

ATTACHMENT D

NOTICE OF DETERMINATION D/2013/2030

18-20 O'DEA AVENUE, WATERLOO

Notice of Determination - Approval issued under Section 80(1)(a) of the
Environmental Planning and Assessment Act 1979

Development Application No.	D/2013/2030
Applicant	CROWN W1 DEVELOPMENTS PTY LTD Level 11 68 Alfred St MILSONS POINT NSW 2061
Land to be developed	18 - 20 O'DEA AVENUE, WATERLOO NSW 2017 LOT 21 DP 862254, LOT 22 DP 862254
Approved development	Stage 1 Integrated Development Application for demolition of all existing structures, approval of four building envelopes ranging from 7 to 20 storeys in height, residential apartment and ground floor retail land uses and the provision of public infrastructure including construction and dedication of Dunkerley Place, Hatter Lane, ODea Ave setback and the Rope Walk park.
Cost of development	\$109, 428,000
Determination	The application was determined by Central Sydney Planning Committee and was granted consent subject to the conditions in Schedules 1 and 2 and the advisory Terms of Approval in Schedule 3 and Airport Concurrence in Schedule 4.
Other Approvals	Before commencing <i>building work</i> or <i>subdivision work</i> , a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifying Authority for any <i>subdivision work</i> under the Act. Schedule 3 – Advisory Terms of Approval Schedule 4 - Airport Concurrence
Consent is to operate from	4 December 2014
Consent will lapse on	4 December 2019

Reasons for conditions

Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

Right of appeal

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined within six (6) months of the date in which you received this notice.

Note: To enable the section 82A review to be considered within the six (6) month time frame prescribed under the Environmental Planning and Assessment Act 1979, it is advisable to lodge the application for review under Section 82A as soon as possible (within 4 months) to facilitate the statutory timeframes.

Section 82A does not apply to complying development, designated development, integrated development or a determination made by Council under Division 4 in respect of Crown applications. For further information please contact **Amy Allen on ph. 9265 9438**.

GRAHAM JAHN AM

Director - City Planning, Development & Transport

CONDITIONS OF CONSENT**SCHEDULE 1A****APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION**

Note: Some conditions in Schedule 1A 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.

(1) STAGED DEVELOPMENT APPLICATION

Pursuant to Clause 100 of the *Environmental Planning and Assessment Regulation 2000*, this Notice of Determination relates to a Stage 1 development application and a subsequent development application (Stage 2) or applications are required for any work on the site.

(2) APPROVED STAGE 1 DEVELOPMENT

- (a) Any future Stage 2 development must be in accordance with Development Application No. D/2013/2030 dated 24 December 2013 and amended on 11 August 2014 and the Statement of Environmental Effects prepared by JBA Urban Planning Consultants Pty Ltd dated December 2013 and the following drawings:

Drawing Number	Revision	Architect	Date
A-0111	13	SJB Architects	6 August 2014
A-0121	13	SJB Architects	6 August 2014
A-0122	13	SJB Architects	6 August 2014
A-0123	13	SJB Architects	6 August 2014
A-0124	13	SJB Architects	6 August 2014
A-0125	13	SJB Architects	6 August 2014

and as amended by the conditions of this consent:

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

(3) PLANNING AGREEMENT

The draft Planning Agreement between the Council of the City of Sydney and Crown Pty Limited is to be executed and registered on title in accordance with the requirements contained within any Stage 2 consent.

(4) MATTERS NOT APPROVED IN STAGE 1 DA

The following matters are not approved as part of the Stage 1 consent:

- (a) Any works, including demolition, excavation, construction and public domain improvements;

- (b) Subdivision;
- (c) Layout, mix and number of residential units, car parking spaces and number of basements;
- (d) Precise quantum of floorspace;
- (e) Any additional 10% Design Excellence floor space allowable under control 5.6.3 of *South Sydney DCP 1997: Urban Design - Green Square* [Part G: Special precinct No. 9 Green Square \(Lachlan Precinct\)](#).
- (f) Any built form on Level 20 in Building C other than plant, lift over runs (etc.) and green roofs allowable under control 5.6.2 in *South Sydney DCP 1997: Urban Design - Green Square* [Part G: Special precinct No. 9 Green Square \(Lachlan Precinct\)](#).

