Attachment B

Recommended Conditions of Consent

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 25 June 2020, the Central Sydney Planning Committee approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Graham Jahn AM
Director
City Planning, Development and Transport

Sydney 2022

SCHEDULE 1

Application Number:	SSD 10381 (D/2021/1245)
Applicant:	NSW Department of Education
Consent Authority:	Central Sydney Planning Committee
Site:	Lot 2 of Deposited Plan 1174641 / 3 Joynton Avenue, Zetland
Development:	Construction of the Green Square Integrated Community Facility and School, being a public primary school (Kindergarten to Year 6), community facilities and associated works.

DEFINITIONS

Accredited Certifier	Means the holder of accreditation as an accredited certifier under the *Building Professionals Act 2005* acting in relation to matters to which the accreditation applies.
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	NSW Department of Education or any other person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
CEMP	Construction Environmental Management Plan
Certification of Crown building work	Certification under section 6.28(2) of the EP&A Act
Certified Contaminated Land Consultant	A person certified in accordance with the requirements of the Contaminated Land Consultant Certification Policy Version 2 (EPA November 2017) or any subsequent policies as in force from time to time
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
City	Council of the City of Sydney
Conditions of this consent	The conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk excavation, and erection of buildings and other infrastructure permitted by this consent, but excluding the following: • building and road dilapidation surveys; • investigative drilling or investigative excavation; • establishing temporary site offices (in locations identified by the conditions of this consent); • installation of environmental impact mitigation measures, fencing, enabling works; and • minor adjustments to services or utilities.
Council	Council of the City of Sydney
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising excavation and construction, as modified by the conditions of consent.
EIS	The Environmental Impact Statement titled Green Square Community Facility and School Environmental Impact Statement (SSD-10381), prepared by Architectus dated 21 October 2021, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*

EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence under the POEO Act
Feasible	Means what is possible and practical in the circumstances
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage Item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance*,* and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes, or threatens to cause, material harm and which may or may not be, or cause, a non-compliance *Note: "material harm" is defined in this consent*
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The use of any building upon completion of construction
Operational readiness work	Use of the completed areas of the development by school staff to prepare for the operation of the development
POEO Act	*Protection of the Environment Operations Act 1997*
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation, benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled "*Aboriginal cultural heritage consultation requirements for proponents 2010*" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act
RMS	NSW Roads and Maritime Services

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.

Terms of Consent

A2. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of Council;

(c) in accordance with the EIS and Response to Submissions;

(d) in accordance with the approved plans in the table below:

Architectural Plans prepared by BVN Architects (Project No. 1908014.000)			
Dwg No.	**Rev**	**Name of Plan**	**Date**
DA-A10-XX-01	E	Proposed Site Plan	24/02/22
DA-B10-00-00	D	GA Plan – Ground Level	24/02/22
DA-B10-01-00	D	GA Plan –Level 01	24/02/22
DA-B10-02-00	D	GA Plan –Level 02	24/02/22
DA-B10-03-00	D	GA Plan –Level 03	24/02/22
AR-DA-B10-04-00	D	GA Plan –Roof Plan	24/02/22
AR-DA-B10-B0-00	D	GA Plan –Basement	24/02/22
DA-B69-00-00	A	Signage & Wayfinding Plan – Level 00	24/02/22
DA-B69-02-01	A	Signage & Wayfinding Plan – Level 02	24/02/22
DA-B69-XX-02	A	Signage Setouts	24/02/22
DA-B69-XX-03	A	Site Views	24/02/22
AR-DA-C10-XX-01	C	External Elevations Overall	8/04/22
AR-DA-C10-XX-02	B	External Elevations = Flex Brick Screen Omitted	24/02/22
AR-DA-C10-XX-03	B	Building Materials - External	24/02/22
DA-D10-XX-01	D	Sections 01	24/02/22
DA-E40-XX-01	A	North Façade 01	24/02/22
DA-E40-XX-02	A	North Façade 02	24/02/22
DA-E40-XX-03	A	West Façade 01	24/02/22
DA-F63-XX-01	A	External Stair to Multipurpose 1A & 1B - Detail	24/02/22
DA-G40-XX-01	A	Roof PV Detail	24/02/22

A3. Consistent with the requirements in this consent, the Council may make written directions to the Applicant in relation to:

(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Council;

(b) any reports, reviews or audits commissioned by the Council regarding compliance with this approval; and

(c) the implementation of any actions or measures contained in any such document referred to in (a) above.

A4. The conditions of this consent and directions of the Council prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Staging

A5. The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Council. The Staging Report must be submitted to the Council no later than one month before the commencement of construction (unless otherwise agreed to in writing by the Council) of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).

Note: Works may commence upon the Council's approval of a Staging Report and satisfaction of all relevant conditions.

A6. Should the staging of the project (for construction or operation) change from that set out in a Staging Report approved under condition A5, a revised Staging Report must be submitted to the satisfaction of the Council.

A7. A Staging Report prepared in accordance with condition A5 or A6, must:

(a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;

(b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);

(c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and

(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.

A8. Where a Staging Report is approved under conditions A5 or A6, the project must be staged in accordance with the latest Staging Report approved by the Council.

A9. Where construction or operation is being staged in accordance with a Staging Report approved under conditions A5 or A6, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the latest Staging Report approved by the Council.

Staging, Combining and Updating Strategies, Plans of Programs

A10. The Applicant may:

(a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the

relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);

(b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and

(c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A11. Any strategy, plan or program prepared in accordance with condition A10, where previously approved by the Council under this consent, must be submitted to the satisfaction of the Council.

A12. If the Council agrees in writing, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A13. Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

Limits of Consent

A14. This consent lapses five years after the date of consent unless work is physically commenced.

