

# **Attachment A**

<b>Recommended Conditions of Consent</b>
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## SCHEDULE 1

# GENERAL CONDITIONS

### (1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/385 dated 8 May 2025 and the following drawings prepared by Cox Architecture:

Drawing Number	Drawing Name	Date
A-DA-1101 Rev 3	Site Plan	16.09.2025
A-DA-1103 Rev 2	Demolition Plan	16.09.2025
A-DA-2108 Rev 2	Basement 2 Plan	16.09.2025
A-DA-2109 Rev 2	Basement 1 Plan	16.09.2025
A-DA-2110 Rev 2	Ground Floor Plan	16.09.2025
A-DA-2111 Rev 3	Level 1 Plan	16.09.2025
A-DA-2112 Rev 3	Level 2 Plan	16.09.2025
A-DA-2113 Rev 3	Level 3 Plan	16.09.2025
A-DA-2114 Rev 3	Roof Plan	16.09.2025
A-DA-3101 Rev3	Elevations	16.09.2025
A-DA-4101 Rev 3	Sections	16.09.2025
A-DA-4102 Rev 2	Ramp Sections	16.09.2025
A-DA-5000 Rev 2	Unit Layouts	16.09.2025
A-DA-5001 Rev 2	Unit Layouts DDA	16.09.2025
A-DA-8001 Rev 2	Deep Soil Diagram	16.09.2025
N/A	Material Schedule page 1	16.09.2025
N/A	Material Schedule page 2	16.09.2025
N/A	Material Schedule page 3	16.09.2025

And the following landscape plans by Taylor Brammer:

Drawing Number	Drawing Name	Date
LA001 Rev C	Landscape Masterplan	22.08.2025
LA100 Rev C	Ground Floor – Landscape Plan	22.08.2025
LA101 Rev C	Level 1 Landscape plan	22.08.2025
LA102 Rev C	Level 3 Landscape plan	22.08.2025
LA200 Rev C	Landscape Sections	22.08.2025
LA300 Rev C	Planting Character	22.08.2025
LD000 Rev A	Landscape Details	04.12.2025
LD001 Rev A	Landscape Details	22.08.2025

and as amended by the conditions of this consent.

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

**Reason**

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

**(2) RESTRICTION ON SUBDIVISION**

In accordance with section 70 of State Environmental Planning Policy (Housing) 2021, the co-living housing cannot be subdivided (strata, torrens or any type of Company title arrangement to facilitate the sale of individual components of the site).

**Reason**

To restrict subdivision of the site containing the co-living housing.

**(3) CO-LIVING PRIVATE BATHROOMS AND KITCHENS**

Each private co-living room is to be provided with bathroom and kitchen areas of combined area of at least 6 sqm in accordance with the approved unit layout plans drawing Nos. A-DA-5000 Rev.2 and A-DA-5001 Rev.2.

**Reason**

To ensure that each co-living room has adequate bathroom and kitchen facilities.

**(4) ALLOCATION FOR VISITOR PARKING**

Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.

All spaces must be clearly marked 'visitor' prior to the issue of any occupation certificate or the use commencing, whichever is earlier. All signs must be maintained in good order at all times.

**Reason**

To ensure designated areas within the development are maintained as common property.

**(5) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES**

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the accessible car spaces and any storage spaces must form part of the adaptable strata lot in any future strata subdivision of the building.

**Reason**

To ensure accessible vehicle parking spaces are allocated to adaptable units.

**(6) SIGNS AT EGRESS**

The following signs must be provided and maintained within the site at the point(s) of vehicle egress:

- (a) Compelling drivers to stop before proceeding onto the public way
- (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

**Reason**

To ensure the safety of surrounding pedestrians and cyclists.

**(7) INTERCOM FOR VISITORS**

Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 4m clear of the property boundary, wired to all units. The intercom must comply with *Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23.*

**Reason**

To maintain the orderly operation of vehicle parking areas.

**(8) SIGNAL SYSTEM**

A system of traffic lights and/or mirrors must be installed at the ends of any single lane ramp(s), to indicate traffic movement on the ramp(s). This system must be detailed in the application for a construction certificate. Any system using traffic light signals must maintain a green signal to entering vehicles at the point of entry and must maintain a red signal when an exiting vehicle is detected upon the ramp or driveway.

**Reason**

To maintain the orderly operation of vehicle parking areas.

**(9) 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.

**Reason**

To ensure the public domain is kept free from physical obstructions.

**(10) VEHICLE FOOTWAY CROSSING**

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway, kerb, gutter and road restoration reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of any Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

**Reason**

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with Council requirements.

**(11) ASSOCIATED ROADWAY COSTS**

All costs associated with the 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 Design Code".

**Reason**

To ensure all roadway works are designed and constructed in accordance with Council requirements.

**(12) COST OF SIGNPOSTING**

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

**Reason**

To ensure all associated roadway works costs are borne by the developer.

**(13) VEHICLE ACCESS**

All vehicles are to enter and depart the site travelling in a forward direction.

**Reason**

To increase pedestrian safety at the site access.

**(14) SWINGING DOORS OVER PUBLIC WAY**

Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, must not open over the footway/roadway.

**Reason**

To ensure no element of the development obstructs the use of the public way.

**(15) 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.

**Reason**

To ensure ground surface indicators, handrails and other elements required to provide access into the building/property are appropriately located.

**(16) FLOOD EMERGENCY RESPONSE PLAN**

- (a) A Flood Emergency Response Plan is to be prepared by a suitably qualified flood engineer. The Flood Emergency Response Plan is to be implemented and operated by the building owner and/or Owners Corporation at all times.
- (b) The Flood Emergency Response Plan must include all measures required to be implemented to ensure the ongoing management of flooding risk in relation to the building, including (but not limited to) the following:
  - (i) Describe the flood conditions in the vicinity of the site.
  - (ii) If appropriate, direct persons on the site to seek refuge above the Probable Maximum Flood level for all levels of the building that are flood affected. Shelters in place for flood affected parts of the building is not permissible.

- (iii) Include a map directing residents and visitors to a refuge via a flood free pathway within the building.
- (iv) Describe the audible and visual alarm system for the basement area, including the linkage of this system to the building management system, details of failsafe operations and alternate power arrangements.
- (v) Provide details (as an appendix) of all proposed flood sensors, their purpose, operation and maintenance (including the frequency of maintenance).
- (vi) Provide details of lift design and operation in the event of a flood and specify how the lift will be deactivated in the event of a flood.
- (vii) Provide details of access to flood free areas for disabled persons.
- (c) The building owner and/or Owners' Corporation must enter into a service arrangement by which all identified faults or defects to all flood designed features of the building must be repaired within 24 hours.
- (d) No toxic or other hazardous materials are to be stored below the Flood Planning Level or in the basement levels.
- (e) Prior to the issue of any Construction Certificate for the basement, the Flood Emergency Response Plan (FERP) is to be submitted to and approved by Principal Certifying Authority (PCA).

