

CENTRAL SYDNEY PLANNING COMMITTEE

THURSDAY 7 JUNE 2001

Meeting No 253

MINUTES of the Meeting of the Central Sydney Planning Committee held in the Council Chamber, Sydney Town Hall, on Thursday 7 June 2001 commencing at 5.17pm.

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PRESENT

Ms Sue Holliday, Director-General of Department of Urban Affairs and Planning
(Chair)

Mr Neil Bird, Councillor Robert Ho, Mr Chris Johnson, Ms Antoinette le Marchant and Councillor Lucy Turnbull.

The Director City Development was also present.

ELECTION OF CHAIR

An apology was received from the Lord Mayor, Councillor Frank Sartor, who was unable to attend the meeting owing to an urgent commitment. An election for the position of Chair was held in accordance with Clause 14(1) of Schedule 1 of the City of Sydney Act 1988. Nominations for the position of Chair were called. One nomination was received and accepted by the candidate, as follows:

Ms Sue Holliday - nominated by Councillor Turnbull, seconded by Ms le Marchant.

Ms Holliday was declared elected and took the chair at 5.17pm.

ORDER OF BUSINESS (S002287):

Resolved:

That in accordance with Clause 12(2) of the Local Government (Meetings) Regulation 1999, the order of business be altered for the convenience of the public present, such that the agenda items be dealt with in the following order:

4. Section 82A Review of Determination of Development Application: Palisade Hotel, 35-37 Bettington Street, Millers Point
3. Stage 2 Development Application: World Square Site, 644-690 George Street, Sydney
5. Policy Matters and Referrals
6. Proposed Extension of Commonwealth Law Enforcement Building, 110 Goulburn Street, Sydney
7. Development Application: Scots Church, 42-44 Margaret Street, Sydney
1. Confirmation of Minutes
2. Matters Arising from the Minutes
8. New Development Application Lodgements and Delegated Items
9. General Business

ITEM 1. CONFIRMATION OF MINUTES (S010833)

Resolved on the motion of Councillor Turnbull, seconded by Mr Johnson -

That the Minutes of the Central Sydney Planning Committee of 17 May 2001 be taken as read and confirmed.

ITEM 2. MATTERS ARISING FROM THE MINUTES (S010833)

There were no matters arising from the Minutes of the Central Sydney Planning Committee held on 17 May 2001.

ITEM 3. STAGE 2 DEVELOPMENT APPLICATION: WORLD SQUARE SITE, 644-690 GEORGE STREET, SYDNEY (D2000/00570)

The following persons addressed the meeting of the Central Sydney Planning Committee on this matter -

Mr Ghee Soon Tan - World Square Pty Ltd

Ms Louise Sureda - City Plan Services

Resolved on the motion of Mr Bird, seconded by Councillor Turnbull -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 7 June 2001, in relation to the Stage 2 Development Application under the provisions of Section 80(4) of the Environmental Planning and Assessment Act 1979 (Development Application No. D2000/00570) made by Multiplex Constructions (NSW) Pty Ltd for the site at 644-690 George Street, Sydney (commonly known as World Square) for redevelopment of the site for a new commercial, retail and residential development, it be resolved that consent be granted subject to the following conditions:-

Schedule 1A

Approved Development, Contributions and Covenants

Note: Some conditions in Schedule A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

APPROVED DEVELOPMENT

- (1) Development must be in accordance with Development Application No. D2000/00570 dated 30 June 2000 and the Statement of Environmental Effects prepared by City Plan Services dated 16 February 2001 and the following drawings:

Drawings Number	Revision/Issue
ADA/Z0101 and ADA/Z1009	B
ADA/Z1010 and ADA/Z1011	C
ADA/Z1012 to ADA/Z1014	B
ADA/Z1017 and ADA/Z1018	A
ADA/Z1019 to ADA/Z1022	B
ADA/Z1023 to ADA/Z1025	C
ADA/Z1047	B
ADA/Z1058	B
ADA/Z1060	B
ADA/Z2001 to ADA/Z2003	C
ADA/Z2004	B
ADA/Z3001 to ADA/Z3004	B

all prepared by Crone Associates and dated 23 May 2001;

RDA/Z1001 to RDA/Z1008	A
RDA/Z1009 and RDA/Z1010	B
RDA/Z1011 to RDA/Z1016	A
RDA/P2001	B
RDA/P2002 and RDA/P2003	A
RDA/P2004	B
RDA/P3001	B

RDA/P3002 to RDA/P3009 A
 RDA/Z9001 A (as annotated)

all prepared by Crone Associates and Nation Fender Katsalidis and dated 23 May 2001;

RDA/P2103 and RDA/P2104 A dated 14 February 2001;
 RDA/P2105 to RDA/P2110 A dated 8 March 2001;
 RDA/Z0901 (Photomontage) A dated 8 March 2001;
 RDA/Z0902 (Photomontage) C dated 22 May 2001;
 RDA/Z0903 (Photomontage) B dated 22 May 2001;
 RDA/Z0904 (Photomontage) A dated 8 March 2001;
 RDA/Z0905 (Photomontage) A dated 8 March 2001;
 RDA/Z0906 (Photomontage) C dated 22 May 2001;

all prepared by Crone Associates and Nation Fender Katsalidis;

and as amended by the following conditions:

SURRENDER OF CONSENTS

- (2) The applicant shall surrender the existing consents given in:
- (a) Notice of Determination for Development Application D1996/00220 dated 27 May 1997, as amended;
 - (b) Notice of Determination for Development Application D1996/00729 dated 27 May 1997, as amended; and
 - (c) Notice of Determination for Development Application D1996/00741 dated 27 May 1997;

in accordance with the Environmental Planning and Assessment Amendment Regulation, prior to issue of a Construction Certificate for any part or stage of the development.

FLOOR SPACE

- (3) The following applies to floor space of the proposed development:-
- (a) The Floor Space Ratio of the proposal, together with all the completed and approved developments on the World Square site, must not exceed 13.4:1 calculated in accordance with the Central Sydney Local Environmental Plan 1993, as amended by Condition 4 of the World Square Masterplan development consent (Z1995/00811). For the purpose of the calculation of FSR, the Floor Space Area of the development, together with all the completed and approved developments on the World Square site, shall not exceed 258,562sqm.

- (b) In particular, the Floor Space Ratio of the proposal must not exceed 6.5:1 calculated in accordance with the Central Sydney Local Environmental Plan 1993, as amended by Condition 4 of the World Square Masterplan development consent (Z1995/00811). For the purpose of the calculation of FSR, the Floor Space Area of the development shall not exceed 126,091sqm.
- (c) A floor space reconciliation for all the completed and approved developments on the World Square site, prepared by a Registered Surveyor, shall be provided to Council certifying the total and component floor space areas (by use) on the World Square site utilising the above definition of floor space.
- (d) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, the above details shall be submitted to the satisfaction of Council.

BUILDING HEIGHT

- (4)
 - (a) The height of the building (as defined in the Dictionary in the Central Sydney Local Environmental Plan 1996) must not exceed RL 200.5 (AHD).
 - (b) Prior to issue of an Occupation Certificate under Environmental Planning and Assessment Act 1979, a Registered Surveyor shall provide certification of the height of the building, to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).
- (5) The height of the building must comply with the Central Sydney LEP 1996 Belmore Park Sun Access Plane.

CENTRAL PLAZA SPACE (LEVEL 10)

- (6) The Level 10 central plaza space shall be level, uninterrupted by structures within the space (except where approved by a separate Development Application) and penetrations/voids to the floor below.
- (7) Upon completion of construction of the development and prior to the issue of an Occupation Certificate, a documentary easement in gross is to be created over the public through-site links within the development referred to as George Lanes North and South, Liverpool Lanes East and West, and the two lanes to the south of the piazza connecting to Goulburn Street, and the Central Plaza Space area on Level 10, to the satisfaction of the Council. Such easement in gross is to be registered on Title of the development site, appurtenant to Council and in terms granting unrestricted public pedestrian use of the affected space, for the life of the development, is to be created in stratum defined by the fabric and structure of the extremities of the public

areas and is to be registered at the Office of Land and Property Information at no cost to Council.

- (8) In order to provide a clear demarcation of the "public" and "private/leasable" space within the Level 10 central plaza space, to ensure that the plaza is not "privatised" by future uses, and to assist in the determination of future Development Applications by tenants for the individual use and fitout of their tenancies, within the Level 10 central plaza space, only that part of the space within a 4m perimeter from the respective Level 10 shopfronts is permitted to be leased (refer annotation on drawing RDA/Z9001/A/01 prepared by Crone Associates/Nation Fender Katsalidis dated 23 May 2001; Attachment G of the Planning Report for the subject development).
- (9) A separate Development Application shall be submitted for the provision of landscaping, lighting, furniture, paving and the like to the Level 10 central plaza space prior to the issue of any Construction Certificate.
- (10) A Management Plan for the use, operation and maintenance of this space shall be submitted with the Development Application for Council's approval prior to issue of the Construction Certificate for the development.

ROOFING OF CENTRAL PLAZA SPACE

- (11) If it is found that the amenity of the Central Plaza Space is subject to unacceptable wind conditions, at the written direction of Council, the glazed enclosure of the entire space is to be completed, to the satisfaction of Council, within 12 months from the date of Council's notice.

