

Attachment A

Recommended Conditions of Consent

SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS /USE AND OPERATION

(1) CONCEPT DEVELOPMENT APPLICATION

Pursuant to Division 4.4 of the *Environmental Planning and Assessment Act, 1979*, and Clause 100 of the *Environmental Planning and Assessment Regulation, 2000*, this Notice of Determination relates to a concept development application, and a subsequent development application (detailed design) are required for any work on the site.

(2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2019/758 dated 16 July 2019, as amended, and the following drawings prepared by Candalepas Associates:

Drawing Number	Issue	Drawing Name	Date
1101 S4.55-1 1101	B	Building Envelope – Plan	12.03.2020 04.11.2022
1301 S4.55-1 1301	B	Building Envelope – East Elevation	12.03.2020 04.11.2022
1302 S4.55-1 1302	B	Building Envelope – West Elevation	12.03.2020 04.11.2022
1303 S4.55-1 1303	B	Building Envelope – North Elevation	12.03.2020 04.11.2022
1304 S4.55-1 1304	B	Building Envelope – South Elevation	12.03.2020 04.11.2022
1350 S4.55-1 1350	B	Building Envelope – Axonometrics	12.03.2020 04.11.2022
2102	B	Indicative Scheme – Basement 1	12.03.2020
2103	B	Indicative Scheme Lower Ground Floor	12.03.2020

and as amended by the conditions of this consent.

- (b) Drawing numbers 2101 and 2103 referenced in (a) above are only approved in terms of the location of the driveway and breakthrough panel through to the basement of 505-523 George Street. No other details on these drawings are approved under this consent.
- (c) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(Condition amended – D/2019/758/A – 11 May 2023)

(3) MATTERS NOT APPROVED IN CONCEPT PROPOSAL DEVELOPMENT CONSENT

The following matters are **not** approved and do not form part of this concept development consent:

- (a) Any works, including demolition, excavation and/or construction.
- (b) The precise quantum of total floor space.
- (c) The quantum, ratio and distribution of retail, hotel, cinema and residential floor space.
- (d) The layout and number of residential apartments, hotel rooms and retail tenancies.
- (e) The indicative floor layouts of buildings.
- (f) The floor levels of each storey.
- (g) The number and configuration of car parking spaces, levels, bicycle spaces, car share spaces, service vehicle and truck loading spaces / zones.
- (h) Any 10% design excellence additional floor space ratio.

(4) ENVELOPE HEIGHT

The height of the approved envelope must not exceed RL ~~169.12~~ **172.51** (AHD).

(Condition amended – D/2019/758/A – 11 May 2023)

(5) COMPLIANCE WITH CONCEPT ENVELOPE HEIGHTS AND SETBACKS

Any subsequent detailed design application must comply with the building heights and setbacks established by this consent.

(6) FLOOR SPACE RATIO

- (a) The Floor Space Ratio for all detailed development applications on the site must ~~not exceed the maximum permissible~~ be calculated in accordance with the relevant clauses of the Sydney Local Environmental Plan 2012.
- (b) Notwithstanding (a) above, the proposal may be eligible for up to 10% additional floor space pursuant to the provisions of Clause 6.21(7) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the resulting detailed design development application exhibits design excellence and is the result of a competitive design process.
- (c) Precise calculations and details of the distribution of floor space must be provided with any subsequent detailed design development application.

- (d) Any floor space ratio in excess of 8:1 shall be subject to a requirement to purchase heritage floor space (HFS) in accordance with the requirements of Clause 6.11 of the Sydney Local Environmental Plan 2012.

(Condition amended – D/2019/758/A – 11 May 2023)

(7) SHARED DRIVEWAY / INTEGRATED BASEMENT AND BREAKTHROUGH PANEL

- (a) Unimpeded vehicular access and egress via the shared driveway is to be made available to the adjoining site to the north 505-523 George Street, Sydney (legally described as Lot 1 in Deposited Plan 573250) at all times for vehicles associated with the operation of the building at 505-523 George Street following issue of the relevant Occupation Certificate. This condition does not require or imply that unimpeded vehicular access and egress is given for construction vehicles associated with the construction of the approved development under Development Application No. D/2019/857.
- (b) Access, egress and design of the basement must be able to accommodate a Council waste collection vehicle which can access both the subject site and 505-523 George Street
- (c) The applicant is to consult and work with the neighbouring property, 505-523 George Street, Sydney, to ensure the implementation of the breakthrough arrangement shown on Drawing No. 2102 (Issue B) and dated 12 March 2020.
- (d) Prior to the issue of a Construction Certificate for the subsequent detailed design development application, a documentary Right of Carriageway and Easement, is to be created and registered on the Title of the development site. The Easement is to be defined over a strip of land within the development site, extending from Kent Street to the point of vehicular access of the land adjoining the development site to the north (505-523 George Street). The Easement is to be created appurtenant to the land adjoining the development site to the north (505-523 George Street) in terms granting unrestricted rights at all times for vehicular access and egress, to Council's satisfaction.