**Reason**

To ensure flood risk management measures are complied with.

**(17) WASTE AND RECYCLING MANAGEMENT - GENERAL**

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

**Reason**

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

**(18) TREES THAT MUST BE RETAINED**

- (a) The tree(s) detailed in Table 1 below must be retained and protected in accordance with the conditions throughout development works.
- (b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which Council has determined to be prominent landscape elements

**Table 1 – Tree Retention:**

<b>Tree No</b>	<b>Species:</b>	<b>Location</b>
-3	<i>Caesalpinia ferrea</i> (Leopard Tree)	Street Tree Front - Inroad planting
4	<i>Camelia</i> sp. (Camelia)	Neighbouring property - Eastern boundary
5	<i>Archontophoenix cunninghamiana</i> (Bangalow Palm)	Neighbouring property - rear NW corner
6	Unknown species	Neighbouring property - rear NW corner

**Reason**

To identify the trees that cannot be removed, must be retained and protected.

# **BUILDING WORK**

## **BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **(19) DESIGN MODIFICATIONS**

The design of the building and supporting documents must be modified as follows:

- (a) Include a signal system within the site for entering vehicles facing the waiting bay.
- (b) The driveway to the basement should be clearly dimensioned on the plans to contain a 5.9m width for two-way flow.
- (c) The stair roof to the eastern end of the building should follow the stair geometry rather than having a flat roof to reduce visual impact.
- (d) The density of balustrading to south-facing co-living rooms should be increased, or should incorporate an opaque glazing treatment to improve visual privacy.
- (e) Details at 1:5 or 1:10 scale of privacy screening to the northern elevation should be provided.
- (f) The material schedule should be updated to remove references to 'or similar'.
- (g) The architectural plans should be updated to locate mailboxes accessible to all residents.
- (h) The waste storage room door should be reduced to 1500mm to allow bins to be stacked either side of the doorway.
- (i) The hose reel within the waste storage room should be relocated to the corner to allow for the single stacking of bins against the back wall.
- (j) Construction details (materials used, footing dimensions and locations etc) of the rear boundary fence within the TPZ of Trees 5 and 6 should be noted on the architectural drawings.
- (k) Construction methods must use tree sensitive methods (pier and beam) to ensure the retention and protection of Trees 5 and 6. Continuous footings will not be accepted. Any beam construction must be installed on or above grade. Pier locations must be flexible to avoid any tree roots. These construction methods should be noted on the architectural drawings.

The modifications are to be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of a Construction Certificate.

#### **Reason**

To require amendments to the approved plans and supporting documentation following assessment of the development.

## **(20) LANDSCAPING OF THE SITE**

- (a) The approved Landscape Plans must be modified as follows:
  - (i) Tree planting spacings along the northern boundary within the deep soil area should be increased (double of what is originally proposed) to ensure establishment and mature development of the trees planted within this area.
  - (ii) Tree planting locations should be placed at a minimum distance of 2m from any boundary.
  - (iii) Further tree planting within Level 3 is required to meet minimum canopy cover target requirements. Where tree planting is to be located on-structure, planting beds are to be increased to a minimum of 800mm with a minimum of 9m<sup>3</sup> soil volume is to be provided per tree.
- (b) Incorporating the amendments in (a) above, a detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of a Construction Certificate. These documents must include:
  - (i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.
  - (ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features.
  - (iii) Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers.
  - (iv) Details of paving in deep soil zones in rear gardens are to be permeable paver stepping stones on DGB base only.
  - (v) Details of the green wall construction, including proposed materials, planter dimensions, fixings and structures;
  - (v) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.
  - (vi) Details of drainage, waterproofing and watering systems.
  - (vii) Landscape maintenance plan. This plan is to be complied with during occupation of the property.

- (viii) Landscape maintenance plan. This plan is to be complied with during occupation of the property and must include any relevant maintenance methodology for safe working at height for accessible roof terraces and green walls such as access requirements, location of any anchor points, gates, and transport of materials and green waste. This plan is to be complied with during occupation of the property.
  - (ix) A plan outlining the intended strategy for decommissioning and rectification if planting works fail. This is to ensure green wall is maintained is throughout its life.
- (b) All landscaping in the approved plan is to be complete prior to any Occupation Certificate being issued.

**Reason**

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

**(21) WASTE INFRASTRUCTURE – RESIDENTIAL**

Prior to the issue of **Construction Certificate**, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided responsive to Council's controls, policies, and guidelines, including but not limited to:

- (a) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments*. Floors to be waterproofed across all intersections that extend a minimum 1200mm high on the walls.

**Reason**

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

**(22) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL**

The Operational Waste Management Plan accompanying this Development Application has not been approved by this consent. An Operational Waste Management Plan is to be submitted to and reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of a **Construction Certificate**. The plan must comply with Council's Development Control Plan and *Guidelines for Waste Management in New Developments*. The plan must address:

- (a) Bulky waste is to be collected as part of Councils waste service and presented for collection at the bin room. Detail how access to the bulky waste storage is to be achieved.

- (b) Waste storage area to have bins arranged in a single file in the bin room. Double stacking of bins is permissible in instances where bulky waste is to be presented for collection

**Reason**

To document agreed waste management facilities

**(23) AFFORDABLE HOUSING CONTRIBUTION – RESIDUAL LAND OR CENTRAL SYDNEY – PAYMENT IN LIEU OF FLOOR SPACE CONTRIBUTION – PRIOR TO CONSTRUCTION CERTIFICATE**

- (a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of a Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council.
- (b) The contribution is \$1,067,610.91 (indexed at 26 November 2025). This is calculated by establishing the sum of the equivalent monetary contribution \$11,646.80 multiplied by 3% of the total floor area for residential development (3055.52sqm).
- (c) If the contribution is paid after the indexation period in which the consent is granted, being March 2025 to February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.
- (d) Contribution payable at Time of Payment =  $C \times MDP2 / MDP1$ , where:
  - (i) C is the original total contribution amount payable to the City of Sydney as shown above;
  - (ii) MDP2 is the Median Strata Dwelling Price in Sydney LGA taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and
  - (iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Report used to establish the current equivalent monetary contribution rate, being March 2025 to February 2026..

Contact Council's Planning Assessment Unit at [planningsystemsadmin@cityofsydney.nsw.gov.au](mailto:planningsystemsadmin@cityofsydney.nsw.gov.au) for written confirmation of the amount payable, with indexation as necessary, prior to payment.

