (Council recommended condition)	Prior to commencement of works the applicant shall advise Council in writing, of any existing damage to Council property. A dilapidation survey of Council's assets, including photographs and written record, must be prepared and submitted to the Principal Certifying Authority and Council (if Council is not the PCA) prior to the commencement of works; failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs.	Prior to construction
Road Opening Permits (Council recommended condition)	The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.	Prior to construction
Work hours (Council recommended condition)	All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 7.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays. Note - Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance. Such circumstances where extended hours may be permitted include: ▪ Delivery of cranes required to the site outside of normal business hours; ▪ Site is not located in close proximity to residential use or sensitive land uses; ▪ Internal fit out work.	During construction
Footpath	Footpath paving will be in accordance with the approved landscape plans for the	Prior to and

<table>
<tr><th>Subject</th><th>Commitments</th><th>Timing</th></tr>
<tr><td>construction (Council recommended condition)</td><td>development which have been prepared in accordance with Council requirements. Details of the proposed footpath works shall be submitted to and approved by Council prior to commencement of footpath works. Proof of completion of construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate. All costs are to be borne by the applicant.</td><td>during construction</td></tr>
<tr><td>Post-construction dilapidation report (Council recommended condition)</td><td>The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to Parramatta City Council. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the proponent must:
▪ compare the post-construction dilapidation report with the preconstruction dilapidation report, and
have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads</td><td>After completion of construction</td></tr>
<tr><td>Public Domain/Alignment Plan (Council recommended condition)</td><td>Prior to the commencement of works a Public Domain/Alignment Plan shall be submitted and approved by Councils Senior Project officer Urban Design.</td><td>Prior to construction</td></tr>
<tr><td>Sydney Water conditions</td><td>A Section 73 Certificate will be obtained prior to construction.</td><td>Prior to construction</td></tr>
<tr><td>Dilapidation Report for No 41 Hunter Street</td><td>A dilapidation report shall be prepared for No 41 Hunter Street and copies of all relevant reports shall be provided to the owner of No 41 Hunter Street.</td><td>Prior to construction</td></tr>
<tr><td>Essential Fire Safety Measures</td><td>The following Essential Fire Safety Measures shall be installed:
<table>
<tr><th>Item No.</th><th>Proposed Essential Fire Safety Measure</th><th>Minimum Standard of Performance</th></tr>
<tr><td>1.</td><td>Access panels, doors and hoppers to fire resisting shafts</td><td>BCA2010 Clause C3.13</td></tr>
<tr><td>2.</td><td>Automatic fail safe devices</td><td>Manufacturer's Specification</td></tr>
<tr><td>3.</td><td>Automatic fire detection and alarm system</td><td>BCA2010 Clause E2.2a, AS3786-1993</td></tr>
<tr><td>4.</td><td>Automatic fire suppression system (sprinkler system)</td><td>BCA2010 Clause E1.5, AS2118.1-1999</td></tr>
<tr><td>5.</td><td>Emergency lighting</td><td>BCA2010 Clauses E4.2 & E4.4, AS2293.1-2005</td></tr>
<tr><td>6.</td><td>Emergency lifts</td><td>BCA2010 Clause E3.4, AS1735.2-2001</td></tr>
<tr><td>7.</td><td>Exit signs</td><td>BCA2010 Clauses E4.5, E4.6 & E4.8, AS2293.1-2005</td></tr>
<tr><td>8.</td><td>Fire control room</td><td>BCA2010 Clause E1.8</td></tr>
<tr><td>9.</td><td>Fire dampers</td><td>AS/NZS1668.1-1998</td></tr>
<tr><td>10.</td><td>Fire doors</td><td>BCA2010 Spec C3.4, AS1905.1-2005</td></tr>
<tr><td>11.</td><td>Fire hose reel system</td><td>BCA2010 Clause E1.4, AS2441-2005</td></tr>
<tr><td>12.</td><td>Fire hydrant system</td><td>BCA2010 Clause E1.3, AS2419.1-2005</td></tr>