Applicability of Guidelines

A15. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A16. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Council may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

Prescribed Conditions

A17. The prescribed conditions in accordance with Division 8A of the Environmental Planning and Assessment Regulation 2000 apply:

(a) Clause 98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(b) Clause 98A Erection of signs

(c) Clause 98B Notification of Home Building Act 1989 requirements

(d) Clause 98C Conditions relating to entertainment venues

(e) Clause 98D Conditions relating to maximum capacity signage

(f) Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the Environmental Planning and Assessment Regulation 2000. This can be accessed at: http://www.legislation.nsw.gov.au

Compliance

A18. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

Design Quality Excellence

A19. As the proposal has achieved design excellence and in order to ensure the design quality excellence of the development is retained to completion:

(a) The design architect(s) comprising BVN Architects are to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at S4.55 applications, certification (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) and Occupation stages;

(b) The design architects are to have full access to the site and are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;

(c) Evidence of the design architect's commission must be provided to the Council prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979).

A20. The design architect of the project is not to be changed without prior notice and approval of the Council's Director City Planning, Development and Transport.

A21. The Crown Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant certification and occupation or use, in accordance with written confirmation from Council.

Building Height

A22. The height of the building must not exceed RL 35.610(AHD) to the top of the building (excluding the photovoltaic panels) and RL 36.050(AHD) to the top of the lift overrun.

Compliance with the Submitted Materials and Samples Board

A23. The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the list of materials prepared by BVN Architects (drawing no. AR-DA-C10-XX-03, Issue B, dated 24 February 2022).

A24. The concrete (CON-101), flex brick screen materiality (SCN-101) and glazing specification must be consistent with submitted materials and samples board (Version 02) prepared by BVN Architects, dated 6 April 2022 (Council ref. 2022/230840).

Sign Illumination

A25. The signage must comply with the following:-

(a) At no time is the intensity, period of intermittency and hours of illumination of the LED sign 'D1' to cause objectionable glare or injury to the amenity of the neighbourhood and as such must be designed, installed and used in accordance with AS4282-1997 Control of Obtrusive Effects of Outdoor Lighting.

(b) The sign must not flash, chase, pulsate or flicker.

(c) The maximum night time luminance of any sign is not to exceed 300 cd/sqm.

(d) Upward facing light sources onto any signage is not permitted.

Signage General Requirements

A26. The design of the approved signage must comply with the following:-

(a) The signage is not to contain highly reflective materials, colours and finishes.

(b) The signage is not to incorporate sound, vibration, odour and other emissions.

Dynamic Content Signs (LED Sign)

A27. The design of the approved dynamic content signage (LED sign D1) must comply with the following unless otherwise agreed by Council:-

(a) The Dynamic Content Sign must not operate between 10pm and 7am.

(b) Any imagery shall have a dwell time of at least 10 seconds, transition time of 0.1 seconds and not be animated.

(c) The Dynamic Content Sign, including any animation, video or moving or changing images, is not to flash, strobe, pulsate, flicker or contain fast moving images. Any animation and motion of images is to be slow and smooth at all times.

(d) The Dynamic Content Sign is to have a default setting that will display an entirely black display area when no content is being displayed or if a malfunction occurs.

(e) The Dynamic Content Sign is to have light sensors that automatically adjust the display brightness of the display area to ambient light conditions.

Noise – Commercial Plant

A28. Noise from commercial plant must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA *Noise Policy for Industry* 2017 (NPfI) unless agreed to by the City's Area Planning Manager. Further:

(a) Background noise monitoring must be carried out in accordance with the long-term methodology in *Fact Sheet B* of the NPfI unless otherwise agreed by the City's Area Planning Manager.

(b) Commercial plant is limited to heating, ventilation, air conditioning, refrigeration and energy generation equipment.

A29. An $L_{Aeq,15\ minute}$ (noise level) emitted from the development must not exceed the $L_{A90,\ 15\ minute}$ (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

(a) The noise level and the background noise level must both be measured with all external doors and windows of the affected residence closed.

(b) Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.

(c) Corrections in Fact Sheet C of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

Notification – New Contamination Evidence

A30. The Crown Certifier must be notified of any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

Vehicle Footway Crossing

A31. 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.

A32. 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 occupation or use.

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

Changes to Kerb Side Parking Restrictions

A33. A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.

A34. The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.

A35. All costs associated with the parking proposal will be borne by the developer.

Note: As parking in the LGA is at a premium, it is recommended that the applicant should approach the Area Traffic Engineer to discuss the proposal before making a submission.

Cost Of Signposting

A36. All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer

Traffic Works

A37. Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

Surveys Prior to Commencement

A38. PRIOR TO FOUNDATION STAGE - All footings and walls adjacent to a boundary or setback line must be set out by a surveyor registered under the Surveying & Spatial Information Act, 2002, and a copy of the survey report provided to the Crown Certifier.

A39. AT FOUNDATION STAGE - Upon commencement of wall construction, by the time the perimeter wall has reached one metre in height, all work on the site shall cease unless a survey and report has been submitted to the Crown Certifier indicating the position of external walls in relation to the boundaries of the allotment, and the setbacks. Any encroachments of the subject building over the side boundaries must be removed prior to continuation of building construction work, or alternatively a letter supplied from the registered proprietor(s) of the adjoining lot(s) confirming that they are aware of the nature & extent of the encroachment, and undertaking to execute all necessary documentation to permit the creation of an easement to permit the encroachment to remain.

Operational Plan of Management

A40. The use and hours of operation must be operated/ managed in accordance with the Operational Plan of Management, prepared by NSW Department of Education and the City of Sydney (Council ref. 2022/232707). In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

Design Modifications

B1. The design must be modified as follows:

(a) The size of sign D1 as illustrated on Architectural Plan A-B69-XX-01 is to be reduced to a maximum of 1000mm x 2500mm and is only to be illuminated between the hours of 7am and 10pm 7 days per week.

(b) The architectural plans are to be updated to demonstrate that the flex brick screen SCN-101 is limited to maximum 50% brick coverage.

(c) The architectural plans must be consistent with the Landscape Plans regarding the location of proposed bicycle parking spaces.