**Reason**

To ensure development contributions are paid to contribute to the provision of essential affordable rental housing infrastructure.

**(24) HOUSING AND PRODUCTIVITY CONTRIBUTION**

Before the issue of any Construction Certificate the housing and productivity contribution (HPC) set out in the table below is required to be made.

<b>Housing and productivity contribution</b>	<b>Amount</b>
Housing and productivity contribution (base component)	\$59,303.33
Transport project component	\$0.00
<b>Total housing and productivity contribution</b>	<b>\$59,303.33</b>

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

#### **Reason**

To require contributions towards the provision of regional infrastructure.

#### **(25) SECTION 7.11 CONTRIBUTIONS PAYABLE - CONTRIBUTION TOWARDS PUBLIC AMENITIES – CITY OF SYDNEY DEVELOPMENT CONTRIBUTIONS PLAN 2015 –WEST PRECINCT**

Council has identified the development will increase demand for public amenities and facilities. Pursuant to Section 7.11 of the *Environmental Planning and Assessment Act, 1979* (as amended), and the *City of Sydney Development Contributions Plan 2015* the following monetary contributions are required towards the cost of public amenities.

<u>Contribution Category</u>	<u>Amount</u>
Open Space	\$494,500.99
Community Facilities	\$160,850.69
Traffic and Transport	\$1,272
Stormwater Drainage	\$0.00
Total	\$656,625.34

The City of Sydney will index the above contribution for inflation at the time of payment using the following formula.

$$C_{\text{payment}} = C_{\text{consent}} \times (CPI_{\text{payment}} \div CPI_{\text{consent}})$$

Where:

$C_{\text{payment}}$  = Is the contribution at time of payment;

$C_{\text{consent}}$  = Is the contribution at the time of consent, as shown above;

$CPI_{\text{payment}}$  = Is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment; and

$CPI_{\text{consent}}$  = Is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being – 141.8 for the June 2025 quarter.

The contribution must be paid prior to the issue of any Construction Certificate in relation to this development.

Please contact Council's Planning Administration staff at [planningsystemsadmin@cityofsydney.nsw.gov.au](mailto:planningsystemsadmin@cityofsydney.nsw.gov.au) to request a letter confirming the indexed contribution amount payable.

Once the letter confirming the indexed contribution is obtained, payment may be made at any of the City's Neighbourhood Service Centres or the One Stop Shop at Town Hall House. Payments may be made by EFTPOS (direct card only), cash (up to \$5,000 only), credit card (up to \$300,000 only) or bank cheque made payable to the City of Sydney council. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.

### **Reason**

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

## **(26) SIGN DISPLAYING CONTACT DETAILS FOR CO-LIVING MANAGER**

- (a) A sign must be placed in a clearly visible position within the co-living entrance lobby displaying the name of the manager and mobile phone number. The signage text must be written in bold letters with a height of no less than 25mm on a contrasting background that can be read without entering the premises.
- (b) Details of the sign design, content and location within the site must be submitted to and approved by the principal certifier prior to the issue of a Construction Certificate.

### **Reason**

To provide residents, staff, and Council with adequate contact details of the co-living manager prior to operation.

**(27) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES**

- (a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by Koikas Acoustics PTY LTD , dated 13 December 2024, ref 6372R20241022hw18BriggsStreetCamperdown\_DA\_V3, titled Acoustical Report Proposed Co-living Development 18 Briggs Street, Camperdown NSW, Council Ref 2025/260534 must be implemented in the development prior to the commencement of its use.
- (b) Prior to the issue of any relevant Construction Certificate, the final construction drawings and final construction methodology must be assessed and reported to be in accordance with the requirements of the DA Acoustic Report in (a) above, with reference to relevant documentation. This must be done by a Suitably Qualified Acoustic Consultant\* (see definition below). This work will be to the satisfaction of the Registered Certifier.
- (c) Prior to the issue of any Occupation Certificate, a Suitably Qualified Acoustic Consultant\* is to provide a written Acoustic Verification Report to the satisfaction of the Principal Certifier that the development complies with the requirements set out in the Report and in (a) and (b) above.

Note: Suitably Qualified Acoustic Consultant means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

- (d) All physical aspects of the building's structure installed in order to meet performance parameters in accordance with this condition must be maintained at all times.

**Reason**

To ensure detailed construction and fit plans comply with the relevant standards in the approved acoustic report.

**(28) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of any Construction Certificate.

The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm).

The plan must include but not be limited to the following:-

- (a) identification of noise sensitive receivers near to the site.

- (b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.
- (c) A representative background noise measurement ( $L_{A90, 15 \text{ minute}}$ ) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
- (h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

### **Reason**

To ensure an adequate construction noise and vibration management plan is prepared.

### **(29) 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. The details must be submitted to and approved by the Registered Certifier prior to a Construction Certificate being issued.

**Reason**

To ensure parking facilities are designed in accordance with the Australian Standards.

**(30) ALLOCATION OF PARKING**

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Residential spaces	8
Accessible residential spaces	3
Residential visitor spaces	4
Accessible residential visitor spaces	1
Service vehicle	1
<b>Total</b>	<b>17</b>

**Reason**

To ensure the allocation of parking is in accordance with the SEPP (Housing) 2021 and Council's DCP.

**(31) BICYCLE PARKING FACILITIES**

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Residential	56	Spaces must be Class 2 bicycle facilities
Residential visitor	6	Spaces must be Class 2 bicycle facilities

All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

**Notes:**

- (i) If a basement storage area on title that is large enough to store a bike and is no smaller than a class 1 bike locker this can be counted as a space.

- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of the Construction Certificate being issued.

**Reason**

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

**(32) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MINOR WORKS)**

Prior to a Construction Certificate being issued, an archival photographic recording of the building is to be prepared to Council's satisfaction. The recording is to be in digital form and prepared in accordance with the NSW Heritage Division guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'. One digital copy of the record is to be submitted to Council.

The form of the recording is to be as follows:

- (a) The Development Application number must be noted on the submitted information.
- (b) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
- (c) 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 licence 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.
- (d) The report is to be submitted via digital file transfer in PDF/A format, (created directly from the digital original), with the digital catalogue of images containing the following data for each location, image subject/description and date.
- (e) The electronic images are to be saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.

**Reason**

To ensure appropriate archival documentation of the building.

**(33) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

- (b) The approved plan must be complied with during any demolition and/or construction work.

**Reason**

To ensure that the impacts of construction traffic is appropriately managed.

**(34) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION**

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of 16 Briggs Street and 15-17 Marsden Street (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of a Construction Certificate.

**UPON COMPLETION OF EXCAVATION/DEMOLITION**

- (b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner must advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information must be submitted to Council.