(8) SHARED NORTHERN SIDE BOUNDARY WALL

- (a) Following determination of a subsequent detailed design development application for the subject site, if demolition of the existing building occurs prior to the demolition of the existing building on 505-523 George Street approved by D/2019/857, a temporary northern side boundary wall must be constructed to provide adequate weather and fire safety protection of the building at 505-523 George Street.
- (b) If a temporary northern side boundary wall is required as outlined in (a) above, details of the subject wall are to be submitted to Council's Area Planning Manager/Coordinator for approval prior to demolition of the building on 525-529 George Street.

- (c) If coordinated demolition of both buildings at 505-523 and 525-529 occurs at the same time, then no temporary shared boundary wall is required.

(9) COMPETITIVE DESIGN PROCESS

A competitive design process in accordance with the provisions of the Sydney Local Environmental Plan 2012 shall be:

- (a) Conducted in accordance with the 'Design Excellence Strategy' for 525-529 George Street, Sydney, prepared by Planning Lab and dated 3 April 2020.
- (b) Conducted prior to the lodgement of any subsequent detailed development application for the site.

The detailed design of the building must exhibit design excellence, in accordance with Clause 6.21 of Sydney Local Environmental Plan 2012.

(10) DETAILED DESIGN

The competitive design process brief and subsequent detailed design development application must incorporate the following requirements:

- (a) The design of the tower is to be articulated to mitigate the perceived visual bulk and mass, particularly the north and south elevations or employ public art for its full height.
- (b) A shared vehicular access for ingress and egress servicing the subject development and the adjoining approved development (D/2019/857) at 505-523 George Street must be provided generally in accordance with drawings 2102 (issue B) Indicative Scheme – Basement 1 and 2103 (issue B) Indicative Scheme Lower Ground Floor, prepared by Candalepas Associates and dated 12.03.2020 and must:
 - (i) include a break through panel to the basement of 505-523 George Street with the proposed basement levels aligning to facilitate access between the two sites; and
 - (ii) access, egress and design of the basement must be able to accommodate a Council waste collection vehicle which can access both the subject site and 505-523 George Street.
- (c) A shared vehicular access for ingress and egress servicing the subject development and the adjoining approved development (D/2019/857) at 505-523 George Street must be provided generally in accordance with drawings.
- (d) A public artwork is to be provided to northern elevation of the tower to embellish the blank wall. The artwork is to be integrated in to the architecture.
- (e) Location of the windows and balconies within the tower is to comply with Objective 3F-1 of the Apartment Design Guide (ADG). Where separation distances from the approved tower building envelope from

the approved development at 505-523 George Street (D/2019/857) and the existing Meriton Suites building at 537-551 George cannot comply with Objective 3F of the ADG alternative design measures are to be used to satisfactorily mitigate visual privacy impacts.

- (f) Residential accommodation and hotel rooms are not permitted within the podium.
- (g) Active frontages are to be provided to George Street, Kent Street and Albion Place in accordance with Section 3.2.3 of Sydney Development Control Plan 2012. An active frontage is to be provided for the full length of Albion Place.
- (h) An cantilevered high level awning projecting over Albion Place is to be provided and must:
 - (i) be integrated with the design of the southern elevation and respond to the topography of Albion Place through stepping of the awning height as appropriate;
 - (ii) Reduce wind impacts along Albion Place;
 - (iii) Not shed water to Albion Place; and
 - (iv) Be setback from both the George Street and Kent Street frontage to reduce the visibility of the awning from the two streets.
- (i) A continuous awning is to be provided to the George Street frontage in accordance with Section 3.2.4 of Sydney Development Control Plan 2012. The design of the awning is to respond to and match the level of the approved over footpath awning at 505-523 George Street (D/2019/857) and the existing footpath at 531-535 George Street.
- (j) The design of the building including materiality is to sympathetically respond to the heritage significance of the following heritage listed items: Albion Place (I1658); 1-7 Albion Place (I1659) former warehouse group; 531-535 George Street (I1795) former 'Vine House'; 531 Kent Street (I1835 State item) 'Judges House' and 533-539 Kent Street (I1836) former warehouse facade.
- (k) Communal open space or communal spaces must be provided within the development in accordance with Part 3D of the Apartment Design Guide for the exclusive use of apartment residents, and which is not to be co-located or co-mingled with other uses.
- (l) Plant and lift overruns must be incorporated into the roof form of buildings or located and provided with parapet screening so that they are not visible from the public domain or adjoining tower developments.