SCREENING DEVICES

- (12) The screens to the Level 11 plant space shall be recessed and located adjacent to the main building façade. Details shall be submitted for the approval of the Director City Development prior to the issue of any Construction Certificate.
- (13) The proposed mesh screening to the Nation Fender Katsalidis designed north-west podium of the development by Meriton Apartments, and to the northern balconies of the Crone Associates designed residential tower of the subject development are not approved. An alternate screening device is to be developed in consultation with the CSPC Design Review Panel for the approval of the Director City Development.

STAINLESS STEEL GRADING

- (14) All stainless steel elements within the development, including the proposed screens and their fixings, shall be equal to or greater than 316 grade stainless steel.

APPROVED DESIGN

- (15) The approved design (including an element or detail of that design) or materials, finish or colours of the building must not be changed so as to affect the internal layout or external appearance of the building, without the approval of Council.
- (16) The design details of the proposed building facade including all external finishes and colours, including glazing, must be in accordance with the materials schedule and sample board, and specifications shown on sample boards:

20057/RDA SB1 prepared by Crone Associates/Nation Fender Katsalidis and dated 14 February 2001;

20057/RDA SB2 prepared by Crone Associates/Nation Fender Katsalidis and dated 8 March 2001; and

20057/RDA SB3 prepared by Crone Associates and dated 8 March 2001.

Note:

Any variation to these approved materials and finishes will require the submission of an application under the S96(2) Environmental Planning and Assessment Act 1979 to modify consent and approval thereto.

RESTRICTION ON RESIDENTIAL DEVELOPMENT

- (17) The following restriction applies to buildings approved for residential use:
- (a) The residential accommodation portion of the building (levels 24 to 59 inclusive) must be used as permanent residential accommodation only and not for the purpose of a hotel, motel, serviced apartments, private hotel, boarding house, tourist accommodation or the like, other than in accordance with the Central Sydney Local Environmental Plan 1996.
 - (b) All approved residential units in the building must be either owner occupied or occupied by a tenant with a residential lease under the Residential Tenancy Act 1987. A certificate signed by the owner or the body corporate (if the development is strata subdivided) or a solicitor (holding a current certificate to practice), must be forwarded to Council within 12 months of the completion of the development, and every 12 months thereafter, certifying that all units approved in the residential building are either owner occupied or are subject to residential leases under the Residential Tenancy Act 1987.
 - (c) A restrictive covenant is to be created pursuant to Section 88E of the Conveyancing Act, 1919, restricting any change of use of levels 24 to 59 from residential as defined in the Central Sydney Local Environmental Plan 1996. The covenant is to be executed prior to issue of a Construction Certificate under the Environmental Planning and

Assessment Act 1979 to the satisfaction of the certifying authority (Council or a private accredited certifier). All costs of the preparation and registration of all associated documentation is to be borne by the applicant.

SECTION 61 CONTRIBUTION

(18) A contribution under Section 61 of the City of Sydney Act 1988 shall be paid in accordance with the following:

(a) **Cash Contribution Required**

In accordance with the adopted “Central Sydney Contributions Plan 1997” a cash contribution must be paid to Council in accordance with this condition.

Payment shall be by bank cheque made payable to the City of Sydney.

(b) **Amount of Contribution**

The amount of the contribution will be equivalent to 1% of the development cost, at the Construction Certificate stage, as determined in accordance with the “Central Sydney Contributions Plan 1997”.

This amount payable shall be proportionally offset against the value of works and contributions already paid, as specified in Condition 1 (b), being \$1 million, of the World Square Masterplan development consent (Z1995/00811). Such a proportion offset shall be based on the floor space area of the Stage 2 Development Application compared to the overall floor space area approved in the Masterplan development consent.

For example, if the Stage 2 development application floor space area were to be 126,091sqm and a total development floor space area on the World Square site were to be 258,562sqm, then the Section 61 Contribution would be reduced by 48.8% of the \$1 million contribution under Condition 1(b) of the Masterplan development consent Z1995/00811 (ie. \$488,000). In the event that the development costs for the Stage 2 development application at the time of release of the Construction Certificate is \$202,989,000, then the consequent Section 61 Contribution is \$1,541,890 (ie. \$2,029,890 minus \$488,000).

(c) Certification of the calculation of the contribution in accordance with the “Central Sydney Contribution Plan 1997” shall be submitted for the approval of Council prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

If the Construction Certificate is to be issued by a private accredited certifier, they must seek Council’s endorsement of the calculation prior to the issue of the Construction Certificate.

The certification of the building costs must be prepared by a Registered Quantity Surveyor.

(d) Timing of Payment

The contribution must be paid prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

CONSISTENCY OF DRAWINGS

- (19) In the event that the approved plans incorporate inconsistencies of detail between the relevant plans and elevations, the details shown in the elevations shall take precedence.

DESIGN ARCHITECTS

- (20) The architects of the project as approved should not be changed without prior notice to Council.

INTERNAL PARTITIONS NOT TO ABUT WINDOW

- (21) Where internal partitions meet external walls they shall abut window mullions, columns or other such building elements and not glazing.

REPORT TO BE COMPLIED WITH

- (22) The development shall be in accordance with the recommendations of the report titled "Environmental Wind Conditions around the Proposed World Square Piazza, Sydney" prepared by Wind Engineering Services, the University of Sydney and dated February 2001.
- (23) The development shall be in accordance with the recommendations of the report titled "Energy Conservation - Brickfield Place on World Square" (Revision C) prepared by Norman Disney and Young and dated 13 February 2001.
- (24) The development shall be in accordance with the recommendations of the acoustic report titled "Brickfield Place on World Square - Stage 2 Development Application" prepared by RFA Acoustic Design Pty Ltd and dated 9 February 2001.
- (25) The development shall be in accordance with the recommendations of the reflectivity study titled "Brickfield Place and World Square Retail" prepared by Hyder Consulting Pty Ltd and dated 15 February 2001.

LOADING BAY

- (26) The existing loading dock must be maintained for use in connection with the proposed development.

EXTERNAL LIGHTING

- (27) Prior to the issue of a Construction Certificate, a Lighting Strategy must be submitted to and approved by the Director City Development. The Strategy must indicate the general parameters (eg. type, location, intensity and spread of lighting) of lighting for the entire development. All future development applications must comply with the approved Strategy.
- (28) A separate development application is required to be lodged for any proposed external floodlighting or illumination of the building. Such application shall be submitted and approved by Council prior to the installation of any external lighting.

NAMING RIGHTS FOR NEW DEVELOPMENTS

- (29) Any proposed naming of the development which intends to incorporate the name of a city street, park or place, is subject to the separate approval of Council. In this regard, this development consent does not extend to the use of the title "Brickfield Place on World Square" as "Brickfield Place" already exists in Liverpool Street.

REMOVAL OF GRAFFITI

- (30) The owner/manager of the site shall be responsible for the removal of all graffiti from the building within 48 hours of its application.

SEPARATE APPLICATION FOR SPECIFIC USES AND FITOUTS

- (31) A separate development application must be submitted at the appropriate time for the specific use and fitout of the retail and commercial office tenancies.

NO SPRUIKERS OR AMPLIFIED NOISE

- (32) No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's footpath adjoining the subject premise.

NOISE

- (33) The use of the premises must not give rise to any one or more of the following:
- (a) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.

- (b) An indoor sound pressure level in any place of different occupancy (and/or public place) greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 8.00 a.m. to 10.00 p.m. daily and 0dB above the L90 background between 10.00 p.m. and 8.00 a.m. the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this sub-clause does not apply to any such frequencies.
- (c) A sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055. "Acoustics - Description and Measurement of Environmental Noise".
- (d) An "offensive noise" as defined in the Protection of the Environment (Operations) Act 1997.
- (e) The emission into the surrounding environment of gases, vapours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health.
- (f) The method of measurement of vibration in (a) and sound levels in (b), (c) and (d) must be carried out in accordance with AS 2973 for vibration measurements. AS 1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

GLASS SHOP FRONT TO BE UNOBSCURED

- (34) The glass shop front must not be tinted, screened by blinds, curtains or the like or obscured.

ROLLER SHUTTERS

- (35) Any roller shutter proposed for the retail or public areas must be of an anodised or powder coated finish with polycarbonate infills allowing penetration of at least 50% of available light.

CARE OF BUILDING SURROUNDS

- (36) In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the building shall ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.

RECEPTACLES FOR CIGARETTE BUTTS

- (37) Provision must be made on the site, adjacent to the entrance/s to the building, for an adequate number of receptacles for the disposal of cigarette butts. Prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, the location and design of the receptacle/s must be approved by Council. The receptacle/s must:-

- (a) be located entirely on private property and must not be located on or over Council's footpath;
- (b) not obstruct any required means of egress or path of travel from the building required by the Building Code of Australia;
- (c) not obstruct any required access/egress path for people with disabilities;
- (d) be appropriately secured to the building;
- (e) the emptying and maintenance of the receptacle/s is the responsibility of the building owner/manager and will not be undertaken by Council; and
- (f) emptying of receptacle/s must be carried out on a daily basis.