B2. Details of the above modifications are to be submitted to and approved by the Crown Certifier and a copy of the approved plans are to be submitted to Council for information prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979).

Demolition, Excavation and Construction Noise and Vibration Management Plan

B3. A site-specific noise management plan must be submitted to the Crown Certifier for comment and approval prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979).

The Plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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 *EPA's Interim Construction Noise Guidelines (DECC, 2009)* 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 ($L_{A90,\ 15\ minute}$) 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.

Construction Environmental Management Plan

B4. Prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) a Construction Environmental Management Plan (CEMP) must be prepared for the site and submitted to the Crown Certifier for written approval.

B5. The CEMP must consider all potential environmental impacts from the approved works including but not limited to sedimentation control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

B6. All works must be undertaken onsite in accordance with the approved Construction Environmental Management Plan.

B7. 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 Interim Construction Noise Guideline (DECC) 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.

Details to be Submitted

B8. The following information is to be submitted to and approved by Council's Area Planning Manager prior to certification being issued or other timeframe agreed to by Council (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979):

(a) 1:20 scale minimum plans, elevations and section details of the fence interface to Waranara Early Learning Centre on the south and east boundaries, which integrates with the existing high quality fence design and clearly identifies what is existing and what is proposed.

(b) 1:20 scale minimum plans, elevations and section details of the following are to be submitted:

(i) High quality façade treatments, service integration, access doors and entry gates to each of the two entries points on Zetland Avenue and Portman Street equivalent in design quality and materiality of the façade.

(ii) High quality, well integrated sliding gates to each of the two perimeter access points on the eastern and southern boundaries equivalent in design quality and materiality of the façade.

(iii) High quality integral finish fire hydrant reel cupboard integrated into the façade fronting Zetland Avenue equivalent in design quality and materiality of the façade.

The required information must include detailed material, finishing, spacing, elemental sizing details. The information submitted should show a level of detail equivalent to For Construction detailing.

(c) 1:20 scale detailed drawings (plans, elevations and sections) of the hydrant booster assembly and fire hose reel cupboard facing Portman Street, demonstrating these are high quality with integral finish and are consistent with the materials and finishes of the approved building.

(d) Confirmation by the structural engineer that the concrete specification is consistent with that described on page 2 of Attachment A - Consolidated Responses, prepared by Architectus with specification details by BVN, undated (Council Ref. 2022/080499).

(e) Glazing Details:

(i) All glass is to be clear to achieve a high level of transparency to provide visual depth and have a neutrality of colour. A consistency in appearance and colour characteristics between all facades is to be achieved.

(ii) The submitted details are to include physical samples of the glass types, details of the manner of assembly, and the glazing characteristics including the proposed Shading Coefficient, the Visible Light Transmission and the Reflectivity

(iii) The Section J report must be provided with the above.

Landscape Plans

B9. The Landscape Report – Issue L prepared by Turf Studio dated April 2022 and supporting Landscape Plans must be updated to include:

(a) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features;

(b) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers;

(c) Location, numbers, type and supply of plant species, with reference to the relevant Australian Standard;

(d) All new trees must be grown to Australian Standard 2303:2015 'Tree stock for landscape use'

(e) All new trees must be planted in natural ground with adequate soil volumes to allow maturity to be achieved. Planter boxes will not be accepted for tree planting;

(f) All new trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction;

(g) Details of planting procedure and maintenance;

(h) Details of drainage, waterproofing and watering systems;

(i) Details demonstrating use of a lighter colour for soft fall across areas of the rooftop that are exposed to the sun;

(j) Location of proposed bicycle parking spaces.

The updated Landscape Report and supporting Landscape Plans must be submitted to and approved by the Council prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979).

Green Star Rating

B10. Prior to the commencement of construction, unless otherwise agreed by the Council, the Applicant must demonstrate that ESD is being achieved by either:

(a) registering for a minimum 5 star Green Star rating with the Green Building Council Australia and submit evidence of registration to the certifier; or

(b) seeking approval from the Council for an alternative certification process

Notification of Commencement

B11. The Applicant must notify Council in writing of the dates of the intended commencement of construction and operation at least 48 hours before those dates.

If the construction or operation of the development is to be staged, the Council must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Access to Information

B12. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Council, the Applicant must:

(a) make the following information and documents (as they are obtained or approved) publicly available on its website:

(i) the documents referred to in condition A2 of this consent;

(ii) all current statutory approvals for the development;

(iii) all approved strategies, plans and programs required under the conditions of this consent;

(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;

(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;

(vi) a summary of the current stage and progress of the development;

(vii) contact details to enquire about the development or to make a complaint;

(viii) a complaints register, updated monthly;

(ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;

(x) any other matter required by the Council; and

(b) keep such information up to date, to the satisfaction of the Council and publicly available for 12 months after the commencement of operations.

Certified Drawings

B13. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Crown Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with this development consent.

External Walls and Cladding

B14. Prior to the commencement of construction, the Applicant must provide the Crown Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA. The Applicant must provide a copy of the documentation given to the Crown Certifier to Council within seven days after the Crown Certifier accepts it.

Photovoltaics

B15. Prior to the commencement of construction the Architectural Plans are to be updated to confirm that a combined size 128 kWp will be achieved by the roof top photovoltaic system in alignment with BVN Green Square Integrated Community Facility and School – SSD-10381 Ecologically Sustainable Development Statement 26 July 2021.

Protection of Public Infrastructure

B16. Prior to the commencement of construction, the Applicant must:

(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;

(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

(c) submit a copy of the dilapidation report to the Crown Certifier and Council.

Pre-Construction Dilapidation Report

B17. Prior to the commencement of construction, the Applicant must submit a pre-commencement dilapidation report to Council and the Crown Certifier. The report must provide an accurate record of the existing condition of adjoining private properties, heritage items and Council assets that are likely to be impacted by the proposed works.

