



City of Parramatta	
File No:	DA/858/2022

SECTION 4.15 ASSESSMENT REPORT
Environmental Planning & Assessment Act 1979

DA No:	DA/858/2022
Subject Property:	LOT 31 DP 804472, 20 Smith Street, PARRAMATTA NSW 2150
Proposal:	Alterations and additions and change of use of the ground floor and levels 1 and 2 from retail/office premises to a pub.
Date of receipt:	1 November 2022
Applicant:	B Solomon
Owner:	Smith Street Consolidated Pty Ltd
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	1
Recommendation:	Approval
Assessment Officer:	Darren Wan

Legislative Requirements

Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979	<ul style="list-style-type: none">• State Environmental Planning Policy (Resilience and Hazards) 2021• State Environmental Planning Policy (Transport and Infrastructure) 2021• Parramatta Local Environmental Plan 2011 (PLEP 2011)• Parramatta Development Control Plan 2011 (PDCP 2011)
Zoning	B3 Commercial Core
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Designated Development	No
Integrated Development	No
Clause 4.6 variation	No
Delegation	Parramatta Local Planning Panel (PLPP) due to new licensed premises

1. EXECUTIVE SUMMARY

Development Application DA/858/2022 was lodged on 1 November 2022 for 'alterations and additions and change of use of the ground floor and levels 1 and 2 from retail/office premises to a pub at 20 Smith Street, Parramatta. Associated works to create a new commercial lobby for the existing office premises is also proposed.

In accordance with the Parramatta Consolidated Notification Procedures, the Development Application was notified and advertised between 10 November and 1 December 2022. In response, 1 submission was received.

The only concern raised in the submission was the retention of the existing historic well currently on display to George Street elevation.

In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Parramatta Local Planning Panel for determination as the proposed development is a new licensed premises.

Section 4.15 Assessment Summary

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

The proposed use of the subject site as a pub is permitted with consent pursuant to the provisions of Parramatta Local Environmental Plan 2011.

The application was referred to a number of internal stakeholders and external stakeholders, including the following:

- Development Engineer;
- Urban Designer;
- Transport and Traffic Officer;
- Environmental Health Officer (food);
- Environmental Health Officer (acoustic);
- Environmental Health Officer (waste);
- Environmental Health Officer (contamination);
- Crime Prevention Officer;
- Social Outcomes Officer; and
- NSW Police (Parramatta Police Area Command).

All referrals were returned with no objections raised, subject to the imposition of conditions of consent.

The proposal is not considered to have any other impacts to the surrounding amenity of the locality. The proposed development is appropriately located and is generally compliant with the provisions of Parramatta LEP 2011 and Parramatta DCP 2011. Whilst not formally adopted, the Draft Late Night Trading Development Control Plan was still reviewed, and the proposal will comply with the future trading hours proposed for that part of the CBD. However, for flexibility, Council will impose a 12-month trial period so the hours can be revisited if the DCP is adopted. The design of the amendments is also considered to be acceptable as it orientates the terraces toward the street to provide an inviting active frontage.

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, it is recommended Development Application No. DA/858/2022 be approved. The recommended conditions of consent are within **Attachment 1**.

2. SITE DESCRIPTION AND CONDITIONS

The subject site is legally described as Lot 31 DP 804472 and commonly known as 20 Smith Street, Parramatta and has an approximate area of 2,017m².

The lot currently comprises a multi-level office building with vehicular access provided off George Street. The site has a street frontage of approximately 38.68m to George Street and 38.33m to Smith Street.

The site is located within Parramatta City Centre and is subject to the additional provisions. It is located within the commercial core and is within an area characterised by predominantly office premises. The existing building has a total GFA of approximately 9,117m², comprising ground level retail and office space, and 8 levels of office space above. Parking onsite is provided by one level of basement parking, and two levels of above-ground parking.

Whilst not identified as a heritage item or conservation area, the subject premises has a historic brick well on display fronting George Street.



Figure 1: Zoning of the subject site and surrounds.