**Reason**

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

**(35) SITE AUDIT STATEMENT**

Before a construction certificate related to the built form of the development is issued, a Section A Site Audit Statement (SAS) must be obtained from a NSW Environment Protection Authority accredited site auditor. This statement must be submitted to the Council via email [happlications@cityofsydney.nsw.gov.au](mailto:happlications@cityofsydney.nsw.gov.au).

The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan and clearly state that site is suitable for the proposed use.

- (a) In circumstances where the Site Audit Statement is subject to conditions that require ongoing review by the Auditor or Council, these must be reviewed and must be approved by the Council's Health and Building Unit in writing through the Area Planning Manager before the Site Audit Statement is issued.
- (b) In circumstances where the Site Audit Statement conditions (if applicable) are not consistent with the consent, the development must not proceed until the inconsistency has been resolved to the satisfaction of Council (such as via a S4.55 modification of the consent pursuant to the provisions of the *Environmental Planning & Assessment Act 1979*).
- (c) **No Occupation Certificate is to be issued** by the Principal Certifier unless a Site Audit Statement has been submitted to and approved by Council in accordance with this condition.

**Reason**

To ensure that the site is appropriately remediated.

**(36) DESIGN FOR ENVIRONMENTAL PERFORMANCE**

- (a) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report prepared by Dennis Zhang dated Wednesday, August 20, 2025 (Council Ref: 2025/512524) are incorporated into the relevant construction plans and accompanying documentation:
  - (i) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement
  - (ii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design
  - (iii) Section 6 – On site Renewable Energy Generation and Storage
  - (iv) Section 7 – Design for Resilience to Climate Change
  - (v) Section 8 – Designing for mains potable water savings and water efficiency
  - (vi) Section 9 – Storm water quality
  - (vii) Section 10 – City Greening
  - (viii) Section 11 – Promoting Active Transport and Reducing Transport Emissions
  - (ix) Section 12 – Materials, Embodied Carbon and Circularity
  - (x) Section 13 – Waste Management and Resource Recovery
  - (xi) Section 14 – Third Party Certification and Design, Construction or Technology Innovations

- (c) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

**Reason**

To ensure the environmental performance of the development.

**(37) PUBLIC DOMAIN DAMAGE BOND**

- (a) A Public Domain Damage Deposit calculated on the basis of 90 square metres of concrete paving on Briggs Street site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.
- (b) The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The Bond must be lodged with the City prior to an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.
- (c) The bond in this condition will be released in full when the Public Domain Works Security Bond is lodged with the City.

**Reason**

To allow for the appropriate management and rectification of damage to the public domain.

**(38) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY**

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

- (a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or
- (b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

**Reason**

To ensure the preservation of existing survey infrastructure.

**(39) PUBLIC DOMAIN CONCEPT PLAN**

A public domain concept plan, showing all the site frontages and extending a minimum of 5m past the boundary and to the road centreline, must be prepared in accordance with the City's *Public Domain Manual* and *Sydney Streets Code*. It must be submitted to and approved by the City's Public Domain Unit prior to the issue of any Construction Certificate for the development other than for demolition or excavation.

Note: A detailed Public Domain Plan will be required prior to construction (refer to Public Domain Plan Detailed Documentation for Construction condition).

**Reason**

To ensure public domain works comply with Council's requirements.

**(40) PUBLIC DOMAIN LEVELS AND GRADIENTS**

The Public Domain Levels and Gradients Plans included with the concept Public Domain Concept Plan is not approved.

Prior to the issue of any Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed Application for *Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at <https://www.cityofsydney.nsw.gov.au/public-domain-works>.

Any requirements to comply with Disability Discrimination Act at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

**Reason**

To ensure public domain levels and gradients comply with Council's requirements.

**(41) STORMWATER DRAINAGE DESIGN**

Prior to issue of any Construction Certificate a detailed stormwater management plan prepared by suitable qualified and experienced professionals must be submitted to and approved by the City's Public Domain Unit and must include:

- (i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;
- (ii) Council's Sydney Streets Technical Specifications, Standard Drawings;
- (iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;
- (iv) Council's Stormwater Drainage Manual; and
- (v) All relevant Australian Standards.

This information is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

Note: A Deed of Agreement (Stormwater Deed) for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.

**Reason**

To ensure stormwater drainage design complies with Council's requirements.

**(42) STORMWATER ON-SITE DETENTION**

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to issue of any Construction Certificate other than demolition.

Where an OSD is not required by Sydney Water one may still be required by the City.

**Reason**

To ensure the requirements of Sydney Water are complied with.

**(43) STORMWATER QUALITY ASSESSMENT**

The development must comply with the MUSIC Link Report (Ref: SSCE-2401-143 18 Briggs St Camperdown) dated 17/08/2025.

Prior to issue of any Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NPER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit.

The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

**Reason**

To ensure appropriate stormwater quality on the site.

#### **(44) FLOOD PLANNING LEVELS**

The development must be constructed to comply with the recommended flood planning levels indicated in Table 1 for corresponding Entrance Locations Markup shown on Image 1 of the report titled Re-development, 18-28 Briggs Street, Camperdown- Flood Assessment report (Job Number:240066) prepared by Felix Taaffe of GRC Hydro dated 22 September 2025.

Details must be submitted to the Registered Certifier prior to the issue of any Construction Certificate demonstrating that the development will comply with the recommended flood planning levels.

##### **Reason**

To ensure the development complies with the recommended flood planning levels.

#### **(45) PUBLIC DOMAIN LIGHTING UPGRADE**

Prior to issue of any Construction Certificate for excavation, civil construction, drainage or building work (whichever is earlier), a concept Public Domain Lighting Upgrade Plan for pedestrian and street lighting in the public domain must be submitted to and approved by City's Public Domain Unit. The Lighting Plan must be prepared in accordance with the *Sydney Streets Technical Specifications A5 and B8*, *Sydney Lights Design Code* and *Public Domain Manual*. This information is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

- (a) The lighting upgrade plan must cover all adjacent street frontages, being Briggs Street and shall be designed to include the following requirements;
  - (i) Upgrade existing Ausgrid streetlights using Ausgrid network standard LED luminaires to achieve the lighting compliance and consider installing suitable glareshields to avoid glare issues for neighbouring properties (if required)
  - (ii) Briggs St: Lighting to comply with requirement of AS1158.3.1 Category PR2.
  - (iii) Provide Obtrusive lighting assessment to comply with requirement of AS4282

**Notes:**

Lighting designs must be certified by a suitably qualified practising lighting engineer and must consist of two parts: illumination design and electrical supply reticulation design. City of Sydney (CoS) can only review electrical reticulation design once receiving final illumination designs.