Temporary Ground Anchors, Temporary Shoring and Permanent Basement/Retaining Walls Affecting the Road Reserve

B18. For temporary shoring including ground anchors affecting the road reserve, a separate application under Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Note: Section 4.42(1)(f) of the EP&A Act 1979, a consent under Section 138 of the Roads Act 1993 cannot be refused if it is necessary for carrying out State Significant development that is authorised by a development consent under Division 4.7 of the EP&A Act 1979 and is to be substantially consistent with the consent.

Public Domain Levels and Gradients

B19. Public domain levels and gradients for the buildings and site frontages of those buildings must be submitted to and approved by Council prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) for above ground building works. The submission must be prepared by a Registered Surveyor or suitably qualified engineer and must be submitted with a completed Public Domain Levels and Gradients Approval Application form (available on the City's website).

If changes are proposed to any site entrance, driveway or floor levels once an approval has been issued, an amended Public Domain levels and gradients submission must be submitted to and approved by Council to reflect these changes prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) for above ground works.

Works Requiring Use of a Public Place

B20. Where construction/building works require the use of a public place including a road or footpath, a separate application under Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council prior to the commencement of work. Details of any barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

Note: Section 4.42(1)(f) of the EP&A Act 1979, a consent under Section 138 of the Roads Act 1993 cannot be refused if it is necessary for carrying out State significant development that is authorised by a development consent under Division 4.7 of the EP&A Act 1979 and is to be substantially consistent with the consent.

Reflectivity

B21. Prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) the Crown Certifier must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20%.

Outdoor Lighting

B22. Illumination designs certified by a suitably qualified practicing lighting engineer are to be submitted to Council for approval prior to the installation of the lighting scheme.

B23. Compliance with the requirements of AS4282:2019 must be confirmed (with supporting calculations) in respect of the following:

(a) Obtrusive lighting on adjacent residential properties;

(b) Luminance of lit surfaces; and

(c) Upward spill light ratio.

Construction Traffic Management Plan

B24. A Construction Traffic Management Plan must be submitted to and approved by Council prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979).

B25. The approved plan must be complied with during any demolition and/or construction work.

Excavation and Construction Management

B26. Prior to the commencement of construction, the following details must be submitted to and be approved by the Crown Certifier:

(a) An Excavation Work Method Statement prepared by an appropriately qualified person.

(b) Plans and elevations showing the location, construction and installation of temporary site fencing and any temporary structures used in connection with the construction of the development.

Note: Temporary structures, including hoardings and scaffolding, proposed for erection on City-owned and controlled land (footways and roadways), must comply with Council's Guidelines for Hoardings and Scaffolding and be approved by Council under the provisions of the Local Government Act 1993 and the Roads Act 1993 prior to installation.

B27. Such statements must, where applicable, be in compliance with the *Work, Health and Safety Act 2011* and Regulation; Council's *Guidelines for Waste Management in New Developments 2018*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations and must include provisions for:

(a) A Materials Handling Statement for the removal of refuse from the site in accordance with the Waste Avoidance and Resource Recovery Act 2001.

(b) The name and address of the company/contractor undertaking excavation works.

(c) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.

(d) The name and address of the transport contractor.

(e) The type and quantity of material to be removed from site.

(f) Location and method of waste disposal and recycling.

(g) Proposed truck routes, in accordance with this development consent.

(h) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits.

(i) Measures to control noise emissions from the site.

(j) Measures to suppress odours.

(k) Enclosing and making the site safe.

(l) Induction training for on-site personnel.

(m) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to SafeWork NSW.

(n) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.

(o) Disconnection of utilities.

(p) Fire Fighting. (Access to fire services in the street must not be obstructed).

(q) Access and egress. (excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).

(r) Waterproofing of any exposed surfaces of adjoining buildings.

(s) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the Protection of the Environmental Operations Act 1997).

(t) Working hours, in accordance with this development consent.

(u) Any SafeWork NSW requirements.

B28. A Waste and Recycling Management Plan is to be approved by the Crown Certifier prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979). The plan must comply with the Council's Guidelines for Waste Management in New Developments 2018. All requirements of the approved Building Waste and Recycling Management Plan must be implemented during construction of the development.

(a) A mechanical aid (tug or trolley) is to be used to assist staff with moving any bins and bulky waste to the collection point and back to the storage areas safely.

B29. The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

Erosion and Sediment Control

B30. Prior to the commencement of demolition/excavation/construction work, an Erosion and Sediment Control Plan (ESCP) must be submitted to and be approved by the Crown Certifier. The ESCP must:

(a) Conform to the specifications and standards contained in Managing Urban Stormwater: Soils and Construction (Landcom, 2004); the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney, 2004); and the NSW Protection of the Environment Operations Act 1997.

(b) Include a drawing(s) that clearly shows:

(i) location of site boundaries and adjoining roads

(ii) approximate grades and indications of direction(s) of fall

(iii) approximate location of trees and other vegetation, showing items for removal or retention

(iv) location of site access, proposed roads and other impervious areas

(v) existing and proposed drainage patterns with stormwater discharge points

(vi) north point and scale

(c) Specify how soil conservation measures will be conducted on site including:

(i) timing of works

(ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained

(iii) access protection measures

(iv) nature and extent of earthworks, including the amount of any cut and fill

(v) where applicable, the diversion of runoff from upslope lands around the disturbed areas

(vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology

(vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)

(viii) frequency and nature of any maintenance program

(ix) other site-specific soil or water conservation structures.

Construction Parking

B31. Prior to the commencement of construction, the Applicant must submit a Construction Worker Transportation Strategy to the Crown Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby public and residential streets or public parking facilities. A copy of the strategy must be provided to the Council for information.

Operational Noise – Design of Mechanical Plant and Equipment

B32. Prior to installation of mechanical plant and equipment, the Applicant must submit evidence to the Crown Certifier that the noise mitigation recommendations in the Noise and Vibration Impact Assessment dated 6/8/2021 and prepared by Acoustic Logic have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels.