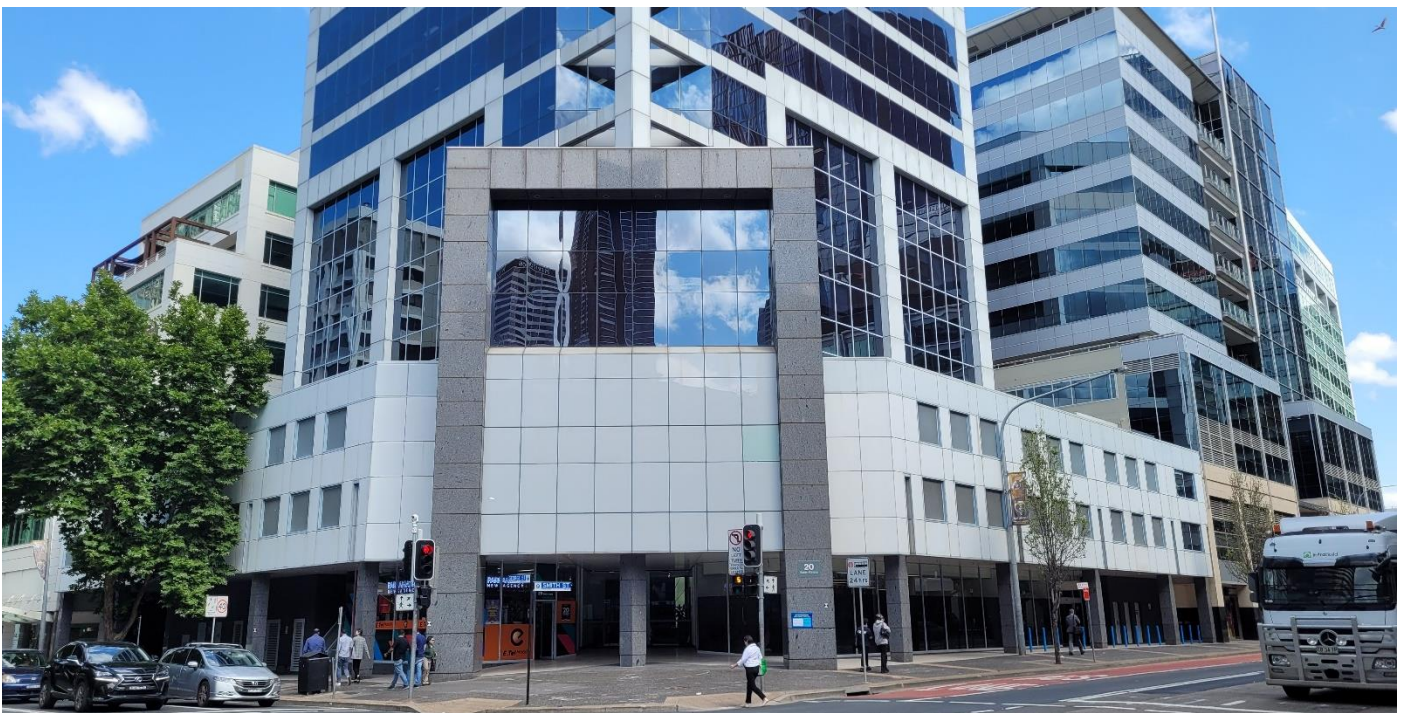


Figure 2: view of the subject site as seen from the north-western corner of the George St/Smith St intersection

3. THE PROPOSAL

The proposed development seeks to relocate the existing Albion Hotel and requires the following works:

Basement Car Park

- Demolition works.
- New fire escape stairs.
- New grease arrestor.
- New hospitality venue passenger and goods lifts.
- A new pump room.
- Reduce the number of car parking spaces from 60 to 47.

Ground Floor

- Demolition works.
- New fire escape stairs.
- New bar/lounge lobby with passenger and goods lifts.
- New bar and open lounge areas.
- New associated back of house area, kitchen, staff and storage facilities.
- New waste room.
- New street frontage to George St and Smith Street.
- Relocation of brick well into outdoor terrace.
- New commercial lobby, including platform for art installation and end of trip facilities.
- New fire escape passage.
- Carparking security roller gate.

Carpark Level 1

- Demolition works.
- New fire escape stairs.
- New hospitality venue passenger and goods lifts.
- Void to lounge below.
- Reduce the number of car parking spaces from 60 to 43.

Carpark Level 2

- Demolition works.
- New fire escape stairs.
- New hospitality venue passenger and goods lifts.
- Void to lounge below.
- Reduce the number of car parking spaces from 62 to 45.

Pub Level 1

- Demolition works.
- New fire escape stairs.
- New bar/dining/night club lobby with passenger and goods lifts.
- New bar/dining/night club areas.
- New covered outdoor terrace area.
- New associated back of house area, kitchen, staff and storage facilities.

Pub Level 2

- Demolition works.
- New fire escape stairs.
- New lounge/mezzanine associated with night club use below.
- New covered terrace.
- New associated back of house, amenities and plant rooms.

New Podium Roof

- New exhaust fan enclosures.

Level 9

- New cooling tower enclosures.

Awning

- A new awning along both George Street and Smith Street frontages.

Use

- **Trading Hours:**
 - 5am to 5am Mondays to Saturdays;
 - 5am to midnight on Sundays.
- **Patron Capacity**
 - Ground Floor: 350 Patrons
 - Levels 1 and 2: 1,200 patrons
- **Staff**
 - 10 staff on the ground level and 24 staff on levels 1 and 2

4. REFERRALS

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

Referral	Comment
Urban Design	Supported, subject to conditions of consent.
Catchment Management Unit	Supported, subject to conditions of consent.
Transport and Traffic Engineer	Supported, subject to conditions of consent.
Environmental Health (Food)	Supported, subject to conditions of consent.
Environmental Health (Acoustic)	Supported, subject to conditions of consent.
Environmental Health (Waste)	Supported, subject to conditions of consent.
Environmental Health (Contamination)	Supported, subject to conditions of consent.
Social Outcomes	Supported, subject to conditions of consent.
NSW Police	Supported, subject to conditions of consent.
Crime Prevention	Supported, subject to conditions of consent.

5. ENVIRONMENTAL PLANNING INSTRUMENTS

7.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4 REMEDIATION OF LAND

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not identified in Council's records as being contaminated. A hazardous materials report was provided with the application. The report was reviewed by Council's Environmental Health Officer who raised no objection to the development subject to the imposition of conditions of consent relating to the safe disposal of asbestos.

Therefore, in accordance with Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the land is suitable for the proposed development being a pub.

6. PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

Clause 2.3 Zone objectives and Land Use Table

The site is zoned B3 Commercial Core. The aims and objectives for the B3 Commercial Core zone in Clause 2.3 – Zone Objectives are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the role of the Parramatta City Centre as the regional business, retail and cultural centre, and as a primary retail centre in the Greater Metropolitan Region.*

- *To create opportunities to improve the public domain and pedestrian links throughout the Parramatta City Centre.*
- *To provide for the retention and creation of view corridors.*
- *To protect and enhance the unique qualities and character of special areas and heritage values within the Parramatta City Centre.*
- *To protect and encourage accessible city blocks by providing active street frontages, and a network of pedestrian-friendly streets, lanes and arcades.*

The application proposes the relocation of an existing pub that has ingrained history within the Parramatta area. This relocation and expansion of an existing pub will ensure the employment and entertainment needs of the community are achieved in a location close to major transport nodes and services.

The proposal is consistent with these objectives, being for a pub in an area of the City Centre where such uses are permitted within the zoning and are away from sensitive receptors.