(5) STAGE 2 TO BE CONTAINED WITHIN APPROVED ENVELOPE

The detailed Stage 2 design, including services, must be contained within the building footprint and envelopes approved as part of this consent and comply with the relevant planning controls.

(6) BUILDING HEIGHT

- (a) The height of any future building must not exceed the maximum levels set out in the approved building envelopes.
- (b) The floor to floor heights are to comply with the minimum or maximum controls, calculated in accordance with control 5.6.2 in *South Sydney DCP 1997: Urban Design - Green Square* [Part G: Special precinct No. 9 Green Square \(Lachlan Precinct\)](#).

(7) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the proposal must not exceed 2:1 calculated in accordance with control 5.6.1 in *South Sydney DCP 1997: Urban Design - Green Square* [Part G: Special precinct No. 9 Green Square \(Lachlan Precinct\)](#).
- (b) The maximum Floor Space Ratio may be increased up to 2.2:1 only if the consent authority is satisfied that the resulting Stage 2 development exhibits design excellence and is the result of a competitive design process which satisfies the requirements of any relevant development control plan.

(8) STAGE 2 DESIGN DEVELOPMENT AND DETAILS

- (a) Any future Stage 2 DA is to provide details of the design development from the winning competitive design concept and scheme and demonstrate how the architectural quality has improved through the design development phase.
- (b) Any future Stage 2 DA is to provide details of how the residential component of the development achieves the minimum internal amenity requirements established in any relevant SEPP 65 design code or design guideline.
- (c) Any future Stage 2 DA is to provide details of how the development achieves the various controls and objectives under control 5.6 Built Form of *South Sydney DCP 1997: Urban Design - Green Square [Part G: Special precinct No. 9 Green Square \(Lachlan Precinct\)](#)*, particularly in relation to:
 - (i) Architectural Diversity and Articulation
 - (ii) Vertical Circulation
 - (iii) Active street frontages and Active Edges
 - (iv) Continuous Awnings
 - (v) Green Roofs
 - (vi) Ground Floor Conditions for Residential Flat Buildings
- (d) Any future Stage 2 DA is to provide details of the proposed construction and subdivision staging.
- (e) Any future Stage 2 DA is to include a highly developed landscape scheme for the site demonstrating landscape excellence and integration of the landscape design with the architectural design.
- (f) Any future Stage 2 DA is to integrate the recommendations and commitments outlined in the ESD Report Prepared by Cundall Dated 17 December 2013 into the design.
- (g) Any future Stage 2 DA is to integrate the recommendations outlined in the Pedestrian Wind Environment Statement Prepared by Windtech Consultants Dated 26 November 2013 into the design.

(9) STAGE 2 DESIGN MODIFICATIONS

Any future Stage 2 DA must incorporate the following design refinements and modifications:

- (a) Retail floor levels shall not be greater than 1.2 metres above the adjoining public domain.
- (b) The floor to floor heights of all residential levels above first floor shall have a minimum floor to floor height of 3.1 metres.

- (c) The design of the Hatter Lane Loading Dock is to be refined in the following manner:
 - (i) The loading bay is to be wholly contained within the site, yet external to the building;
 - (ii) No wall is permitted along the new western boundary to obstruct sight lines;
 - (iii) Truck movements must be in forward direction back onto Hatter Lane with minimal encroachment into the deep soil zone;
 - (iv) Garbage storage is to be located within the building, with bin holding areas towards southern area of loading bay;
 - (v) The western external wall and openings adjacent to the loading bay are to be integrated with the architecture of the building
 - (vi) A sleeve of retail uses to the O'Dea Ave frontage is to be maintained to obscure view of the dock from O'Dea Ave.
- (d) Landscape planting should be integrated into the stairway that will form the public domain interface with O'Dea Avenue frontage.
- (e) Detail of investigation into provision of larger private open space (balconies) to achieve compliance with the minimum 2m depth and minimum areas.