Heritage Interpretation Plan

B33. An interpretation plan for the site must be prepared in consultation with Council and submitted to and approved by the Crown Certifier prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979). The plan is to be prepared by a built heritage specialist in accordance with the Heritage NSW Department of Premier and Cabinet publications, Interpreting Heritage Places and Items (2005) and Heritage Interpretation Policy (2005).

Protection of public features

B34. The proposed work must take measures to protect existing street furniture and features on the public land including street and laneway stone curbs and gutters. If they need to be interrupted during process of construction, they must be properly recorded and reinstated to the original condition.

Construction and Demolition Waste Management

B35. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

Operational Waste Storage and Processing

B36. Prior to the commencement of construction of waste storage and processing areas, the Applicant must obtain agreement from Council for the design of the operational waste storage area (where waste removal will be undertaken by Council). Where waste removal will be undertaken by a third party, evidence must be provided to the Crown Certifier that the design of the operational waste storage area:

(a) is constructed using solid non-combustible materials;

(b) is designed to ensure the door/gate to the waste storage area is vermin proof and can be openable from both inside and outside the storage area at all times;

(c) includes a hot and cold water supply with a hose through a centralised mixing valve;

(d) is naturally ventilated or an air handling exhaust system must be in place; and

(e) includes signage to clearly describe the types of materials that can be deposited into recycling bins and general garbage bins.

Construction Access arrangements

B37. Prior to the commencement of construction, evidence of compliance of construction parking and access arrangements with the following requirements must be submitted to the Crown Certifier:

(a) all vehicles must enter and leave the Site in a forward direction unless in specific circumstances under the supervision of accredited traffic controllers;

(b) the swept path of the longest construction vehicle entering and exiting the site in association with the new work, as well as manoeuvrability through the site, is in accordance with the latest version of AS 2890.2; and

(c) the safety of vehicles and pedestrians accessing adjoining properties, where shared vehicle and pedestrian access occurs, has been addressed.

Public Art Plan

B38. A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Director City Planning Development and Transport prior to issue of

any certification being issued or other timeframe agreed to by Council (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979) for above ground works.

Stormwater Drainage Design

B39. Prior to certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979), 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;

(a) A certified stormwater drainage design complying with

(i) Council's Sydney Streets Technical Specifications, Part A4 Stormwater 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/daassociated-works.

Note: A Deed of Agreement for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems is required prior to occupation or use.

Stormwater Drainage Connection

B40. For approval of a connection into the City of Sydney's underground drainage infrastructure system an Application for Approval of Stormwater Drainage Connection 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.

Stormwater On-Site Detention

B41. 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 certification being issued (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979). Where an OSD is not required by Sydney Water one may still be required by the City.

Sydney Water Certificate

B42. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Note: The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Note 1: Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Sydney Water - Building Plan Approval

B43. The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Note: The Tap in™ service provides 24/7 access to a range of services, including:

(a) building plan approvals

(b) connection and disconnection approvals

(c) diagrams

(d) trade waste approvals

(e) pressure information

(f) water meter installations

(g) pressure boosting and pump approvals

(h) changes to an existing service or asset, e.g. relocating or moving an asset.

Note 1: Sydney Water's Tap in™ online service is available at: https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm

Note 2: Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

Sydney Water - Out of Scope Building Plan Approval

B44. Sydney Water will need to undertake a detailed review of building plans:

(a) That affect or are likely to affect any of the following:

(i) Wastewater pipes larger than 300mm in size

(ii) Pressure wastewater pipes

(iii) Drinking water or recycled water pipes

(iv) Our property boundary

(v) An easement in our favour

(vi) Stormwater infrastructure within 10m of the property boundary.

(b) Where the building plan includes:

(i) Construction of a retaining wall over, or within the zone of influence of our assets

(ii) Excavation of a basement or building over, or adjacent to, one of our assets

(iii) Dewatering – removing water from solid material or soil.

B45. The detailed review is to ensure that:

(a) our assets will not be damaged during, or because of the construction of the development

(b) we can access our assets for operation and maintenance

(c) your building will be protected if we need to work on our assets in the future.

B46. The developer will be required to pay Sydney Water for the costs associated with the detailed review.

PART C DURING CONSTRUCTION

Site Notice

C1. A site notice(s) must be prominently displayed at the boundaries of the site during construction for the purpose of informing the public of project details and must satisfy the following requirements:

(a) minimum dimensions of the site notice(s) must measure 841 mm x 594 mm (A1) with any text on the site notice(s) to be a minimum of 30-point type size;

(b) the site notice(s) must be durable and weatherproof and must be displayed throughout the works period;

(c) the approved hours of work, the name of the builder, Crown Certifier, structural engineer, site/ project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/ noise complaint must be displayed on the site notice(s); and

(d) the site notice(s) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the site is not permitted.

Hours of Work and Noise – Outside CBD

C2. 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 (e.g. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 6.00pm on Mondays to Fridays inclusive, and 8.00am 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 *Interim Construction Noise Guideline* (DECC, 2009) and Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites. All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved Construction Noise and Vibration Management Plan.

(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

Note 1: Section 4.42(1)(f) of the EP&A Act 1979, a consent under Section 138 of the Roads Act 1993 cannot be refused if it is necessary for carrying out State significant development that is authorised by a development consent under Division 4.7 of the EP&A Act 1979 and is to be substantially consistent with the consent.

C3. Notwithstanding condition C2, provided noise levels do not exceed the existing background noise level plus 5dB, works may also be undertaken during the following hours:

(a) between 6pm and 7pm, Mondays to Fridays inclusive; and

(b) between 3:30pm and 4pm, Saturdays.

C4. Notwithstanding condition C2, activities may be undertaken outside of these hours if required:

(a) by the Police or a public authority for the delivery of vehicles, plant or materials; or

(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or

(c) where the works are inaudible at the nearest sensitive receivers; or

(d) where a variation is approved in advance in writing by the Council if appropriate justification is provided for the works.