(11) PARKING MANAGEMENT PLAN

- (a) A Parking Management Plan is to be submitted with the subsequent detailed design development application. The Parking Management Plan must include management details for (at a minimum):

- (i) The shared driveway with 505-523 George Street and approved development under D/2019/857;
 - (ii) Access and egress for coaches / buses access;
 - (iii) Loading dock and service vehicles including waste collection vehicles; and
 - (iv) Hotel guests to the site (if applicable).
- (b) The Parking Management Plan is to be prepared in consultation with the adjoining property owner at 505-523 George Street.

(12) RESIDENTIAL LAND USE

- (a) The detailed design of the residential component of the development must be designed to comply with the principles of State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development, the provisions of the Apartment Design Guide (ADG), and the provisions of the Sydney Development Control Plan 2012 (Sydney DCP 2012).

In particular, attention is drawn to the following:

- (i) The objectives and design criteria within the ADG relating to the size and solar access requirement of communal open space.
- (ii) The objectives and design criteria within the ADG relating to the maximum building depths of 18 metres glass line to glass line.
- (iii) The objectives and design criteria within the ADG relating to building separation distance and visual privacy.
- (iv) The ADG design criterion for having at least 70% of apartments within a development to receive a minimum of two hours of direct sunlight between 9am and 3pm on 21 June.
- (v) The minimum floor to floor and floor to ceiling heights as stipulated in the ADG and Sydney DCP 2012.
- (vi) The objectives and design criteria within the ADG relating to apartment sizes, layout and room dimensions.
- (vii) The objectives and design criteria within the ADG relating to private open space sizes and dimensions.
- (viii) The objectives and design criteria within the ADG relating to common circulation and spaces.
- (ix) The objectives and design criteria within the ADG relating to residential storage size volumes and characteristics;
- (x) The provisions relating to flexible housing and dwelling mix under Section 4.2.3.12 of the Sydney DCP 2012.

- (xi) The provisions relating to adaptable dwelling mix under Section 3.12.2 of the Sydney DCP 2012.

These requirements must be included in the competition brief for the competitive design process.

- (b) A BASIX Certificate in accordance with the requirements of State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 must be submitted with the detailed design Development Application.

(13) RESIDENTIAL ACOUSTIC AMENITY

A Noise Impact Assessment must be undertaken by a suitably qualified acoustic consultant* and submitted with any subsequent development application for detailed design and construction of the development. The Assessment must demonstrate that the development will be capable of achieving adequate levels of acoustic amenity for future occupants. The Assessment must consider the following and demonstrate that the design will comply with the relevant requirements under the following:

- (a) New South Wales Environment Protection Authority Noise Policy for Industry.
- (b) State Environment Planning Policy (Infrastructure) 2007 and the NSW Government Department of Planning 'Development Near Rail Corridors and Busy Roads - Interim Guideline'.
- (c) Parts 4B, 4H and 4J of the Apartment Design Guide.
- (d) Section 4.2.3.11 of the Sydney Development Control Plan 2012.

*Note: "Suitably qualified acoustic consultant" means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

(14) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- (a) Details are to be provided with the subsequent development application for the detailed design of the buildings to confirm that the buildings have adopted the ESD targets outlined in:
 - (i) the 'Design Excellence Strategy' for 525-527 George Street, Sydney, prepared by Planning Lab and dated 3 April 2020;
 - (ii) For the hotel component of the development:
 - a. A NABERS Energy rating of 4.5 stars or better; and
 - b. A NABERS Water rating of 4 stars or better.
 - (iii) For the residential apartment component of the development:
 - a. A BASIX energy score of at least 30 points or better; and

- (b) The ESD targets must be included in the competitive design process brief and carried through the competitive design process phase, design development, construction, and through to completion of the project.

