



CENTRAL SYDNEY PLANNING COMMITTEE

Meeting No 412
Thursday 14 May 2015
Notice Date 8 May 2015

minutes

city of villages

INDEX TO MINUTES

ITEM	PAGE NO
1. DISCLOSURES OF INTEREST	185
2. CONFIRMATION OF MINUTES	185
3. MATTERS ARISING FROM THE MINUTES.....	185
4. ELECTION OF DEPUTY CHAIRPERSON.....	186
5. SECTION 96(2) APPLICATION: 13-17 PYRMONT BRIDGE ROAD AND 96 PARRAMATTA ROAD AND 19-25 LYONS ROAD CAMPERDOWN	189
6. SECTION 96 APPLICATION: 301-303 BOTANY ROAD ZETLAND.....	187
7. DEVELOPMENT APPLICATION: 301-303 BOTANY ROAD ZETLAND	187
8. POST EXHIBITION - 904 BOURKE STREET ZETLAND - PLANNING PROPOSAL AND DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT.....	188

PRESENT

The Right Hon The Lord Mayor Councillor Clover Moore (Chair)

Members - Mr Daniel Keary (Alternate Member to Ms Carolyn McNally (Secretary, Department of Planning and Environment), Councillor Robert Kok, Councillor John Mant and Ms Darlene van der Breggen (Alternate Member to Mr Peter Poulet).

At the commencement of business at 5.00pm, those present were -

The Lord Mayor, Mr Keary, Councillor Kok, Councillor Mant and Ms van der Breggen.

The Manager Planning Assessment and Executive Manager Strategic Planning and Urban Design, representing the Director City Planning, Development and Transport, were also present.

Apologies

Ms Caroline McNally extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Mr Peter Poulet extended his apologies for his inability to attend the meeting of the Central Sydney Planning Committee.

Ms Gabrielle Trainor extended her apologies for her inability to attend the meeting of the Central Sydney Planning Committee.

Mr Michael Harrison (Alternate Member to Ms Trainor) extended his apologies for his inability to attend the meeting of the Central Sydney Planning Committee.

Moved by the Chair (the Lord Mayor), seconded by Councillor Mant -

That the apologies from Ms McNally, Mr Poulet, Ms Trainor and Mr Harrison be accepted and leave of absence from the meeting be granted.

Carried unanimously.

ITEM 1 DISCLOSURES OF INTEREST**(a) Section 451 of the Local Government Act 1993**

No Members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Central Sydney Planning Committee.

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Central Sydney Planning Committee.

ITEM 2 CONFIRMATION OF MINUTES

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok -

That the minutes of the meeting of the Central Sydney Planning Committee of 23 April 2015, as circulated to Members, be confirmed.

Carried unanimously.

ITEM 3 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes of the meeting of the Central Sydney Planning Committee of 23 April 2015.

ITEM 4 ELECTION OF DEPUTY CHAIRPERSON (S125138)

Moved by the Chair (the Lord Mayor), seconded by Councillor Mant -

It is resolved that:

- (A) the Central Sydney Planning Committee elect a member to be Deputy Chairperson;
- (B) the method of voting for the election be open, exhaustive voting; and
- (C) if necessary, the duration of the Deputy Chairperson's term of office be determined by resolution.

Carried unanimously.

Consequential to the intended resignation of Councillor John Mant as Deputy Chairperson, with effect from the conclusion of the meeting, an election for the position of Deputy Chairperson was then conducted. Mr Peter Poulet was nominated by the Chair (the Lord Mayor). The nomination was seconded by Councillor Mant. It was noted that Mr Poulet's consent in writing to such nomination had been received prior to the meeting.

Mr Poulet was declared elected unanimously to the position of Deputy Chairperson of the Central Sydney Planning Committee for the duration of Mr Poulet's term of office as a member, namely 30 September 2015 (with such appointment to be effective from the conclusion of the meeting).

ITEM 5 SECTION 96(2) APPLICATION: 13-17 PYRMONT BRIDGE ROAD AND 96 PARRAMATTA ROAD AND 19-25 LYONS ROAD CAMPERDOWN (D/2004/1758/F)

Following discussion, it was agreed that consideration of this matter be deferred to later in the meeting (see page 189).

**ITEM 6 SECTION 96 APPLICATION: 301-303 BOTANY ROAD ZETLAND
(D/2012/1056/A)**

Moved by Councillor Mant, seconded by the Chair (the Lord Mayor) -

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to determine Section 96 Modification Application No. D/2012/1056/A after Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013 is 'un-deferred' in relation to the subject site; and
- (B) if the Chief Executive Officer determines to approve the application, then consideration be given to granting approval subject to the modified conditions and any other relevant conditions, with modifications shown in ***bold italics*** (additions) and ~~*italics-strikethrough*~~ (deletions) contained in Schedule 1A and Schedule 2 of the subject report to the Central Sydney Planning Committee on 14 May 2015.

Carried unanimously.

**ITEM 7 DEVELOPMENT APPLICATION: 301-303 BOTANY ROAD ZETLAND
(D/2014/1758)**

Moved by Councillor Mant, seconded by the Chair (the Lord Mayor) -

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to determine Development Application No. D/2014/1758, after:
 - (1) Sydney Trains provides concurrence to the development; and
 - (2) Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013 is un-deferred in relation to the subject site; and
- (B) if the Chief Executive Officer determines to approve the application, then consideration be given to granting consent subject to the draft conditions and any other relevant conditions shown in Schedule 1A, Schedule 1B, Schedule 1C, Schedule 2 and Schedule 3 of the subject report to the Central Sydney Planning Committee on 14 May 2015.

Carried unanimously.

ITEM 8 POST EXHIBITION - 904 BOURKE STREET ZETLAND - PLANNING PROPOSAL AND DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT (S113327)

Moved by Councillor Mant, seconded by Mr Keary -

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition and public authority consultation of Planning Proposal: 904 Bourke Street, Zetland and draft Sydney Development Control Plan 2012 – 904 Bourke Street, Zetland Amendment, as shown at Attachment C to the subject report;
- (B) under section 39 (1) of the City of Sydney Act 1988, the Central Sydney Planning Committee approve Planning Proposal: 904 Bourke Street, Zetland as shown at Attachment A to the subject report, to be made as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 12 May 2015 that Council approve draft Sydney Development Control Plan 2012 – 904 Bourke Street, Zetland Amendment, as shown at Attachment B to the subject report, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan; and
- (D) authority be delegated to the Chief Executive Officer to amend the Planning Proposal to correct any minor errors or omissions.

Carried unanimously.

ITEM 5 SECTION 96(2) APPLICATION: 13-17 PYRMONT BRIDGE ROAD AND 96 PARRAMATTA ROAD AND 19-25 LYONS ROAD CAMPERDOWN (D/2004/1758/F)

Note - This matter had been deferred from an earlier stage of the meeting (see page 186).

The following persons addressed the meeting of the Central Sydney Planning Committee on this matter - Ms Hilary Steel, Mr Robert Stark, Mr Clayton Brown and Mr Mark Mezrani.