Lighting design submission requirements are specified in "Sydney Streets Technical Specifications - A5: Street Lighting Design". Notes:

Plans should show calculation points as per Australian Standards.

Plans plot scale should not be smaller than 1:250 @ A1

Provide a Calculation Summary table showing all relevant light technical parameters and compliance, including Maximum lux levels

Highlight all areas of non-compliance

Advice on site specific lighting requirements must be obtained from City's Public Domain Unit before proceeding with the preparation of any final lighting design proposals.

**Reason**

To ensure pedestrian and street lighting in the public domain complies with Council's requirements.

**(46) DILAPIDATION REPORT - PUBLIC DOMAIN**

Prior to an approval for demolition and preparatory works being granted or the issue of any Construction Certificate, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's *Public Domain Manual* is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>

The submission is to 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.

**Reason**

To establish and document the condition of the public domain for comparison as building work progresses and is completed.

**(47) TEMPORARY DEWATERING DURING CONSTRUCTION**

Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an *Application for Temporary Dewatering* available to download on the City's website.

Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

**Reason**

To ensure dewatering is managed appropriately and ensure good waste management outcomes.

## BEFORE BUILDING WORK COMMENCES

### (48) TREE PROTECTION ZONE (FOR PRIVATE/PROPERTY TREES)

- (a) Tree protection zones (s) (TPZs) as detailed in the table below must be established in accordance with the Australian Standard 4970 'Protection of Trees on Development Sites' before the commencement of, and until completion of, the development works.

**Table 2 - TPZ Schedule**

Tree No.	Species Name	Location	Radius (m) From Trunk
5	<i>Archontophoenix cunninghamiana</i> (B angalow Palm)	Neighbouring property - rear NW corner	2.0
6	Unknown species	Neighbouring property - rear NW corner	3.3

- (b) The following works must be excluded from within any TPZs:
- (i) Soil cultivation, disturbance or compaction.
  - (ii) Stockpiling, storage or mixing of materials, washing and repairing of tools.
  - (iii) The parking (except existing on street parking) of vehicles, equipment and machinery.
  - (iv) The disposal of liquids and refuelling.
  - (v) The disposal of building materials.
  - (vi) Any action leading to an impact on tree health or structure.
- (c) Tree protection fencing (1.8m steel mesh fencing, secured and fastened to prevent movement) must be installed at the perimeter of the TPZs or as per the approved Tree Protection Plan prior to the commencement of the development works. Roots must not be damaged during the establishment or maintenance of the fencing.
- (d) Where tree protection fencing (or sections of) cannot be installed due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and trunk and ground protection installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.

- (e) Tree protection fencing must not be moved or relocated unless written approval is obtained from a qualified Arborist (minimum AQF Level 5) and alternate protection measures are installed to ensure the trees the viability of the tree(s) is not impacted. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
- (f) Where site sheds cannot be installed outside of the TPZs due to site constraints, written approval must be obtained from a qualified Arborist (minimum AQF Level 5) and appropriate tree protection measures installed as per AS4970. Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by the Arborist.
- (g) Signage identifying the TPZs must be attached to the tree protection fencing. Signage must be placed in a visible position in remain in place throughout the development works.
- (h) Ground protection in accordance with AS4970 must be installed if construction access is required within the TPZs. Existing pavements and hard stand areas can be used as ground protection.
- (i) All approved work undertaken within the TPZs must be supervised by a qualified Arborist (minimum AQF Level 5).

Note: The work within the TPZ and installation of tree protection measures is only applicable within the subject development site and the public domain

**Reason**

To ensure the protection and ongoing health of trees for the duration of the development.

**(49) STREET TREE PRUNING**

- (a) The consent from Council's Tree Management Officer must be obtained prior to the undertaking of any street tree pruning works including tree roots greater than 40mm diameter. Only minor pruning works will be approved by Council.
- (b) Any pruning that has been approved by Council, must be carried out by an arborist with a minimum AQF Level 3 qualification in arboriculture and must be in accordance with AS4373 Australian Standards 'Pruning of Amenity Trees'.

**Reason**

To ensure that approval is obtained for any pruning works to street trees and that such works are carried out in an appropriate manner.

**(50) TREE PROTECTION ZONES (FOR STREET TREES)**

<b>Tree No.</b>	<b>Species</b>	<b>Tree Location</b>	<b>TPZ radius(m) from Truck</b>	<b>SRZ radius (m) from trunk</b>
1 - 3	Caesalpinia ferrea (Leopard Tree)	Street Tree Front - In road planting	2.0	1.5

- (a) All street trees located at the front of the site on Briggs St must be retained and protected in accordance with Australian Standard 4970 'Protection of trees on development sites' and as follows:
- (b) Tree trunk and major branch protection must be installed prior to the issuing of any Construction Certificate, and must include:
  - (i) Tree trunk(s) and/or major branches to a height of 2 metres protected by wrapped thick underlay carpet or similar padding material to limit damage.
  - (ii) Timber planks (50mm x 100mm) placed around tree trunk(s). The timber planks must be spaced at 100mm intervals, and must be fixed against the trunk with tie wire, or strapping. The thick carpet underlay or padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.
  - (iii) Young street trees protected by the installation of three (3) wooden stakes around the edge of the tree pits or a minimum of 1 metre from the base of the trunk. Hessian must be wrapped around the stakes. If existing stakes or a metal tree guard are already in place, these suffice as tree protection.
  - (iv) Tree trunk and major branch protection must remain in place for the duration of the development works and be removed at the completion of the development works.
    - a. around or under the tree canopy or;
    - b. within two (2) metres of tree trunks or branches or any street trees.
- (c) Materials or goods, including site sheds, must not be stored or placed:
  - (i) Around or under the tree canopy or
  - (ii) Within two (2) metres of tree trunks or branches or any street trees.
- (d) Temporary signs or any other items must not be fixed or attached to any street tree.

- (e) Where installed, hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree pits. Supporting columns must not be placed on exposed tree roots.
- (f) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the City of Sydney Tree Team.
- (g) Any damage sustained to street tree(s) as a result of any construction activities (including demolition), must be immediately reported to the City of Sydney Tree Team on 9265 9333. Any damage to street trees as a result of any construction activities may result in prosecution under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.
- (h) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

**Reason**

To ensure the protection and ongoing health of the street trees.

**(51) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993**

Prior to the construction of any public domain works, approval under Section 138 / 139 of the Roads Act 1993 must be issued by the City's Public Domain Unit.

**Reason**

To ensure relevant approvals for public domain work are obtained.

## DURING BUILDING WORK

### (52) HOURS OF WORK AND NOISE – OUTSIDE CBD

The hours of construction and work on the development must be as follows:

- (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 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites.
- (c) Notwithstanding the above, the use of a crane 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 outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

#### **Reason**

To protect the amenity of the surrounding area.