(15) PUBLIC ART

- (a) The '525 George Street Preliminary Public Art Plan', dated February 2020 and prepared by must be incorporated into the Competitive Design Process Brief.
- (b) A public artwork is to be provided to northern elevation of the tower to embellish the blank wall. The artwork is to be integrated in to the architecture.
- (c) A detailed Public Art Plan, based upon the Preliminary Public Art Plan to in (a) above, must be prepared and submitted with any subsequent detailed design development application.

(16) LANDSCAPING

- (a) The Landscape Concept Statement, submitted with the subject application (D/2019/758) prepared by JMD design and dated 18 March 2020 is not approved. A revised Landscape Concept Statement is to be submitted and approved by Council's Area Planning Manager or Area Coordinator prior to Council's endorsement of a Competitive Design Process Brief for the site and must:
 - (i) Not describe the reference scheme submitted with D/2019/758; and
 - (ii) Include key design criteria for landscaping within the development to inform the competitors in the subject competitive design process of landscaping aspirations for the subsequent detailed design development.
- (b) Any specific landscape elements or canopies required to meet wind criteria for intended use of the podium and rooftop spaces such as sitting for prolonged spaces must be designed in an integrated manner by both the project architect/s and landscape architect/s. Any canopies or the like must be located within the building envelope as an architectural element.
- (c) Any subsequent detailed design development application must include a detailed Landscape Plan prepared by a qualified landscape architect or landscape designer, which incorporates the design principles in the 'Concept DA Landscape Statement' prepared by xxx and dated xxx.
- (d) The detailed Landscape Plan should:
 - (i) Identify any landscape constraints, including (but not limited to) setbacks, existing street trees, landscape features, screening/buffer requirements.
 - (ii) Quantify and illustrate compliance with the relevant landscape design provisions of Part 40 of the Apartment Design Guide,

Section 4.2.3.5 of the Sydney Development Control Plan 2012 and Sydney Landscape Code Volume 2: All Development Except for Single Dwellings.

- (iii) Identify the location of communal open space, planters, water sensitive urban design treatments and direct sunlight to communal open space.
 - (iv) Show any required roof terraces, including (but not limited to) how the building design accommodates adequate height for soil build-up, lift access, shade, safe maintenance and Building Code of Australia compliant guarding.
 - (v) Set aspirations and principles for each landscape space in order to achieve design excellence for the landscape spaces in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012.
 - (vi) Identify any intended design elements such as green roofs and walls, water sensitive landscape design treatments and sustainability targets.
- (e) The Landscape Plan should establish a clear commitment to designing landscape sustainably and in an integrated manner, and demonstrate that the function and aesthetic of both the landscape and the building have been considered concurrently in relation to each other.

(17) SIGNAGE STRATEGY

A detailed signage strategy developed in accordance with Section 3.16.1 of the Sydney Development Control Plan 2012 must be submitted with any detailed design development application. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs proposed for the development.

(18) WIND ASSESSMENT

- (a) Prior to the lodgement of any subsequent detailed design development application, the detailed design must be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible pedestrian space, the surrounding streets, neighbouring buildings, and communal external areas within the subject development.
- (b) Any recommendations of this wind tunnel testing and wind assessment report required by (a) above must be incorporated into and submitted with the detailed design development application for Council's consideration.

(19) REFLECTIVITY

Any subsequent detailed design development application must contain sufficient information to demonstrate that the visible light reflectivity from building materials used on the facade of any building does not exceed 20%. A reflectivity report that demonstrates compliance with the above criterion must be submitted with any subsequent detailed design development application.

(20) SANDSTONE RECYCLING

- (a) A Geotechnical Report prepared by a suitably qualified geotechnical engineer is to be submitted as part of any subsequent detailed design development application. The report is to include an investigation of the nature of the existing subsurface profile using appropriate investigation methodology and borehole testing techniques where feasible.
- (b) The Geotechnical Report is to analyse the quality of the material, including contamination, and to assess the suitability of the rock for removal by cutting into quarry blocks for use as high quality building construction material, including for building conservation.
- (c) Subject to confirmation that the rock is of a suitable quality for reuse in other construction, the Geotechnical Report is to include an Excavation Work Method Statement with recommendations as to the depth of the most suitable profile, details excavation methodologies, cutting methods and procedures for the removal of all sandstone material in a useable form and size, noise and dust attenuation measures in addition to recommendations for monitoring, notifications and review.
- (d) In addition, details of any required storage of material off site must be submitted. If the quantity of sandstone material exceeds the needs of the site, or if the approved development does not provide for the use of any sandstone, or if the material is 'Yellow Block' sandstone required for conservation of buildings, the material must be stored in an appropriate location for later reuse. Storage may be able to be facilitated by the Council or the NSW Department of Commerce. Please contact the Manager Centenary Stonework Program at the NSW Department of Finance and Services on 9372 8526 for further enquiries with regard to storage.
- (e) The programming of the works is to take into account, the above process.