Moved by Councillor Mant, seconded by Ms van der Breggen -

It is resolved that consent be granted to Section 96(2) Application No. D/2004/1758/F, and the conditions of D/2004/1758 be modified, as follows, with additions shown in ***bold italics*** and deletions shown in ~~***bold italics strikethrough***~~:

CONDITIONS OF CONSENT

PART A

Conditions to be satisfied prior to consent operating

The consent is not to operate until the following conditions are satisfied, ~~within 12-24 months of the date of this determination~~ which must be by no later than 30 June 2008 2010:

(Amended 13 April 2006)

(Amended 21 February 2007)

(Amended 26 February 2008)

DEED OF AGREEMENT

- (1) In exchange for the bonus floor space ratio over the "Eastern Block" (being Lot 1 in DP 78200, Lot B in DP 402925, Lot 4 in DP 12282, Lots 13 and 14 in DP 456892, Lots 1 and 2 in DP 204547, Lots 1, 2, 3, and 6 Section 2 in DP 658, Lot 1 in DP 455637 and Lots 2 and 3 in DP 455640), the applicant and the Council of the City of Sydney shall enter into a Deed of Agreement.
- (2) This Deed of Agreement shall provide for the site referred to as the "Western Block" (being the land comprised in Lot 1 in DP 511678, Lots 24, 25, 26 in DP 85436, Lots 1 to 5 in DP 456790 and Lots 13 and 14 in DP 111196) being transferred into the registered ownership of the Council of the City of Sydney in Fee Simple. The transfer of ownership is on the understanding that the site area of the Western Block is to be included in the aggregate site area used for the calculation of the gross floor area of the development on the Eastern Block, as defined in the South Sydney Local Environmental Plan 1998.
- (3) The transfer of ownership is to be at no cost to Council and conditional upon:
 - (a) vacant possession by the removal from the Western Block of all structures, including the hard stand bitumen surface, to Council's satisfaction; and

- (b) the full remediation of the Western Block (if necessary) in accordance with the provisions of State Environmental Planning Policy No. 55 (Remediation of Land) and the City of Sydney Contaminated Land DCP 2004; and
 - (c) landscaping of the Western Block as a basic (turf) standard surface.
- (4) This Deed of Agreement is to be to the satisfaction of the Chief Executive Officer and to be executed prior to the consent operating for the development under the Environmental Planning and Assessment Act 1979.
- (4a) The condition precedents in the Deed of Agreement as per Conditions 1 to 4 above must be satisfied prior to the consent becoming operational. These include:
 - (i) obtain written consent from the mortgagee of the Eastern and Western Blocks to enter into the Deed of Agreement; and
 - (ii) provision of a Bank Guarantee in the amount of \$750,000.

(Amended 21 February 2007)

DESIGN MODIFICATIONS

- (5) The design of the building shall be modified to enable access to the Lower Ground Floor garbage rooms by Council's waste collection/compaction vehicles via the vehicle entry/exit in Barr Street to facilitate an on-site domestic waste collection service for the residential component of the development or such other solution to the satisfaction of Council. Details of the design modifications are to be submitted for the approval of the Director City Planning, Development and Transport prior to the consent operating for the development.

(Condition satisfied 27 June 2006)

PART B

Conditions of Consent (once the consent is in operation)

Upon compliance with the conditions contained in Part A, the consent will become operative subject to the following conditions, as may be amended by such other conditions that may arise as a result of compliance with conditions/information required in Part A.

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.

Note 2: Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

APPROVED DEVELOPMENT

- (1) Development must be in accordance with Development Application No. D/04/01758 dated 24 December 2004 and Statement of Environmental Effects prepared by JBA Urban Planning Consultants Pty Ltd dated December 2004 and the following drawings ~~prepared by Marchese & Partners Architects:~~

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Drawing Date</i>
<i>DA 1.00 Revision B</i>	<i>Location Plan</i>	<i>29/11/04</i>
<i>DA 1.01 Revision A</i>	<i>Demolition Plan</i>	<i>29/11/04</i>
<i>DA 2.01 Revision A</i>	<i>Lower Basement Plan</i>	<i>29/11/04</i>
<i>DA 2.02 Revision A</i>	<i>Basement Plan</i>	<i>29/11/04</i>
<i>DA 2.03 Revision A</i>	<i>Lower Ground Floor Plan</i>	<i>29/11/04</i>
<i>DA 2.04 Revision A</i>	<i>Ground Floor Plan (level 1)</i>	<i>29/11/04</i>
<i>DA 2.05 Revision A</i>	<i>First Floor Plan (level 2)</i>	<i>29/11/04</i>
<i>DA 2.06 Revision A</i>	<i>Second Floor Plan (level 3)</i>	<i>29/11/04</i>
<i>DA 2.07 Revision A</i>	<i>Third Floor Plan (level 4)</i>	<i>29/11/04</i>
<i>DA 2.08 Revision A</i>	<i>Fourth Floor Plan (level 5)</i>	<i>29/11/04</i>
<i>DA 2.09 Revision A</i>	<i>Fifth Floor Plan (level 6)</i>	<i>29/11/04</i>
<i>DA 2.10 Revision A</i>	<i>Sixth Floor Plan (level 7)</i>	<i>29/11/04</i>
<i>DA 2.11 Revision A</i>	<i>Seventh Floor Plan (level 8)</i>	<i>29/11/04</i>
<i>DA 2.12 Revision A</i>	<i>Roof Plan</i>	<i>29/11/04</i>
<i>DA 3.00 Revision A</i>	<i>N + E Elevations</i>	<i>29/11/04</i>
<i>DA 3.01 Revision A</i>	<i>S + W Elevations</i>	<i>29/11/04</i>
<i>DA 3.02 Revision A</i>	<i>Section A-A</i>	<i>29/11/04</i>
<i>DA 3.03 Revision A</i>	<i>Internal South Elevation</i>	<i>29/11/04</i>
<i>DA 3.04 Revision A</i>	<i>Internal North Elevation</i>	<i>29/11/04</i>
<i>DA 4.00 Revision A</i>	<i>Shadow Diagram</i>	<i>29/11/04</i>
<i>DA 4.01 Revision A</i>	<i>Shadow Diagram</i>	<i>29/11/04</i>
<i>DA 4.02 Revision A</i>	<i>Unexcavated Ground Calculation</i>	<i>29/11/04</i>
<i>DA 4.03 Revision A</i>	<i>Open Landscape Area Calculation</i>	<i>29/11/04</i>
<i>DA 4.04 Revision A</i>	<i>Masterplan Envelope</i>	<i>29/11/04</i>

~~Except as amended by the following drawings prepared by Marchese and Partners Architects:~~

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Drawing Date</i>
DA 2.02 Revision C	Basement Plan	07/07/06
DA 2.03 Revision C	Lower Ground Floor	07/07/06
DA 2.04 Revision C	Ground Floor Plan (Level 1)	07/07/06
DA 2.05 Revision C	First Floor Plan (Level 2)	07/07/06
DA 2.06 Revision C	Second Floor Plan (Level 3)	07/07/06
DA 3.00 Revision C	North + East Elevation	07/07/06
DA 3.01 Revision C	South + West Elevation	07/07/06
DA 3.02 Revision C	Section AA	04/04/06
DA 3.03 Revision C	Internal South Elevation	07/07/06
DA 3.04 Revision C	Internal North Elevation	07/07/06
DA 4.02 Revision C	Unexcavated Ground Calculations	07/07/06
DA 4.03 Revision C	Open Landscape Area Calculations	07/07/06

~~(Amended 21 February 2007)~~

~~Except as amended by the following drawings prepared by Marchese and Partners Architects:~~

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Drawing Date</i>
DA 2.02 Revision D	Basement Plan	31/08/07
DA 2.03 Revision D	Lower Ground Floor	31/08/07
DA 2.04 Revision D	Ground Floor Plan (Level 1)	31/08/07
DA 2.05 Revision D	First Floor Plan (Level 2)	31/08/07
DA 2.06 Revision D	Second Floor Plan (Level 3)	31/08/07
DA 2.07 Revision D	Third Floor Plan (Level 4)	31/08/07
DA 2.08 Revision D	Fourth Floor Plan (Level 5)	31/08/07
DA 2.09 Revision D	Fifth Floor Plan (Level 6)	31/08/07
DA 2.10 Revision D	Sixth Floor Plan (Level 7)	31/08/07
DA 2.11 Revision D	Seventh Floor Plan (Level 8)	31/08/07
DA 2.12 Revision D	Roof Terrace	31/08/07
DA 3.00 Revision D	North + East Elevation	31/08/07
DA 3.01 Revision D	South + West Elevations	31/08/07

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Drawing Date</i>
<i>DA 3.02 Revision D</i>	<i>Section AA</i>	<i>31/08/07</i>
<i>DA 3.03 Revision D</i>	<i>Internal South Elevation</i>	<i>31/08/07</i>
<i>DA 3.04 Revision D</i>	<i>Internal North Elevation</i>	<i>31/08/07</i>

~~And the following drawings prepared by 360~~

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Drawing Date</i>
<i>LP 01</i>	<i>Landscape Plan for Section 96</i>	<i>29/08/07</i>
<i>LP 02</i>	<i>Landscape Plan for Section 96</i>	<i>29/08/07</i>