C5. Notification of such construction activities referenced in Condition C4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

Operation of Plant and Equipment

C6. All construction plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Construction Traffic

C7. All construction vehicles (excluding site personnel vehicles) are to be contained wholly within the site, except if located in an approved on-street work zone, and vehicles must enter the site or an approved on-street work zone before stopping.

Hoarding Requirements

C8. The following hoarding requirements must be complied with:

(a) no third-party advertising is permitted to be displayed on the subject hoarding/ fencing; and

(b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

Encroachments – Neighbouring Properties

C9. No portion of the proposed structure shall encroach onto the adjoining properties.

No Obstruction of Public Way

C10. The public way (outside of any approved construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

Construction Noise Limits

C11. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under condition C2.

C12. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use of broadband alarms known as ‘quackers’ to ensure noise impacts on surrounding noise sensitive receivers are minimised.

Vibration Criteria

C13. Vibration caused by construction at any residence or structure outside the site must be limited to:

(a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and

(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

Tree Protection

C14. For the duration of the construction works:

(a) street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property;

(b) all street trees immediately adjacent to the approved disturbance area / property boundary must be protected at all times during construction in accordance with Council's tree protection requirements. Any street tree, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council;

(c) if access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Air Quality

C15. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C16. During construction, the Applicant must ensure that:

(a) activities are carried out in a manner that minimises dust including emission of windblown or traffic generated dust;

(b) all trucks entering or leaving the site with loads have their loads covered;

(c) trucks associated with the development do not track dirt onto the public road network;

(d) public roads used by these trucks are kept clean; and

(e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

Imported Fill Materials

C17. 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.

C18. The Applicant must:

(a) ensure that only VENM, ENM, or other material that meets the requirements of a relevant order and exemption issued by the EPA, is brought onto the site;

(b) keep accurate records of the volume and type of fill to be used; and

(c) make these records available to the Crown Certifier upon request.

C19. 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 (1995) Sampling Design Guidelines.

Disposal of Seepage and Stormwater

C20. Adequate provisions must be made to collect and discharge stormwater drainage during construction to the Crown Certifier. The prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.

Emergency Management

C21. The Applicant must prepare and implement awareness training for employees and contractors, including locations of the assembly points and evacuation routes, for the duration of construction.

Stormwater Management System

C22. Within three months of the commencement of construction, the Applicant must design an operational stormwater management system for the development and submit it to the satisfaction of the Crown Certifier. The system must:

(a) be designed by a suitably qualified and experienced person(s);

(b) be generally in accordance with the conceptual design in the Civil SSD Report prepared by Meinhardt Bonacci dated 22/07/2021;

(c) be in accordance with applicable Australian Standards; and

(d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;

Aboriginal Cultural Heritage

C23. Construction must be undertaken in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by AMAC Archaeological dated July 2021.

Unexpected Finds Protocol – Aboriginal Heritage

C24. In the event that surface disturbance identifies a new Aboriginal object:

(a) all works must halt in the immediate area to prevent any further impacts to the object(s);

(b) a suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects;

(c) the site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by Heritage NSW under Department of Premier and Cabinet and the management outcome for the site included in the information provided to AHIMS;

(d) the Applicant must consult with the Aboriginal community representatives, the archaeologists and Heritage NSW to develop and implement management strategies for all objects/sites; and

(e) works shall only recommence with the written approval of the Council.

Unexpected Finds Protocol – Historic Heritage

C25. If any unexpected archaeological relics are uncovered during the work, then:

(a) all works must cease immediately in that area and notice is to be given to Heritage NSW and the Council;

(b) depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area as determined in consultation with Heritage NSW; and

(c) works may only recommence with the written approval of the Council.

Archaeological discovery during excavation

C26. Should any relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the Heritage Act 1977.

C27. Should any Aboriginal objects be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately, and NSW Government Office of Environment and Heritage is to be informed in accordance with Section 89A of the National Parks and Wildlife Act 1974.

C28. Should any archaeological remains or Aboriginal objects be discovered, a copy of recording of the finds and the final archaeological summary report is to be submitted to Council prior to the issue of any Occupational Certificate.

C29. If the discovery is on Council's land, Council must be informed.

Waste Storage and Processing

C30. All waste generated during construction must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.

C31. All waste generated during construction must be assess, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).

C32. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse.

C33. The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.

C34. The Applicant must ensure that the removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility is in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

C35. All waste records from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site. These records must be available for sighting on request by an authorised Council officer.

Outdoor Lighting

C36. The Applicant must ensure that all external lighting is constructed and maintained in in accordance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

Stockpiles

C37. No stockpiles of soil or other materials must be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Team.

C38. All stockpiles of soil or other materials must be placed away from drainage lines, gutters or stormwater pits or inlets.

C39. All stockpiles of soil or other materials likely to generate dust or odours must be covered.

C40. All stockpiles of contaminated soil must be stored in a secure area and be covered if remaining more than 24 hours.

PART D PRIOR TO COMMENCEMENT OF OPERATION

Notification of Occupation

D1. At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Council in writing. If the operation of the development is to be staged, the Council must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

Building Height

D2. Prior to occupation or use, a Registered Surveyor must provide certification that the height of the building accords with Condition A22, to the satisfaction of the Crown Certifier.

Public Art

D3. Public art must be installed to the City's satisfaction prior to the commencement of operation or other timeframe agreed to by Council.

D4. The public artwork must be in accordance with the Preliminary Public Art Plan, prepared by BVN, Revision 0.1, dated 17 February 2022, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

D5. 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 occupation or use or timeframe agreed to by Council.

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 http://www.cityofsydney.nsw.gov.au/explore/arts-andculture/ public-art. Please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

External Walls and Cladding

D6. Prior to commencement of operation, the Applicant must provide the Crown Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

D7. The Applicant must provide a copy of the documentation given to the Crown Certifier to Council within seven days after the Crown Certifier accepts it.

Works as Executed Plans

D8. Prior to the commencement of operation, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Crown Certifier.