Standards and Provisions	Compliance
Part 4 Principal development standards	
Cl. 4.3 Height of buildings	N/A – the Height of Buildings map does not nominate a maximum height limit for the subject site.
Cl. 4.4 Floor Space Ratio Allowable: 10:1 (20,170m ²) Proposed: 4.66:1 (9,408m ²)	Yes – the proposal will create an additional 291m ² GFA as a result of the development.
Part 5 Miscellaneous provisions	
Cl. 5.10 Heritage conservation	N/A – the site is not identified as being a heritage item, nor is it located within an area identified as being a Heritage Conservation Area. Regardless, there is a brickwork well that is currently on display on the George Street elevation of the building. This well will be retained and displayed within the new outdoor terrace.
Cl. 5.21 Flood Planning	Council’s Senior Catchment and Development Engineer has reviewed the proposal and raised no objection to the application, subject to conditions of consent. Subject to the imposition of the recommendations, Council is satisfied that the Objectives of this Clause have been satisfied, noting that, flood risk to life and property associated with the land has been minimised.
Part 7 Additional local provisions – Parramatta City Centre	
Cl. 7.3 Floor Space Ratio	The site has an area of 2,017m ² and therefore this clause is not applicable.
Cl. 7.8 Active Frontages	The site is identified on the active frontages map. The application was referred to Council’s Urban Designers who raised no objection to the new public domain interface. In that regard, the development satisfies the requirements of this clause.
Cl. 7.15 Car Parking- General	The table provides maximum car parking rates for premises located within the City Centre. The proposed development will seek to reduce the existing number of carparking spaces available in the building to facilitate additional fire stairs and lifts. The application was referred to Council’s Traffic and Transport Officer who raised no objection to the reduction of carparking spaces subject to the imposition of conditions of consent.
Cl. 7.21 End of journey facilities	The proposed development will incorporate new end of journey facilities to service the office premises above the new pub.
Cl. 7.25A Additional floor space ratio for office premises	The proposal does not seek any additional FSR.

7. PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

Parramatta LEP 2023 was gazetted on 2 March 2023. Clause 1.8 of the LEP now repeals the following planning instrument which applied to the land:

- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta (former The Hills) Local Environmental Plan 2012
- Parramatta Local Environmental Plan 2011

Clause 1.8A Savings provision relating to development applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The current application was lodged on 1 November 2022 and therefore shall continue to be assessed under Parramatta LEP 2011.

Regardless, the only changes between Parramatta LEP 2011 and Parramatta LEP 2023 in relation to this DA is that the B3 Commercial Core zone has been amended to E2 Commercial Centre zone. It is of note that pubs continue to be permitted with consent under the E2 Commercial Centre zone.

8. PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

Development Control	Compliance
Air Quality If the proposal will result in the emission of atmospheric pollutants, including odours, are adequate measures employed to ensure that the proposal does not contribute to air pollution?	The proposal seeks to use the premises as a pub and is not considered likely to result in the emission of atmospheric pollutants.
Public Domain Retail premises should maintain an outlook to the public domain (e.g open shop windows)	The proposal will have a terrace area directly overlooking the George Street and Smith Street intersection.
Streetscape Development proposing outdoor dining is to be consistent with Council's Outdoor Dining policy.	N/A – no outdoor seating is proposed.
Acoustic Amenity Commercial uses is not to adversely impact on the amenity of adjacent residential development as a result of noise, odour, hours of operation, and service deliveries.	The application was accompanied with an acoustic report. The application was referred to Council's Environmental Health Officer, who raised no objections subject to conditions of consent. A one year trial basis has been imposed on the requested 24/7 hours of operation (Monday to Saturday); with the premises to revert to 6am to 4am at the end of this trial; unless modified by a Section 4.55 application. This is in line with Draft Late Night Trading DCP and other applications for similar uses.
Waste Storage areas for waste is to be available and adequately designed for the proposed use.	The application was referred to Council's Environmental Health Officer, who raised no objections subject to conditions of consent.
Accessibility The siting, design and construction of premises available to the public are to ensure an appropriate level of accessibility so that all people can enter and leave the premises.	A condition of consent will be imposed to ensure that the subject premises is in accordance with the requirements of the BCA, Access to Premises Standard 2010 and the National Construction Code 2013. Evidence is to be shown to the PCA prior to the issue of the CC.
Safety and Security The use of security devices such as roller shutters or grilles on shop fronts should not compromise natural surveillance of streets and public places.	The application was referred to both NSW Police and Council's Crime Prevention Officer. Neither raised any objection to the application, subject to the imposition of conditions of consent regarding safety.

Does the use provide the appropriate level of security infrastructure for its purpose (e.g. licensed premises)?	
Parking and Vehicular Access	Yes – Refer to Part 7.15 of PLEP2011.
Signage	Yes – The only signage proposed in this application is a building identification sign on the George Street elevation.
Flooding	Yes – Council’s Catchment Engineer raised no objections to the proposal.
Heritage & Special Precincts Is the proposal in a special precinct?	N/A – the subject site is not located within the heritage conservation area nor is the building identified as a heritage item. The site is located within the Parramatta City Centre Strategic Precinct. Please refer to discussion below.
Part 4.3.3 Parramatta City Centre Strategic Precinct	
Building Form	This part of George Street and Smith Street has been identified as requiring a nil setback to the street frontage with a podium height of 4 storeys. The proposal was referred to Council’s Urban Design team who raised no objection to the design of the development in relation to the requirements of the Parramatta City Centre.
Mixed Use Buildings	Separate entrances have been provided between the proposed pub and the commercial premises above. They will have separate security access controls as well as servicing requirements.
Public Domain and Pedestrian Amenity	This subject site is not identified as having any existing pedestrian links or proposed future links. The proposed pub will have a presentation to Smith Street, including an outdoor terrace. The new commercial lobby to the office premises above will front George Street.
Views and View Corridors	George Street is identified as having a view corridor toward Parramatta Park. The proposal will not impact on this view corridor.
Access and Parking	The proposed development does not propose any additional vehicle entry points.
Pedestrian Access and Mobility	Both building entry points to the pub, the lounge and the commercial premises above is clearly visible from both George Street and Smith Street and has been enhanced with awnings and building identification signage.
City Centre Special Areas.	This part of George Street is not located in an area identifies as in the City Centre Special Area.

9. DRAFT LATE NIGHT TRADING DEVELOPMENT CONTROL PLAN

The proposed Late Night Trading Development Control Plan is yet to be adopted by Council, however, provides in insight into the future direction of late night economy within Parramatta City Centre.

In that regard, the proposal is consistent with the proposed Trading Hours for the ‘CBD Late Night Trading Area 1’ which this site is located within, being 6am to 4am base hours, with the possible extension to being 24 hours.