~~(Amended 20 December 2007)~~

~~and as amended by the following conditions:~~

<i>Drawing Number</i>	<i>Drawing Title</i>	<i>Architect</i>	<i>Date</i>
<i>DA 1.00 Revision 4</i>	<i>Location Plan</i>	<i>A J + C</i>	<i>28/11/14</i>
<i>DA 1.01 Revision A</i>	<i>Demolition Plan</i>	<i>Marchese and Partners Architects</i>	<i>29/11/04</i>
<i>DA 2.02 Revision 7</i>	<i>Basement Plan</i>	<i>A J + C</i>	<i>28/11/14</i>
<i>DA 2.03 Revision 8</i>	<i>Lower Ground Floor Plan</i>	<i>A J + C</i>	<i>18/03/15</i>
<i>DA 2.04 Revision 8</i>	<i>Ground Floor Plan</i>	<i>A J + C</i>	<i>18/03/15</i>
<i>DA 2.05 Revision 8</i>	<i>First Floor Plan (Level 2)</i>	<i>A J + C</i>	<i>18/03/15</i>
<i>DA 2.06 Revision 9</i>	<i>Second Floor Plan (Level 3)</i>	<i>A J + C</i>	<i>18/03/15</i>
<i>DA 2.07 Revision 9</i>	<i>Third Floor Plan (Level 4)</i>	<i>A J + C</i>	<i>18/03/15</i>

Drawing Number	Drawing Title	Architect	Date
DA 2.08 Revision 9	Fourth Floor Plan (Level 5)	A J + C	18/03/15
DA 2.09 Revision 9	Fifth Floor Plan (Level 6)	A J + C	18/03/15
DA 2.10 Revision 9	Sixth Floor Plan (Level 7)	A J + C	18/03/15
DA 2.11 Revision 7	Seventh Floor Plan (Level 8)	A J + C	18/03/15
DA 2.12 Revision 6	Roof Plan	A J + C	28/11/14
DA 3.00 Revision 7	North + East Elevation	A J + C	28/11/14
DA 3.01 Revision 7	South + West Elevation	A J + C	28/11/14
DA 3.02 Revision 3	Section AA	A J + C	28/11/14
DA 3.03 Revision 7	Sections BB, CC, DD, EE	A J + C	28/11/14
LP 01 Issue A	Landscape Plan for Section 96	360 Degrees	29/08/07
LP 02 Issue A	Landscape Plan for Section 96	360 Degrees	29/08/07

and as amended by the conditions of this consent.

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(Amended 14 May 2015)

EXTERNAL FACADE TREATMENT

(1A) The facade treatment of Buildings A and E (louvres and balcony slabs) shall be designed and constructed in accordance with the detailing in Plan SK1000, dated 30 March 2015, and prepared by A J + C.

(Amended 14 May 2015)

DESIGN MODIFICATION

- (1B) Access to the residential waste chute in Building E from the ground floor commercial tenancy must be deleted.**

(Amended 14 May 2015)

BICYCLE PARKING

- (1C) Bicycle parking shall be provided at the rate of 1 space per dwelling and 1 space per 10 dwellings for visitors, consistent with the provisions of Section 3.11.3 of the Sydney Development Control Plan 2012. Amended details are to be submitted to the Director City Planning, Development and Transport for approval prior to the issue of an amended Construction Certificate.**

(Amended 14 May 2015)

APPROVED DESIGN

- (2) 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.

FLOOR SPACE RATIO

- (3) The following applies to Floor Space Ratio:
- (a) The Floor Space Ratio of the proposal must not exceed ~~2.14:1~~ **2.22:1** calculated in accordance with the ~~South Sydney Local Environmental Plan 1998 and South Sydney Development Control Plan 1997~~ **Sydney Local Environmental Plan 2012**. For the purpose of the calculation of FSR, the site area of the development is 8,393sqm and the gross floor area is ~~17,980~~ **18,622sqm**.
 - (b) Prior to issue of an Occupation Certificate under the Environmental Planning and Assessment Act 1979, a Registered Surveyor shall provide certification of the total and component Floor Space Areas (by use) in the development, utilising the definitions under the ~~South Sydney Local Environmental Plan 1998 and South Sydney Development Control Plan 1997~~ **Sydney Local Environmental Plan 2012** applicable at the time of development consent to the satisfaction of the Principal Certifying Authority (PCA) (Council or a private accredited certifier).

(Amended 14 May 2015)

BUILDING HEIGHT

- (4)
- (a) The height of the buildings (as defined in the ~~South Sydney Development Control Plan 1997~~ **Sydney Local Environmental Plan 2012**) shall be in accordance with the approved drawings and must not exceed:-

		No. of storeys
Building A	RL 31.60 36.05	4 5 + Attic
Building B	RL 41.40 37.95	6 + Attic
Building C	RL 43.00 44.20	7
Building D	RL 48.10 49.30	8
Building E	RL 40.60 41.95	5 + Attic
Building F	RL 28.00	3
Building G	RL 28.50 29.40	3
Building H	RL 29.20 30.00	3
Building I	RL 31.20 31.75	3

- (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).

(Amended 21 February 2007)

(Amended 14 May 2015)

SEPARATE APPLICATION FOR SPECIFIC USE

- (5) A separate development application must be submitted at the appropriate time for the specific use of the commercial tenancy.

AWNINGS

- (6) In accordance with Council's standard requirements, any proposed awning over the public footway of Barr Street, Pyrmont Bridge Road and Parramatta Road is not to extend within 800mm of the kerbs in those streets.

PHOTOGRAPHIC ARCHIVAL DOCUMENTATION

- (7) Archival recording for deposit in the City of Sydney Archives must be carried out prior to the commencement of demolition works.
- (8) The form of recording is to be as follows:-
- (a) Photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s), photographed where appropriate, using a camera/lens capable of 'perspective correction', comprising:
- (i) 35mm colour slides, numbered and referenced to the site and building plans, and presented in archival quality storage sheets;

- (ii) 35mm or 120mm black and white film, numbered and referenced to the site and building plans, with negatives developed to archival standards, and one copy of a contact sheet printed on fibre-based paper to archival standards;
- (iii) A summary report of the photographic documentation, detailing;
 - a. the project description, method of documentation, and any limitations of the photographic record; and
 - b. photographic catalogue sheets, which are referenced to a site plan and floor plans no larger than A3, and indicating the location and direction of all photos (black and white prints and slides) taken.
- (iv) Written confirmation that the Council reserves the right to use the photographs for its own purposes and for genuine research purposes.

SALVAGE OF MATERIALS

- (9) During site works, appropriate measures are to be put in place for the recovery and recycling of usable materials removed as part of the development and their appropriate re-use or disposal. Where possible, early materials recovered from demolition are to be incorporated on site in a meaningful manner as part of the interpretation of the site.

INTERPRETATION STRATEGY

- (10) The interpretation of the site is to be carried out in accordance with the Interpretation Strategy prepared for the site by City Plan Heritage dated December 2004.
- (11) Prior to the issue of a construction certificate or commencement of demolition, whichever is the earliest, details of the naming strategy for the site in accordance with the Interpretation Strategy and a plan showing where the interpretation material is to be located on the site is to be submitted to the satisfaction of the Director of City Planning.
- (12) Prior to the issue of an occupation certificate full details of the design of interpretation strategy which is to incorporate the findings of the archaeological investigations, must be submitted to and approved by the Director of City Planning and then implemented to his satisfaction.

DEMOLITION/SITE RECTIFICATION

- (13) Demolition or excavation must not commence until a Construction Certificate has been issued under the Environmental Planning and Assessment Act 1979 for construction of the substantive building.