Mechanical Ventilation

D9. Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Crown Certifier that the installation and performance of the mechanical ventilation systems complies with:

(a) *AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings* and other relevant codes; and

(b) any dispensation granted by Fire and Rescue NSW.

Operational Noise – Design of Mechanical Plant and Equipment

D10. Prior to the commencement of operation, the Applicant must submit evidence to the Crown Certifier that the noise mitigation recommendations in the Noise and Vibration Assessment dated 6/8/2021 and prepared by Acoustic Logic have been incorporated into the design of mechanical plant and equipment to ensure the development will not exceed the recommended operational noise levels.

Fire Safety Certification

D11. Prior to commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

D12. Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the Crown Certifier. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the Council after:

(a) the site has been periodically inspected and the Crown Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and

(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Post-construction Dilapidation Report

D13. Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is:

(a) to ascertain whether the construction created any structural damage to adjoining buildings or infrastructure;

(b) to be submitted to the Crown Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Crown Certifier must:

(i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and

(ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

(c) to be forwarded to Council for information.

Protection of Public Infrastructure

D14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and

(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

Note: This condition does not apply to any damage to roads caused as a result of general road usage.

Road Damage

D15. Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development must be met in full by the Applicant.

Bicycle Parking and End-of-Trip Facilities

D16. Prior to the commencement of operation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the Crown Certifier:

(a) the provision of a minimum 180 bicycle parking spaces;

(b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of AS 2890.3:2015 *Parking facilities - Bicycle parking, Austroads Bicycle Parking Facilities: Guidelines for Design and Installation* and Sydney DCP Section 3.11.3, and be located in easy to access, well-lit areas that incorporate passive surveillance;

(c) the provision of end-of-trip facilities for staff; and

(d) appropriate pedestrian and cyclist advisory signs are to be provided.

Note: All works/regulatory signposting associated with the proposed development shall be at no cost to the relevant roads authority.

School Zones

D17. Prior to the commencement of operation, all required School Zone signage, speed management signage and associated pavement markings along Zetland Street, Joynton Avenue and Portman Street must be installed, inspected by TfNSW and handed over to TfNSW. The installation date information must also be provided to TfNSW at the same time.

Note: Until the assets are formally handed-over and accepted by TfNSW, TfNSW takes no responsibility for the School Zones/assets.

Note 1: Any required approvals for altering public road speed limits, design and signage are required to be obtained from the relevant consent authority.

D18. The Applicant must maintain records of all dates in relation to installing, altering and removing traffic control devices related to speed.

School Transport Plan

D19. Prior to the commencement of operation, a School Transport Plan (STP), must be submitted to the satisfaction of the Crown Certifier and a copy of the approved Plan is to be provided to Council for information. The plan must:

(a) be prepared by a suitably qualified consultant in consultation with Council and TfNSW;

(b) include arrangements to promote the use of active and sustainable transport modes, including:

(i) objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation);

(ii) specific tools and actions to help achieve the objectives and mode share targets;

(iii) details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

(c) include operational transport access management arrangements, including:

(i) detailed pedestrian analysis including the identification of safe route options to identify the need for management measures such as staggered school start and finish times to ensure students and staff are able to access and leave the Site in a safe and efficient manner during school start and finish;

(ii) the location and operational management procedures of the drop-off and pick-up parking, including staff management/traffic controller arrangements;

(iii) the location and operational management procedures for the drop-off and pick-up of students by buses and coaches including staff management/traffic controller arrangements;

(iv) delivery and services vehicle and bus access and management arrangements;

(v) management of approved access arrangements;

(vi) potential traffic impacts on surrounding road networks and mitigation measures to minimise impacts, including measures to mitigate queuing impacts associated with vehicles accessing drop-off and pick-up zones;

(vii) car parking arrangements and management associated with the proposed use of school facilities by community members; and

(d) measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the plan; and

(e) a monitoring and review program.

Utilities and Services

D20. Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Stormwater Operation and Maintenance Plan

D21. Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) is to be submitted to the Crown Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following:

(a) maintenance schedule of all stormwater quality treatment devices;

(b) record and reporting details;

(c) relevant contact information; and

(d) Work Health and Safety requirements.

Stormwater Completion Deed of Agreement and Positive Covenant

D22. Prior to occupation or use, or other timeframe agreed to by Council:

(a) The Owner is required to enter into a Deed of Agreement 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.

Operational Waste Management Plan

D23. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Crown Certifier. The Waste Management Plan must:

(a) detail the type and quantity of waste to be generated during operation of the development;

(b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014* and the *Waste Classification Guideline* (Department of Environment, Climate Change and Water, 2009);

(c) detail the materials to be reused or recycled, either on or off site; and

(d) include the Management and Mitigation Measures included in the Operational Waste management plan prepared by Elephants Foot and dated 14/05/2021].

Landscaping

D24. Prior to the commencement of operation landscaping of the site must be completed in accordance with the approved landscape plan(s).

D25. Prior to commencement of operation (pursuant to Section 6.28 of the Environmental Planning and Assessment Act 1979), a maintenance plan is to be submitted to and approved by the Crown Certifier. The maintenance plan is to be complied with during occupation of the property.

Waste and Recycling Collection Contract

D26. Prior to occupation or use, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time.

TfNSW Conditions

D27. School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not to be provided along roads adjacent to the school without a direct access point. Road Safety precautions and parking zones should be incorporated into the neighbouring local road network:

(a) 40km/hr School Zones are to be installed in Zetland Street, Joynton Avenue and Portman Street in accordance with the following conditions.

(b) Council should ensure that any parking, drop-off / pick-up zones and bus zones incorporated are in accordance with TfNSW standards.

D28. The Developer must obtain written authorisation from TfNSW to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

To obtain authorisation, the Developer must submit the following for review and approval by TfNSW, at least eight (8) weeks prior to student occupation of the site:

(a) A copy of Council's development Conditions of Consent

(b) The proposed school commencement/opening date

(c) Two (2) sets of detailed design plans showing the following:

(d) School property boundaries

(e) All adjacent road carriageways to the school property

(f) All proposed school access points to the public road network and any conditions imposed/proposed on their use

(g) All existing and proposed pedestrian crossing facilities on the adjacent road network

(h) All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings).