(10) PUBLIC ART

A Public Art Strategy is to be developed for the site/development in accordance with the *City of Sydney's Public Art in Private Developments Guidelines* and the *City of Sydney's Public Art Policy* and submitted with the Stage 2 DA.

(11) DETAILED ENVIRONMENTAL SITE ASSESSMENT

A Detailed Environmental Site Assessment is to be submitted with the Stage 2 DA. The Detailed Environmental Site Assessment is to be carried out in accordance with the NSW EPA Contaminated Sites guidelines, certifying that the site is suitable (or will be suitable, after remediation) for the proposed use.

Note:

Where the Detailed Environmental Site Assessment states the site is suitable for the proposed use it is to be peer reviewed by a NSW EPA accredited site auditor and a Site Audit Statement submitted to Council prior to granting any consent, certifying that the site is suitable for the proposed use.

OR

Where the Detailed Site Assessment states that a Remediation Action Plan (RAP) is to be undertaken, the RAP is to be peer reviewed by a NSW EPA accredited site Auditor and include a statement certifying that the RAP is practical and the site will be suitable after remediation for the proposed use before consent is given.

(12) TREES THAT MUST BE RETAINED IN STAGE 2 DESIGN

- (a) Approval is NOT granted for the removal of the following trees, which Council has determined to be prominent landscape elements.
- (b) Table 2 – Tree Retention

Tree No:	Botanical / Common Name	Location
7	Ficus rubiginosa (Port Jackson Fig)	O'Dea Ave – southern boundary
14 & 15	Melaleuca quinquenervia (Paperbark)	Street trees – adj. eastern boundary

- (c) Reference should be made to the Arboricultural Impact Assessment Report and Tree Protection Specification prepared by TreeIQ dated 18 December 2013 for tree numbering and locations

(13) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) Details of the location, number and class of bicycle parking spaces must be included in the Stage 2 DA.
- (b) All visitor bicycle parking is to be provided at ground floor level in an easily accessible and visible location. Staff bicycle parking is to be provided at ground floor level or basement level 1 and is to be in close proximity to end-of-trip facilities.

Note: Council supports the provision of innovative bicycle parking solutions in new development. Should the applicant wish to discuss bicycle parking options, please contact the City Access and Transport Unit.

(14) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities.

(15) LOCATION OF ACCESSIBLE CAR PARKING SPACES

Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located to be close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

(16) LOCATION OF VISITOR PARKING

All visitor parking spaces must be grouped together, and located at the most convenient location to the car parking entrance. All visitor parking spaces are to be provided on the uppermost basement level.

(17) MOTORCYCLES

An area equivalent to 1 car parking space must be provided for the purpose of motorcycle parking for every 50 car parking spaces.

(18) SERVICE VEHICLES

Adequate space must be provided to allow manoeuvring and turning of the different sized vehicles. The design, layout, signage, line marking, lighting and physical controls for all service vehicles must comply with the minimum requirements of Australian Standard AS 2890.2 – 2002 Off-Street Parking Part 2: Commercial vehicle facilities.

(19) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

(20) VEHICLES ACCESS

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

(21) SMALL CAR PARKING SPACES AND DIMENSIONS

The design and layout of all off-street small car parking spaces must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan.

(22) SECURITY GATES

Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the street front property boundary.

(23) ACCESSIBLE PARKING SPACE

The design, layout, signage, line marking, lighting and physical controls of all off-street accessible parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.6 - 2009 Parking facilities Part 6: Off-street parking for people with disabilities.

(24) CAR SHARE SPACES

- (a) A minimum of 3 car parking spaces for the exclusive use of car share scheme vehicles are to be provided. The detailed basement plan provided at Stage 2 should show these spaces.

- (b) The spaces will be required to be retained as common property of the Owners Corporation of the site, and not sold or leased to an individual owner/occupier at any time.
- (c) The spaces will need to be made available to car share operators without a fee or charge.
- (d) The spaces will need to be sign posted for use only by car share vehicles and well lit.
- (e) The spaces will need to be publicly accessible at all times.
- (f) The car share spaces will need to be available at the same time that the car park commences operation.