WINDOW CLEANING

- (38) The owner/manager of the building shall ensure that all windows on the façade of the building are cleaned regularly and, in any event, not less than annually.

SIGNS

- (39) Prior to the issue of the Construction Certificate, a Signage Strategy must be submitted to and approved by the Director City Development. The Strategy must indicate the general parameters (eg. size, design, materials, illumination and location) for signage for the entire development. All future development applications for signage must comply with the approved Strategy.
- (40) A separate development application for any proposed signs which are either externally fitted or applied must be submitted for the approval of Council prior to the erection or display of any such signs.
- (41) Portable signs or goods for sale or display must not be placed on the footway or other public areas.

ELECTRONIC MODEL - BUILDINGS 'AS BUILT' AND UNDERGROUND UTILITIES AND SERVICES

- (42) Prior to the issue of a Certificate of Occupation under the Environmental Planning and Assessment Act 1979, an accurate 1:1 electronic model of the approved development must be submitted to Council for the electronic City Model.
 - (a) The data required to be submitted within the surveyed location shall include and identify:-
 - (i) buildings 'as built' above and below ground;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

- (iii) the property boundaries and the kerb lines adjacent to the site.
- (b) The data is to be submitted as a DXF file on physical media (floppy disc or CD). Preferably, all plans are to be referenced to the Integrated Survey Grid of NSW (ISG), Australian Map Grid (AMG) or Map Grid of Australia (MGA).
- (c) Within the DXF file each identified structure, feature, utility or service shall be distinguished by a combination of layering and/or symbology schema. The submitted plans shall be accompanied by a comma delimited text file, detailing the layering and/or symbology schema.
- (d) The electronic model shall be constructed in accordance with the City's electronic data protocol. The protocol provides specific details of the information required to be shown and is available at the One Stop Shop. Council's Manager, Spatial Information should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Note:

- (e) The submitted model/data must be amended to reflect any further approvals under section 96 of the Environmental Planning and Assessment Act 1979, that affect the location of any of the underground services or structures and/or external configuration of building above ground.

NO PARTICIPATION IN RESIDENT PERMIT PARKING SCHEME

- (43) Residents are not eligible to participate in the resident permit parking schemes.

Note:

This prohibition on participation in the resident permit parking scheme will be recorded on the Section 149 Certificate for this property under the Environmental Planning and Assessment Act 1979.

REQUIREMENTS OF THE SYDNEY REGIONAL DEVELOPMENT ADVISORY COMMITTEE

- (44) A Traffic Management Plan (TMP) during the construction period is needed and requires the concurrence of the Roads and Traffic Authority.
- (45) Car parking and service vehicle provision shall satisfy Council's Central Sydney LEP and DCP 1996.
- (46) The layout of the car parks and service vehicle parking area shall comply with Australian Standards AS 2890.1 - 1993 and AS 2890.2 - 1989. Residential parking areas should always remain segregated from 'other use' parking areas within the site for traffic management and security reasons.

- (47) Visitor spaces should be clearly designated and signposted within the residential parking areas.

PARKING AND TRAFFIC MANAGEMENT PLAN

- (48) An internal Parking and Traffic Management Plan (to supersede the approved Parking and Traffic Management Plan required by Condition 12 of the Notice of Determination for Development Application No. D2000/00563) shall be submitted for the whole of the World Square site. This Plan shall address the following matters:-
- (a) The orderly and efficient use of all car parking and vehicular facilities on the World Square site;
 - (b) Compliance with all conditions of the Master Plan approval for the premises (DA No. Z1995/00811) and subsequent condition of consent for the development applications for individual stages of relevance to parking and servicing;
 - (c) The impact of the change of use of the Masterplan Stage 4 (south west quadrant) and Stage 5 (north west quadrant) towers to residential, particularly the provision of appropriate service parking adjacent to the subject lift cores; and
 - (d) How remaining public car parking on the site is to be managed and effectively separated from all tenant and residential parking on the site.

The Parking and Traffic Management Plan required above is to be prepared by an appropriately qualified transport planner or traffic engineer and shall be submitted, prior to the release of any Construction Certificates applicable to this development consent (D2000/00570) for the approval of the Director City Development.

Note:

The above Plan, when approved by the Director City Development, is to supersede the approved Parking and Traffic Management Plan required under the Notice of Determination for Development Application No. D2000/00563 and that Plan shall apply unless superseded by a further Parking and Traffic Management Plan approved by the Director City Development.

VEHICULAR SPACES

- (49) The following car parking requirements apply:-
- (a) The approved vehicle spaces shall be allocated on the development site as follows:
 - (i) 374 residential spaces;
 - (ii) 143 business/commercial premises spaces;

- (iii) 64 retail spaces; and
- (iv) the equivalent of eight car parking spaces for motor cycle parking.
- (b) The equivalent of eight car parking spaces shall be provided for cycle racks or equivalent cycle storage area. A room containing a shower and change area must be provided close to the cycle racks.
- (c) One car wash bay with appropriate plumbing and drainage is to be provided on each basement level where there is residential parking.
- (d) 2% of the above car parking spaces are to be for people with mobility impairment, in accordance with AS 2890.1.
- (e) All spaces must be allocated and marked according to this requirement. If the development is to be strata subdivided, the carpark layout must respect the above allocation.

RESTRICTIONS ON USE OF CAR SPACES

(50) The following conditions apply to car parking:-

- (a) The on-site car parking spaces, exclusive of service and visitor car spaces, are not to be used by those other than an occupant, tenant or resident of the subject building. Any occupant, tenant, lessee or registered proprietor of the development site or part thereof shall not enter into an agreement to lease, license or transfer ownership of any car parking spaces to those other than an occupant, tenant, lessee or resident of a unit in the building.
- (b) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, a documentary Restrictive Covenant is to be registered on the Title of the development site pursuant to Section 88E of the Conveyancing Act 1919, to the effect of (a) above. The Covenant is to be created appurtenant to Council, at no cost to and to the satisfaction of Council.
- (c) Any future strata subdivision of the site is to include a Restriction on User pursuant to Section 39 of the Strata Titles (Freehold Development) Act, 1973, as amended, burdening all utility car parking allotments in the Strata Plan and/or an appropriate Restrictive Covenant pursuant to Section 88B of the Conveyancing Act 1919 burdening all car parking part - lots in the strata scheme.

Note:

The covenant/restriction will be noted on the Section 149 Certificates for all the units/building so burdened by this condition.

COMPLIANCE WITH CENTRAL SYDNEY DCP 1996 RESIDENTIAL APARTMENT STORAGE PROVISIONS

- (51) The proposed development shall comply with the residential apartment storage provisions in Section 6.1.22 and 6.1.23 of the Central Sydney DCP 1996.

PROVISION OF DIVIDING WALL TO RESIDENTIAL BALCONIES

- (52) An appropriately designed dividing wall, reflecting the adjoining apartment layout, shall be provided to the residential balconies.

NO APPROVAL FOR FIRE ENGINEERED SOLUTIONS

- (53) No fire engineered solution is approved as part of this Development Application. The acceptability of any fire engineered solution will need to be resolved to Council's satisfaction as part of the Construction Certificate proposal. In resolution of any such fire engineered solution, it is possible that this may result in amendments to the Development Application approved design, which may require submission and approval of a subsequent Section 96 application to modify the development consent.

GENERAL BUILDING CODE OF AUSTRALIA REQUIREMENTS

- (54) When buildings are united, the existing building must be brought into conformity with the current requirements of the Building Code of Australia which is applicable to the new building.
- (55) The proposed development and any united parts must comply with the relevant provisions of the Building Code of Australia.

FUTURE SUBDIVISION REQUIREMENTS

- (56) Any proposal to subdivide the site will require separate applications to Council to obtain development consent for the proposal and subsequent approval of the Plan of Subdivision and issue of a Subdivision Certificate in accordance with Part 4A of the Environmental Planning and Assessment Act 1979.
- (57) Any proposal to Strata subdivide part of the site is to be undertaken in accordance with the Strata Schemes (Part Strata) Amendment Act 1994. Separate applications are to be made to Council to obtain development consent to the stratum subdivision of the development and subsequent approval and endorsement of the Plan of Subdivision and issue of a Subdivision Certificate in accordance with Part 4A of the Environmental Planning and Assessment Act 1979. Any subsequent Strata Plan for the subdivision of a stratum lot will require approval and endorsement by Council or a private certifier and issue of a Strata Certificate in accordance with Section 37 of the Strata Schemes (Freehold Development) Act 1973.