<tr><td>13.</td><td>Fire seals protecting openings in fire resisting components of the building</td><td>BCA2010 Clause C3.15, Manufacturer's Specification</td></tr>
<tr><td>14.</td><td>Fire shutters</td><td>BCA2010 Spec C3.4, AS1905.2-2005</td></tr>
<tr><td>15.</td><td>Fire windows</td><td>BCA2010 Spec C3.4</td></tr>
<tr><td>16.</td><td>Lightweight construction</td><td>Manufacturer's Specification</td></tr>
<tr><td>17.</td><td>Mechanical air handling systems</td><td>AS/NZS1668.1-1998</td></tr>
<tr><td>18.</td><td>Paths of travel, stairways, passageways or ramps</td><td>BCA2010 Section D</td></tr>
<tr><td>19.</td><td>Portable fire extinguishers</td><td>BCA2010 Clause E1.6, AS2444-2001</td></tr>
<tr><td>20.</td><td>Pressurisation system</td><td>AS/NZS1668.1-1998</td></tr>
<tr><td>21.</td><td>Required (automatic) exit doors</td><td>BCA2010 Clause D2.19, AS1670.1-2004</td></tr>
<tr><td>22.</td><td>Smoke control system</td><td>BCA2010 Spec E2.2a, BCA Spec E2.2b, AS/NZS1668.1-1998</td></tr>
<tr><td>23.</td><td>Smoke dampers</td><td>AS/NZS1668.1-1998</td></tr>
<tr><td>24.</td><td>Smoke doors</td><td>BCA2010 Spec C3.4</td></tr>
<tr><td>25.</td><td>Sound systems and intercom systems for emergency purposes (formerly EWIS)</td><td>BCA2010 Clause E4.9, AS1670.4-2004</td></tr>
<tr><td>26.</td><td>Wall wetting sprinkler and drencher system</td><td>BCA2010 Clause C3.4</td></tr>
<tr><td>27.</td><td>Warning and operational signs</td><td>BCA2010 Clause D2.23, EP&A Reg. 2000 Clause 183</td></tr>
</table>
▪</td><td>Construction Certificate</td></tr>
<tr><td>Fire Resistance Levels</td><td>The following Fire Resistance Levels (FRLs) shall be applied to various structural elements of the building:</td><td>Construction Certificate</td></tr>
</table>

<table>
<tr><th>Subject</th><th>Commitments</th><th>Timing</th></tr>
<tr><td></td><td>
<table>
<tr><th>Item</th><th>Class 2</th><th>Class 5, 7a or 9b</th><th>Class 6</th></tr>
<tr><td>Loadbearing External Walls
• less than 1.5m to a fire source feature
• 1.5 – 3m from fire source feature;
• more than 3m from a fire source feature.</td><td>90/90/90
90/60/60
90/60/30</td><td>120/120/120
120/90/90
120/60/30</td><td>180/180/180
180/180/120
180/120/90</td></tr>
<tr><td>Non-Loadbearing External Walls
• less than 1.5m to a fire source feature
• 1.5 – 3m from fire source feature;
• more than 3m from a fire source feature.</td><td>-/90/90
-/60/60
-/-/-</td><td>-/120/120
-/90/90
-/-/-</td><td>-/180/180
-/180/120
-/-/-</td></tr>
<tr><td>External Columns
• Less than 3m
• 3m or more</td><td>90/-/-
-/-/-</td><td>120/-/-
-/-/-</td><td>180/-/-
-/-/-</td></tr>
<tr><td>Fire Walls</td><td>90/90/90</td><td>120/120/120</td><td>180/180/180</td></tr>
<tr><td>Stair and Lift Shafts
• Loadbearing
• Non loadbearing</td><td>90/90/90
-/90/90</td><td>120/120/120
-/120/120</td><td>180/120/120
-/120/120</td></tr>
<tr><td>Internal walls bounding sole occupancy units
• Loadbearing
• Non loadbearing</td><td>90/90/90
-/60/60</td><td>120/-/-
-/-/-</td><td>180/-/-
-/-/-</td></tr>
<tr><td>Internal walls bounding public corridors, hallways and the like:
• Loadbearing
• Non loadbearing</td><td>90/90/90
-/60/60</td><td>120/-/-
-/-/-</td><td>180/-/-
-/-/-</td></tr>
<tr><td>Ventilating, pipe garbage and the like shafts:
• Loadbearing
• Non loadbearing</td><td>90/90/90
-/90/90</td><td>120/90/90
-/90/90</td><td>180/120/120
-/120/120</td></tr>
<tr><td>Other loadbearing internal walls, beams trusses and columns</td><td>90/-/-</td><td>120/-/-</td><td>180/-/-</td></tr>
<tr><td>Floors</td><td>90/90/90</td><td>120/120/120</td><td>180/180/180</td></tr>
<tr><td>Roofs</td><td>90/60/30</td><td>120/60/30</td><td>180/60/30</td></tr>
</table>
</td><td></td></tr>
<tr><td>BCA Alternate Solutions</td><td>Exit Travel Distances Residential Areas – Clause D1.4
Residential units are required to be within 6m of an exit or a point of choice; a number of units, including Units 10.14, 10.15, 12.12, 13.12, 13.13, 21.11 and 21.12, are between 6 and 9m from an exit or point of choice. This increased travel distance is expected to be justifiable under an Alternate Solution at the CC stage.