(25) PARKING PLAN

A plan showing the proposed parking restrictions adjacent to the site must be prepared, including the parking restrictions, the locations of all the parking signs and stems and their chainages from the nearest intersection.

The parking restrictions at the eastern end of Dunkerley Place should be consistent with those proposed along the western section of Dunkerley Place.

The plans must be submitted with the public domain plan. The plan must be approved by Council, and gain the concurrence of the Local Pedestrian Cycling and Traffic Calming Committee.

All parking signs are to be installed at no cost to Council and must be installed prior to the Occupation Certificate being issued for the Stage 2 DA and prior to the road being open for public use.

(26) HATTER LANE SHARED ZONE

Hatter Lane is to be designed as a shared zone. Details of the design including typical cross sections are to be provided with the Stage 2 application.

The design should be developed in consultation with the City Infrastructure and Traffic Operations Unit, and guided by the RMS guidelines for Shared Zones.

Given the length of the shared zone appropriate traffic calming features will be required every 30m along the length. Council encourages the use of traffic calming features which promote the horizontal deflection of vehicles and discourages the use of speed humps where possible

Note: The design of the shared zone will require a referral to the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) for endorsement and then a referral to the RMS for final approval. The plan must be approved in conjunction with the Public Domain Plan prior to the issuing of the Construction Certificate for the Stage 2 development application.

Note: RMS shared zone policy and guidelines can be found on their website.

(27) DUNKERLEY PLACE DESIGN

The design of Dunkerley Place is to be undertaken in consultation with Council's City Infrastructure and Traffic Operations team.

The road alignment is to be consistent with the western section of Dunkerley Place which is currently being delivered as part of the 1-2 Sydneygate development.

Provisions for vehicle turning and service vehicle access to the park need to be accommodated in the design at the eastern end of Dunkerley Place.

The area currently shown within the turning head at the eastern end of Dunkerley Place is to be tightened to help restrict vehicle speeds. The design should allow for a B99 vehicle to carry out a smooth turn in one movement, whilst larger vehicles should be able to perform a three point turn in order to turn around.

(28) LEFT IN ONLY ARRANGEMENT AT O'DEA AVENUE / HATTER LANE

The provision of a median at the intersection of O'Dea Avenue and Hatter Lane to restrict vehicle movements to a left in arrangement will be considered as part of the Stage 2 Development Application.

A preliminary design is to be submitted with the Stage 2 Development Application, complete with swept paths of two buses passing the median simultaneously.

The dimensions for which vehicles to use will need to be obtained from the STA. These swept paths must be submitted to Council for review, they will then be sent from Council to the STA for comment.

Once Council and the STA are satisfied the plans will then require a referral to the Local Pedestrian, Cycling and Traffic Calming Committee for endorsement.

The design must also include details to address how the overland flow will be managed as a result of the median.

Note: The process of reporting an item to the Local Pedestrian, Cycling and Traffic Calming Committee takes approximately 8 weeks from the relevant Council officer being satisfied with the proposal.

(29) SECTION 116 OF THE ROADS ACT 1993

The proposed median at the intersection of O'Dea Avenue and Hatter Lane will prohibit existing traffic movements. This requires section 116 of the Roads Act 1993 to be satisfied.

This requires public consultation, a referral to the Local Pedestrian, Cycling and Traffic Calming Committee, a Traffic Management Plan to be approved by the RMS and a report to be put before Council.

The developer is required to contact Council when they wish to begin this process. They will need to discuss with the Traffic Operations team what documentation they need to submit.

Any additional information or design amendments required as part of this process must be provided by the developer at no cost to Council.

This process must be completed prior to any approval for the construction of the median being granted.

The Section 116 process can take up to 12 months from the Council Officer being satisfied with the proposal.

The Section 116 process can happen concurrently with the process to approve the median design.

(30) ASSOCIATED ROADWAY COSTS

All costs associated with the design and construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Code".