As the draft DCP is not yet adopted, Council considers it appropriate to place a 12-month trial period for the proposed 24 hour operation of the new pub. At the conclusion of the trial period, if no extension has been granted, then the operation of the premises will revert to the base hours stated above. This allows Council to revisit the hours when the DCP is adopted.

10. DEVELOPMENT CONTRIBUTIONS

As this Development Application was lodged on 1 November 2022, the Parramatta City Centre Local Infrastructure Contributions Plan 2022 applies to the land. As such, a development contribution based on the cost of the proposed development is required to be paid,

A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of a Construction Certificate.

11. BONDS

In accordance with Council's Schedule of Fees and Charges, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. A standard condition of consent has been imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate.

12. EP&A REGULATION 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 1.

13. THE LIKELY IMPACTS OF THE DEVELOPMENT

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment through compliance with the applicable planning instruments and controls. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as tree removal and excavation, and built environment impacts such as traffic and build form. In the context of the site and the assessments provided by Council's experts, the development is considered satisfactory in terms of environmental impacts.

14. SUITABILITY OF THE SITE

The subject site can accommodate a development of a pub of this scale as the site is located within a predominantly commercial area and is ideally located close to public transport links, services and facilities.

Suitable investigations and documentation have been provided to demonstrate that the site can be made suitable for the proposed development and the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.

15. PUBLIC CONSULTATION

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 10 November 2022 and 1 December 2022. In response, 1 submission was received.

Issue	Response
The development needs to retain the old well currently on display fronting George Street	<p>The proposal will retain the historical brick well, by relocating it and displaying it within the new outdoor terrace area.</p> <p>It is noted that the site does not contain any heritage items in accordance with LEP 2021 (LEP 2023).</p>

16. PUBLIC INTEREST

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

17. CONCLUSION

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

The proposed development is appropriately located within the commercial centre of Parramatta CBD. Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been appropriately designed and will provide acceptable levels of amenity for future occupants. It is considered that the proposal sufficiently minimises adverse impacts on the amenity of neighbouring properties. Hence the development, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land. On balance, the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for approval subject to conditions.

18. RECOMMENDATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- A. **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, **approve** development consent to DA/858/2022 for the 'alterations and additions and change of use of the ground floor and levels 1 and 2 from retail/office premises to a pub' on land at 20 Smith Street, Parramatta for the following reasons:

REASONS FOR APPROVAL

- The development is permissible in the B3 Commercial Core zone pursuant to Parramatta Local Environmental Plan 2011 and generally satisfies the requirements of the applicable planning framework.
- The development will be compatible with the emerging and planned future character of the area.
- The development will promote a land use that provides a facility to meet the day to day needs of Parramatta Council occupants.
- The proposal provides a non-residential land use that has amenity impacts that can be appropriately managed.
- The development is in the public interest because it is consistent with the objectives of for development in the B3 Commercial Core zone.
- For the reasons given above, approval of the application is in the public interest.

- B. **That** Council advise those who made a submission of the determination.

“Appendix 1” to Section 4.15 Assessment Report - DA/858/2022

DRAFT CONDITIONS OF CONSENT

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/858/2022
Property Address: LOT 31 DP 804472
20 Smith Street, PARRAMATTA NSW 2150

PART A – GENERAL CONDITIONS

PA0001 #Approved Plans & Support Doc(DIEP Mandatory Cond)

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

Architectural Drawings (Project No. 2708)

Drawing No.	Issue	Plan Title	Dated
DA1-0401	02	Site Plan	05/10/2022
DA1-1000	03	Basement Plan – Existing and Demolition	05/10/2022
DA1-1001	03	Ground Floor Plan – Existing and Demolition	05/10/2022
DA1-1002	03	Carpark Level 01 – Existing and Demolition	05/10/2022
DA1-1003	03	Carpark Level 02 – Existing and Demolition	05/10/2022
DA1-1004	03	Level 01 – Existing and Demolition	05/10/2022
DA1-1005	03	Level 02 – Existing and Demolition	05/10/2022
DA1-1006	03	Level 03 – Existing and Demolition	05/10/2022
DA1-1007	01	Level 09 Plant Room – Existing and Demolition	05/10/2022
DA1-1100	06	Basement Floor Plan – Proposed	05/10/2022
DA1-1101	06	Ground Floor Plan – Proposed	05/10/2022

Drawing No.	Issue	Plan Title	Dated
DA1-1102	06	Carpark Level 01 Floor Plan – Proposed	05/10/2022
DA1-1103	06	Carpark Level 02 Floor Plan - Proposed	05/10/2022
DA1-1104	06	Level 01 Floor Plan – Proposed	05/10/2022
DA1-1105	06	Level 02 Floor Plan – Proposed	05/10/2022
DA1-1106	06	Level 03 Floor Plan - Proposed	05/10/2022
DA1-1107	01	Level 09 Plant Room – Proposed	05/10/2022
DA1-3000	01	Façade Elevation – Proposed – West Facing Smith Street	05/10/2022
DA1-3001	01	Façade Elevation – Proposed – North Facing George Street	05/10/2022
DA1-3100	04	General Arrangement Elevation – Proposed – West Facing Smith Street	05/10/2022
DA1-3102	04	General Arrangement Elevation – Proposed – North Facing George Street	05/10/2022
DA1-4100	06	General Arrangement Sections – Proposed 01	05/10/2022
DA1-4103	06	General Arrangement Sections – Proposed 02	05/10/2022

Civil Drawings/Stormwater (Project No. 7112)

Drawing No.	Issue	Plan Title	Dated
Page 1	A	Stormwater Concept Design 1	23/09/2022
Page 2	A	Stormwater Concept Design 2	23/09/2022

Landscape Drawings

Drawing No.	Issue	Plan Title	Dated
L-02	A	Ground Floor	21/09/2022

L-03	A	Level 1	21/09/2022
L-04	A	Planting Details	21/09/2022
L-05	A	Existing Tree	21/09/2022
L-06	A	Notes	21/09/2022
L-07	A	Specification	21/09/2022

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	22-085	A	BBC Consulting Planners	Oct 2022
Waste Management Plan	-	2	Foresight Environmental	12/10/2022
Crime Prevention Report	-	-	Sarah George Consulting	Oct 2022
Acoustic Report	288778	2	ARUP	12/10/2022
Social Impact Assessment	-	-	Sarah George Consulting	Oct 2022
Plan of Management	-	-	Albion Hotel	Oct 2022
Traffic Report	304100781	-	Cardno now Stantec	5/10/2022
BCA Report	022-218681_BG	1	Philip Chun Building Compliance	06/10/2022
Hazmat report	001-smith	1	Greencap	Jan 2017
Fire Engineering Report	JN22-00159	3	Red Fire Engineering	17/10/2022

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of consent, the condition prevails.