Travel via Fire-Isolated Exits – Clause D1.7
It is not proposed to provide the protection from the building to the discharge path of the northern fire-isolated exit discharge path. This will form part of an alternate solution at the CC stage of the development.
Commercial Stairway – Clauses D1.9
The non-fire-isolated stairway to the northern end of the commercial portion of the building is a required stairway connecting three storeys in a sprinkler protected building. The lowest level of connection is Level 1, in lieu of the ground floor. Occupants using the non-fire-isolated stairway access a fire-isolated stairway on Level 1 to complete their egress of the building. This will form part of an alternate solution at the CC stage of the development.
Fire Hydrant Booster Location – Clause E1.3
The building is to be provided with fire hydrants in accordance with this clause and AS2419.1.
Regarding the location of the fire hydrant booster there is a technical non-compliance that may be resolved at the CC stage with an alternate solution. The non-compliance is that the booster is not 10m from the building (this includes the upper levels) nor is it proposed to have shielding construction for a distance of 2m either side and 3m above the booster assembly.
Due to the booster location being more than 10m from the building at the ground floor and the portion of the building that is within 10m being the upper levels which are 5.7m above the ground floor level there is scope for an Alternate Solution at the CC stage of the development.
It is also noted that the proposed hydrant and sprinkler pump room is located on the roof. This is to be confirmed at the CC stage as a compliant location.</td><td>Construction Certificate</td></tr>
<tr><td>BCA Alternate Solutions</td><td>Atrium – Part G3
The non-fire-isolated stair forms an atrium as it is not a stairwell within a shaft. Further as the void for the stairway connects three storeys in a sprinkler protected building but does not connect to a level with direct egress to a road or open space Part G3 applies. It is proposed that an alternate solution will be used to justify the non-compliances with this Part at the CC stage.</td><td>Construction Certificate</td></tr>
<tr><td>BASIX certificate</td><td>A BASIX certificate will be prepared for the development prior to the construction certificate being issued for the project.</td><td>Prior to issue of construction</td></tr>
</table>

<table>
<tr><th>Subject</th><th>Commitments</th><th>Timing</th></tr>
<tr><td></td><td></td><td>certificate</td></tr>
<tr><td>Development above 66m in height subject to EPBC Approval</td><td>Approval for the development (as modified) above 66 metres (Level 18) in height is not granted until such time as the Department of Sustainability Environment Water Population and Conservation approve the Mitigation and Offset Strategy for the V by Crown development.</td><td>Prior to construction certificate for development above podium being issued.</td></tr>
<tr><td rowspan="3">Additional Heritage Council recommendations</td><td>Detailed design of the ‘underground’ viewing area for the cellar, regarding height clearances, access point, walkways, balustrades and retaining walls around the retained archaeological display and all other associated services, shall be prepared in consultation with and to the satisfaction of the Heritage Council or its Delegate</td><td rowspan="3">Prior to the construction certificate for the archaeological display area being issued.</td></tr>
<tr><td>Detailed design of the environmental management, moisture movement monitoring and reactive conservation processes for the retained archaeological display shall be prepared in consultation with and to the satisfaction of the Heritage Council or its Delegate.</td></tr>