WASTE MANAGEMENT

- (58) The development's waste management, storage and collection facilities are to be redesigned to the satisfaction of the Director City Development and in accordance with the Code for Waste Handling in Buildings 1994, to provide:
- (a) A separate garbage room to accommodate the waste generated by the residential component of the development, large enough to provide for the separation of putrescible from waste suitable for recycling and in a location adjacent to the domestic waste collection vehicle standing area within the loading dock.
 - (b) A complying garbage chute within the residential tower development with access thereto via separate transfer rooms on each level of the building capable of accommodating recycling receptacles and a chute access hopper.
 - (c) An approved putrescible waste compaction system within the basement level chute discharge room.
 - (d) Access to the residential garbage room for Council's 9.5 metre domestic waste collection vehicles via a level surface, remote from grades, ramps, steps etc. to facilitate the movement of all garbage receptacles and the collection of waste on a flat level surface.
 - (e) All areas within the development to be traversed by Council's domestic waste collection/compaction vehicles are to provide a minimum height clearance of 3.6 m and a 10.5 m external turning radius. The access ramp from the alignment of the public way is to provide a maximum grade of 1 in 8 without transitions or 1 in 6 with transitions of 1 in 15 for a distance of 4 metres at each end of the ramp.
 - (f) A separate garbage room(s) to accommodate the waste generated by the commercial and retail components of the development, large enough to provide for the separation of putrescible from waste suitable for recycling and in a location adjacent to the trade waste collection vehicle standing area within the loading dock.
- (59) A Building Waste Management Plan is to be submitted and approved by the Director City Development prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979 for construction of the development. Such plan must address compliance with the Waste Code and provide details of the following:
- (a) The location, design and construction of the garbage rooms, recycling rooms, bin washing areas and collection areas.
 - (b) The natural or mechanical ventilation of garbage rooms and service areas, in accordance with the Building Code of Australia and Australian Standard 1668.

- (c) The location and design of garbage chutes and compaction units required by the Code.
- (d) The proximity of waste handling facilities to commercial food areas or loading docks, with a view to avoiding cross contamination.
- (e) The design features incorporated in the building and procedures to be undertaken by building management to ensure waste separation and minimisation within individual units and offices, on each floor of the building and within the garbage storage, recycling and collection areas.

All requirements of the approved Building Waste Management Plan must be implemented during the construction of the development.

- (60) Upon completion of construction and prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act (Form 12) for the development or part thereof, compliance of all the building's waste facilities and requirements set out in the approved Building Waste Management Plan and in accordance with Council's Waste Code is to be verified by the Director Living City Services.

Schedule 1B

Conditions to be complied with prior to issue of Construction Certificate to the satisfaction of the Certifying Authority

PUBLIC ART

- (61) High quality art work shall be provided within the development in publicly accessible locations eg. near main entrances, lobbies and street frontages, in accordance with the Central Sydney DCP 1996 and the 'Public Art Policy'. Details of the art work must be submitted for the approval of Council prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

LANDSCAPING OF THE SITE

- (62) The site must be landscaped and maintained to the approval of Council. A detailed landscape plan, to scale, drawn by a landscape architect or approved landscape consultant, must be lodged and approved by Council prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. The plan must include:
 - (a) Location of existing and proposed structures on the site including existing trees (if applicable);
 - (b) Details of earthworks including mounding and retaining walls and planter boxes (if applicable);
 - (c) Location, numbers and type of plant species;

- (d) Details of planting procedure and maintenance;
- (e) Details of drainage and watering systems; and
- (f) Special attention must be paid to the treatment of landscaping above a slab.

PUBLIC DOMAIN PLAN FOR GOULBURN, PITT AND LIVERPOOL STREETS

(63) The following requirements apply:-

- (a) Three copies of a detailed Public Domain Plan shall be prepared by an architect, urban designer or landscape architect and shall be approved by Council (to be lodged with the Public Domain Officer at City Projects) prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. It is recommended that draft plans should be submitted for comment prior to formal submission for approval.
- (b) The Public Domain Plan shall be as follows:-
 - (i) Drawn at 1:100 scale.
 - (ii) Show the entire layout of flagstone paving where this paving is required.
 - (iii) Nominate the location, type and material of all existing and proposed public pavement elements including trees, paving, kerbs and gutters, pedestrian ramps, vehicle crossings, street furniture, utility poles, parking meters, pedestrian and traffic signals, service pits and stormwater pits.
 - (iv) Include a longitudinal section of the pavement showing existing and proposed levels at 10 metre intervals at the building alignment, the kerb and the gutter on a common datum line. This longitudinal section is to be drawn at 1:100 horizontal scale and 1:10 (exaggerated) vertical scale. This section is to ensure that any significant longitudinal gradient change, such as flattening for vehicle entries, occurs within the building line and not at the public pavement.
 - (v) Include 1:50 scale cross sections through pedestrian ramps and vehicle crossings.
 - (vi) Include specifications of the proposed works.
- (c) The Public Domain Plan shall comply with the specifications and details of the Central Sydney Paving Design Policy 1996 and Council's Specifications and the Central Sydney Street Tree Policy 1994.

- (d) The Public Domain Plan shall incorporate the standard specifications and detail of the Central Sydney Paving Design Policy 1996 and Council's Specifications adapted to suit the specific site requirements as advised by the Public Domain Officer and may include:-
- (i) Adjustment to paving grades to provide a maximum crossfall of 2.5% from building line to top of kerb.
 - (ii) Repaving in accordance with Central Sydney Paving Design Policy 1996 and Council's specifications. All granite paving (where applicable) is to be sealed in accordance with Council's specifications.
 - (iii) The relocation or provision of new vehicle crossovers and pedestrian ramps including the consequent relocation of existing service pits, traffic signals, kerb corner radii, signs, street furniture and street trees.
 - (iv) The retention of existing street trees and the provision of new street trees to comply with the Central Sydney Street Tree Policy 1994.
 - (v) The repair and where required the resetting of all stone kerbing to 150mm above the gutter height and the replacement of concrete kerbing with stone kerbing. Where adjustments require substantial kerb and gutter demolition, the carriageway shall be reconstructed to the centre line of the carriageway.
 - (vi) The retention and repair of any existing pavement lights.
 - (vii) The retention and repair of any existing serviceable stone gutters.
 - (viii) The realignment and level adjustment of service pit lids to correspond to new kerb ramps and paving. New service pit lids in flagstone paving to be infill type, with stone infill to match stone paving surrounds. New service pit lids in asphalt paving to be infill type, with cement mortar infill coloured to match adjoining asphalt.
 - (ix) The provision of smart pole(s), (to be provided at the applicants cost).
- (e) Random checks by Council officers may be made throughout the construction process to advise the contractor of non-complying elements. However, no parts of the work are to be considered approved until receipt of the City of Sydney letter of approval. The City of Sydney will require all non complying parts to be rectified prior to issue of this letter.

ELECTRICITY SUBSTATION

- (64) The owner must dedicate to Energy Australia, free of cost, an area of land adjoining the street alignment to enable an electricity substation to be established. The size and location of the substation is to be submitted for Council approval prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

PUBLIC TELEPHONES

- (65) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, the certifying authority must approve:
- (a) Details that two public telephones will be provided in the development free of cost, (similar to the Telstra Blue Phone), in consultation with the applicant's preferred provider.
 - (i) The telephones should be located at footpath level and two square metres should be allowed for each telephone.
 - (ii) At least one telephone should be accessible for use by persons with a disability, to be designed and installed in accordance with the requirements of AS 1428.2.
 - (b) The telephones must be available for public use during the normal opening hours of the building.

TOILETS AVAILABLE FOR USE BY THE PUBLIC

- (66) Provision shall be made for the inclusion of toilet facilities at ground floor level of the building. Such facilities shall be located adjacent to the entrance foyer or lift lobby and shall remain available for public use during the normal opening hours of the building. The facilities shall be signposted. Details of the location shall be approved by the Certifying Authority prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

MODELS

- (67) Prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, an accurate 1:500 scale model of the approved development must be submitted to Council for the City Model in Town Hall House; and
- (68) Prior to the issue of the Occupation Certificate under the Environmental Planning and Assessment Act 1979, an accurate 1:500 scale mode of the development as constructed must also be submitted to Council for placement in the City Model at the City Exhibition Space.

Note:

- (a) The models shall be constructed in accordance with the Model Specifications, available from the One Stop Shop. Council's model maker should be consulted prior to construction of the model for Town Hall House. The Manager City Exhibition Space should be consulted prior to the construction of the model for City Exhibition Space.
- (b) The models are to comply with all of the conditions of the Development Consent.
- (c) The models must be amended to reflect any further approvals under S96(2) of the Environmental Planning and Assessment Act 1979, that affect the external appearance of the building.