SOUTH SYDNEY SECTION 94 CONTRIBUTIONS PLAN 1998 AND SOUTH SYDNEY SECTION 94 CONTRIBUTIONS PLAN MULTI FUNCTION ADMINISTRATION CENTRE

Part A

- (14) As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, and South Sydney City Council Section 94 Contributions Plan 1998, and South Sydney Section 94 Contributions Plan Multi Function Administration Centre the following monetary contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount		
Open Space: LGA Works Programme	\$77,375.42	\$81,827.35	\$82,472
Open Space: New Parks	\$334,508.24	\$339,646.64	\$338,395.87
Accessibility and Transport	\$2,321.47	\$2,454.76	\$2,480.49
Management	\$5,201.00	\$5,237	\$5,190
Multi Function Admin Centre	\$118,242.08	\$124,893.60	\$125,964
Total	\$537,648.24	\$554,059.32	\$554,502.36

The above payments, with the exception of the land acquisition component of New Parks and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for land will be adjusted in accordance with the latest annual valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI}_2}{\text{CPI}_1}$$

where:

C is the original contribution amount as shown above;

CPI₂ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the time of payment; and

CPI₁ is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the date of calculation being - ~~March 2005~~ ~~December 2006~~ September 2007

The contribution shall be paid prior to the issue of a Construction Certificate under Environmental Planning and Assessment Act 1979. Payment shall be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney. (Personal or company cheques will not be accepted).

Please contact Council's Planning Support Coordinator on 9246 7728 prior to payment to confirm amount payable.

Note: No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and construction plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

(Amended 21 February 2007)

(Amended 20 December 2007)

(14A) As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act 1979, and South Sydney Section 94 Contributions Plan 1998, and South Sydney Section 94 Contributions Plan Multi Function Administration Centre, the following monetary contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount
Open Space: LGA Works Programme	\$14,795.77
Open Space: New Parks	\$52,113.54
Accessibility and Transport	\$444.65
Management	\$781.00
Multi Function Admin Centre	\$22,189.10
Total	\$90,324.06

The above payments will be adjusted to the relative change in the Consumer Price Index using the following formula.

$$\text{Contributions at Time of Payment} = C \times \frac{CPI_2}{CPI_1}$$

where:

C is the original contribution amount as shown above;

CPI2 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the time of payment; and

CPI1 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the date of calculation being – December 2014

The contribution shall be paid prior to the issue of a Construction Certificate under Environmental Planning and Assessment Act 1979. Payment shall be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney. (Personal or company cheques will not be accepted).

Please contact Council's Planning Support Coordinator on 9246 7728 prior to payment to confirm amount payable.

(Amended 14 May 2015)

Part B

- (15) Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits. To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Construction Certificate may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Unless otherwise agreed, security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

Note: Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will not be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

Copies of the Section 94 Contributions plan may be inspected at Council's offices.

PUBLIC DOMAIN

- (16) The public domain adjacent to the development site shall be upgraded in accordance with the City's requirements.

- (a) The submission of a Public Domain Plan is required. It shall incorporate the standard specifications and detail of the Central Sydney Paving Design Policy 1996, Council's Specifications, and Central Sydney Street Tree Policy 1994, adapted to suit the specific site requirements as advised by the Public Domain Section and may include:-

- (i) Adjustment to paving grades to provide a maximum cross-fall 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 a uniform grade of 150mm above the gutter grading and the replacement of concrete kerbing with stone kerbing. Where adjustments require substantial kerb and gutter demolition, the carriageway shall be reconstructed or resurfaced (as required) to the centre line of the carriageway or to sufficient distance from the kerb to achieve a uniform transition into the existing pavement profile.
- (vi) The retention and repair of any existing pavement lights.
- (vii) The retention and repair of any existing serviceable stone gutters to achieve a uniform kerb and gutter longitudinal grading free of vertical displacement of greater than 5mm between adjacent units.
- (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) Protection or replacement by the developer of all City assets to be retained as part of Public Domain works and recovery and return of any City assets where such removal has been approved.

The following requirements apply:

- (b) 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 Section) 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.
- (c) The Public Domain Plan shall be as follows:
 - (i) Drawn at 1:100 scale; 1:200 will be acceptable for larger sites of over 200m street frontage.

- (ii) Show the entire layout and pattern 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, (including city maps, notice boards, benches, bollards, bins, J C Decaux kiosks, APTs and phone booths), utility poles, parking meters, pedestrian and traffic signals, service pits, stormwater pits and signage (including street nameplates, historical, parking and traffic).
- (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. For larger sites of over 200m street frontage 1:200 horizontal scale and 1:20 (exaggerated) vertical scale is acceptable. 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.
- (d) 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 Certificate of Completion. The City of Sydney will require all non complying parts to be rectified prior to issue of this letter.
- (e) An "Application for Approval of Footpath Levels and Gradients" must be submitted at the City's One Stop Shop with the appropriate fee at the time of lodgement of the public domain proposal. The fee will be determined in accordance with the City of Sydney Schedule of Fees and Charges.

ANNUAL FIRE SAFETY STATEMENT

- (17) An annual Fire Safety Statement (form 15A under the Environmental Planning and Assessment Amendment Regulation 1998) must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which Council receives the initial Fire Safety Certificate.

NatHERS REPORT TO BE COMPLIED WITH

- (18) The development shall be in accordance with the recommendations contained in the NatHERS Report (Job No. 84270/00) prepared by Ove Arup and Partners Ltd dated December 2004 ***and as amended by the NatHERS Assessment prepared by ESD Synergy, dated 3 December 2014.***

(Amended 14 May 2015)

REPORTS TO BE COMPLIED WITH

- (19) The development shall be in accordance with the recommendations contained in the Wind Effects, Reflectivity and Solar Access Report (Report No. 242578-TRP-003597-02) prepared by Vipac Engineers and Scientists Ltd dated 17 December 2004.

ACOUSTIC REPORT TO BE COMPLIED WITH

- (20) The development shall be in accordance with the recommendations contained in the Acoustic Assessment Report (Report No. 242388-TRP-003609-02) prepared by Vipac Engineers and Scientists Ltd dated 20 December 2004 ***and as amended by the Acoustic Review prepared by Acouras Consultancy, dated 28 November 2014.***

(Amended 14 May 2015)

CONSISTENCY OF DRAWINGS

- (21) 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.

APPROVED DESIGN ROOF-TOP PLANT

- (22) All roof-top plant and associated equipment shall be located within the approved building envelope, which includes roof-top plant rooms, parapets and screening devices. In satisfying Building Code of Australia provisions relating to such services, should the plant exceed the approved building envelope, then further approval is required from the consent authority.

SUBMISSION OF ELECTRONIC MODELS PRIOR TO CONSTRUCTION CERTIFICATE AND PRIOR TO OCCUPATION CERTIFICATE

- (23) Prior to the issue of a Construction Certificate, an accurate 1:1 electronic model of the detailed construction stage drawings 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) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

- (iii) property boundaries and the kerb lines adjacent to the site.
 - (b) The data is to be submitted as a DGN, DWG or DXF file on physical media (floppy disc or CD). 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 DGN, DWG or 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 Design/Technical Support staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.
- (24) Prior to the issue of an Occupation Certificate, a second and updated "as built" 1:1 electronic model, in accordance with the above requirements, of the completed development must be submitted to Council for the electronic City Model.

Note: 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.

LANDSCAPING OF THE SITE

- (25) 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;

Special attention must be paid to the treatment of landscaping above a slab.

RESTRICTION ON CAR PARKING SPACES

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

- (a) The on-site car parking 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 an Occupation 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.

RESTRICTION ON RESIDENTIAL DEVELOPMENT

- (27) The building 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.

NO PARTICIPATION IN RESIDENT PERMIT PARKING SCHEME

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

ARCHAEOLOGICAL INVESTIGATION

(29)

- (a) Should any historical relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.
- (b) Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the National Parks and Wildlife Act 1974.

STRATA SUBDIVISION

- (30) Any proposal to Strata subdivide the building and site will require a separate application to obtain approval of the final Strata Plan and issue of the Strata Certificate by Council or an accredited certifier in accordance with Section 37 of the Strata Schemes (Freehold Development) Act 1973.
- (31) Any proposal to subdivide the site and development will require separate applications to Council to obtain Development Consent for the proposal and subsequent approval of the final Plan of Subdivision and endorsement of the Subdivision Certificate in accordance with Part 4A of the Environmental Planning and Assessment Act 1979.

DRIVEWAY CROSSING

- (32) A separate application is to be made to Council's Civil Engineering Services - Roads and Footways unit for the construction of the Concrete vehicle footway crossing in Barr Street and the removal of any existing redundant crossings and reinstatement of the standard footway formation where such crossings are no longer required.

SURVEY CERTIFICATE AT COMPLETION

- (33) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment.

