

# **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/2026/262 dated 27 March 2026 and the following drawings prepared by Vie Studio:

Drawing Number	Drawing Name	Date
A-102 Revision F	Proposed Floor Plan	12.03.2025

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) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) Indicate that rooms not shown as client rooms in the approved drawing are not to be used for client rooms or servicing.
- (b) Indicate the ground floor enclosed area is only used for car parking and waste storage as required by Condition 22 (Waste Infrastructure – Commercial) of this consent.
- (c) Detail the staff facilities required by Condition 15 (Sex Services Premises Staff Facilities) of this consent.
- (d) Detail the waste storage area required by Condition 22 (Waste Infrastructure – Commercial) of this consent to be located within the ground floor enclosed area.

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 any Construction Certificate.

#### **Reason**

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

### **(3) UPDATE PLAN OF MANAGEMENT**

The plan of management is to be updated to contain:

- (a) The name and contact details of the proprietor and operator.
- (b) The registered business name and trading name of the premises.
- (c) Detail of working rooms and staff areas to be equipped with intercoms or duress alarm systems that are linked to a central base and monitored at all times.

These changes to the plan of management are to be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of any Construction Certificate.

#### **Reason**

To ensure appropriate management of the premises.

### **(4) PLAN OF MANAGEMENT – SEX SERVICES PREMISES**

The operation of the premises must be conducted in accordance with a Plan of Management that has been approved by Council.

The Plan of Management can be revised at any time through the submission of a Section 4.55 modification application.

#### **Reason**

To ensure appropriate management of the premises.

### **(5) MODIFICATION OF DEVELOPMENT CONSENT D/1999/303**

Development consent D/1999/303 (as modified) must be modified pursuant to section 4.17(1)(b) of the Environmental Planning and Assessment Act 1979 as detailed below:

- (a) Condition (1) 'Approved Development' of the existing base development consent D/1999/303 (as modified) must be modified to include the following text: "*and as altered under development consent D/2026/262*".
- (b) The wording of condition (2) 'PLAN OF MANAGEMENT' is to read as:

## **(2) PLAN OF MANAGEMENT**

The operation of the premises must be conducted in accordance with the Plan of Management that has been approved by Council (under this consent and/or D/2026/262). The Plan of Management can be revised at any time through the submission of a Section 4.55 modification application.

### **Reason**

To ensure the premises trades within the approved hours of operation.

(c) The wording of condition (5) 'SCOPE OF CONSENT' is to read as:

### **(5) SCOPE OF CONSENT**

This approval is based on the following:

- (a) No more than eight sex workers employed on the site at any one time.
- (b) Six client service rooms.
- (c) Or, if operating consent D/2026/262, no more than twelve sex workers, and 8 client service rooms.

(d) Condition (7) 'RESTRICTIONS ON REAR ACCESS' is to read as:

### **(7) RESTRICTIONS ON REAR ACCESS**

The rear access shall be used by staff only between the hours of 10.00pm and 10.00am. Customers shall use the front access only and there shall be no waiting by customers at the rear of the ground floor level.

Or, if operating development consent D/2026/262, the premises is not to be accessed by the rear lane unless by a patron with accessibility requirements who intends to use the accessible client room on the ground floor.

Note: to activate this condition, written notice must be given to the Area Planning Manager prior to the commencement of the amended trading hours. The notice must contain all information listed under section 67(2) of the [Environmental Planning and Assessment Regulation 2021](#).

### **Reason**

To update the existing operational sex services premises consent.

## **(6) DELIMITATION & CONSOLIDATION PLAN**

Prior to the issue of any approval for demolition, the commencement of any demolition works or the issue of any Construction Certificate, whichever occurs first, the following is to be undertaken:

- (a) A 'Delimitation & Consolidation Plan' redefining the boundaries of the subject site is to be carried out by a Surveyor registered under the *Surveying and Spatial information Act 2002* and registered at NSW Land Registry Services.
- (b) The Registered Surveyor is to provide written confirmation that (a) has been undertaken and a copy of the new title and plan is to be provided to the Principal Certifying Authority and Council.

**Reason**

The subject boundaries are poorly defined and are 'Limited' title and should be redefined accordingly.

**(7) NO CONSENT FOR SIGNAGE**

No consent is granted or implied for any signage.

**Reason**

To require separate consent to be obtained for any signs.