(31) ALIGNMENT LEVELS – MAJOR DEVELOPMENT

- (a) Proposed building floor levels, basement levels, basement car park entry levels and ground levels shown on the approved Stage 1 DA plans are indicative only and have not been approved by this consent.
- (b) Alignment levels for the building and site frontages must be submitted as part of the Stage 2 DA. The submission must be prepared by a Registered Surveyor, must be in accordance with the City of Sydney's *Public Domain Manual* and must be submitted with a completed Alignment Levels checklist (available in the *Public Domain Manual*) and Footpath Levels and Gradients Approval Application form (available on the City's website).
- (c) If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work.

(32) PAVING MATERIALS

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 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

(33) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- (c) Each image is to be numbered and cross referenced to a site location plan;
- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an Occupation Certificate is issued for the development, whichever is earlier.

(34) PUBLIC DOMAIN PLAN

The Indicative Public Domain Plan accompanying the Stage 1 DA has not been approved by this consent.

- (a) A detailed Public Domain Plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with the Stage 2 Detailed DA. The Public Domain Plan must be submitted with a completed Public Domain Plan checklist (available in the City of Sydney's *Public Domain Manual*).
- (b) The Public Domain Plan must document all works required to ensure that the public domain complies with the City of Sydney's *Public Domain Manual*, *Sydney Streets Design Code*, *Sydney Streets Technical Specification* and *Lachlan Precinct Civil Design Plans* including requirements for road pavement, traffic measures, footway pavement, kerb and gutter, drainage, vehicle crossovers, pedestrian ramps, lighting, street trees and landscaping, signage and other public domain elements.

If an Alignment Levels condition applies to the development, the Public Domain Plan submission must incorporate the approved Alignment Levels.

(35) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

- (a) The applicant is to demonstrate by means of a hydraulic model submitted to Council as part of the Stage 2 Detailed DA that the proposed stormwater discharge through an on-site detention system from the site into the City's underground stormwater system can cope with the additional concentrated flow as a consequence of the development.
- (b) The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the requirements of Sydney Water for the on-site detention must be submitted as part of the Stage 2 Detailed DA.
- (c) A stormwater quality assessment is to be submitted as part of the Stage 2 detailed DA in accordance with the relevant DCP requirements. The stormwater quality assessment must:
 - (i) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design;
 - (ii) use modelling from an industry-standard water quality model; and
 - (iii) demonstrate what water sensitive urban design and other drainage measures will be used to ensure that the development will achieve the following post-development pollutant loads:
 - a. reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
 - b. reduce the baseline annual pollutant load for total suspended solids by 85%;
 - c. reduce the baseline annual pollutant load for total phosphorous by 65%;
 - d. reduce the baseline annual pollutant load for total nitrogen by 45%.

(36) DRAINAGE AND SERVICE PIT LIDS

Drainage and service pit lids throughout the public domain shall be heelguard and bicycle safe, finish flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Pit lids shall be in accordance with the *City of Sydney's Sydney Streets Code* and *Sydney Streets Technical Specification*.

(37) FLOOR LEVELS FOR BUILDINGS AND STRUCTURES

The level difference between ground floor building levels and the adjacent public footpath shall not exceed 1200mm. Detailed plans demonstrating compliance with this requirement must be submitted to and approved by Council as part of the Alignment Levels application prior to the issue of a Construction Certificate for any excavation, construction work or building work (whichever is earlier), excluding any approved preparatory or demolition work.

The following performance criteria shall apply to the design of buildings and structures on the site:

- (a) All proposed habitable floor levels, ground floor levels and basement car park entry levels within the site shall be set 500mm above design 1% AEP flood levels; and
- (b) Suitable freeboard protection shall be provided to other basement access points such as stair wells, lift wells and pedestrian entry / exit points.

A design certification report for floor levels of buildings and structures shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate for any Stage 2 consent.