<tr><td>The detailed design of the Archaeological and Heritage Interpretation of the actual archaeology and the Interpretation Centre, with its associated café; shall be guided by the preparation of the detailed Interpretation Plan required under COA. The Plan shall be prepared in consultation with and to the satisfaction of, the Heritage Councillor its Delegate</td></tr>
<tr><td>Cost summary</td><td>A cost summary of the project shall be provided in accordance with Section 25J of the EP&A Act.</td><td>Once the approval for the Section 75W is issued</td></tr>
<tr><td rowspan="2">Landscaping</td><td>The public area landscape plan shall be updated to reflect the requirements of the Parramatta Public Domain Guidelines.</td><td rowspan="2">Prior to the construction certificate for any landscaped areas being issued.</td></tr>
<tr><td>New public area street trees shall reflect the species indicated in the Parramatta City Council Street Tree Master plan 2011. New tree pits shall also be detailed as per the Public Domain Guidelines.</td></tr>
<tr><td>Access</td><td>▪ Provide a wheelchair turning bay with minimum internal dimensions of 1540mm x 2070mm at each of the following locations:
– At the corridor ends near grid reference H.5 and H.10 on levels 1 and 2 respectively, and at the corridor turn on level 19 near grid reference G.11; and
– Within arterial corridors that run parallel to grid line 11 on levels 2-18 respectively.
▪ In accordance with DDA Access Code 2010 / BCA 2014 clause D3.3, provide a wheelchair passing bay with minimum internal dimensions of 1800mm x 2000mm at the intersection of the residential corridors near grid reference P.3 on levels 3-28 respectively.</td><td>Detailed design and construction</td></tr>
<tr><td>Acoustic Impact</td><td>▪ Detailed review of all external mechanical plant should be undertaken at construction certificate stage (once plant selections and locations are finalised). Acoustic treatments should be determined in order to control plant noise emissions to the levels set out in the following table:
<table>
<tr><th>Time of day</th><th>Measured Background Noise Level dB(A) $L_{90(period)}$</th><th>Amenity Criteria dB(A) $L_{eq(period)}$</th><th>Intrusiveness Criteria Background + 5 dB(A) $L_{eq(15mins)}$</th><th>EPACriteria for Residential Condensers</th><th>EPA Criteria for Sleep Disturbance dB (A)$L_{1(1minute)}$</th></tr>
<tr><td>Day</td><td>52</td><td>55</td><td>57</td><td>N/A</td><td>N/A</td></tr>
<tr><td>Evening</td><td>47</td><td>45</td><td>52</td><td>N/A</td><td>N/A</td></tr>
<tr><td>Night</td><td>46</td><td>40</td><td>51</td><td>Inaudible within neighbouring premises</td><td>61</td></tr>
<tr><td>Commercial Receivers</td><td>N/A</td><td>65</td><td>N/A</td><td>N/A</td><td>N/A</td></tr>
</table>
The noise level criteria for noise generated on the site impacting on surrounding receivers is detailed as BOLD in the table above.</td><td>Construction Certificate</td></tr>
<tr><td>Reflectivity</td><td>▪ The façade on the 015˚ aspect of the proposed development between Levels 3</td><td>Detailed</td></tr>
</table>

Subject	Commitments	Timing
	and 8 should have a normal spectral reflectivity of light no greater than 10%.	design and construction
Wind Impact	▪ Inclusion of densely foliating hedge planting capable of growing to a height of at least 3m, within and around the Level 19 roof terrace.	Detailed design and construction
Public benefit	▪ The following five apartments in Section D (south-west wing) of the development to be dedicated to Parramatta City Council for affordable housing purposes: - 1 x two-bedroom apartment; - 2 x one-bedroom apartments; and - 2 x studio apartments.	Prior to issue of Occupation Certificate for Section D (south-west wing) of the approved development

End of Modifications to MP09_0167
(MP09_0167 MOD4)