NOISE REDUCTION

- (69) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, an acoustic assessment report must be submitted to and approved by Council or the private accredited certifying authority addressing the requirements of the Central Sydney DCP 1996 Amendment No.5 Internal Residential Amenity. The approved drawings and specifications for construction are to be in accordance with the following:
- (a) The report shall indicate measures to preserve the amenity for residents/apartment users such that the repeatable L_{Aeq} (1 hour) level will not exceed the following levels:-
 - (i) In a naturally ventilated - windows closed condition:

a. Sleeping areas (night time only: 2200-0700)	35dB
b. Living areas (24 hours)	45dB
 - (ii) In a naturally ventilated - windows open condition, (ie windows open up to 5% of the floor area, or attenuated natural ventilation open to 5% of the floor area):

a. Sleeping areas (night time only: 2200-0700)	45dB
b. Living areas (24 hours)	55dB
 - (iii) Where a naturally ventilated - windows open conditions cannot be achieved, it is necessary to incorporate mechanical ventilation or air conditioning.
 - (iv) The following repeatable maximum L_{Aeq} (1 hour) levels shall not be exceeded when doors and windows are shut and mechanical ventilation or air conditioning is operating. These levels correspond to the combined measured level of external sources and the ventilation system operating normally:-

- | | | |
|----|---|------|
| a. | Sleeping areas (night time only: 2200-0700) | 38dB |
| b. | Living areas (24 hours) | 46dB |
- (b) In the preparation of the report:
- (i) The environmental noise monitoring at the site of the proposed development shall be undertaken for not less than 3 week days, or not less than 2 weeks where the site is affected by noise from part-time operations;
 - (ii) The repeatable maximum L_{Aeq} (1 hour) for the daytime period (07.00-22.00 hours) and for the night time period (22.00-07.00 hours) is to be identified, and
 - (iii) The L_{Aeq} (1 hour) noise levels within living rooms and bedrooms with windows and doors both open and closed shall be shown.
- (c) All residential buildings and serviced apartments are to be designed and constructed in accordance with the above criteria. The completed work must comply with the above conditions prior to issuing an Occupation Certificate (see condition in Schedule E of this consent).

SYDNEY WATER CERTIFICATE (NEW DEVELOPMENT)

(70)

- (a) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, written confirmation that you have obtained a Notice of Requirements under Part 6, Division 9 of the "Sydney Water Act 1994" must be submitted to the Certifying Authority (Council or a private accredited certifier).
- (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, a (Developer) Compliance Certificate under section 73 of the "Sydney Water Act 1994" must be submitted to the Principal Certifying Authority (Council or a private accredited certifier).
- (c) Note:
 - (i) Sydney Water may require you to construct works and/or pay developer charges, details of which will be provided in the Notice of Requirements. Early advice from Sydney Water will avoid problems in providing water and sewer services to your development and adverse impacts on building design and site layout.

- (ii) The approved plans will also need to be submitted to Sydney Water to determine whether the development will affect sewer and water mains, stormwater drains and/or easements. If the development complies with the requirements, the approved plans will be appropriately stamped by Sydney Water.
- (iii) Application must be made through an authorised Water Servicing Co-ordinator, for details see the Sydney Water web site www.sydneywater.com.au or telephone 132092.

ACCESS AND FACILITIES FOR PEOPLE WITH DISABILITIES

- (71) Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia and Council's Access Policy. Prior to issue of a Construction Certificate under Environmental Planning and Assessment Act 1979, a certificate certifying compliance with this condition OR a Compliance Certificate (Form 10 Environmental Planning and Assessment Act Regulation 1998) must be provided, and copy submitted to Council.

TELECOMMUNICATIONS PROVISIONS

- (72) The following requirements apply to telecommunication facilities in the building:-
- (a) Appropriate access and space within the plant area of the building shall be provided for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery.
 - (b) Appropriate ducting and cabling shall be provided for a minimum of three telecommunication carriers or other providers for telecommunication access and broad-band cabling to each apartment of the building.
 - (c) The details of (a) and (b) above shall be submitted for the approval of the certifying authority, prior to issue of a construction certificate for the building under the Environmental Planning and Assessment Act 1979.
- (73) A separate DA must be submitted at the appropriate time for any external receiving device proposed to be installed. For each form of transmitter, there shall be only one common receiving device installed on the subject development.

AWNINGS

- (74) The awning/canopy must comply with the "City of Sydney Awnings Policy 2000". Precise details shall be submitted to Council for its approval.

CAR PARK ENTRY FINISH

- (75) Car park roller doors shall be designed and constructed for quiet operation.

PAVING MATERIALS

- (76) The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 3661.1:1993 "Slip Resistance of Pedestrian Surfaces Part 1: Requirements", Appendices A and B.

PROVISIONS FOR PERSONS WITH A DISABILITY

- (77) The unit(s) designated for persons with disabilities shall be designed so as to allow for future fit out in accordance with AS 1428.1 - 1993 "Design for Access and Mobility".
- (78) Parking space(s) designed for persons with a disability must be available for use in conjunction with the unit(s) designated for persons with a disability. Such unit(s) shall be linked in any future strata subdivision of the building.

UNDER AWNING LIGHTING

- (79) The awning shall be provided with lighting to ensure pedestrian safety. Such lighting shall be at a minimum level of 10 lux in the horizontal and vertical plane.

Details of the lighting is to be submitted for the approval of Council prior to issue of the Construction Certificate under the Environmental Planning and Assessment Act 1979.

ACOUSTIC PRIVACY BETWEEN UNITS

- (80) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, an acoustic assessment report must be submitted to and approved by the Certifying Authority (Council or a private accredited certifying authority) addressing the requirements of the Central Sydney DCP 1996 Amendment No.5 Internal Residential Amenity. The approved drawings and specifications for construction are to be in accordance with the following:

- (a) In order to assist acoustic control of airborne noise between units:
- (i) A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates sole occupancy units or a sole occupancy unit from a plant room, stairway, public corridor, hallway or the like.
 - (ii) A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have an FSTC of not less than 55.
 - (iii) A floor separating sole occupancy units must not have a FSTC of less than 50.

- (b) In order to assist acoustic control of impact noise between units:
- (i) A floor shall have an Impact Isolation Class (IIC) of not less than 50 if it separates habitable rooms of sole occupancy units or a sole occupancy unit from a plant room, stairway, public corridor, hallway or the like.
 - (ii) A floor separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit shall have an FSTC of not less than 55.
 - (iii) Walls between sole-occupancy units shall comply with impact sound resistance standards specified in the BCA.
- (c) Council or the private Principal Certifying Authority must ensure that the completed work complies with the above conditions prior to issuing an Occupation Certificate (see condition in Schedule E of this consent).

FLOOR TO CEILING HEIGHT

- (81) Prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, the certifying authority (Council or a private accredited certifying authority) must ensure that all living rooms and bedrooms in sole occupancy units shall have a minimum floor to ceiling height of not less than 2.7 metres.

CAR PARK AND SERVICE VEHICLE LAYOUT

- (82)
- (a) The layout plan of the carpark is to be in accordance with Australian Standard AS 2890.1 - 1993 "Parking Facilities Part 1: Off Street Car Parking". All parking spaces are to be linemarked.
 - (b) The layout of the service vehicle areas is to comply with Australian Standard AS 2890.2 - 1989 "Off Street Parking Part 2 - Commercial Vehicles Facilities".
 - (c) The details shall be submitted to and approved by the certifying authority prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

- (83) Each pair of tandem parking spaces shall be assigned to the same tenant.

STORMWATER AND DRAINAGE

- (84) The following stormwater details shall be submitted:-

- (a) Details of the proposed stormwater disposal and drainage of the development are to be submitted for approval by Council prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to Council's underground drainage system will require the owner to enter into a deed of Agreement with Council and obtain registration on Title of a Positive Covenant prior to the commencement of any work within the public way, at no cost to Council.
- (c) The requirements of Sydney Water (currently the Urban Development Central East Group, Rockdale Regional Office) with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.

UTILITY SERVICES

(85) To ensure that utility authorities are advised of the development:-

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

ALIGNMENT LEVELS

(86) The following shall be submitted to Council:-

- (a) A separate application including footpath alignment levels must be submitted for approval for the design of the building.
- (b) Such application must be accompanied by a plan prepared by a Registered Surveyor showing the existing location, size and levels (AHD) of all service covers, trees, poles and street furniture, kerb, gutter and alignment levels at 10m cross/sections, alignment levels at proposed and existing vehicular and/or pedestrian entrances within the footway adjacent to and extending 20 metres past either side of the site.
- (c) These levels as approved by Council are then to be incorporated into the plans submitted with the Application for a Construction Certificate.

CERTIFICATION OF DESIGN FOR STORAGE AND HANDLING OF WASTE

(87) The following requirements apply to storage and waste handling:

- (a) The design of the building and the methods of storage and handling of waste and recyclable material must comply with Council's Code for Waste Handling in Buildings (adopted 17 October 1994). The Code requires the submission of a Waste Management Plan, except for minor partition work (Annexure "A" of the Code).
- (b) Certification of compliance with the design and constructional requirements of the Code, including the associated Waste Management Plans and with the Conditions of Development Application consent relating to waste, must be submitted to and approved by the Certifying Authority in the attached form W1 prior to issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979. Such Certification must be given by the Architect or other appropriately qualified person experienced in Waste Handling Design and Environmental Management.
- (c) The Certified Plans and Specifications must address compliance with the Waste Code including details of the following, where applicable:-
 - (i) The location, design and construction of the garbage room, recycling rooms, bin washing areas and collection areas.
 - (ii) The natural or mechanical ventilation, in accordance with the Building Code of Australia and Australian Standard 1668.
 - (iii) The location and design of any garbage chutes or compaction units required by Council's Code.
 - (iv) The proximity of waste handling facilities to commercial food areas or loading docks, with a view to avoiding cross contamination.

Note:

Certification will also be required on completion of the building, prior to issue of a Certificate.

SEPARATION OF WASTE

(88) The following provisions apply to recycling areas:

- (a) The building design must incorporate separate garbage rooms constructed in accordance with Council's Code, for the separation of commercial waste from residential waste, including recyclable materials.