(38) ROAD NETWORK AND GEOMETRIC ROAD DESIGN

- (a) Preparation of the detailed design documentation for the proposed public road system shall include all necessary liaison with and requirements of all relevant public utility authorities, Roads and Maritime Services, Council, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals. Written evidence of approval from relevant authorities must be submitted to Council with the road design submission.
- (b) The design of all road works shall be undertaken in accordance with City of Sydney's *Sydney Streets Technical Specification, Public Domain Manual* and the *Civil Design Plans for Lachlan Precinct*. Detailed plans for the works shall be prepared and submitted to Council as part of the Stage 2 Detailed DA. The detailed plans and supporting documentation shall include as a minimum the following information;
 - (i) General subdivision plan with contour details, clearly indicating the extent of work;
 - (ii) Road cross sections showing road and footway widths, existing levels, design levels, cross fall grade pavement configuration, batter slopes, engineered retaining walls, kerb returns, kerb and gutter, vehicle crossovers, pedestrian ramps, traffic calming devices, the location of public utility services and 900mm minimum road restoration to match smoothly into the existing road levels;
 - (iii) Plan drawing and longitudinal section showing gutter invert, kerb and boundary alignments with design grades of the existing and proposed future public road network including public utility services.

(39) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

(40) STORMWATER DRAINAGE SYSTEM DESIGN

The design of the stormwater drainage system shall be undertaken in accordance with City of Sydney's *Sydney Streets Technical Specification, Public Domain Manual* and the *Civil Design Plans for Lachlan Precinct*. Detailed plans for the works shall be prepared and submitted to Council as part of the Stage 2 Detailed DA. The stormwater drainage design shall include at a minimum plans and longitudinal sections showing drainage pits and pipes locations, invert levels of pits, pipe sizes, hydraulic grade lines for the design storm and other standard features such as flow rates, pipe class, pipe grade and velocity direction of overland flow and connections to the existing piped drainage system.

(41) STREETScape

Streetscape design and documentation for all existing and new streets associated with this development is to be prepared generally in accordance with the City's *Sydney Streets Code and draft Sydney Lights Code*, and the newly constructed Dunkerley Place public domain works including timber decks, stormwater and subsoil drainage, dolphin kerb works, civil infrastructure, lighting and planting works.

Street tree planting to existing and new streets shall be in accordance with the City's Street Tree Master Plan 2011. Street trees shall be planted at minimum 200L pot sizes with a 4m long x 2m wide structural soil chamber beneath proposed pavement areas. A tree 'procurement' strategy with a reputable nursery shall be required to ensure the availability of suitable advance species (minimum 200L) at the time of implementation of the development.

Planting to central raingardens shall be minimum tubestock and include the following species selection:

- (a) *Baumea juncea* (Bare Twig Rush)
- (b) *Carex fascicularis* (Tassel Sedge)
- (c) *Cyperus involucratus* (Umbrella Plant)
- (d) *Dianella longifolia* (Smooth Flax Lily)
- (e) *Gahnia clarkei* (Tall Saw-sedge)
- (f) *Juncus pallidus* (Giant Rush)
- (g) *Lepyrodia mulleri* (Scale-rush)
- (h) *Lomandra longifolia* (Spiny headed Matt-Rush)
- (i) *Poa labillardieri* (Tussock Grass)

(j) *Restio tetraophyllus* (Tassel Cord-Rush)

(42) STREET AND PEDESTRIAN LIGHTING

The applicant shall design a system of underground street and pedestrian lighting along all roads, footpaths and within the new park in accordance with Council and Ausgrid standards. Detailed lighting plans shall be prepared by a suitably qualified Electrical/Lighting Engineer in accordance with Council's and Ausgrid's specifications and comply with AS 4282-1997: Control of the Obtrusive Effects of Outdoor Lighting. The lighting plans shall be submitted to Council as part of the Stage 2 Detailed DA.

The Lighting Plan(s) shall indicate layout, location, connections, conduits, types, luminaries, fixtures and category for street lighting, pedestrian lighting and feature lighting.

The detailed plans and supporting documentation shall conform to the following design criteria:

- (a) Lighting in laneways and pedestrian pathways to comply with AS1158.3.1 Category P2;
- (b) Lighting in all footpaths and the new public roads to comply with AS1158.3.1 Category P2; and
- (c) The through traffic road, O'Dea Avenue, shall be illuminated to comply with AS1158.3.1 Category V3.

(43) ROPE WALK

The Indicative Landscape Plan for the Rope Walk accompanying the Stage 1 DA has not been approved by this consent.

The design of the Rope Walk shall be generally consistent with The Rope Walk Stage 3 Concept Plan Dwg No. CD/CPT001 prepared by City of Sydney dated 6 June 2014 and the adjacent newly completed section of Rope Walk to the north.