### (53) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT

- (a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which 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 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours of (EHO to specify hours).

- (b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

**Reason**

To protect the amenity of the surrounding area.

**(54) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT**

The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.

**Reason**

To protect the amenity of the surrounding area.

**(55) COMPLIANCE WITH DEMOLITION, EXCAVATION & CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

- (a) All works conducted on site which form part of this development must be carried out in accordance with the submitted Demolition, Excavation and Construction Management Plan required under condition 28 within this notice of determination.
- (b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

**Reason**

To ensure all parties are aware of the supporting documentation that applies to the development.

**(56) LAND REMEDIATION (WHERE SITE AUDITOR ENGAGED)**

The site is to be remediated and validated in accordance with the Framework Remedial Action Plan prepared by CEC Geotechnical dated 29 April 2025, reference number ER24032BRev1 and the Letter of Interim Advice prepared by NSW Environment Protection Authority accredited Site Auditor Loek Munnichs dated 11.08.2025 and reference Letter 01. All remediation work carried out shall be conducted in accordance with the guidelines in force from time to time under the Contaminated Land Management Act 1997.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council's Area Planning Manager, the Site Auditor and the Principal Certifier.

Any variations to the approved Remediation Action Plan must be approved in writing by the Site Auditor and Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the commencement of such work.

**Reason**

To ensure that the site is appropriately remediated.

**(57) NOTIFICATION – NEW CONTAMINATION EVIDENCE**

Council's Area Planning Manager and the Principal Certifier must be notified immediately of any new information which arising during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

**Reason**

To ensure that any new contamination evidence or unexpected finds is reported and the site is appropriately remediated.

**(58) IMPORTED FILL MATERIALS**

All fill imported onto the site must be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill must be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or;
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (2022) Sampling Design Guidelines.

**Reason**

To ensure that imported fill is not contaminated.

**(59) CLASSIFICATION OF WASTE**

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed.
- (b) The classification, and the volume of material removed, and the receipt facility's details must be reported to the Certifier or Council (where a Certifier is not required).

**Reason**

To ensure that waste from site is classified and disposed of appropriately.

**(60) DISCHARGE OF CONTAMINATED GROUNDWATER**

- (a) Contaminated groundwater must not be discharged into the City's stormwater drainage system.
- (b) Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by an EPA NSW licensed liquid waste contractor and disposed of by transporter to an appropriate licensed waste treatment/processing facility.

**Reason**

To ensure that the discharge of ground water is appropriately managed.

**(61) STOCKPILES**

- (a) Soil or other materials must not be stockpiled on footpaths or nature strips without prior written approval from Council.
- (b) All stockpiles must be managed to prevent contamination of the underlying soil.
- (c) Potentially contaminated soil must be stockpiled on a hardstand surface or over polyethylene sheeting.
- (d) Stockpiles must:
  - (i) Be banded to prevent runoff of potentially contaminated materials.
  - (ii) Be stabilised through compaction and contouring to minimise wind exposure and allow access for water trucks.
  - (iii) Not exceed the height of perimeter fencing to assist in controlling dust and odour emissions.

- (iv) Be clearly labelled with a unique identification number and include records of the soil's volume and origin to enable tracking from excavation to final disposal or reuse.

**Reason**

To ensure that stockpiles of soil or other materials are appropriately managed.

**(62) TREE SENSITIVE EXCAVATION**

- (a) Excavation within the Tree Protection Zone(s) (TPZs) as detailed in the table below must be undertaken using tree sensitive methods (i.e. hand/ air space/hydrovac) and supervised by a qualified Arborist (minimum AQF level 5). To prevent root damage, low pressures must be used for hydrovac excavation with the bark remaining intact.

**Table 2 – Tree (Root) Protection Zone Schedule:**

Tree No	Species	Tree Location	TPZ Radius (m) from Trunk	SRZ (m) from Trunk
5	<i>Archontophoenix cunninghamiana</i> (Bangalow Palm)	Neighbouring property - rear NW corner	3.0	N/A
6	Unknown species	Neighbouring property - rear NW corner	3.3	2.1

- (b) Excavation must not occur within the SRZ. If excavation is proposed within this zone, the Council's Tree Management Officer must be contacted immediately, and the excavation must be carried out in accordance with Council's direction.
- (c) Roots greater than 40mm must not be severed or damaged within the TPZ without written approval from the City of Sydney Tree Team. As required, tree sensitive construction/installation methods (i.e. directional boring, redirection of services, pier and beam footings) must be used to ensure the retention and protection of roots greater than 40mm diameter.
- (d) Trenching must be backfilled as soon as possible, and exposed roots must be covered with mulch or a geotextile fabric and kept in a moist condition and prevented from drying out.
- (e) Any approved root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.

- (f) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

**Reason**

To ensure that excavation works to trees are carried out in an appropriate manner.

**(63) SITE SUPERVISION AND REPORTING**

- (a) A qualified Arborist (minimum AQF Level 5) must oversee various stages of work within the Tree Protection Zone(s) (TPZs) of any tree listed for retention.
- (b) The Arborist must undertake inspections through the development works.
- (c) The Arborist must certify compliance with each key milestone detailed below:
  - (i) Installation of tree protection measures (i.e. tree protection fencing, trunk and branch protection, ground protection, tree protection signage) prior to the commencement of the development works;
  - (ii) Demolition of ground surface materials (pavers, concrete, grass etc.) or inground structures within the TPZs of any tree to be retained;
  - (iii) Excavation and trenching within the TPZs;
  - (iv) Construction of rear boundary fencing within the TPZ of Trees 5 and 6;
  - (v) Landscape works within the TPZs;
  - (vi) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Plan or these conditions.
- (d) A Tree Protection Compliance Report, which includes photographic evidence and provides details on the health and structure of tree(s), must be submitted within one week following each scheduled inspection and key milestone listed above. The report is to be submitted to, and acknowledged, by the City of Sydney Area Planning Coordinator or Area Planning Manager. The Tree Protection Compliance Report must include:
  - (i) Confirmation that the tree protection measures have been installed in accordance with these conditions;
  - (ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;
  - (iii) Details of works undertaken on any tree to be retained or any works within the TPZs.

- (e) A final Tree Protection Compliance Certificate demonstrating that all Tree Protection Compliance Reports have been submitted at each scheduled inspection and key milestone listed above must be submitted and approved by the City of Sydney Area Planning Manager prior to the issue of any Occupational Certificate.

**Reason**

To ensure the protection and ongoing health of trees on the site.