**(8) 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.

**(9) AIR CONDITIONERS GENERALLY**

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

- (a) Not be located on awnings or attached to the face of the building
- (b) Not be located on roofs in such a way that it is visible from any street, footpath or park
- (c) Be visually screened if located 1.8 metres above ground level in other locations
- (d) Wiring must be fully concealed.

**Reason**

To ensure the visual impact of air conditioners is minimised.

**(10) NO AIR CONDITIONING UNITS TO FACADE OR BALCONIES OF BUILDING**

Approval is not granted for the installation of individual air conditioning units to the facade or balconies of the building.

**Reason**

To clarify the scope of the consent.

**(11) MANAGEMENT OF PREMISES**

A maximum of 12 sex workers are allowed to be employed on the site at any one time and the use should not exceed the 8 client rooms shown on the approved plans.

**Reason**

To ensure appropriate operation of the premises.

**(12) REAR LANE ACCESS**

The premises is not to be accessed by the rear lane unless by a patron with accessibility requirements who intends to use the accessible client room on the ground floor.

**Reason**

To ensure appropriate operation of the premises.

**(13) SEX INDUSTRY PREMISES - LIGHTING**

- (a) All workrooms in sex service premises must be provided with an adequate level of lighting to allow sex workers to conduct health checks of their clients for any visible signs of sexually transmitted diseases, and/or a lamp is to be provided specifically for this.
- (b) All sex on premises cubicles, booths and sexual activity areas must be fitted with a local lighting system that achieves an adequate level of luminance for the purpose of allowing patrons to conduct examination of each other for visible evidence of sexual transmitted disease and to assist safe sexual practices. User adjustable dimmer switches may be installed to achieve this.
- (c) All sex on premises cubicles, booths and sexual activity areas must be fitted with lighting that achieves a minimum luminance of 80lx for the purpose of spot cleaning. This must be achieved either through the provision of a separate zoned lighting system or incorporated into the design of the local lighting system for sexual transmitted infection examination by patrons.
- (d) The premises must be capable of being illuminated with an adequate level of lighting so that the premises can be thoroughly cleaned when patrons are not on the premises.

**Reason**

To protect the health and safety of sex workers.

**(14) SEX SERVICE PREMISES CLEANING**

- (a) All servicing areas must be cleaned on a daily basis and should also be assessed for cleaning after every performance with spot cleaning occurring as necessary and as frequently as possible.

**Reason**

To ensure safety and cleanliness within performance areas.

**(15) SEX SERVICE PREMISES STAFF FACILITIES**

Staff facilities must be provided within the premises, in an area which is not accessible by clients and is adjacent to and accessible from work areas. The facilities must have controlled access and appropriate facilities including: a rest area with seating; fully equipped bathroom (shower, toilet and hand basin); sink with running water, water boiling facilities and fridge; food and drink preparation areas; staff lockers and health information noticeboard.

**Reason**

To ensure appropriate staff facilities are provided on the premises.

**(16) SYDNEY DCP COMPLIANCE**

The premises must comply with the health provisions contained in Sydney DCP 2012 4.4.6

**Reason**

To ensure relevant health provisions are complied with.

**(17) GENERAL HERITAGE**

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (d) New services are to be installed with minimal impact to heritage fabric and significant spaces. Where possible new services are to use existing service runs.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.

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

**Reason**

To ensure that the development does not result in adverse heritage impacts.

# **BUILDING WORK**

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

### **(18) BUILDING WORKS TO COMPLY WITH NATIONAL CONSTRUCTION CODE – HERITAGE BUILDINGS OR BUILDINGS WITHIN CONSERVATION AREA**

Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be submitted and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to issue of any Construction Certificate.

#### **Reason**

To ensure an appropriate heritage outcome.

### **(19) HERITAGE CONSERVATION WORKS**

- (a) Prior to the issue of the Construction Certificate, a schedule of conservation works (prepared by a suitably qualified heritage specialist) is to be undertaken concurrent with the works is to be submitted to Council's Urban Design and Heritage Manager for approval.
- (b) The schedule is to detail the conservation of all fabric identified as having a heritage significance including but not limited to the following: Front façade including doors, roof dormers and balconies of the site.
- (c) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.
- (d) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building. Any departure from approved plans requiring additional demolition/chasing of significant fabric is to be submitted to Council's Area Planning Manager for approval.
- (e) A schedule of site inspections at key points during construction (like after demolition, before covering significant fabric with new ceilings and floors and/or when design changes impacting significant fabric need to be implemented and required to be discussed with Council) is required to be submitted to City of Sydney for approval.
- (f) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.