The park shall provide continuous accessible paths of travel between the O'Dea Avenue, Dunkerley Place, the Through Site Link of 30-36 O'Dea Avenue and the park to the north in accordance with the City of Sydney Access Development Control Plan 2004 and AS 1428-2009: Design for Access and Mobility. All continuous paths of travel shall be clearly indicated. The applicant shall provide a certificate of compliance to the Principal Certifying Authority prior to issue of Construction Certificate for each stage.

No obstructions relating to the adjacent buildings such as access ways or service vents are permitted within the park. The park shall not be ramped to provide access to the buildings. Any required access to property shall be achieved through ramping or stairs within the property boundary and not within the public land.

The applicant shall provide a fully automatic irrigation system to all landscape areas and turf. The applicant is responsible for all liaison, authorities certificates, approvals and commissioning from all relevant authorities.

Planting layout and massing for landscaped areas shall be in accordance with the following (unless determined otherwise by Council):

Material Mature	Height	Minimum Spacing Minimum	Pot Size
Trees	Varies	Varies	100L (min. 2.0m high)
Tall Shrubs	> 1.5m high	3-6 per sq.m.	10L
Shrubs	600mm- 1.5m high	4-7 per sq.m.	5L pot
Groundcovers	<500mm high	5-10 per sq.m.	150mm pot

Lighting shall be designed by a suitably qualified Electrical/Lighting Engineer. The objectives of the lighting design shall be to provide an aesthetically pleasing, safe functional night time environment utilising variable high quality vandal resistant light fixtures in accordance with the City's policies.

The detailed design of the park shall be undertaken in accordance with City of Sydney's Sydney Streets Technical Specification, Parks Manual and the Public Domain Manual. A detailed Landscape Plan for the Rope Walk, drawn to scale, by a landscape architect or approved landscape consultant, shall be prepared and submitted to Council as part of the Stage 2 DA.

The Landscape Plan must include:

- (a) Location of existing and proposed structures on the site including existing trees (if applicable).
- (b) Levels and grading demonstrating the connection with the adjoining park, roads, footways, entryways and through site links.
- (c) Details of earthworks including mounding and retaining walls (including below ground) and planter boxes;
- (d) Location and extent of the culvert and other relevant services that will restrict root growth of trees.
- (e) Details of paving materials.
- (f) Locations, spacing and type of plant species;
- (g) Location and numbers of street furniture;
- (h) Details of lighting;
- (i) Details of drainage, irrigation systems and waterproofing details (as applicable).

The landform and embankments proposed for the parks shall ensure ease of maintenance (typically 1:6 maximum slope).

The proposed fig tree planting to the western edge of the park shall be planted at a minimum 400 litre pot size and established in a planting environment conducive to their large vigorous root systems, buttressed trunks, height and

width. The applicant shall provide a minimum soil chamber of 2.0m wide x 4.0m long. Spacing of the fig trees shall be consistent with those planted in the completed sections of the park.

The public domain pathway along the western edge of the park bounding private property shall be consistent with that in the northern park, a Class 1 Durability timber deck consisting of native plantation timbers from a source approved by the New South Wales Department of Primary Industries. The framework shall be galvanised steel.

(44) WASTE COLLECTION

Any future Stage 2 DA shall demonstrate compliance with Council's requirements for waste collection for residential development and Policy for Waste Minimisation in New Development 2005.

(45) ELECTRICITY SUBSTATIONS

Details of a suitable area that meets the locational requirements for multiple electricity substations is to be provided with the Stage 2 application.

(46) SYDNEY WATER ASSETS

It is recommended that the applicant discuss any Stage 2 design with Sydney Water to identify any Notice of Requirements that may significantly affect the Stage 2 design.

SCHEDULE 2

PRESCRIBED CONDITIONS

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

SCHEDULE 3**ADVISORY TERMS OF APPROVAL**

The advisory Terms of Approval for Integrated Development as advised by NSW Office of Water are as follows:

General

- (47) An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
- (48) The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
- (49) Construction methods and material used in and for construction shall not cause pollution of the groundwater.