- (b) The building must incorporate design features which will allow waste to be minimised and managed within each individual unit or office, on each floor of the building, and within the garbage/recycling storage and collection area.
- (c) The building design must allow easy access to the garbage and recycling areas by residents and tenants, but prevent their use by non-residents/tenants.

GARBAGE CHUTE REQUIRED

- (89) A complying garbage chute is required in the residential component of the development. A chute and compactor is required. Details shall be submitted with the Construction Certificate.

SANITARY FACILITIES

- (90) Sanitary and other facilities must be provided in accordance with the Building Code of Australia, Part F2.

CERTIFICATION TO VERIFY SUPPORT FOR NEW LOADS

- (91) Certification from a qualified practising structural engineer (NPER) or a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Act Regulation 1994) shall be submitted with the Construction Certificate Application. The certification must state that the existing structure is adequate to support the new loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia (Specification A1.3).

Schedule 1C

Conditions to be complied with prior to commencement of construction or demolition or work to the satisfaction of the Principal Certifying Authority

WASTE MANAGEMENT

- (92)
 - (a) A Waste Management Plan for the construction period of the proposed development must be submitted to the satisfaction of the Principal Certifying Authority before commencement of work on the site.
 - (b) Certification that the plan is in accordance with the Development Approval Conditions, Council's Code for Waste Handling in Buildings and the Waste Minimisation and Management Act 1995, must be submitted in the attached form W3 to the satisfaction of the Principal Certifying Authority. Such Certification must be submitted by the Architect or other appropriately qualified person experienced in Waste Handling Design and Environmental Management.

- (c) The Waste Management Plan must address demolition, excavation and construction of the premises, as applicable. The plan must describe procedures by which waste will be minimised, managed and recycled and must address the following issues:
- (i) Compliance with the requirements set out in Annexure (“A”) of the Code for Waste Handling in Buildings adopted by Council 17 October 1994.
 - (ii) Details of recycling and the removal of spoil and rubbish from the site in the course of demolition, excavation and construction operations including:
 - a. Type and quantities of material expected from demolition and excavation;
 - b. Name and address of transport company;
 - c. Address of proposed site of disposal;
 - d. Name/address of company/organisation accepting material;
 - e. Types and quantities of materials that are to be reused or recycled, on and off site and procedures involved;
 - f. Name of company/contractor undertaking on and off site reuse and recycling, and address of recycling outlet;
 - g. Material for disposal and justification of disposal.
 - h. If details of items (ii) to (vii) are not known at the time of preparation of the Waste Management Plan, the information must be supplied immediately after the letting of the contacts.
- (d) All requirements of Waste Management Plans must be implemented during the construction period of the development.

Note:

- (e) The Principal Certifying Authority must be notified of any proposed change in any of the above details throughout the course of construction.

DESIGN OF FOOD PREMISES

(93)

- (a) All parts of the premises to be used for or in connection with the delivery, storage, preparation or service of food or beverages must be designed, constructed and have facilities which comply with the National Code for the Construction and Fitout of Food Premises, the

Food Act 1989, and the Food (General) Regulation 1997. The premises must be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code.

- (b) Plans and specifications of the design, together with Certification of Design, must be submitted to the satisfaction of either:
 - (i) the Certifying Authority with the construction certificate application, ie.
 - a. *an Environmental Planning and Assessment Regulation 1994 Form 10 Compliance Certificate; or
 - b. *Certification in the form of Attachment F1 signed by an Architect or other persons appropriately qualified and experienced in the design, codes and legislative provisions for food premises, when the Certifying Authority is the Council,

OR

- (ii) the Principal Certifying Authority prior to the commencement of the work, ie.
 - a. *an Environmental Planning and Assessment Regulation 1994 Form 10 Compliance Certificate; or
 - b. *Certification in the form of Attachment F1 signed by an Architect or other persons appropriately qualified and experienced in the design, codes and legislative provisions for food premises, when the Principal Certifying Authority is the Council.

Note:

- (iii) Separate Certification is required for all new or altered Mechanical Ventilation systems, compliance with Councils Code for Waste Handling in Buildings and for major food areas, hotels, food courts and similar establishments.

CERTIFICATION OF MECHANICAL VENTILATION

(94) The details of any mechanical ventilation or air conditioning must be certified by a competent person to comply with Council's Ventilation Code, the Building Code of Australia and relevant Australian Standards, to the satisfaction of the Principal Certifying Authority prior to commencement of any mechanical services work.

- (a) To enable certification, the mechanical ventilation documentation prescribed below shall be submitted to the Principal Certifying Authority:

- (b) Certified plans (in duplicate), coloured so as to adequately distinguish the proposed alterations;
- (c) A general description of the project plus mechanical ventilation drawings and documentation in duplicate, coloured to show ductwork and equipment as set out below. (Where appropriate a schematic drawing should also be submitted);
 - (i) Supply Air Ducts, Shafts and Fans - Blue
 - (ii) Return Air Ducts, Shafts and Fans - Pink
 - (iii) Outside Air Ducts, Shafts, Intakes and Stair Pressurisation - Green
 - (iv) Exhaust Air Ducts, Shafts, Fans, Discharges and Smoke Spill - Orange
 - (v) Mixing Boxes and Conditions - Yellow
 - (vi) Fire Dampers and Electric Heaters - Red
- (d) Drawings which show, where applicable, the existing and proposed air intakes, air discharges and cooling towers and their relative position to each other, the boundaries of the site, openable windows, and adjoining buildings;
- (e) A Mechanical Ventilation Design Certificate pursuant to Section 93 of the Local Government Act 1993 in the form of Attachment M1, together with the Curriculum Vitae of the Design Engineer or other appropriate Certifier must be submitted to Principal Certifying Authority (PCA). A copy of the Certificate and a microfilm set of the certified drawings must be submitted to Council by the PCA;
- (f) Documentary evidence in support of requests for departure from the prescribed or deemed provisions of the Building Code of Australia or any other requirements.

STRUCTURAL CERTIFICATION

- (95) Prior to the commencement of work, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy of same submitted to Council:
 - (a) Structural Drawings prepared by an appropriately qualified practising Structural Engineer, corresponding with and attached to a Structural Certificate (see (b));
 - (b) Structural Certificate/s for Design, submitted in the form of Attachment S1A completed by the Project/Principal Engineer and S1B completed usually by the Architect, OR a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998), after the structural drawings have been checked and comply with:
 - (i) The relevant clauses of the Building Code of Australia (BCA);
 - (ii) The relevant conditions of Development Consent;

- (iii) The Architectural Plans incorporated with the Construction Certificate; and
 - (iv) The relevant Australian Standards listed in the BCA (Specifications A1.3);
 - (v) Any other relevant report/s or documents. Specify on form S1A.
- (c) Repeat (a) and (b) for any revision, or staged submission of structural drawings.
- (d) Notes:
- (i) An appropriately qualified practising structural engineer certifying by completing Attachment S1A must have:-
 - a. Appropriate tertiary qualifications in Civil or Structural Engineering; AND
 - b. Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - c. Evidence of relevant experience in the form of a CV/Resume;
 - d. Appropriate current professional indemnity insurance.
 - (ii) An appropriately qualified practising structural engineer certifying by issuing a Form 10 Compliance Certificate must have accreditation as a certifier for Structural Engineering issued by the Institution of Engineers Australia in accordance with the Environmental Planning and Assessment Act 1979.
 - (iii) An appropriately qualified person certifying by completing Attachment S1B must have a good working knowledge of the Building Code of Australia and Structural and Architectural drawing co-ordination.
 - (iv) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.
 - (v) Council reserves the right to randomly audit any structural documentation.

APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (96) A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect a hoarding or scaffolding in a public place and such application is to include:-

- (a) Architectural, construction and structural details of the design in accordance with the “Policy for the Design and Construction of Hoarding” (September 1997) and the “Guidelines for Temporary Protective Structures” (April 2001).
- (b) Structural certification prepared and signed by an appropriately qualified practising structural Engineer.
- (c) Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.

APPLICATION FOR A ROAD OPENING PERMIT AND SHORING

- (97) Prior to the commencement of any excavation work in a public way, or excavation on a building site where proposed work abuts the public way, a separate Road Opening Permit is to be obtained from City Care Unit of the City of Sydney. This is an application for approval under Section 138 of the Roads Act 1993.

Documents required with the application include:-

- (a) A plan and relevant sections showing scope of works, boundaries, utility services; levels of proposed excavation, and details of method of reinstating public way;
- (b) Evidence that public utility drawings have been inspected;
- (c) Evidence of a Public Liability Insurance Policy specifically indemnifying the City of Sydney;
- (d) A Security Deposit for reinstatement of public way.

The Road Opening Permit will be subject to conditions that must be complied with.

Application design and installation of Temporary and Permanent Shoring shall be in accordance with the “Guidelines for Temporary Protective Structures” (April 2001).