**(64) TREE PRUNING – FURTHER APPROVAL REQUIRED**

- (a) Consent from Council's Tree Management Officer must be obtained prior to undertaking the pruning of any tree to be retained, including tree roots greater than 40mm diameter.
- (b) Construction access and the location of the works zone must be planned to avoid adversely impacting any tree to be retained. Alternative work zone locations must be provided and suitable size cranes/machinery/equipment utilised to minimise tree pruning requirements. Only minor pruning works will be approved.
- (c) Any approved pruning must be carried out by a qualified Arborist (minimum AQF Level 3) in accordance with Australian Standard 4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice - Amenity Tree Industry.

**Reason**

To ensure that pruning works to trees are carried out in an appropriate manner.

**(65) PUBLIC DOMAIN WORKS SECURITY BOND**

A Public Domain Works Security Bond will be required for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual.

The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The bond must be lodged with the City prior to an approval being issued for the approval of the Public Domain Plan.

The bond will be retained in full until all public domain works, including rectification of damage to the public domain, are completed to City's standards and approval and the required works-as-executed documentation are approved. On satisfying the above requirements, and the issue of the Public Domain Works Letter of Completion Operational Acceptance by the City, 90% of the bond will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

**Reason**

To ensure public domain works are completed and any damage to the public domain is rectified.

**(66) DRAINAGE AND SERVICE PIT LIDS**

All existing or proposed drainage and service pit lids throughout the public domain must be to City of Sydney specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed where specified by Council's Public Domain Officer. Private pits are not permitted within the public domain. All details of pit lids must be shown on the public domain plan and must be approved by the City's Public Domain Unit prior to the issue of an approval for public domain works.

**Reason**

To ensure drainage and service pit lids within the public domain are appropriately designed and installed.

**(67) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION**

A detailed public domain plan and all relevant documentation must be submitted to and approved by City's Public Domain Unit prior to the construction of any public domain works. This Plan must document all works required to ensure that the public domain upgrade work complies with the City's specifications and requirements, as outlined in documents such as City of Sydney's *Public Domain Manual*, *Sydney Streets Code*, *Sydney Street Tree Masterplan*, *Sydney Lights: Public Domain Design Code* and *Sydney Streets Technical Specification*. The documentation must be *checked, accurate, and comply with specified requirements*. Plans must be based on an accurate survey prepared, signed and dated by a registered surveyor, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be for Construction issue and will be approved under Section 138 of the Roads Act.

The Public Domain Manual and all other relevant documents are available for download from Council's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

The Public Domain Plan documentation must be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, details must be submitted for approval with the public domain plan and additional fees may apply.

**Reason**

To ensure the public domain complies with Council's requirements.

**(68) HOLD POINTS**

Prior to an approval being issued for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works, a set of hold points will be provided by the City's Public Domain Unit in accordance with the City's Public Domain Manual and Sydney Streets Technical Specification. The list of hold point inspections will be included in the Public Domain works approval letter.

These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed and works have been accepted by the City must be provided to the Principal Certifier.

**Reason**

To ensure hold points are adhered to during construction works.

**(69) STORMWATER DRAINAGE CONNECTION**

For approval of a connection into the City of Sydney's drainage system an "*Application for Approval of Stormwater Drainage Connections*" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to approval being issued for the construction of public domain work.

**Reason**

To ensure approval of connection into the Council's drainage system is sought.

**(70) PUBLIC DOMAIN LIGHTING RETICULATION**

Prior to the issue of any relevant approval for the construction of public domain works, a detailed Public Domain Lighting Reticulation Plan for pedestrian and street lighting in the public domain must be submitted to and approved by the City's Public Domain Unit in accordance with the City's *Sydney Lights Design Code*, *Sydney Streets Code*, *Sydney Streets Technical Specification* and *Public Domain Manual*.

The Public Domain Manual and all other relevant documents are available for download from Council's website at <https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works>.

If applicable, this public domain lighting documentation must include pole footing locations and structural details, location and details of underground electrical reticulation including connections and conduits, pit cabling and certifications as described in the City's *Public Domain Manual*. The public domain lighting is to be superimposed on the public domain plan to show any conflicts between lighting and the proposed landscape design.

**Reason**

To ensure the public domain lighting documentation complies with Council requirements.

## **(71) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) If, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

### **Reason**

To protect the amenity of the public domain.

## **(72) NO OBSTRUCTION OF PUBLIC WAY**

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

### **Reason**

To protect the amenity of the public domain.

## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

### (73) PUBLIC ART

Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

- (a) The public artwork must be in accordance with Preliminary Public Art Plan 2025/564392 revision dated September 2025, the *Sydney DCP 2012*, the *Public Art Policy*, and the *Interim Guidelines: Public art in private developments*.
- (b) A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Area Planning Manager prior to issue of any Construction Certificate for above ground works.
- (c) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at

<https://www.cityofsydney.nsw.gov.au/public-art> please contact the Public Art Team at [publicartreferrals@cityofsydney.nsw.gov.au](mailto:publicartreferrals@cityofsydney.nsw.gov.au) for further information.

#### Reason

To ensure public art is installed to the City's satisfaction.

### (74) PHYSICAL MODELS

- (a) Prior to the issue of any Occupation Certificate an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

#### Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's modellers must be consulted prior to construction of the model.
- (ii) The models are to comply with all of the conditions of the Development Consent.
- (iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

### Reason

To ensure the provision of an appropriate physical model of the development.

### (75) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must 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) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

### Reason

To ensure the provision of an appropriate electronic model of the development.

### (76) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

- (a) Prior to the issue of an **Occupation Certificate**, Council's review and written approval of the as-built waste infrastructure, facilities, and vehicle access is required. The City Cleansing & Resource Recovery Unit of Council must be satisfied that:
  - (i) All waste management facilities, storage, and collection infrastructure comply with the stamped plans, approved Operational Waste Management Plan and Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.

- (ii) All waste rooms, corridors, doors, and gates to be accessed by Councils collection contractor(s) are to be fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council's City Cleansing & Resource Recovery Unit.
- (b) Site inspections are to be conducted by Council's City Cleansing & Resource Recovery Unit to review the site on-site waste collection, storage and loading bay infrastructure prior to the issue of an **Occupation Certificate**. The inspections are to be conducted a minimum 6-months prior to projects anticipated construction completion. Prior to the inspection an electronic copy of the latest architectural plans are to be submitted.
- (c) An updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit that aligns with the latest version of architectural plans and waste related updates identified during the site inspections. The plan is to be reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of an **Occupation Certificate**.
- (d) The developer is to enter into a formal agreement with the City of Sydney Council for the utilisation of Councils Waste Collection Service. A signed agreement is to be submitted to Council's City Cleansing & Resource Recovery unit prior to the issue of an **Occupation Certificate**.
- (e) The assigned strata manager for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of an **Occupation Certificate**.