SCHEDULE 1B**Conditions to be complied with prior to issue of Construction Certificate to the satisfaction of the Certifying Authority****PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

- (34) Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

RECEPTACLES FOR CIGARETTE BUTTS

- (35) 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.

ON-SITE CAR PARKING

(36)

- (a) The layout of the car parks and service vehicle parking area shall comply with Australian Standards AS 2890.1-2004 and AS 2890.2-2002.
- (b) The gradient of the first 6m section of the access ramp behind the building façade shall be 1 in 20 maximum.
- (c) Parking spaces including spaces for the disabled shall each be assigned to a particular tenant.
- (d) The 14 angled parking spaces at the northern end of the Basement parking floor, being effectively 5m in length, shall be used by small vehicles only.
- (e) All vehicles from the car park shall enter and leave the site in a forward direction.
- (f) A "STOP" sign shall be installed at the exit point to require exiting vehicles to stop at the building line.
- (g) All costs of traffic management measures associated with the development shall be borne by the developer.

GEOTECHNICAL REPORT AND CERTIFICATION

(37) Prior to commencement of any foundation or bulk excavation, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy submitted to Council (if it is not the Principal Certifying Authority):-

- (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 adjoining buildings and recommendations for any underpinning or other measures required to maintain stability; and
 - (vii) Method of proving and assessing foundations underpinning and/or excavation stability in accordance with design.
- (b) A Structural Engineer's Report/Letter stating to the effect that, based on the Geotechnical Report, the proposed excavation and construction work will not adversely affect the adjoining building/s.
 - (c) An Inspection and Test Plan (ITP) that reflects the requirements of the geotechnical report, project drawings and specifications.
 - (d) A 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 (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) after satisfying (a), (b) and (c) above.
 - (e) A Dilapidation Report of adjoining building/s that may be affected by the proposed excavation/construction;

Notes:

- (f) 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.
 - (g) An appropriately qualified practising geotechnical engineer certifying by issuing a 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.
- (38) Geotechnical inspections and testing must be in accordance with the ITP. A Geotechnical Inspection Certificate will be required prior to issue of the Occupation Certificate. Refer to Schedule E.

ELECTRICITY SUBSTATION

- (39) 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.

SYDNEY WATER CERTIFICATE (NEW DEVELOPMENT)

- (40) 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).
- (41) Prior to issue of a construction certificate, under the Environmental Planning and Assessment Act 1979, the approved development application plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whatever the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met and is to be submitted to the Principal Certifying Authority (Council or a private accredited certifier).
- (a) For Quick Check agent details please refer to "your business" section of Sydney Water's website at www.sydneywater.com.au then see Building and Renovating under the heading Building & Developing, or telephone 132 092.
 - (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:** Sydney Water may require you to construct works and/or pay developer charges, details of which will be provided in the "Notice of Requirements". Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to "your business" section of Sydney Water's website at www.sydneywater.com.au then the "e-developer" icon or telephone 132 092.
 - (d) 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.
 - (e) 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 132 092.

METAL FIXINGS FOR FAÇADE PANELS AND CURTAIN WALLS

- (42) Any metal fixings for facade panels or curtain walls to a building must be stainless steel (Grade 303) unless the element/component is designed principally as a flexural member as follows:-
- (a) The fixing shall be designed so that in the event of imminent corrosion failure, the deformation in the fixing/s should cause the panel to displace downward (and preferably outward at the bottom of the panel).
 - (b) The flexural member/component may then be Hot Dipped Galvanised Steel and designed so that the design life of the fixing is minimum 100 years, using:-
 - (i) Average Corrosion Rate of Hot Dipped Galvanised Coating to be 2 microns per year; and
 - (ii) The Average Corrosion Rate of mild steel in the facade environment taken to be 20 microns per year; and
 - (iii) The Pitting Rate of mild steel taken to be 10 times the Average Corrosion Rate; and
 - (iv) After the section has corroded full thickness at Pitting Corrosion Rate, the Average Corrosion Rate doubles.

NON-COMPLIANCE WITH DEEMED TO SATISFY PROVISIONS OF BCA

- (43) For areas not complying with the deemed to satisfy provisions of the BCA an alternate solution will be required to demonstrate compliance with the performance requirements stipulated in the BCA. Any alternative solution must be submitted and approved by the Certifying Authority prior to the issue of the construction certificate. The following information must be provided:-
- (a) Details of the performance requirements that the proposed alternative solution is intended to meet; and
 - (b) Details of the assessment methods used to establish compliance with those performance requirements.

TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS

- (44) For temporary shoring, a separate application must be lodged to Council under the provisions of Section 68 of the Local Government Act 1993.
- (45) For temporary ground anchors, new permanent basement wall/s or other ground retaining elements:-
- (a) Prior to issue of a Construction Certificate, the following documents shall be submitted satisfactory to the PCA and a copy to Council (if Council is not the PCA):-
 - (i) Dilapidation Report of adjoining buildings/structures.
 - (ii) Evidence that public utility services have been investigated.

- (iii) If adjoining a Public Way:-
 - a. Evidence of a \$10 million dollar Public Liability Insurance Policy specifically indemnifying the City of Sydney, valid for at least the duration of the project. The original document shall be submitted to Council.
 - b. Bank Guarantee in accordance with the City's Fees and Charges. The original document shall be submitted to Council.
- (b) Prior to commencement of work:-
 - (i) The location of utility services shall be fully surveyed and the relevant Public Utility Authority requirements complied with; and
 - (ii) The following documents shall be submitted satisfactory to the PCA and a copy to Council (if Council is not the PCA):-
 - a. Structural drawings and certification as prescribed elsewhere in this Schedule.
 - b. Geotechnical Report and certification as prescribed elsewhere in this Schedule.
- (c) Prior to issue of Occupation Certificate, the City's Development Engineer shall be notified on 9265 9105 when the Restoration of the Public Way is complete and in accordance with the following:-
 - (i) All ground anchors shall be de-stressed and isolated from the building prior to completion of the project.
 - (ii) The temporary structure, including foundation blocks, anchors and piers shall be removed above and below the public way, prior to completion of project, down to a depth of 2m.
 - (iii) All timber shall be removed.
 - (iv) The voids then backfilled with stabilised sand (14 parts sand to 1 part cement).
- (d) After satisfying (c) (i) to (iv), notification in writing by the contractor shall accordingly be submitted satisfactory to the PCA and a copy to Council (if Council is not the PCA).
- (e) All costs for any reinstatement of the public way made necessary because of an unstable, damaged or uneven surface to the public way shall be borne by the owner of the land for works approved under this consent.

STORMWATER AND DRAINAGE

- (46) 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 the City's underground drainage system will require the owner to enter into a Deed of Agreement with the City 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 the City.
- (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.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted at the City's One Stop Shop with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the City's drainage system. The fee will be determined in accordance with the City of Sydney Schedule of Fees and Charges.

UTILITY SERVICES

(47) 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

- (48) Prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979, footpath alignment levels for the building must be submitted to Council for approval. This submission shall 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.
- (49) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the Application for a Construction Certificate.

BUILDING WASTE MANAGEMENT PLAN

(50)

- (a) A Building Waste Management Plan is to be approved by the PCA prior to the issue of a Construction Certificate. The plan must comply with the Council's Draft Policy for Waste Minimisation in New Developments 2005. All requirements of the approved Building Waste Management Plan must be implemented during construction of the development.

UPON COMPLETION OF THE DEVELOPMENT

- (b) Prior to issue of an Occupation Certificate, certification of completion of waste handling works in accordance with the Building Waste Management Plan, other relevant development consent conditions and Council's Draft Policy for Waste Minimisation in New Developments 2005 must be submitted to the PCA.

WASTE SEPARATION

(51) The following provisions apply to recycling areas:-

- (a) ~~**The building design must incorporate a separate garbage room constructed in accordance with Council's Code, for the separation of waste and recyclable materials.**~~
- (b) The building must incorporate design features which will allow waste to be minimised and managed within each individual unit, 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, but prevent their use by non-residents.

(Amended 14 May 2015)

WASTE AND RECYCLING COLLECTION CONTRACT

- (52) 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.

NOISE REDUCTION

- (53) 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 LAeq (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 LAeq (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 LAeq (1 hour) for the daytime period (0700-2200 hours) and for the night time period (2200-0700 hours) is to be identified, and
 - (iii) The LAeq (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).