(21) SITES IN THE VICINITY OF HERITAGE ITEMS

- (a) A protection strategy for the duration of the construction works, must be submitted as part of any subsequent detailed design development application. The strategy must detail how the proposed works will ensure that the following buildings are to be suitably protected and stabilized during the construction process including from any construction waste, dust, damp, water runoff, vibration or structural disturbance or damage:
 - (i) Albion Place (I1658);

- (ii) 1-7 Albion Place (I1659); and
- (iii) 531-535 George Street (I1795).

(22) ARCHAEOLOGICAL ASSESSMENT

An archaeological assessment undertaken by a suitably qualified archaeologist must be submitted with any subsequent detailed design development application. The report must assess whether the proposed works have the potential to disturb any archaeological remains and the need for any archaeological investigation prior to commencement of any works on site. The report should also recommend measures and documentation to be undertaken during the process of demolition and excavation work. Should the assessment report suggest the site may contain relics and the proposed work may disturb them, council may request the applicant to amend the proposal so that the relics are properly protected or interpreted.

(23) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

Any subsequent detailed design development application must be accompanied by a site specific Demolition, Excavation and Construction Noise and Vibration Management Plan.

The Demolition, Excavation and Construction Noise and Vibration Management 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 Demolition, Excavation and Construction Noise and Vibration Management Plan must include but not be limited to the following:

- (a) Identification of noise sensitive receivers near to the site.
- (b) The proposed hours of all construction and work on the development 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.
- (c) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours / Noise Code of Practice 1992* for the typical construction hours of 7.00am 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.

- (d) A representative background noise measurement ($L_{A90, 15 \text{ minute}}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (e) 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.
- (f) 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.
- (g) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (h) 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.
- (i) 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.

(24) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN - USE OF INTRUSIVE APPLIANCES

Any subsequent detailed design development application must be accompanied by a report detailing the use of appliances which emit noise of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992".

At a minimum, the report must specify:

- (a) Specific the proposed hours and days of operation;
- (b) The tasks that the equipment will be used for;
- (c) Justify in writing why the intrusive appliance cannot be substituted for a lower impact apparatus;
- (d) Provide for how noise will be managed to comply with the above code, and if cannot, provide for how it will be managed to the lowest reasonable and feasible levels;
- (e) Indicate a timeframe for completion the associated task; and

- (f) Provide details of respite periods which will occur to reduce exposure to intrusive noise at sensitive receiving locations.

(25) ACID SULFATE SOILS – PRELIMINARY SITE ASSESSMENT

- (a) A Preliminary Acid Sulfate Soil Assessment must be prepared and submitted with any subsequent detailed design development application. The assessment must be carried out by a suitably qualified person in accordance with the Acid Sulfate Soils Assessment Guidelines (Acid Sulfate Soils Management Advisory Committee August 1998).
- (b) Where the preliminary site assessment confirms that the site is subject to Acid Sulfate Soils which may affect the integrity of the development, then an Acid Sulfate Soils Management Plan must also be prepared and submitted with any subsequent detailed design development application.

(26) LAND CONTAMINATION

- (a) Any subsequent detailed design development application must include documentation demonstrating that the requirements of State Environmental Planning Policy No 55 —Remediation of Land and 'Managing Land Contamination Planning Guidelines SEPP 55– Remediation of Land' are addressed.
- (b) The subsequent detailed design development application must be accompanied with a Detailed Environmental Site Investigation (DESI). If the DESI prepared for the subject development concludes that a Remediation Action Plan (RAP) is required, then a RAP must also be submitted with the detailed design development application.

(27) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

An access report must be prepared by a qualified access consultant and submitted with any subsequent detailed design development application to demonstrate that the building has been designed and is capable of being constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia.

(28) CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- (a) A report prepared by an appropriately qualified consultant which assesses the detailed design development against 'Crime Prevention Through Environmental Design' principles must be submitted with the subsequent detailed design development application.
- (b) The recommendations of the Crime Prevention Through Environmental Design report should be incorporated into the detailed design of the development proposed with any subsequent detailed design development application.