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

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

PA0003 Construction Certificate

2. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory

to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

3. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

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

PA0011 #Demolition of Buildings

4. Approval is granted for the demolition of # (all buildings and outbuildings) currently on the property, subject to compliance with the following: -

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

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

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

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

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

- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 469 of the Work Health and Safety Regulation 2017.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.
- (i) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (j) Demolition is to be completed within 5 days of commencement.
- (k) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).

- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

PA0013 LSL Payment Const> \$250,000 (DIEP Mandatory Cond)

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

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

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

PA0014 #Payment of Security deposits(DIEP Mandatory Cond)

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

Bond Type	Amount
Hoarding: \$2,652-\$10,609 per street frontage in current financial year.	\$24,100
Nature Strip and Roadway:	\$25,750
Street Trees:	\$2,294.72

The payments will be used for the cost of:

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

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/858/2022
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

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

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

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

PA0015 #Payment of Sec7.11 Contrib. (DIEP Mandatory Cond)

7. Before the issue of a construction certificate the applicant must pay the following contributions to Council for:

Contribution Type	Amount
Community facilities	\$254,208.86
Open Space & Recreation	\$170,965.73
Public Domain Works	\$197,909.87
Traffic & Transport	\$60,795.30
Total	\$683,879.76

The total contribution payable to Council under this condition is **\$683,879.76** as calculated at the date of this consent, in accordance with Parramatta City Centre Local Infrastructure Contributions Plan 2022.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the Parramatta City Centre Local Infrastructure Contributions Plan 2022.

Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development

PANSC Non-standard - General Matters

8. The development must operate in accordance with the recommendations of the CPTED report dated October 2022 prepared by Sarage George Consulting.

Reason: To comply with the requirements of Council's Crime Prevention Team.

9. The licensee shall be an active member of the Parramatta Liquor Accord. Active membership is defined as being a financial member and attending at least 75% of accord meetings annually.

Reason: To comply with the requirements of Council's Crime Prevention Team.

10. No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of or are in any way associated with; Bandidos, Black Uhlans, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Pheonix, Rebels, Hells Angels, Scorpions, Notorious) or a declared organisation as defined in the Crimes (Criminal Organisations Control) Act 2012, be allowed entry into, or be permitted to remain on the licensed premises.

Reason: To comply with the requirements of Council's Crime Prevention Team.

11. The CCTV system operated by the development must comply with Australian Standard AS/NZS 62676.1.1-2020. Cameras should cover the external vicinity of each entrance and exit to a radius of at least 10 metres and should provide a recording sufficient to identify persons. The systems should record at a minimum of 720p at a rate of 25 frames per second during operational hours and 10 frames per second outside operating hours. Images should be retained for a minimum of 30 days before deletion and available to NSW Police, or to the City of Parramatta Council upon written request.

Reason: To comply with the requirements of Council's Crime Prevention Team.

12. The CCTV system is to be registered with the NSW Police CCTV register at https://www.police.nsw.gov.au/online_services/register_my_business_cctv_details.

Reason: To comply with the requirements of Council's Crime Prevention Team.

13. The development must comply with the NSW Police guidelines for crime scene preservation.

Reason: To comply with the requirements of Council's Crime Prevention Team.

14. The Plan of Management is required to be amended to include the following:

- i. Provisions relating to operation after midnight;
- ii. Provisions relating to the operation of the night club including hours of operation, dress standards (if any), type of entertainment etc;;
- iii. Operation of the CCTV system including always having a trained staff member on site to provide footage if necessary. Provision should be made for having police able to review footage on site immediately if requested;
- iv. Part 8 relating to security should specify the ratio of patrons to security staff, particularly as it relates to the night club;
- v. Part 8, clause 17 (m) relating to removing persons from premises should indicate that the first point of call in dealing with patrons to be removed from premises is the police and that all such removals should be reported to the police and recorded in the incident register;
- vi. Provide guidance on dealing with noise complaints and how they are recorded;

The amended Plan of Management is to be provided to Council prior to the issue of the construction certificate.

Reason: To comply with the requirements of Council's Crime Prevention Team.

15. The venue must operate in accordance with the amended Plan of Management once approved by police and Council and that any breach of any clause of the Plan of Management is therefore a breach of the conditions of consent;

Reason: To comply with the requirements of Council's Crime Prevention Team.

16. Future reviews or amendments of the POM must only be done with the consent of the local Police Area Command.

Reason: To comply with the requirements of Council's Crime Prevention Team.

17. Any modifications to the Plan of Management must be notified to Community Crime Prevention Officer on behalf of City of Parramatta Council prior to any amendment being implemented.

Reason: To comply with the requirements of Council's Crime Prevention Team.

EFA0001 Requirement for Trade Waste Agreement

18. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

Reason: To ensure proper disposal of waste water.

EFA0002 Provide waste storage room on premises

19. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
- (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;

- (d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet.

Reason: To ensure provision of adequate waste storage arrangements.

EPA0031 Air handling system - cooling towers

20. The air handling system and cooling tower shall be designed, installed and maintained in accordance with the requirements of the Public Health Act 2010 and Regulations. The cooling tower shall be designed and installed in accordance with Australian Standard AS3666.1:2011 Air-handling and water systems of buildings - Microbial control design, installation and commissioning and shall be maintained in accordance with Australian Standard AS3666.2:2011 Air-handling and water systems of buildings - Microbial control operation and maintenance.

All wastewater from the cooling tower/humidifier/evaporative cooler/warm water system shall be discharged to the sewer under a Trade Waste Agreement from Sydney Water.