**Reason**

To ensure the carrying out of appropriate heritage conservation works.

**(20) REINSTATEMENT OF FRONT BALCONIES**

The first floor front balconies must be reinstated to its original form and style and decorated with appropriate balustrade panels reflecting the traditional patterns, colour and details.

Details of the proposed reinstatement (drawings at a 1:50 and/or 1:20 scale) must be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of any Construction Certificate. Details must include the use of traditional materials, size of structural elements, chamfered details where appropriate, size and type of timber floorboards.

**Reason**

To ensure an appropriate heritage and streetscape outcome.

**(21) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL**

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 Council's City Cleansing & Resource Recovery unit and approved by Council's Area Planning Manager prior to the issue of any 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) Design of the proposed waste storage area/s in accordance with Reference D 1.1-1.12 of the *Guidelines and AS 1428.1 (Design for Access and Mobility)*
- (b) Details of the proposed waste collection strategy and waste transfer paths in accordance with Section D of the *Guidelines*
- (c) Details of demolition and construction waste management measures including volume estimates and location of the waste storage area/s in accordance with Section F of the *Guidelines*

**Reason**

To document agreed waste management facilities and arrangements and ensure good waste management outcomes.

## **(22) WASTE INFRASTRUCTURE – COMMERCIAL**

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 are to be 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 of 1200mm high on the walls.

### **Reason**

To allow for the safe and hygienic storage and collection of waste and recycling from the use of the building.

## **BEFORE BUILDING WORK COMMENCES**

### **(23) USE OF A STRUCTURAL ENGINEER**

A suitably qualified practising structural engineer is to be commissioned to work with the consultant team throughout the design development, contract documentation and excavation stages of the project. The engineer is to be involved in the resolution of all matters relating to the demolition of the shared wall. The structural engineer is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of excavation issues throughout the project.

#### **Reason**

To ensure the structural stability integrity of the subject site and neighbouring buildings.

## DURING BUILDING WORK

### (24) ASBESTOS REMOVAL WORKS

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2025* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW) December 2011* and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.

- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

### **Reason**

To ensure that the handling and removal of asbestos from the site is appropriately managed.

## **(25) 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*.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

**Reason**

To protect the amenity of the surrounding area.

**(26) COVERING OF LOADS**

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information and requirements.

**Reason**

To ensure loads are managed appropriately and do not impact local amenity.

**(27) EROSION AND SEDIMENT CONTROL**

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifier must be implemented in full during the construction period.

During the construction period:-

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

**Reason**

To ensure no substance other than rainwater enters the stormwater system and waterways.

**(28) HAZARDOUS AND INDUSTRIAL WASTE**

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) *Protection of the Environment Operations Act 1997*

(b) *Protection of the Environment Operations (Waste) Regulation 2005*

(c) *Waste Avoidance and Resource Recovery Act 2001*

(d) *Work Health and Safety Act 2011*

(e) *Work Health and Safety Regulation 2017.*

**Reason**

To ensure hazardous/ industrial waste is managed appropriately.

**(29) 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

**Reason**

To protect the amenity of the public domain.

**(30) 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.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

**Reason**

To protect the amenity of the public domain.

## **BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

### **(31) SEX SERVICE PREMISES DATABASE**

Prior to the issue of any Occupation Certificate, Council's Safe City specialists must be notified that the premises is being used for the purposes of a 'sex service premises' and the business registered on Council's database. The premises will then be subject to Council inspection.

#### **Reason**

To ensure the premises is registered on Council's database.

### **(32) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL**

Prior to the issue of an **Occupation Certificate** or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

#### **Reason**

To ensure arrangements are in place to manage commercial waste without reliance on public place or residential waste bins.

### **(33) SURVEY INFRASTRUCTURE**

Prior to the issue of the occupation certificate, sufficient survey infrastructure, including reference marks and permanent marks with the plan of delimitation, must remain in place in order to satisfy the requirements of the *Surveying and Spatial Information Regulation 2024*, and to the satisfaction of Council.

#### **Reason**

To ensure the integrity of the Cadastre.