(29) BICYCLE PARKING AND END OF JOURNEY FACILITIES

Any subsequent detailed design development application must include a Bicycle Parking Plan, bicycle parking and end of journey facilities must be

provided in accordance with Section 3.11.3 of the Sydney Development Control Plan 2012.

The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities and 'Austroads Bicycle Parking Facilities: Guidelines for Design and Installation' document

The details of the location, quantity and class of bicycle parking must be included in the architectural drawing set in any subsequent detailed design development application.

Residential bicycle parking can be in the form of class A or B (AS 2890.3:2015) facilities, and preferably a combination of both.

Staff bicycle parking (Class B of AS 2890.3:2015) is to be provided at ground floor level and is to be in close proximity to end-of-trip facilities.

Visitor bicycle parking (Class C of AS 2890.3:2015) should preferably be provided at ground floor level in an easily accessible and visible location. Visitor bicycle parking is not to be provided in any service vehicle parking area.

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

(30) LOADING DOCK DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street loading dock facilities is to satisfy the Australian Standard AS/NZS 2890.2 - 2002 Parking facilities Part 2: Off-street commercial vehicle facilities. The details should be submitted as part of any subsequent detailed design development application.

(31) WASTE MANAGEMENT PLAN AND WASTE FACILITIES

Any subsequent detailed design development application must include:

- (a) A Waste and Recycling Management Plan prepared in accordance with Section 3.14 of the Sydney Development Control Plan 2012; and
- (a) Details of the location, construction and servicing of the waste collection facilities for the different components of the development of the proposed building.
- (b) The design of waste facilities prepared in accordance with Section 4.2.6 of the Sydney Development Control Plan 2012 and Council's Guidelines for Waste Management in New Developments.

(32) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO COMPETITIVE DESIGN PROCESS

- (b) Prior to the commencement of any competitive design process for the site, an accurate 1:1 electronic CAD model of the envelope approved

by this consent must be submitted to and approved by Council's City Model officers. This requirement may be deferred during the COVID-19 lockdown period.

- (c) The data required to be submitted within the surveyed location must include and identify:
- (d) envelope design above in accordance with the development consent; and
- (e) 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.
- (f) 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/applicationguide/applicationguide-on-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model.

SCHEDULE 1B - GOVERNMENT AGENCY CONDITIONS

(33) SYDNEY AIRPORT CORPORATION LIMITED / DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, CITIES AND REGIONAL DEVELOPMENT

- (a) The building **must not exceed** a maximum height of ~~167.4 metres~~ **175.6 metres AHD**, this **includes all** lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.
- (b) Separate approval **must be sought** under the Regulations for any equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.
- (c) The Proponent **must advise** ~~advise~~ Airservices Australia at least three business days prior to the controlled activity commencing by emailing *ifp@airservicesaustralia.com* and quoting YSSY-CA-216.
- (d) On completion of construction of the building, the Proponent must provide ~~the airfield design manager~~ **SACL** with a written report from certified surveyor on the finished height of the building.
- (e) ***A separate assessment and approval under the Regulations will be required for any further addition to the height of the building (including the installation of antennas) as it will increase the penetration of the OLS.***

Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Act.

(Condition amended – D/2019/758/A – 11 May 2023)

(34) NSW ROADS AND MARITIME SERVICES:

- (a) All vehicles shall enter and exit the site in a forward direction.
- (b) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.
- (c) The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.
- (d) A Construction Pedestrian Traffic Management Plan (CPTMP) shall be submitted in consultation with the TfNSW Sydney Coordination Office (SCO), Roads and Maritime, and City of Sydney Council, prior to the issue of a Construction Certificate (for any subsequent detailed design

development application). The CPTMP needs to include, but not be limited to, the following: construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control, taking into consideration the cumulative traffic impacts of other developments in the area.

TRANSPORT FOR NSW CONDITIONS:

(35) CBD RAIL LINK CORRIDOR

Any detailed design development application (Stage 2) shall include, but not be limited to the following:

- (a) Acoustic Report — The acoustic report shall assess the possible effects of the operation of the future CBD Rail Link (CBDRL) on noise and vibration. Any possible damages on the structures due to the noise and vibration need to be eliminated corresponding to the Transport for NSW (TfNSW) Corridor Protection requirements.
- (b) Statement of Environmental Effects (SEE) — The SEE must address any concerns on the interaction between the CBDRL and the proposed development.
- (c) Electrolysis Report - All structures must be designed, constructed and maintained so as to avoid damage or other interference, which may occur as a result of stray electrical currents, electromagnetic effects from future railway operations.
- (d) Survey - Survey drawings of the existing site need to be provided and show the distance between CBDRL corridor and proposed development.
- (e) Geotechnical Report — should demonstrate that suitable consideration has been given to the settlements and ground movements that are likely to occur during the future construction of the CBDRL. This shall be confirmed via an appropriate ground/structure interaction analysis, either calculations or finite element modelling.
- (f) Structural Engineering Report — The structural report needs to demonstrate compliance with the protection criteria as described on drawing PS116287-01. Consideration of the ground movements predicted under the geotechnical analysis need to be considered. Issues including construction methodology, foundation design, shoring system, debonding and possible ground movements need to be addressed in the report.
- (g) Structural Drawings: sections and plan drawings detailing founding levels, storm water retention basin and drainage invert levels, and the use of any ground anchors. Note the use of ground anchors (whether permanent or temporary) are not generally permitted.
- (h) Architectural Drawings: The architectural drawings should show the CBDRL corridor and basement levels.

(36) SYDNEY LIGHT RAIL CORRIDOR

Any detailed design development application (Stage 2) shall include, but not be limited to the following:

General

- (a) Relevant property details, including the lot or portion, deposited plan, section number (if applicable), house number, street, suburb or town.
- (b) A description of the proposed development (i.e. scope of work) and its intended purpose.

Survey

- (c) Legal boundary alignment along the length of the proposed site identified by a NSW registered surveyor.
- (d) Railway infrastructure identified at ground level (e.g. anchor blocks), above ground level (e.g. overhead wiring structures, transmission line) and below ground level (e.g. service cables, culverts).
- (e) Drawings showing the development in relation to the railway boundary and infrastructure such as tracks, cable route, etc.
- (f) Any other rail assets within or outside the rail corridor.
- (g) Easements (including right of ways etc) or stratum, covenants and caveats identified by a NSW registered surveyor, specifying the purpose of the easement and the beneficiary.
- (h) Location of any railway tunnel and its dimensions, relative distances and reduced levels to the proposed excavation face and levels.
- (i) Development in relation to all rail infrastructures as identified above, displaying distances and reduced levels between the proposed development and the infrastructure in a) elevation view, b) plan view and c) section view.
- (j) Existing ground crossfalls, flow directions and overland run off.
- (k) Proposed ground crossfalls, flow directions and overland run off.

Geotechnical

- (l) Geotechnical report describing the scope of the development in detail.
- (m) Geotechnical report to assess likely effects on the tunnel due to excavation, vibration associated with excavation methods and the relaxation in the rock mass due to reduction in pressure and unloading.
- (n) Geotechnical investigation report to include but not limited to:
 - Description of the soil profile typical of the area.
 - Assessment of any effects on rail infrastructures, risk to rail infrastructures due to excavation, vibration associated with excavation methods.
 - Boreholes plan.
 - Boreholes log and photographic documentations.

- Geotechnical design parameters.
- (o) Evidence of boreholes, with depth at least 5m below the depth of proposed excavation. A plan of the boreholes, borehole logs and photographic documentations must be attached.
- (p) Geotechnical Assessment based on the findings from the geotechnical investigation, boreholes and general geographical area, ground water level, etc.
- (q) Geotechnical Assessment with comments on any possible effect on rail infrastructure.
- (r) Geotechnical consultant to recommend the footing design, methods of shoring and excavation.
- (s) Geotechnical consultant to calculate and state the predicted movement (if any) of relevant railway infrastructure (e.g. tracks, retaining walls, etc.)
- (t) Finite Element analysis of the slope stability of the cutting/embankment at 1) preconstruction; during excavation and 3) post construction, with soil design parameters clearly defined (applicant will need to confirm whether 2D or 3D modelling is required).
- (u) Report on how the proposed development addresses and/or complies with all relevant Asset Standards Authority (ASA) standards/Guidelines/Technical Notes (in particular External Developments - T HR 01 12080 ST and Developments Near Rail Tunnels – THR 01 12051 ST).

Structural

- (v) Structural report with comments on the possible impact of the rail infrastructure.
- (w) Structural report with recommendation of preventative and remedial action for any impacts on rail infrastructure as a consequence of the proposed development.
- (x) Structural drawings with designs for shoring plan and detail as per the recommendations of the geotechnical consultant (no rock anchors within rail land or easements is permitted).