ACOUSTIC PRIVACY BETWEEN UNITS

- (54) 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 IIC 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

- (55) 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.

ACCESS FOR PEOPLE WITH DISABILITIES

- (56) 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 DCP 2004. 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 (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) must be provided, and copy submitted to Council.

PROVISION FOR LATER FITOUT FOR PERSONS WITH DISABILITY

- (57) The units 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" and details approved prior to issue of Construction Certificate.

PARKING SPACES FOR PERSONS WITH A DISABILITY

- (58) Parking spaces designed for persons with a disability must be available for use in conjunction with the units designated for persons with a disability. Such units shall be linked in any future strata subdivision of the building.

VENTILATION

- (59) That the units shall be ventilated in accordance with the requirements of the Building Code of Australia (If using deemed to satisfy provisions: AS1668, Parts 1 and 2).
- (60) That the mechanical exhaust discharge point shall be positioned to comply with Section 3.7 of Australian Standard 1668 Part 2 - 1991.

PAVING MATERIALS

- (61) 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.

INSTALLATION OF DUAL-FLUSH TOILETS

- (62) All toilets installed within the development shall be of water efficient dual-flush capacity with a minimum "AAA" rating. The details 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.

TELECOMMUNICATIONS PROVISIONS

- (63) 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.

INSTALLATION OF WATER EFFICIENT TAPS

- (64) All taps and shower heads installed shall be water efficient with a minimum “AAA” rating. The details shall be submitted for the approval of the certifying authority, prior to the issue of a construction certificate for the development under the Environmental Planning and Assessment Act 1979.

SUSTAINABLE TIMBERS

- (65) To lessen the damage to the environment in the construction of the building(s) only structural timbers from sustainable, recycled or reused sources shall be used. The type and source of timber to be used shall be submitted with the construction certificate and to Council.
- (66) The Principal certifying authority is to be satisfied on the basis of evidence submitted, that any new timber used is sourced from forests or plantations that are either:-
- (a) managed in accordance with laws, codes of practice or other sustainable management requirements of the country of origin, or
 - (b) part of an area approved for timber production under a Regional Forest Agreement, or
 - (c) managed to meet the requirements of a sustainable forest management standard or code e.g. Australian Forestry Standard (AS4708), Forest Stewardship Council, AS/NZS ISO 14001 or equivalent, or
 - (d) certified by an independent third party certifier as complying with a reputable sustainable forest management certification scheme.

SCHEDULE 1C**Conditions to be complied with prior to commencement of demolition or work or construction to the satisfaction of the Principal Certifying Authority****SITE AUDIT STATEMENT**

- (67) The site is to be remediated and validated in accordance with the report prepared by URS dated 3 June 2005 (43217251). Prior to the execution of works associated with the built form of the development (excluding building work directly related to the remediation) a Site Audit Statement is to be submitted to Council clearly indicating that the site is suitable for the proposed use. Conditions on the Site Audit Statement shall form part of this consent.
- (68) Any variations to the proposed Remediation Action Plan shall be approved in writing by the Accredited Site Auditor and Council prior to the commencement of such work.

CLASSIFICATION OF WASTE

- (69) Prior to the exportation of waste (including fill or soil) from the site, the material should be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste, advice should be sought from the EPA.

STRUCTURAL CERTIFICATION FOR DESIGN - MAJOR WORKS

- (70) 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 (if it was not the PCA):
- (a) Structural Drawings showing all new fully detailed structural elements, prepared by an appropriately qualified practising Structural Engineer, corresponding with and attached to a Structural Certificate (see (b));
 - (b) Structural Certificate/s for Design, of all new fully detailed structural elements and for checking any structural elements supporting the new work, submitted in the form of Attachment S1A completed by the Project/Principal Engineer and S1B completed usually by the Architect, OR a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979), 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 Attachment S1A.
 - (c) Repeat (a) and (b) for any revision, or staged submission of structural drawings.

Notes:

- (d) An appropriately qualified practising structural engineer certifying by completing Attachment S1A 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 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.
- (i) 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 so that all structural elements supporting the new work are fully certified by the project structural engineer.
 - (ii) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.

HAZMAT STUDY

- (71) A Hazardous Materials Assessment (HAZMAT) study shall be conducted prior to the demolition of the buildings on the site to confirm the presence of any asbestos building materials or any other hazardous substances.

DEMOLITION DETAILS

- (72) Prior to the commencement of demolition work, the details including plans and elevations showing distances of the subject building from the site boundaries, locations of common/party walls, and (where applicable) proposed method/s of facade retention must be submitted to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy sent to Council (if it is not the PCA).

DEMOLITION WORK METHOD STATEMENT

- (73) Prior to the commencement of demolition work a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy sent to Council (if it is not the PCA). A copy of the Statement must also be submitted to the WorkCover Authority.
- (74) The Statement must be in compliance with AS2601-1991 Demolition of Structures, the requirements of WorkCover Authority and conditions of the Development Approval, and must include provisions for:-
- (a) Enclosing and making the site safe, any temporary protective structures must comply with the Guidelines for Temporary Protective Structures (April 2001);
 - (b) Induction training for on-site personnel;

- (c) Inspection and removal of asbestos, and contamination and other hazardous materials;

- (d) Dust Control:-

Dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site.

- (e) Disconnection of Gas and Electrical Supply;

- (f) Fire Fighting:-

Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed.

- (g) Access and egress:-

No demolition activity shall cause damage to or adversely affect the safe access and egress of this building.

- (h) Waterproofing of any exposed surfaces of adjoining buildings;

- (i) Control of water pollution and leachate and cleaning of vehicles tyres:-

Proposals shall be in accordance with the Protection of the Environmental Operations Act 1997.

- (j) Working hours, in accordance with this Development Consent;

- (k) Confinement of demolished materials in transit;

- (l) Proposed truck routes, in accordance with this Development Consent;

- (m) Location and method of waste disposal and recycling in accordance with the Waste Minimisation and Management Act 1995.

- (75) The demolition by induced collapse, the use of explosives or on-site burning is not permitted.

OTHER DEMOLITION DETAILS

- (76) Prior to the commencement of demolition work, the following additional details are required to be submitted to the Principal Certifying Authority (PCA) (Council or a accredited certifier), and a copy submitted to Council if it's not the PCA:-

- (a) A Statement/Letter from an appropriately qualified Structural Engineer certifying concurrence with the structural provisions of the Demolition Work Method Statement and proposed work. If applicable, a Structural Report of the proposed building to be demolished must be attached.

- (b) A Letter nominating the person appropriately qualified as an Occupational Hygiene Consultant for inspecting the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to WorkCover Authority.
- (c) Dilapidation Report/s of adjoining buildings are to be submitted by an appropriately qualified Structural Engineer prior to commencement of demolition/excavation works, and at completion of demolition/excavation works.
- (d) A certified copy of the Public Liability Insurance indemnifying Council for \$10,000,000 against public prosecution for the duration of the demolition works.
- (e) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the WorkCover Authority.

EXCAVATION WORK METHOD STATEMENT

(77) Prior to commencement of site excavation works, an Excavation Work Method Statement prepared by an appropriately qualified person must be submitted to the satisfaction of the Principal Certifying Authority (PCA) (Council or an accredited certifier) and a copy submitted to Council (if it is not the PCA). The Statement must include:-

- (a) Name and address of the company/contractor undertaking excavation works;
- (b) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials (if applicable);
- (c) Name and address of the transport contractor, and location of the disposal site;
- (d) Type and quantity of material to be removed from site;
- (e) A Materials Handling Statement for the removal of refuse from the demolition site, in accordance with the provisions of the Waste Minimisation and Management Act 1995;
- (f) A Dust Control Method Statement for excavated sandstone or other excavation materials;
- (g) Procedures to be adopted for the prevention, of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment, and the proposed method of cleaning surrounding roadways from such deposits;
- (h) Measures to enclose the excavation site, including safety barriers, particularly if the excavation is greater than 1.5 metres deep. Plastic jersey kerb barriers are not permitted;
- (i) Any WorkCover Authority requirements.