PEDESTRIAN AND TRAFFIC MANAGEMENT DURING CONSTRUCTION

- (98) A Pedestrian and Traffic Management Plan must be submitted to and approved by Council prior to commencement of demolition/excavation or construction on the site and must include details of:-
- (a) Proposed ingress and egress of vehicles to and from the construction site;
 - (b) Proposed protection of pedestrians adjacent to the site;

- (c) Proposed pedestrian management whilst vehicles are entering and leaving the site;
- (d) Proposed route of construction vehicles to and from the site; and
- (e) The Pedestrian and Traffic Management Plan shall be implemented during the construction period.

ENVIRONMENTAL PROTECTION DURING CONSTRUCTION

(99) The following environmental protection measures are required:-

- (a) Prior to the commencement of work, a Water and Sediment Control Statement must be submitted and approved by the Principal Certifying Authority.
- (b) Such statement must include:-
 - (i) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
 - (ii) The proposed method of discharge;
 - (iii) The procedures to be adopted for the prevention of run-off from the site onto the public way;
 - (iv) The procedures to be adopted for the prevention of loose material and litter from being blown onto the public way;
 - (v) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's "Erosion and Sediment Control Manual".
- (c) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's "Erosion and Sediment Control Manual" and the Department of Housing Manual "Managing Urban Stormwater - Soils and Construction (August 1998)".
- (d) The Water and Sediment Control Statement shall be implemented during the construction period.
- (e) Any seepage or rainwater collected on site during construction must not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.
- (f) The applicant must also comply with the "NSW Protection of the Environment Operations Act 1997", whereby it is an offence to pollute classified waters such as Sydney Harbour to which much of the City's street drainage is directly connected.

GEOTECHNICAL REPORT AND CERTIFICATION REQUIRED

(100) Prior to commencement of work for foundation, shoring or underpinning works, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy of same submitted to Council:

- (a) A geotechnical report which shall include the following information as appropriate:-
 - (i) Borehole/test pit logs or inspection records;
 - (ii) Field/laboratory test results;
 - (iii) General geotechnical description of site;
 - (iv) Recommended safe bearing values and likely settlements of foundation material;
 - (v) Recommendations for stability and protection of excavations;
 - (vi) Opinion on the effect of the new works on existing buildings and recommendations for any underpinning or other measures required to maintain stability;
 - (vii) Method of proving and assessing foundations underpinning and/or excavation stability in accordance with design.
- (b) An Inspection and Test Plan (ITP) that reflects the requirements of the geotechnical report, project drawings and specifications;
- (c) The completed Geotechnical Certificate for the Report and ITP, submitted in the form of Attachment G1 completed by the Project/Principal Geotechnical Engineer OR, a compliance certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998) after satisfying (a) and (b);
- (d) A Dilapidation Report of adjoining building/s that may be affected by the proposed excavation/construction work;

Notes:

- (e) An appropriately qualified practising geotechnical engineer certifying by completing Attachment G1 must have:-
 - (i) Appropriate tertiary qualifications in Civil or Geotechnical Engineering, AND
 - (ii) Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - (iii) Evidence of relevant experience in the form of a CV/Resume;

- (iv) Appropriate current professional indemnity insurance.
- (f) An appropriately qualified practising geotechnical engineer certifying by issuing a Form 10 Compliance Certificate must have accreditation as a certifier for Geotechnical Engineering issued by the Institution of Engineers Australia in accordance with the Environmental Planning and Assessment Act 1979.
- (g) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.
- (h) Council reserves the right to randomly audit any geotechnical documentation.

APPLICATION FOR BARRICADE PERMIT FOR ENCLOSURE OF A PUBLIC PLACE REQUIRED FOR CONSTRUCTION/BUILDING WORKS

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

Schedule 1D

Conditions to be complied with during construction

CONTROL OF VERMIN

(102) Measures for the eradication of vermin from the site during construction work shall be implemented prior to the commencement of any work to the satisfaction of the Principal Certifying Authority. All service ducts and cable entries to existing premises should be sealed prior to any demolition being carried out.

HOURS OF WORK AND NOISE

(103) The hours of construction and work on the development shall be as follows:

- (a) All work, including demolition, excavation and building work in connection with the proposed development must only be carried out between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Fridays, inclusive, and 7.00 a.m. and 5.00 p.m. on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with "The City of Sydney Code of Practice for Construction Hours/Noise 1992" and Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

- (c) Note: The "City of Sydney Code of Practice for Construction Hours/Noise 1992" allows extended working hours subject to the approval of an application in accordance with the Code and under Section 96(2) of the Environmental Planning and Assessment Act 1979.

SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

(104) A site notice(s) is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:-

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
- (d) The approved hours of work, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is to state that unauthorised entry to the site is not permitted.

USE OF APPLIANCE OF A HIGHLY INTRUSIVE NATURE

(105) This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile-drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the "City of Sydney Code of Practice for Construction Hours/Noise 1992" and Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites". A separate application for approval to use any of these appliances must be made to Council.

LOADING AND UNLOADING DURING CONSTRUCTION

(106) The following requirements apply:-

- (a) All loading and unloading associated with construction must be accommodated on site.
- (b) The structural design of the building shall be such as to permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

- (c) If it is not feasible for loading and unloading to take place on site, the provision of a Work Zone may be considered by Council. The applicant shall submit a proposal to the Sydney Traffic Committee stating the justification for not complying.
- (d) In addition to any approved Work Zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) If a Work Zone is warranted, such an application must be made to Council prior to commencement of work on the site. An approval for a Work Zone may be given for a specific period and certain hours of the days to reflect the particular need of the site for such facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

COSTS OF TRAFFIC MANAGEMENT MEASURES TO BE BORNE BY THE DEVELOPER

- (107) All costs of traffic management measures associated with the development shall be borne by the developer.

PROTECTION OF STREET TREES DURING CONSTRUCTION

- (108) All street trees shall be protected at all times during construction, in accordance with Council's Tree Preservation Order. Any tree on the footpath which is damaged or removed during construction shall be replaced, to the approval of Council and the Principal Certifying Authority.

CONSTRUCTION PROGRESS CERTIFICATION

- (109) For the duration of the construction process a Construction Progress Certificate in the form of Attachment P1 shall be provided to Council on a three monthly basis to the effect that the construction work, including architectural detail, is in accordance with the approved development application drawings and conditions of development consent and the approved Construction Certificate drawings and specifications.

USE OF MOBILE CRANES

- (110) Permits required for use of mobile cranes:-
 - (a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council, will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

- (b) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes shall not be delivered to the site prior to 7.30am without the prior approval of Council.

NO OBSTRUCTION OF PUBLIC WAY

- (111) The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of Notice by Council to stop all work on site.

CONTROL OF RUN-OFF DURING CONSTRUCTION

- (112) To comply with the Protection of the Environment (Operations) Act 1997 whereby it is an offence to pollute classified waters such as Sydney Harbour to which most of the City's street drainage is directly connected:-

- (a) concrete trucks, concrete pumps and their attachments, and trucks used for the disposal of spoil shall not be washed out on the public way;
- (b) any water collected from on-site washing down of concrete trucks, concrete pumps or their attachments and trucks used for the disposal of spoil shall not be pumped, directed or allowed to flow to the street stormwater system;
- (c) any seepage or rain water collected on site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council and evidence of approval is to be submitted to the Principal Certifying Authority prior to discharge into such system.

ACCESS DRIVEWAY TO BE CONSTRUCTED

- (113) Approved concrete driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

CONSTRUCTION VEHICLES TO BE COVERED

- (114) Vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material.

Note:

The Protection of the Environment Administration Act 1991, provides for the revocation of transporters' licences where drivers dump wastes illegally.

Schedule 1E

Conditions to be complied with prior to issue of Occupation Certificate and prior to commencement of use, to the satisfaction of the Principal Certifying Authority

OCCUPATION CERTIFICATE

- (115) An Occupation Certificate (form 12 under the Environmental Planning and Amendment Regulation 1998) must be obtained from the Principal Certifying Authority (PCA) (Council or a private accredited certifier) and a copy furnished to Council in accordance with Section 79L of the Environmental Planning and Assessment Amendment Regulation 1998 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building. A copy of the certificate shall be submitted to Council if it was not the PCA.

ALL MATERIALS TO COMPLY WITH BCA

- (116) All materials used in the building shall comply with specification C1.10 of the Building Code of Australia.

WASTE MANAGEMENT CERTIFICATION OF COMPLETION

- (117) Certification of completion of waste handling works in accordance with the relevant Development Approval Conditions and Council's Code for Waste Handling in Buildings 1994, must be submitted in the form of Attachment W2 to the satisfaction of the Principal Certifying Authority (PCA), (Council or a private accredited certifier) prior to the issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979 or prior to use of the premises. A copy of the Certificate shall be submitted to Council if it was not the PCA.

Such Certification must be given by the Architect or other appropriated qualified person experienced in Waste Handling Design and Environmental Management.

WASTE COLLECTION CONTRACTS

- (118) Prior to issue of an Occupation Certificate and/or prior to commencement of the use the building owner must ensure that there is a contract either with Council or a licensed contractor for the removal of trade waste. No garbage is to be placed on the public way eg. Footpaths, roadways, plazas, and reserves at any time.
- (119) Prior to issue of an Occupation Certificate and/or commencement of the use of the premises, all required contracts or arrangements for the collection and removal of wastes and recyclable material must be finalised.