Prior to excavation

- (50) Measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken and a report provided to the NSW Office of Water. A schedule and indicative plans of the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.
- (51) A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the calculation method shall be included in the report.
- (52) A copy of a valid development consent for the project shall be provided to the NSW Office of Water.
- (53) Groundwater quality testing shall be conducted and a report supplied to the NSW Office of Water. Samples must be taken prior to the commencement of pumping, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.
- (54) The method of disposal of pumped water shall be nominated (i.e. street drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (tailwater) must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.

- (55) Contaminated groundwater shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water (tailwater) that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site

During excavation

- (56) Piping or other structures used in the management of pumped groundwater (tailwater) shall not create a flooding hazard. Control of pumped groundwater (tailwater) is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
- (57) Measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.
- (58) Pumped groundwater (tailwater) shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater (tailwater) shall be complied with.
- (59) Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulphate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
- (60) The location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation.
- (61) Access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety precautions.

Following excavation

- (62) All monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

SCHEDULE 4

AIRPORT CONCURRENCE

- (63) Any Stage 2 DA must comply with the conditions contained within the Department of Infrastructure and Regional Development decision dated 26 June 2014.

IMPORTANT ADDITIONAL INFORMATION

ATTACHMENT D

Advisory note: The State Government has commenced planning for the construction of the CBD South East Light Rail (CSELR). You may need to consider the potential impacts of this project in programming your development. The CSELR route includes Alfred St, George St, Rawson Place, Eddy Ave, Chalmers St, and Devonshire St. For construction and programming information contact the Transport for NSW Infoline on 1800 684 490 or www.transport.nsw.gov.au/projects.

The Environmental Planning and Assessment Act 1979 requires you to:

1. Obtain a **Construction Certificate** prior to the commencement of any works. An application may be lodged with Council, or you may apply to a private accredited certifier for a Construction Certificate. An accredited certifier **must obtain Council's approval** to certain conditions of this development consent, where indicated before issuing the Construction Certificate.

Note: From 6 January 2014, it will be compulsory to lodge digital copies of applications, including plans and documentation if lodging an application with Council. Please refer to the link below for any further information about digital requirements and electronic files.

<http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/digital-requirements>.

2. Nominate a **Principal Certifying Authority** (PCA) which may be either Council or an accredited certifier and notify Council of that appointment. You **cannot lawfully** commence works without complying with this requirement.
3. Give Council at least two days notice of your intention to commence the erection of a building **before** commencing construction works. You cannot lawfully commence works without complying with this requirement.
4. Obtain an **Occupation Certificate** before commencing occupation or commencing to use the building or on the completion of other works including the erection of a sign. You cannot lawfully commence occupation or the use of a building without complying with this requirement.

You may also need to:

5. Lodge an **Application for Approval** under Section 138 of the *Roads Act 1993* for the **erection of a hoarding**.
6. Lodge an **Application for Subdivision** to obtain a **Subdivision Certificate** if a land (including stratum) subdivision is proposed and an Application for Subdivision to obtain **Strata Title Subdivision** under the relevant Strata Titles Act, if strata title of the development is proposed.
7. Comply with the Food Act 2003, the Australia New Zealand Food Standards Code, Australian Standard 4674 – 2004, and register the business with Council if the premises is used for the manufacture, preparation, packing, storing, conveying or delivering of food or beverage for sale.
8. Contact Sydney Water, Rockdale (Urban Development Section) regarding the water and sewerage services to this development.
9. Carry out critical stage inspections in accordance with Section 109E of the EP&A Act 1979 and clauses 162A, 162B and 163 of the EP&A Regulation 2000.

Applications and submissions referred to in this consent may be lodged at:

CBD Level 2, Town Hall House, 456 Kent St, Sydney.

KINGS CROSS 50-52 Darlinghurst Rd, Kings Cross.

GLEBE Customer Service Centre, 186 Glebe Point Rd, Glebe.

If you have any enquiries on any aspect of this consent, contact Amy Allen ph. 9265 9438, email aallen@cityofsydney.nsw.gov.au.