Reason: To ensure the correct installation and operation of air handling systems.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

PB0030 Infrastructure & Restoration Adm. fee for all DAs

21. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.
The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

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

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

PB0053 Construct. Site Manage. Plan (DIEP Mandatory Cond)

22. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
- location and materials for protective fencing and hoardings to the perimeter on the site
 - provisions for public safety

- pedestrian and vehicular site access points and construction activity zones
- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

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

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

PB0055 Waste Management Plan (DIEP Mandatory Cond)

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

(a) Council's Waste Management Development Control Plan

OR

(b) Details the following:

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

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

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

EFB0001 Design of fit-out to comply with food safety stand

24. Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the construction certificate.

The fit-out of the food premises shall comply with:

- (a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- (b) Food Safety Standards
 - Standard 3.2.2 Food Safety Practices and General Requirements
 - Standard 3.2.3 Food Premises and Equipment
- (c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.
- (d) No approval is granted for any remote storage area.
- (e) The business being registered with City of Parramatta (retail) or NSW Food Authority (wholesale/retail meat/manufacturer).
- (f) Comply with the requirements of Sydney Water – Trade Waste Section (grease trap).

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

Note: Copies of AS4764-2004 may be obtained from Standards Australia. Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.

Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the above standards and sets out minimum requirements to achieve compliance.

Reason: To ensure design of the premises meets relevant public health standards.

LB0001 Planter Box Details

25. The proposed landscape documentation is required to be updated to include construction details showing substrate depth, drainage, waterproofing for ground floor and roof top planter boxes and is to form part of the application for a Construction Certificate.

Reason: To ensure the creation of functional gardens.

TB0001 #Car Parking Condition

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

TB0002 #Bicycle parking condition

27. 24 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

TB0003 #Parking Provision

28. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of 135 parking spaces is to be provided and be allocated as follows:

a) 135 parking spaces for staff and visitors.

Details are to be illustrated on plans submitted with the construction certificate application.

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

TB0006 #Motorcycle Parking Condition

29. One (1) motorcycle space is to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

PC0001 #Appointment of PCA

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

(a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and

(b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site

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

Reason: To ensure public safety.

PC0003 Site Sign

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

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

PC0005 Public liability insurance

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

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

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

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

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

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent

conducted above, below or on any public land owned or controlled by Council.

EFC0001 Food premises DA/CC plans to satisfy requirements

35. The design and construction of any food / beverage preparation facilities and waste storage areas associated with this activity shall satisfy the requirements of food safety standards prescribed under the Food Act 2003, as well as Australian Standard AS 4674 - 2004: 'Design, Construction and Fit-out of Food Premises'. Final design drawings for these areas are to be submitted to the principal certifying authority prior to commencement of work.

Reason: To ensure design of the premises meets relevant public health standards.

EWC0003 Waste management plan – demolition

36. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
- (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

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

TC0001 #Construction and Pedestrian Traffic Manage. Plan

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

- a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- c) The location of proposed Work Zones in the egress frontage roadways,
- d) Location of any proposed crane standing areas,
- e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- g) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible,

- h) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors,
- i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- j) Proposed construction hours,
- k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- l) Construction program that references peak construction activities and proposed construction 'Staging',
- m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- n) Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts,
- o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- p) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- q) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- r) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations,

The CPTMP is to include the provision of a sign on the hoarding that provides a phone number and email address for members of the local community to make enquires or complaints regarding traffic control for the site. The construction company for the site is to provide a representative for meetings that may occur once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

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

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

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

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

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

PD0001 Copy of development consent

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

Reason: To ensure compliance with this consent.

PD0003 Dust Control

39. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

PD0004 Materials on footpath

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

Reason: To ensure pedestrian access.

PD0006 Hours of work and noise (DPIE Mandatory Condition)

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

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

- **8am to 5pm on Saturday**

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

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

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

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

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

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

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

Reason: To protect the amenity of the surrounding area.

PD0007 Complaints register

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

- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

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

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

PD0008 Construction Noise (DPIE Mandatory Cond)

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

OR

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

Reason: To protect the amenity of the neighbourhood.

PD0010 Survey Report

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

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

Reason: To ensure buildings are sited and positioned in the approved location.

PD0020 Building Work Compliance BCA (DIEP Mandatory Cond)

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

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

PD0022 Uncover Relics/Aboriginal Obj(DPIE Mandatory Cond)

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

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:-
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

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

EWD0002 Asbestos handled& disposed of by licensed facility

47. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data file maintained

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

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

EWD0004 Hazardous/intractable waste disposed of in accor.

49. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:

- (a) Work Health and Safety Act 2011;
- (b) NSW Protection of the Environment Operations Act 1997 (NSW); and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines.

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

TD0001 Road Occupancy Permit

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

TD0002 Oversize vehicles using local roads

51. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Parramatta LGA.
Reason: To ensure maintenance of Council's assets.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

BE0001 Record of inspections carried out

52. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
- (a) The development application and Construction Certificate number as registered;
 - (b) The address of the property at which the inspection was carried out;
 - (c) The type of inspection;
 - (d) The date on which it was carried out;
 - (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
 - (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.
- Reason:** To comply with statutory requirements.

PE0001 Occupation Certificate

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

EAE0001 #All works/methods/procedures/control measures

54. Prior to the issue of an occupational certificate (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the

following report and subsequently required acoustic reports has been completed:

(a) Acoustic Report No. (ACD01*), dated (12/10/2022*), prepared by (ARUP*).

Reason: To demonstrate compliance with submitted reports.

EAENSC Non-standard - Prior to issue of Occ/Sub Cert.

55. The LA10* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) by more than 5dB between 7:00 am and 12:00 midnight at the boundary of any affected residence. The LA10* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz–8kHz inclusive) between 12:00 midnight and 7:00 am at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 7:00 am.

Reason- To protect the amenity of the area.

EFE0002 Notification of food business – Council

56. Prior to an Occupation Certificate being issued, Council must be notified that the premises is to be used for the preparation of food for sale so that the premises can be registered on Council's food premises licensing database.

Reason: Compliance with the requirements of the Food Act.