MECHANICAL VENTILATION COMPLETION AND PERFORMANCE CERTIFICATE TO BE SUBMITTED

(120) Prior to issue of an Occupation Certificate under Environmental Planning and Assessment Act 1979 and following the completion, installation, and testing of all the mechanical ventilation systems covered by the approval, a Mechanical Ventilation Certificate of Completion and Performance in the form of Attachment M2 must be submitted to the Principal Certifying Authority (PCA) (Council or a private accredited certifier). A copy of the Certificate and a microfilm set of the certified drawings must be submitted to Council if it was not the PCA.

Note:

Council reserves the right to randomly audit any mechanical ventilation documentation.

STRUCTURAL INSPECTION CERTIFICATE

(121) Prior to issue of an Occupation Certificate or use of the premises, a Structural Inspection Certificate in the form of Attachment S1C OR a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1998) must be submitted to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier) after:

- (a) The site has been periodically inspected and the structural certifier is satisfied that the Structural Works are deemed to comply with the final Design Drawings; and
- (b) The drawing revisions listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.
- (c) A copy of the Certificate with a microfilm set of the final drawings shall be submitted to Council if it was not the PCA.

Notes:

- (d) An appropriately qualified practising structural engineer certifying by completing Attachment S1C must have:-
 - (i) Appropriate tertiary qualifications in Civil or Structural Engineering, AND
 - (ii) Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - (iii) Evidence of relevant experience in the form of a CV/Resume;
 - (iv) Appropriate current professional indemnity insurance.

- (e) An appropriately qualified practising structural engineer certifying by issuing a Form 10 Compliance Certificate must have accreditation as a certifier for Structural Engineering issued by the Institution of Engineers Australia in accordance with the Environmental Planning and Assessment Act 1979.
- (f) Council reserves the right to randomly audit any structural documentation.

COMMEMORATIVE PLAQUE

(122) The following is required:

- (a) A commemorative plaque must be incorporated in the new building, in a prominent position at ground floor level at or near the main entrance to the building, to commemorate the major participants in the development. The details contained on the plaque are to include the names of the developer, architect, and consent authority and the year in which the building was completed.
- (b) The proposed location of the plaque and details of its proposed size, colour and materials, and text must be submitted for the approval of Council prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979.
- (c) The approved plaque must be installed prior to Occupation.

NUMBERING

(123) Prior to issue of an Occupation Certificate, street numbers and the building name shall be clearly displayed at either end of the ground level frontage in accordance with the "Policy on Numbering of Premises within the City of Sydney". If new street numbers or a change to street numbers are required, a separate application shall be made to Council.

(124) Prior to issue of an Occupation Certificate, shop numbers must be clearly displayed in accordance with the "Policy on Numbering of Premises within the City of Sydney".

STREET NAME PLATE

(125) Council's standard street name plate shall be affixed to all street frontages of the building, visible to both pedestrian and vehicular traffic. The signs shall be obtained and installed at no cost to Council. (Contact the Team Leader - Urban Domain, Service Planning Policy).

COMPLIANCE CERTIFICATE FOR ACOUSTIC PRIVACY

(126) Prior to issue of an Occupation Certificate, a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1994) must be submitted to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier). This must certify compliance with

the Acoustic Privacy conditions in Schedule B of this consent, being the requirements in Clauses 6.1.13 - 6.1.16 of the Central Sydney DCP 1996 Amendment No. 5 - Internal Residential Amenity. A copy of the Certificate shall be submitted to Council if it was not the PCA.

COMPLIANCE CERTIFICATE FOR NOISE REDUCTION

(127) Prior to issue of an Occupation Certificate, a Compliance Certificate (Form 10 of the Environmental Planning and Assessment Regulation 1994) must be submitted to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifying authority). This must certify compliance with the Noise Reduction conditions in Schedule B of this consent, being the requirements in the Central Sydney DCP 1996 Amendment No. 5 - Internal Residential Amenity. A copy of the Certificate shall be submitted to Council if it was not the PCA.

ALARM TO BE FITTED WITH TIMING DEVICE

(128) Any intruder alarm must be fitted with a timing device in accordance with the requirements of Clause 22 of the Noise Control (Miscellaneous Articles) Regulation 1995, and Australian Standard 2201.

NOISE AND VIBRATION NOT TO CAUSE NUISANCE

(129) Noise and vibration from the use of any plant, equipment and/or building service associated with the premises shall not cause a nuisance.

TEMPORARY STRUCTURES WITHIN THE PUBLIC WAY

(130) Any temporary structure, whether shoring, anchors or footings installed in the public way below pavement level shall be removed prior to completion of the project to a depth of two metres, and the void is to be backfilled with stabilised sand (14 parts sand to 1 part cement), in accordance with the requirements and to the satisfaction of Council and evidence of such is to be submitted to the Principal Certifying Authority (Council or a private accredited certifier) prior to issue of a Occupation Certificate.

HEATING/COOLING SYSTEMS TO COMPLY WITH PUBLIC HEALTH REQUIREMENTS

(131) All evaporative cooling warm water or water cooling systems installed on the premises must comply with the Public Health Act 1991 and Public Health Regulation 1991 and be registered by Council.

VENTILATION SYSTEMS TO COMPLY WITH PUBLIC HEALTH REQUIREMENTS

(132) The premises must be ventilated in accordance with the Building Code of Australia and Council's Ventilation Code.

REGISTRATION OF HEATING/COOLING SYSTEMS

(133) Prior to commencement of the use, the owner or occupier of the premises must apply to Council for the registration of water-cooling systems (cooling towers and evaporative condensers), evaporative cooling systems and warm-water systems which heat and deliver water at less than 60°C at each outlet installed on the premises.

USE OF OZONE DEPLETING SUBSTANCES

(134) Air conditioning or refrigeration systems which contain R11 or R12 or any other controlled substance as defined in the Ozone Protection Regulation 1997, must not be installed in the building. Air conditioning and refrigeration systems must use environmentally friendly refrigerants.

Schedule 2

The prescribed conditions in accordance with Clause 78 of the Environmental Planning and Assessment Regulation 1998 apply to this development.

Note - The Chair, Ms Holliday, wished to record the Central Sydney Planning Committee's appreciation of the co-operative and constructive participation of all parties involved in progressing this development application.

ITEM 4. SECTION 82A REVIEW OF DETERMINATION OF DEVELOPMENT APPLICATION: PALISADE HOTEL, 35-37 BETTINGTON STREET, MILLERS POINT (S82A NO: A15/01)

Resolved on the motion of Councillor Turnbull, seconded by Ms le Marchant -

That arising from consideration of a report by the Specialist Planner to the Central Sydney Planning Committee on 7 June 2001, in relation to the request for a section 82A review of Development Application D2000/00660 made by Palisade Properties for the site at 35-37 Bettington Street, Millers Point, to delete condition Nos 9, 43 and 56, it be resolved that the Central Sydney Planning Committee:-

- (A) receive and note the report, having regard to the fact that the CSPC does not have the power to determine the request under the provisions of the Environmental Planning and Assessment Act 1979; and
- (B) supports the conclusions cited in paragraphs 38, 39 and 40 of the subject report; and
- (C) advises the applicant that should an application be lodged under the provisions of section 96 of the Environmental Planning and Assessment Act 1979 to modify the consent in the same manner as requested in the review, it would be unlikely to receive support.

ITEM 5. POLICY MATTERS AND REFERRALS (S010833)

There were no policy matters or referrals for this meeting of the Central Sydney Planning Committee.

ITEM 6. PROPOSED EXTENSION OF COMMONWEALTH LAW ENFORCEMENT BUILDING, 110 GOULBURN STREET, SYDNEY

Note - Architectural plans were circulated to members prior to the meeting of the Central Sydney Planning Committee.

Mr Matthew Brindley, architect for the applicant, provided a presentation to the Central Sydney Planning Committee on this matter.

At the end of the presentation, the Chair (Ms Holliday) requested City of Sydney staff to bring forward a pre-development application commentary on the issues raised by the architects.

ITEM 7. DEVELOPMENT APPLICATION: SCOTS CHURCH, 42-44 MARGARET STREET, SYDNEY

Note - Architectural plans were circulated to members at the meeting of the Central Sydney Planning Committee.

The following persons provided a presentation to the Central Sydney Planning Committee on this matter -

Mr Greg Incoll - Incoll Management
Mr Tim Greer - Tonkin Zulaikha Greer
Mr Bob Buckingham - DEM Gillespies
Rev Adrian Van Ash - Scots Church Sydney

At the end of the presentation, the CSPC requested that an on-site inspection be arranged.

ITEM 8. NEW DEVELOPMENT APPLICATION LODGEMENTS AND DELEGATED ITEMS (S010833)

There were no new development application lodgements or delegated items at this meeting of the Central Sydney Planning Committee.

ITEM 9. GENERAL BUSINESS

There were no items of general business raised at the meeting of the Central Sydney Planning Committee on 7 June 2001.

The meeting concluded at 6.25pm.

CHAIRMAN

The next meeting of the Central Sydney Planning Committee is scheduled for 28 June 2001.