Note:

- (i) A copy of all Reports/Statements referenced in the Work Method Statement must be appended to the Statement.
- (ii) The Principal Certifying Authority is to be notified of any proposed alteration of the above information during the course of demolition.
- (iii) On completion of removal of contaminated materials, a certificate shall be submitted to the PCA, and a copy provided to the Council (if it is not the PCA) testifying to the safe and proper disposal, and amount of all such material.

NOTIFICATION OF EXCAVATION OF EXCAVATION WORKS

- (78) The Principal Certifying Authority and Council's City Care Unit must be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

ARCHAEOLOGICAL MONITORING DURING EXCAVATION

- (79) Excavation of the site requires the works to be monitored by an archaeologist and any remains are to be suitably recorded. To this affect, the applicant must make application to the Heritage Office for an archaeological monitoring permit under Section 140 of the Heritage Act 1977.

WATER AND SEDIMENT CONTROL STATEMENT FOR DEMOLITION AND EXCAVATION

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

- (a) Prior to the commencement of demolition and/or excavation, a Demolition/Excavation Water and Sediment Control Statement must be submitted to and approved by the Principal Certifying Authority (Council or an accredited officer).
- (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 run-off from the site onto the public way.
- (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 Demolition/Excavation Water and Sediment Control Statement shall be implemented during the demolition and/or excavation period.
- (e) Any seepage or rainwater collected on site during work 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 Environmental 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.

WASTE MANAGEMENT DURING DEMOLITION AND EXCAVATION

- (81) A Waste Management Plan for the demolition and/or excavation of the proposed development must be submitted to the satisfaction of the Principal Certifying Authority (and a copy submitted to Council if it is not the PCA) before commencement of work on the site.
- (82) 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 an appropriately qualified person experienced in Waste Handling Design and Environmental Management.
- (83) The Waste Management Plan must address demolition and excavation, as applicable. The Plan must describe procedures by which waste will be minimised, managed and recycled and must address the following issues:-
 - (a) Compliance with the requirements set out in Annexure ("A") of the Code for Waste Handling in Buildings adopted by Council 17 October 1994.
 - (b) Details of recycling and the removal of spoil and rubbish from the site in the course of demolition and excavation operations including:-
 - (i) Type and quantities of material expected from demolition and excavation;
 - (ii) Name and address of transport company;
 - (iii) Address of proposed site of disposal;
 - (iv) Name/address of company/organisation accepting material;
 - (v) Types and quantities of materials that are to be reused or recycled, on and off site and procedures involved;
 - (vi) Name of company/contractor undertaking on and off site reuse and recycling, and address of recycling outlet;
 - (vii) Material for disposal and justification of disposal;

(viii) 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 contracts.

- (84) All requirements of Waste Management Plans must be implemented during the demolition and/or excavation period of the development.

Note:

The Principal Certifying Authority must be notified of any proposed change in any of the above details throughout the course of work.

PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN FOR DEMOLITION AND/OR EXCAVATION

- (85) A Pedestrian and Traffic Management Plan must be submitted to and approved by Council prior to commencement of demolition and/or excavation. It must include details of the:-
- (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.
 - (e) The Pedestrian and Traffic Management Plan shall be implemented during the demolition and/or excavation period.

PEDESTRIAN AND TRAFFIC MANAGEMENT DURING CONSTRUCTION

- (86) A Pedestrian and Traffic Management Plan must be submitted to and approved by Council prior to commencement of 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.

The Pedestrian and Traffic Management Plan shall be implemented during the construction period.

APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

- (87) 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.
- (d) Should the hoarding obstruct the operation of Council's CCTV Cameras, the applicant shall relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management Unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the applicant. Further information and a map of the CCTV cameras is available by contacting Council's CCTV Unit on 9265 9232.
- (e) Assessment of the impacts of construction and final design upon the City of Sydney's street furniture such as bus shelters, phone booths, bollards and litter bins. Street furniture must be accessible during construction for use and maintenance. Note: The cost of any removals, storage and relocation during construction, and reinstatement upon completion, must be borne by the applicant. The applicant must also seek permission from the telecommunications carrier (eg. Telstra) for the removal of any public payphones.

APPLICATION FOR A ROAD OPENING PERMIT

(88) A separate Road Opening Permit under Section 138 of the Roads Act 1993 shall be obtained from City Care Unit of the City of Sydney prior to the commencement of any:-

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

Documents required with the Road Opening Permit application include:-

- (c) A plan and relevant sections showing scope of works, boundaries, utility services, levels of proposed excavation, and details of method of reinstating public way;
- (d) Evidence that public utility drawings have been inspected;
- (e) Evidence of a \$10 million dollar Public Liability Insurance Policy specifically indemnifying the City of Sydney, valid for at least the duration of the project;
- (f) A Security Deposit for reinstatement of public way.

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

BARRICADE PERMIT

- (89) 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.

FOOTPATH DAMAGE BANK GUARANTEE

- (90) Prior to release of a temporary structure approval under Section 68 of the Local Government Act 1993 (Hoarding Approvals), the owner of the site must provide a bank guarantee for an amount to be assessed by Council, as security for any damage rectification for any footway adjacent to the development.

The following protective measures shall be provided under any hoarding on the public footway during construction of the development to the satisfaction of the Council:-

- (a) Plastic sheeting to cover the stone paving;
- (b) Minimum 12mm thick plywood on top of the plastic sheeting; and
- (c) These measures shall be maintained in a safe and tidy condition for the duration of construction.

USE OF MOBILE CRANES

- (91) 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.

ENVIRONMENTAL MANAGEMENT PLAN

(92) That prior to the commencement of demolition/construction activities an Environmental Management Plan (EMP) shall be developed and submitted to Council's Department of Health and Community Services for approval. The EMP shall provide a comprehensive and complete action and implementation plan to ensure that the anthropological and natural environment is not unacceptably impacted by the proposal. The EMP shall include but not be necessarily limited to the following measures:-

- (a) Measures to control noise emissions from the site;
- (b) Measures to suppress odours and dust emissions;
- (c) Selection of traffic routes to minimise residential noise intrusions;
- (d) Soil and sediment control measures;
- (e) Measures to identify hazardous and industrial wastes and the procedures for removal and disposal including asbestos;

CERTIFICATION OF MECHANICAL VENTILATION

(93) 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 (Council or an accredited certifier) prior to commencement of any mechanical services work.

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

- (a) Certified plans (in duplicate), coloured so as to adequately distinguish the proposed alterations;
- (b) 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

- (c) 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;
- (d) A Mechanical Ventilation Design Certificate pursuant to Section 93 of the Local Government Act 1993 in the form of Attachment M1, OR a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) 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;
- (e) Documentary evidence in support of requests for departure from the prescribed or deemed provisions of the Building Code of Australia or any other requirements.

DETAILS OF HEALTH ASPECTS

- (95) That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted and approved by Council or a certifying authority prior to the commencement of work:
 - (a) all proposed and required mechanical ventilation systems: STANDARD REQUIREMENT - Building Code of Australia. (If using deemed to satisfy provisions: AS1668, Parts 1 & 2);

SCHEDULE 1D

Conditions to be complied with during work on site to the satisfaction of the Principal Certifying Authority

HOURS OF WORK AND NOISE

- (96) The hours of construction and work on the development shall be:-
 - (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30 a.m. and 5.30 p.m. on Mondays to Fridays, inclusive, and 7.30 a.m. and 3.30 p.m. on Saturdays, with safety inspections being permitted at 7.00 a.m. on work days and no work must be carried out on Sundays or public holidays.
 - (b) The applicant must provide to Council a 24 hour per day telephone contact number and must ensure such number is continually attended by a person with authority over the building work during the construction period.

- (c) The approved hours of work and a 24 hour telephone number must be prominently displayed at all times on the building site and must be visible from a public street or a public place.
- (d) All work, including demolition, excavation and building work must comply with "The City of Sydney Building Sites Noise Code" and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

SITE NOTICE OF PROJECT'S DETAILS AND APPROVALS

- (97) 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 Principal Certifying Authority (PCA) including contact address and certification details, 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

- (98) 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.