EFE0003 Certify mechanical ventilation installation

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

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

EFE0004 Certify fitout complies with food safety standards

58. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

Reason: To ensure construction and fit-out of the premises meets relevant public health standards.

EFE0005 Mechanical ventilation installations – optional

59. Prior to the use commencing, a multi-stage air filtration unit be incorporated in the mechanical exhaust ventilation system due to topography of the land, the prevailing weather conditions and the proximity of the structure in relation to other buildings adjacent to the site.
- (a) The design, construction and installation of all duct work to be in accordance with the requirements of Clause 7.5 of Australian Standard AS 1668.2-2012 (Fire and Smoke Control - Kitchen Hood Exhaust Systems).
 - (b) The design, manufacture and installation of exhaust hoods to be in accordance with the requirements of Appendix E of Australian Standard AS 1668.2- 2012 (Kitchen Exhaust Hoods).

The air filtration system is to retain a minimum of 90 per cent of total smoke and a minimum of 95 per cent of oil and fat discharged by the cooking process. In this regard, details of filtration data, including details of the efficiency of each stage of the filtration system and fan unit details are to be documented and kept on site.

The multi stage air filtration unit must be fitted with a self-actuating by-pass in the odour absorption filter stage and be provided with air filters, differential pressure gauges as well as electrical interlocks to prevent use of the system unless all filter stages are in place.

Reason: To control offensive emissions and ensure the protection of the environment.

EWE0006 Ventilation – waste storage rooms

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

Reason: To ensure compliance with BCA requirements.

LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)

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

Reason: To ensure restoration of environmental amenity.

PART F – OCCUPATION AND ONGOING USE

PFFNSC Non-standard - The Use of the Site

62. The Licensed premises must maintain a Plan of Management. The plan should be updated from time to time as required but only, with the agreement of Police.

A copy of the Plan of Management is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor and Gaming NSW inspector, or any other person authorised by the Independent Liquor and Gaming Authority.

Reason: To ensure compliance with the requirements provided by NSW Police.

63. Closed-circuit television system

- 1) The licensee must maintain a closed-circuit television (CCTV) system on the licensed premises ("the premises") in accordance with the following requirements:
 - (a) the system must record continuously from opening time until one hour after the premises is required to close (or, in the case of a premises that is not required to cease trading, continuously at all times),
 - (b) recordings must be in digital format and at a minimum of ten (20) frames per second, (
 - (c) any recorded image must specify the time and date of the recorded image,
 - (d) the system's cameras must cover the following areas:
 - (i) all entry and exit points to the premises,
 - (ii) The footpath immediately adjacent to the premises, and
 - (iii) all publicly accessible areas (other than toilets) within the premises.
- 2) The licensee must also:
 - (a) keep all recordings made by the CCTV system for at least 30 days,
 - (b) ensure that the CCTV system is accessible at all times the system is required to operate pursuant to clause 1(a), by at least one person able to access and fully operate the system, including downloading and producing recordings of CCTV footage, and
 - (c) provide any recordings made by the system to a police officer or Liquor and Gaming NSW inspector immediately of any request by the police officer or Liquor and Gaming NSW inspector to provide such recordings.

Reason: To ensure compliance with the requirements provided by NSW Police.

64. Incident register

- 1) The licensee must maintain a register, in which the licensee is to record the details of any of the following incidents and any action taken in response to any such incident:
 - (a) Any incident involving violence or anti-social behaviour occurring on the premises,

- (b) Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises,
 - (c) Any incident that results in a person being turned out of the premises under section 77 of the Act,
 - (d) Any incident that results in a patron of the premises requiring medical assistance.
- 2) The licensee must, if requested to do so by a police officer or Liquor & Gaming NSW inspector:
- (a) Make any such incident register immediately available for inspection by a police officer or Liquor & Gaming NSW inspector, and
 - (b) Allow a police officer or Liquor & Gaming NSW inspector to take copies of the register or to remove the register from the premises.
- 3) The licensee must ensure that the information recorded in the incident register under this condition is retained for at least 3 years from when the record was made.

Reason: To ensure compliance with the requirements provided by NSW Police.

65. After 10:00pm on every Friday and Saturday nights or any other night when live entertainment is being provided, a patron must not be permitted entry to the licensed area **unless** they have a valid photo ID scanned by a licensed security officer using the patron ID scanner. The scanning of each patron ID must: Be visible to the patron and only take place whilst the patron is present, Be recorded on CCTV, provided that personal information is scanned is not visible on the recording, Include a 'live' photograph of the patron, captured by the patron ID scanner prior to entry, Be undertaken by a class C licensed security guard, Only evidence of age documents, as defined by the Liquor Act 2007, are acceptable for the purposes of ID scanning, and must contain the following information relating to the patron: Name, Photograph, and Date of birth and/or address.

A person must be refused entry to the venue (as a patron) if they: Attempt to enter the venue without acceptable photo ID, Refuse to produce their photo ID for scanning, or Refuse to have a live photograph captured by patron ID scanner immediately prior to entry. In the instance that the ID scanner fails to operate, a Class C security guard is to be positioned at each entrance to the venue to supervise patrons entering the premises and to check identification documents.

Reason: To ensure compliance with the requirements provided by NSW Police.

66. The licensee must ensure that immediately after the licensee or a staff member becomes aware of any incident involving an act of violence causing an injury to a person on the premises, the following is adhered to:
- (a) The licensee and/or staff take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police, as published from time to time on the website of Liquor & Gaming NSW. Staff must report incidents and support police investigation's
 - (b) The licensee and/or staff make direct and personal contact with the Police Area Commander or his/her delegate and advise the Commander or delegate of the incident.
 - (c) The licensee and/or staff comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred. In this condition: "staff", in relation to subject premises, means any person employed by or acting on behalf of the licensee of the premises, and includes any person who is employed to carry on activities as a crowd controller or bouncer on or about the premises.

Reason: To ensure compliance with the requirements provided by NSW Police.