## **OCCUPATION AND ONGOING USE**

### **(34) 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.

### **(35) ENCROACHMENTS – NEIGHBOURING PROPERTIES**

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

#### **Reason**

To protect neighbouring properties.

### **(36) 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.

### **(37) SCHEDULED COLLECTIONS – COMMERCIAL**

- (a) Waste and recycling stream(s) bins must not be placed on the street for collection. The waste contractor must wheel the bins from the waste storage area of the property to the waste collection vehicle upon arrival and return them to the waste storage area following collection. Unimpeded access must be provided to the waste and recycling storage area(s) at all times.
- (b) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.
- (c) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

#### **Reason**

To minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

**(38) HEALTH SERVICES ACCESS**

The proprietor must give access to health service providers to provide information and educational activities on disease transmission issues and any other issues.

**Reason**

To ensure access to health service providers is provided.

**(39) SEX ON PREMISES VENUE - CLEANING**

- (a) The premises, including any booths, cubicles, walls, floors and 'glory holes' must be constructed of durable, impervious materials with smooth finishes that are able to be cleaned easily.
- (b) A cleaning register is to be kept on the premises at all times and must be available for inspection by authorised officers on demand. The register must include but not be restricted to date/time of all cleaning activities; printed name and signature of the employee(s) conducting the cleaning; and notation of specific areas requiring spot cleaning attention.
- (c) Spot cleaning must be conducted on as a minimum hourly basis or more frequently if needed and during peak periods.
- (d) There must be a minimum of 2 staff available at all times at the premises so as cleaning and security can be maintained.

**Reason**

To ensure adequate cleaning is undertaken within the premises.

**(40) SEX SERVICE PREMISES - SHARPS WASTE DISPOSAL EQUIPMENT**

A least one sharps container of a one litre or more capacity is to be provided and kept on premises at all times for use by clients or staff as required.

The container(s) are to comply with the requirements of AS4261:1994 and/or AS4031:1992 and be disposed of in accordance with the Department of Environment and Conservation's requirements.

**Reason**

To ensure sharps waste can be disposed of appropriately.

**(41) TRADING HOURS**

The trading hours are as follows:

- (a) The permitted trading hours are restricted to between 10:00am and 5:00am, the following day, Monday to Sunday.

**Reason**

To ensure the premises trades within the approved trading hours.

**(42) COMMERCIAL AND INDUSTRIAL DEVELOPMENT NOISE**

During ongoing use of the premises, the cumulative emission of noise from commercial and industrial activities must comply with Requirement 4 – *NOISE FROM COMMERCIAL AND INDUSTRIAL ACTIVITIES*, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

**Reason**

To protect the acoustic amenity of surrounding properties.

**(43) COPIES OF CONSENTS AND MANAGEMENT PLANS**

A copy of the current development consent(s) for the operation of the licensed premises, and the Plan of Management must be kept on-site and made available to Authorised Officers.

**Reason**

To ensure all relevant approved documents are available on-site upon request.

**(44) SURVEILLANCE CAMERAS**

- (a) CCTV surveillance cameras must be strategically installed, operated and maintained throughout the premises with coverage to:
  - (i) All entrance/s and exits used by the public including a 10m radius of these entrance/s and exits;
  - (ii) all areas within the premise occupied by the public (excluding toilets and servicing rooms).
- (b) All CCTV recording equipment and cameras must be of high-grade digital quality capable of establishing the population and identification of patrons, offenders and incidents within the depth of field view of the cameras.
- (c) CCTV recordings must be retained for 28 days before being re-used, destroyed or deleted. Time and date must be automatically recorded. The CCTV recording equipment must be capable of reproducing a digital copy.
- (d) All CCTV recording devices and cameras must be checked to ensure the equipment is operating correctly.
- (e) When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies.

**Reason**

To ensure the safety and security of staff, patrons and the surrounding neighbourhood is adequately monitored and maintained.

## **SCHEDULE 2**

### **PRESCRIBED CONDITIONS**

**The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:**

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>

### *General advisory notes*

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf). <https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf> The consent should be read together with the *Conditions of development consent advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

## Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Building work** means any physical activity involved in the erection of a building.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means the City of Sydney.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Local planning panel** means the City of Sydney Local Planning Panel.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:  
the collection of stormwater,  
the reuse of stormwater,  
the detention of stormwater,  
the controlled release of stormwater, and  
connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision works certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.