Additional information (depending on individual circumstances)

- (y) Drainage details (no drainage into the rail corridor).
- (z) Derailment protection.
- (aa) Balcony design — enclosed balconies.
- (bb) The following may be required as part of the DA or may be imposed to be undertaken prior to CC (discussion with TfNSW to confirm this):
 - Dilapidation inspection.

- Electrolysis report to include details of the Electrolysis risk to the development from stray currents as all structures must be designed, constructed and maintained so as to avoid any damage or other interference, which may occur as a result of stray electrical currents, electromagnetic effects and the like from railway operations.
- Acoustic Report to include details of how the proposed development will comply with the Department of Planning's document titled "Development near rail corridors and busy roads — Interim Guideline" and Clause 87 of I-SEPP if applicable. This report also needs to assess the likely impact of airborne noise, ground borne noise and vibration that may emanate from the future rail operations.

Relevant Standards

(cc) Report on how the development complies with the document Development Near Rail Corridors and Busy Roads — Interim Guideline (NSW Department of Planning, 2008) (<http://www.planning.nsw.gov.au/—/media/Files/DPE/Manuals-andguides/development-near-rail-corridors-and-busy-roads-interim-guideline-2008.ashx>).

(dd) In relation to light rail corridor, report on how the development complies with Asset Standards Authority (ASA) standard - External Developments - T HR 01 12080 ST. (<https://www.transport.nsw.gov.au/industry/asset-standards-authority/find-astandard/external-developments-1>).

(37) COACH PARKING AND PASSENGER PICK-UP AND SET-DOWN MANAGEMENT

The applicant shall undertake the following for the Coach Parking and Passenger Pick-Up and Set-Down Management, in consultation with the Sydney Coordination Office within TfNSW, as part of the preparation of any detailed design (Stage 2) development application:

- (a) An investigation to provide on-site parking for coaches; and
- (b) A draft Coach Parking and Passenger Pick-Up and Set-Down Management Plan to ensure the operation of the development would have minimal impact on the operation of the surrounding transport network.

(38) LOADING AND SERVICING MANAGEMENT

The applicant shall prepare a draft Loading and Servicing Management Plan as part of the detailed design (Stage 2) development application. The Plan needs to specify, but not be limited to, the following:

- Details of the development's freight and servicing profile, including the forecast freight and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay; and

- Details of loading and servicing facilities within the subject site which adequately accommodate the forecast demand of the development so as to not rely on the kerbside restrictions to conduct the development's business.

(39) CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT

The applicant shall prepare a draft Construction Pedestrian and Traffic Management Plan (CPTMP) as part of the detailed design (Stage 2) development application in consultation with the Sydney Coordination Office within TfNSW and the Sydney Light Rail Operator. The draft CPTMP needs to specify matters including, but not limited to, the following:

- (a) A description of the development;
- (b) Location of any proposed work zone(s), noting that George Street is not a suitable location;
- (c) Details of crane arrangements;
- (d) Haulage routes;
- (e) Construction vehicle access arrangements including vehicle access/crane access in George Street and in or around the light rail;
- (f) Proposed construction hours;
- (g) Predicted number of construction vehicle movements and details of vehicle types, noting that vehicle movements are to be minimised during peak periods;
- (h) Proposed construction program;
- (i) Measures to avoid construction worker vehicle movements within the CBD;
- (j) Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- (k) Cumulative construction impacts of projects including Sydney Light Rail Project and Sydney Metro City and Southwest; and
- (l) Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.

(40) ACTIVE TRANSPORT

It is advised that the applicant undertakes the following a part of the Stage 2 development application:

- (a) Locate bicycle parking and end of trip facilities in secure, convenient, accessible areas close to the main entries incorporating adequate

lighting and passive surveillance and in accordance with Austroads guidelines; and

- (b) Develop travel access guides to assist with increasing the mode share of walking and cycling.

(41) SYDNEY TRAINS CONCURRENCE CONDITION

The submittal of a Stage 2 Development Application is to be accompanied with the documentation provided below for review and endorsement by Sydney Trains. This documentation must comply with all relevant standards and all the requirements provided in the Transport Asset Standards Authority (ASA) standard Development Near Rail Tunnels (<https://www.transport.nsw.gov.au/industry/standards-and-accreditation/standards>):

- (a) Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
- (b) Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
- (c) Cross sectional drawings showing the development relation to the rail corridor and the centre of the closest track; sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
- (d) Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land
- (e) If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

SCHEDULE 2

PRESRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation, 2000* apply to the development.