67. **Security –**

- (a) The Licensee must ensure that on Friday and Saturday nights, or when the venue has live entertainment: No less than ten (10) uniformed licensed security officers are to be employ at the premises from 10:00pm until thirty (30) minutes after closing or until the last patron has left the Hotel.
- (b) At least one (1) of those uniformed licensed security officers need to be positioned at the entry and exit of the venue.
- (c) At random and, at least, each hour from 12:00 midnight until the last patron has left the premises and the vicinity of the Hotel, one (1) licensed uniformed security officer is to patrol the vicinity of the Hotel to ensure that patrons do not loiter or linger in the area or cause nuisance or annoyance to the neighbourhood. Thirty (30) minutes prior to closure, two (2) licensed uniformed security officers are to continually patrol the vicinity of the Hotel to ensure that patrons do not loiter or linger in the area or cause nuisance or annoyance to the neighbourhood. Such patrols are to continue until the last patron has left the premises and vicinity of the Hotel. Whilst making these patrols security officers must request any person in the vicinity of the Hotel to leave the area in a quiet and orderly manner and to have regard to the quiet and good order of the area, if that action is considered necessary or appropriate. All such patrols are to be recorded in the security/incident register book. The licensee is to maintain an

informative security/incident register book that meets with Police standards.

Reason: To ensure compliance with the requirements provided by NSW Police.

68. An adequate queuing system for patrons must be implemented at the main entrance of the Hotel to ensure no obstruction is caused to pedestrian traffic and the entry and exit of patrons is performed in an orderly manner.

Reason: To ensure compliance with the requirements provided by NSW Police.

69. The licensee shall take reasonable steps to clear up bottles, cans, glass and other rubbish directly attributable to liquor products in the near vicinity of the licensed premises.

Reason: To ensure compliance with the requirements provided by NSW Police.

70. **Emergency Service Parking spot** – The licensed premises must have at minimum 1 x parking space within the boundary of the licensed premises available for emergency services vehicle.

Reason: To ensure compliance with the requirements provided by NSW Police.

71. **Lighting** – Adequate, uniform lighting should cover the entire external areas of the licensed premises with a major emphasis on lighting of the footpath and carpark area.

Reason: To ensure compliance with the requirements provided by NSW Police.

72. **Courtesy Bus** – The licensed premises must supply a courtesy bus that is made available to patrons of the licensed premises. The courtesy bus MUST be in good working condition and made available every Thursday, Friday and Saturday nights after 10pm until close.

Reason: To ensure compliance with the requirements provided by NSW Police.

PF0004 External Plant/Air-conditioning noise levels

73. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

PF0017 Goods not to be displayed outside premises

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

Reason: To ensure visual amenity.

PF0025 #Operating hours

75. The days and hours of operation are restricted to:

Day	Time
Monday	6am to 4am
Tuesday	6am to 4am
Wednesday	6am to 4am
Thursday	6am to 4am
Friday	6am to 4am
Saturday	6am to 4am
Sunday	6am to midnight
Public Holidays	6am to midnight

Figure 1: base trading hours

Note:

For a period of 12 months from the issue of the Occupation Certificate, the venue may operate under the following hours of operation on a trial basis:

Day	Time
Monday	5am to 5am
Tuesday	5am to 5am
Wednesday	5am to 5am
Thursday	5am to 5am
Friday	5am to 5am
Saturday	5am to 5am
Sunday	5am to midnight
Public Holidays	5am to midnight

Figure 2: extended trading hours.

Leading up to the cessation of the 12-month trial period, a s4.55 modification will be required to be lodged by the applicant to either extend the period or delete it. The modification application will be assessed against how the venue had operated during the trial period.

If a modification is not lodged, then the trial period will discontinue and the venue must operate in accordance with the base trading hours stipulated under Figure 1 above.

Reason: To minimise the impact on the amenity of the area.

PF0029 Shopfront appearance

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

Reason: To provide an appropriate streetscape appearance.

PF0049 Graffiti Management

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

Reason: To ensure the removal of graffiti.

PF0054 Release of Securities/Bonds (DIEP Mandatory Cond)

78. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with **City of Parramatta Fees and Charges Schedule 2022/2023**.

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

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

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

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

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

EAF0002 Patron noise control

79. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

Reason: To protect the amenity of the surrounding neighbourhood.

EAF0003 No live music

80. No live music or entertainment shall be provided within the premises.

Reason: To protect the amenity of the surround neighbourhood.

EAF0004 No 'offensive noise'

81. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

Reason: To reduce noise levels.

EAF0005 Noise from Customers

82. Security personnel licensed under the Security Industry Act 1997 shall be engaged by the licensee to patrol the area to ensure that patrons do not cause nuisance, or annoyance to the quiet and good order of the neighbourhood.

Reason: To protect the amenity of the area.

EAF0006 Neighbourhood Amenity near Licensed Premises

83. Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

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 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.

Reason: To prevent loss of amenity to the area.

EAF0007 Noise from mechanical equipment

84. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

EAF0008 Noise to street

85. There are to be no external speakers at the premises.

Reason: To prevent loss of amenity to the area.

EAF0009 Use of Premises

86. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of non-residential occupancy;
- (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Reason: To prevent loss of amenity to the area.

EAFNSC Non-standard - The Use of the Site

87. Physical noise mitigation and operational management measures are to be subject to a further detailed acoustical design assessment report, which is to be carried out by an appropriately qualified acoustic consultant prior to issue of the construction certificate and provided to Principal Certifying Authority and City of Parramatta Council.

The report must ensure that the use of the premises will not give rise to nuisance or offensive noise.

Reason: To protect the amenity of the surrounding area.

EFF0001 Food premises

88. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Authority Food Standards Code.

Reason: To ensure operation of the premises complies with the relevant legislation and standards.

EFF0003 Remove putrescible waste at sufficient frequency

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

Reason: To ensure provision of adequate waste disposal arrangements.

EFF0004 Use is not to cause air impurities

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

Reason: To prevent loss of amenity to the area.

EFF0008 Holding facilities for oils and liquids

91. Adequate holding facilities shall be constructed for the storage of new and waste oils and other bulk liquids in accordance with AS 1940–2017 'The storage and handling of flammable and combustible liquids' before commencement of use.

Reason: To ensure that waste liquids are correctly contained.

EFF0012 Management of waste storage facilities

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

Reason: To ensure the ongoing management of waste storage areas.

Date: 23 June 2023

Responsible Officer: Darren Wan