(i) All existing and proposed street furniture and street trees.

D29. School Zone signs and pavement marking patches must be installed in accordance with TfNSW approval/authorisation, guidelines and specifications.

D30. All School Zone signs and pavement markings must be installed prior to student occupation of the site.

Physical Models

D31. Prior to occupation or use 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:

(a) The models are to comply with all of the conditions of the Development Consent.

(b) 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.

Submission of Electronic CAD Models Prior to Occupation

D32. Prior to occupation or use, 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.

D33. The data required to be submitted within the surveyed location must include and identify:

(a) building design above and below ground in accordance with the development consent;

(b) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

(c) 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.

D34. 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.

Heritage Interpretation Plan

D35. Prior to occupation or use, the approved heritage interpretation plan must be implemented to the satisfaction of the Crown Certifier.

Survey Prior to Occupation

D36. A Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act, 2002 must be submitted at the completion of the building work certifying the location of the building in relation to the boundaries of the allotment. Any encroachments of the building over the road alignments must be approved in writing by the City's Properties division, or removed, prior to occupation or use

Advisory note: It is recommended that the Crown certification plans provide for the external walls of the building to be set back a minimum of 20 millimetres from the northern boundary to allow for construction tolerances and minimise risk of encroachment and consequent delays and expenses.

Waste Management

D37. Prior to occupation or use, the Crown Certifier must ensure that waste handling works have been completed in accordance with: the Waste and Recycling Management Plan; other relevant development consent conditions; and Council's *Guidelines for Waste Management in New Developments 2018*.

PART E POST OCCUPATION

Out of Hours Event Management Plan

E1. Prior to the commencement of the first out of hours events (School Use) run by the school that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (School Use) in consultation with Council and submit it to the Council for information. The plan must include the following:

(a) the number of attendees, time and duration;

(b) arrival and departure times and modes of transport;

(c) where relevant, a schedule of all annual events;

(d) measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

(e) details of the use of the multipurpose rooms, community hall and games court, where applicable, restricting use before 7am and after 10.30pm;

(f) measures to minimise localised traffic and parking impacts; and

(g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

E2. The Out of Hours Event Management Plan (School Use) must be implemented by the Applicant for the duration of the identified events or use.

E3. Prior to the commencement of out of hours events (Community Use) run by the external parties that involve 100 or more people, the Applicant is to prepare an Out of Hours Event Management Plan (Community Use) in consultation with Council and submit it to the Council for information. The plan must include the following:

(a) the number of attendees, time and duration;

(b) arrival and departure times and modes of transport;

(c) where relevant, a schedule of all annual events;

(d) measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport);

(e) details of the use of the multipurpose rooms, community hall and games court, where applicable, restricting use before 7am and after 10.30pm;

(f) measures to minimise localised traffic and parking impacts; and

(g) measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.

E4. The Out of Hours Event Management Plan (Community Use) must be implemented by the Applicant for the duration of the identified community event or use.

Operation of Plant and Equipment

E5. All plant and equipment used on site must be maintained in a proper and efficient condition operated in a proper and efficient manner.

Operational Noise Limits

E6. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in the Noise and Vibration Assessment prepared by Acoustic Logic dated 6/8/2021.

E7. The Applicant must undertake short term noise monitoring in accordance with the *Noise Policy for Industry* where valid data is collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Council within two months of commencement use of each stage of the development or other timeframe agreed to by the

Council to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified the Noise and Vibration Assessment prepared by Acoustic Logic dated 6/8/2021. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant is required to implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.

Unobstructed Driveways and Parking Areas

E8. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Ecologically Sustainable Development

E9. Unless otherwise agreed by the Council, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 5 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Crown Certifier. If an alternative certification process has been agreed to by the Council, evidence of compliance of implementation must be provided to the Council and Crown Certifier.

Outdoor Lighting

E10. Notwithstanding condition C35 should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

Landscaping

E11. The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan for the duration of occupation of the development.

Waste Recycling/ Collection

E12. The collection of waste and recycling must only occur during the designated zone collection times as outlined in the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places 2017.

APPENDIX 1 ADVISORY NOTES

General

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

Long Service Levy

AN2. For work costing $25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

AN3. Any advice or notice to the consent authority must be served on the Council.

Access for People with Disabilities

AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Utilities and Services

AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

AN6. Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Road Design and Traffic Facilities

AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

Road Occupancy Licence

AN8. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

SafeWork Requirements

AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

Hoarding Requirements

AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

Handling of Asbestos

AN11. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

Speed limit authorisation

AN12. At least eight weeks prior to the commencement of operation, the Applicant must submit the following details to TfNSW and obtain authorisation to install School Zone signs and associated pavement markings, and / or removal / relocation of any existing Speed Limit signs:

(a) a copy of the conditions of consent;

(b) the proposed school commencement/opening date;

(c) two sets of detailed design plans showing the following:

(i) accurate Site boundaries;

(ii) details of all road reserves, adjacent to the Site boundaries;

(iii) all proposed access points from the Site to the public road network and any additional conditions imposed/proposed on their use;

(iv) all existing and proposed pedestrian crossing facilities on the adjacent road network;

(v) all existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and

(vi) all existing and proposed street furniture and street trees.

Fire Safety Certificate

AN13. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

Sydney Water - Tree Planting

AN14. Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and Diagram 5 – Planting Trees within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

AN15. If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

Compliance with Food Code

AN16. If applicable, the Applicant is to obtain a certificate prior to Occupation from a suitably qualified tradesperson, certifying that any kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 Design, construction and fit-out of food premises and provide evidence of receipt of the certificate to the satisfaction of the Crown Certifier.

Underground Cables

AN17. There are existing underground electricity network 33kv transmission cables along Joynton Avenue and Portman Street.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.