**Reason**

To ensure that facilities and arrangements are in place to enable the provision of a safe and efficient waste collection service responsive to Council's policies and contractual service provisions.

**(77) PUBLIC DOMAIN WORKS COMPLETION**

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual*, *Stormwater Drainage Manual*, *Sydney Lights Design Code* and *Sydney Streets Technical Specification*.

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

**Reason**

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

**(78) PUBLIC DOMAIN COMPLETION – WORK AS EXECUTED DOCUMENTATION**

Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City’s Public Domain Unit.

**Reason**

To ensure Council receives works-as-executed documentation for public domain works.

**(79) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT**

Prior to the issue of any Occupation Certificate:

- (a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City’s underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City’s Legal Services Unit at the cost of the applicant, in accordance with the City’s Fees and Charges.
- (b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City’s solicitor at the cost of the applicant, in accordance with the City’s Fees and Charges.

**Reason**

To protect underground drainage system.

**(80) SURVEY INFRASTRUCTURE – RESTORATION**

- (a) Prior to any Occupation Certificate being issued for the development, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by Council’s Area Planning Manager / Coordinator. This evidence must include:
  - (i) Certification that all requirements requested under the Surveyor-General’s Approval for Survey Mark Removal or by the City’s Principal Surveyor under condition “Survey Infrastructure – Identification and Recovery” have been complied with;
  - (ii) Certification that all requirements requested under any Surveyor-General’s Approval for Deferment of Survey Marks from condition “Survey Infrastructure – Pre Subdivision Certificate works” have been complied with and;

- (iii) Time-stamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.

**Reason**

To ensure all requirements for survey mark removal are complied with.

**(81) CONSTRUCTED FLOOR LEVELS**

A certification report prepared by a suitably qualified practitioner engineer (NPER) must be submitted to the Principal Certifier prior to issue of any Occupation certificate stating that the development has been constructed and the required levels achieved in accordance with the recommendations of the report titled Re-development, 18-28 Briggs Street, Camperdown-Flood Assessment report (Job Number:240066) prepared by Felix Taaffe of GRC Hydro dated 22 September 2025.

**Reason**

To ensure the development achieves the required floor levels.

**(82) FLOOD RISK MANAGEMENT**

Prior to the issue of any Occupation Certificate, a certification report prepared by a suitably qualified practitioner engineer (NPER), for flood risk management measures including flood planning level/s demonstrating compliance with the approved construction plans must be submitted to and be approved by the Principal Certifier. A copy of the report must be provided to Council for record keeping purposes.

**Reason**

To ensure flood risk management measures are complied with.

**(83) NO OBSTRUCTIONS**

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel, then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any type of Occupation Certificate.

**Reason**

To ensure there are no obstructions on public footways and paths of travel.

**(84) SYDNEY WATER CERTIFICATE**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate or subdivision/strata certificate being issued.

**Reason**

To ensure the requirements of Sydney Water are met.

## **OCCUPATION AND ONGOING USE**

### **(85) OCCUPATION CERTIFICATE TO BE SUBMITTED**

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council 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.

#### **Reason**

To ensure the site is authorised for occupation.

### **(86) PLAN OF MANAGEMENT**

The use must always be operated / managed in accordance with the Plan of Management prepared by Ace Property Development Group, dated 2 December 2024, titled PLAN OF MANAGEMENT - New Co-living at 18-28 Briggs Street, Camperdown, Council ref 2025/260595. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

The Plan of Management can be updated at any time. Any revised Plan of Management is to be submitted to and endorsed by Council's Area Planning Manager and may be updated without the requirement for a Section 4.55 modification application.

#### **Reason**

To ensure all parties are aware of the approved supporting documentation that applies to the development.

### **(87) NUMBER OF ADULTS PER ROOM**

- (a) No more than two adult people shall permanently occupy any co-living room.

#### **Reason**

To prevent overcrowding.

### **(88) TRANSPORT ACCESS GUIDE**

A Transport Access Guide must be implemented and maintained by the operators of the premises and be made available to staff, clients, customers and visitors at all times.

The following information shall be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of an Occupation Certificate for the site/use:

- (a) A Transport Access Guide detailing sustainable transport options to access the site including public transport, cycling and walking or a combination of these modes.

- (b) Communication methods by which the Transport Access Guide will be made available to staff, clients, customers and visitors.

**Reason**

To ensure that sustainable transport options are considered and communicated effectively.

**(89) ONGOING WASTE MANAGEMENT – RESIDENTIAL**

- (a) The ongoing use of development must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling stream(s) materials emanating from the premises must be stored in the designated waste storage area(s) integrated within the built form and must not be stored outside the premises (including any public place) at any time.
- (c) The property manager is responsible for lodging requests for damaged/broken bins, managing the rotation of bins, ensuring the full allocation of relevant bins are available for scheduled collections, management of odour and the routine cleaning and maintenance of all waste storage areas.
- (d) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.
- (e) The property manager is responsible for the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney Council responsive to the approved Operational Waste Management plan.

**Reason**

To support the safe and efficient scheduled Council waste collection service and ensure the impacts of waste management on the public domain and public health are minimised.

**(90) SCHEDULED COLLECTIONS - RESIDENTIAL**

- (a) Scheduled collections and waste management arrangements of Council's residential waste stream(s) is to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan, the developments Conditions of Consent and the City's Local Approvals Policy Managing Waste in Public Spaces.
- (b) Council's Domestic Waste Charge is applied to all residential rate accommodation properties in accordance with section 496 of the *Local Government Act 1993*. Residential accommodation is defined in accordance with the *Sydney Local Environmental Plan 2012* dictionary.

- (c) Unobstructed access to be provided for Councils standard waste collection vehicles to access the waste and recycling storage area(s), loadings bays and supporting infrastructure between the hours 6am and 6pm on collection day(s) to support the provision of a safe and efficient waste collection service to the site.

**Reason**

To support the safe and efficient scheduled residential waste collection service and minimise the impacts on public amenity and safety.

**(91) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS**

All works to the City's public domain, including rectification of identified defects, are subject to a 6 month defects liability period from the date of Completion. The date of Completion will be nominated by Council on the Public Domain Works – Letter of Completion Operational Acceptance.

**Reason**

To ensure all works to the City's public domain are protected under a liability period.

**(92) ENCROACHMENTS – NEIGHBOURING PROPERTIES**

No portion of the proposed structure shall encroach onto the adjoining properties.

**Reason**

To protect neighbouring properties.

**(93) ENCROACHMENTS – PUBLIC WAY**

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

**Reason**

To protect the public way.