DEMOLITION WORKS

- (99) All Demolition Work shall be carried out in a safe manner by trained personnel under the management of a licensed demolisher who is registered with the WorkCover Authority, in accordance with:-
- (a) The approved Demolition Work Method Statement;
 - (b) Australian Standard AS2601-1991- Demolition of Structures;
 - (c) Relevant Codes of Practice of the WorkCover Authority (NSW);

- (d) The Construction Safety Act 1912 and Demolitions Regulations;
- (e) The Occupational Health and Safety Act 1983; and
- (f) All other relevant Acts and Regulations.

(100) Demolished combustible materials shall not be stockpiled. Material must be removed regularly.

LOADING AND UNLOADING DURING CONSTRUCTION

(101) 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, during excavation, it is not feasible for loading and unloading to take place on site, the provision of a construction zone may be considered by Council.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) If a construction zone is warranted, such an application must be made to Council prior to commencement of work on the site. An approval for a construction zone may be given for a specific period and certain hours of the days to 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.

CONTROL OF RUN-OFF DURING CONSTRUCTION

(102) 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.

NO OBSTRUCTION OF THE PUBLIC WAY

- (103) 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.

CONSTRUCTION ACCESS DRIVEWAYS

- (104) 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 VEHICLE LOADS TO BE COVERED

- (105) 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.

CITY OF SYDNEY COMPLIANCE INSPECTIONS

- (106) The purpose of this condition is to ensure that the Council is given sufficient notice prior to the issuing of the Occupation Certificate to carry out inspections of soon to be completed buildings, where Council considers it necessary. In doing so, this ensures that the Council is able to provide an independent analysis of whether the building is constructed to a standard that complies with the BCA and in accordance with the development consent.
 - (a) The applicant and building owner are to note that it is an offence under S.109N of the Environmental Planning and Assessment Act 1979, to occupy or use a building in whole or in part, unless an Occupation Certificate has been issued in relation to the building or the part.
 - (b) A maximum penalty of 25 penalty units applies under the provisions of the Environmental Planning and Assessment Act 1979, for the contravention of the above requirements.
 - (c) Council officers may undertake random inspections from time to time during construction and toward the end of building works to ensure that buildings or part of buildings are not occupied without a partial or final Occupation Certificate, and to check compliance with conditions of development consent and the BCA.

- (d) In the event that a Principal Certifying Authority (PCA) other than Council is appointed, written notice shall be given to Council (whether by the developer, builder or other person relying on the development consent) on each of the following occasions:
 - (i) Within 7 days of installation of services, such as plumbing, mechanical ventilation and the like which penetrate fire rated walls and slabs (excluding basement areas); and
 - (ii) 7 days prior to the installation of false ceilings or cornices which abut fire rated walls and slabs; and
 - (iii) 14 days prior to the final inspection to be carried out by the PCA for the purpose of issuing an Occupation Certificate.
- (e) The PCA shall be advised in writing (whether by the developer, builder or other person relying on the development consent) of Council's requirements pursuant to paragraph (d).
- (f) This reserves time for Council or persons appointed by Council to conduct any random inspections Council may choose to do, prior to the issue of the Occupation Certificate, in order to ensure that buildings or part of buildings are not occupied without a partial or final occupation certificate, and to undertake random audits of certified works.

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

- (107) An Occupation Certificate (in accordance with Clause 155 of the Environmental Planning and Assessment Regulation 2000) 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.

VISITOR PARKING SPACES GROUPED TOGETHER

- (108) All visitor parking spaces shall be grouped together, and located at the most convenient location to the car parking entrance. All spaces shall be clearly marked visitor prior to the issue of an occupation certificate.

DISABLED CAR SPACES

- (109) All disabled car spaces shall be located to be proximate to lifts, as well as meeting the Australian Standards for accessible parking.

STRATA LOTS FOR CAR PARKING SPACES

- (110) The provision of separate strata lots for car parking spaces under Strata Schemes (Freehold Development) 1973 is not favoured, and can lead to inappropriate allocation and abuse. Any proposal for separate parking lots will only be considered by the City in exceptional circumstances, as part lots properly allocated to units should result in the rational and orderly allocation of parking spaces.

PARKING ON COMMON PROPERTY AREAS

- (111) No part of the common property is to be used for the parking or storage of vehicles or boats. The strata subdivision of the building is to include an appropriate documentary restriction pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction.

FIRE SAFETY CERTIFICATE

- (112) A Fire Safety Certificate (in accordance with Clause 174 of the Environmental Planning and Assessment Regulation 2000) must be furnished to the Principal Certifying Authority (PCA) (Council or a private accredited certifier) for all of the items listed in the Fire Safety Schedule forming part of this approval prior to any consent for occupancy/partial occupancy being granted. A copy of the Certificate must be submitted to Council if it was not the PCA.

CERTIFICATION FOR STRUCTURAL INSPECTIONS

- (113) 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 (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) 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.

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:

- (c) 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.
- (d) An appropriately qualified practising structural engineer certifying by issuing a 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.

CERTIFICATION OF GEOTECHNICAL INSPECTION

- (114) Prior to issue of an Occupation Certificate or use of the premises, a Geotechnical Inspection Certificate in the form of Attachment G2, or a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy submitted to Council, (if it was not the PCA).

Notes:

- (a) An appropriately qualified practising geotechnical engineer certifying by completing Attachment G2 and 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.
- (b) An appropriately qualified practising geotechnical engineer certifying by issuing a 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.

MECHANICAL VENTILATION PERFORMANCE CERTIFICATE

- (115) 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, OR a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) 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.

PERFORMANCE CERTIFICATES - VENTILATION

(116) That certificates of design compliance and system performance for the nominated components/aspects of the mechanical ventilation system shall be provided to the Council at the time of lodgement of plans certifying the design and upon commissioning of the mechanical ventilation system certifying performance. Certificates will be required prior to the issue of an occupation certificate. The certificate of performance shall be in a form acceptable to Council and be accompanied by details of the test carried out in respect of:-

- (a) Fire precautions
- (b) Ventilation
- (c) Acoustics
- (d) Vibration
- (e) Stair pressurisation

COMPLIANCE CERTIFICATE FOR ACOUSTIC PRIVACY

(117) Prior to issue of an Occupation Certificate, a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) 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

(118) Prior to issue of an Occupation Certificate, a Compliance Certificate (in accordance with Section 109C of the Environmental Planning and Assessment Act 1979) 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.

STREET NAME PLATE

(119) 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).

NUMBERING

- (120) 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. Shop numbers must also be clearly displayed in accordance with the above mentioned Policy.

CAR PARK ENTRY FINISH

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

ALL MATERIALS TO COMPLY WITH BCA

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

ALL GLAZING MATERIALS TO COMPLY WITH CODE

- (123) All glazing materials shall be selected and installed in accordance with the relevant provisions of AS 1288 S.A.A. "Glass Installation Code".

SCHEDULE 1F**Conditions to be complied with during the use of Premises****NOISE - USE**

- (124) The use of the premises including music and other activities 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 or greater than 5dB at the boundary of any affected property in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 7.00 a.m. to midnight daily and 0dB above the L90 background between 12 midnight and 7.00 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) During the period 12 midnight to 7.00 a.m. the use shall be inaudible in any habitable room of any residential premises.
 - (d) The emission of an "offensive noise" as defined under the Protection of the Environment (Operations) Act 1997.

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. AS1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.

NOISE - MECHANICAL PLANT

(125) Noise associated with mechanical plant 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 or greater than 5dB at the boundary of any affected property in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 7.00 a.m. to 10.00 p.m. daily and 0dB above the L90 background between 10.00 p.m. and 7.00 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 subclause does not apply to any such frequencies.
- (c) The emission of an "offensive noise" as defined under the Protection of the Environment (Operations) Act 1997.

The method of measurement of vibration in (a) and sound levels in (b), (c) 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.

PARKING PERMIT SCHEME

(126) Residents are not entitled to participate in the residential permit parking schemes. This prohibition on participation in the residential permit parking scheme will be recorded on the Section 149 Certificate for this property under the Environmental Planning and Assessment Act 1979.

CARE OF BUILDING SURROUNDS

(127) 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.

REMOVAL OF GRAFFITI

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

WINDOW CLEANING

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

Schedule 2

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.

Carried unanimously.

The meeting of the Central Sydney Planning Committee concluded at 5.37pm.

CHAIR