

# **Attachment A**

<b>Recommended Conditions of Consent</b>
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## PART A - DEFERRED COMMENCEMENT CONDITIONS

### SCHEDULE 1

(A) The consent is not to operate until the following condition is satisfied:

#### (1) VOLUNTARY PLANNING AGREEMENT

- (a) The Voluntary Planning Agreement between the COUNCIL OF THE CITY OF SYDNEY and WILLIAM STREET NOMINEE, that delivers public benefits associated with the approved development is publicly exhibited, executed and submitted to Council; and
  - (b) The guarantee must be provided to Council in accordance with the Voluntary Planning Agreement; and
  - (c) The Voluntary Planning Agreement, as executed, must be registered on the title of the land; and
  - (d) The payment of the monetary contribution must be provided to Council in accordance with the Voluntary Planning Agreement.
- (B) Evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of determination of this deferred commencement consent failing which, this deferred development consent will lapse pursuant to section 4.53(6) of the *Environmental Planning and Assessment Act, 1979*.
- (C) The consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied.
- (D) Upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent, as detailed in Part B Conditions of Consent (Once the Consent is Operation).

## PART A1 – CONDITIONS OF CONSENT

### (1) CONCEPT DEVELOPMENT APPLICATION

Pursuant to Division 4.22 of the *Environmental Planning and Assessment Act, 1979*, this Notice of Determination relates to a concept development application. A subsequent development application (DA) is required for any works to be carried out on the site.

#### Reason

To specify the status of this approval as a concept development consent and that it does not authorise the carrying out of works on any part of the site.

### (2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application Number D/2022/139 dated 28 February 2022 and the following drawings prepared by FJC Architects:

Drawing Number	Drawing Name	Date
1001, Rev 11	Plan – Basement	11 October 2023
1002, Rev 01	Plan – Lower Laneway Envelope	11 October 2023
1003, Rev 01	Plan – Upper Laneway Envelope	11 October 2023
1004, Rev 01	Plan – Ground & L1 Envelope	11 October 2023
1005, Rev 01	Plan – Lower Levels (RL 32.7-35.6)	11 October 2023
1006, Rev 01	Plan – Mid Levels (RL 35.6-41)	11 October 2023
1007, Rev 01	Plan – High Levels (RL 41-57.9)	11 October 2023
1401, Rev 11	Proposed Envelope	11 October 2023
1402, Rev 11	Proposed Envelope	11 October 2023
1501, Rev 11	Elevation – Forbes Street (west)	11 October 2023
1502, Rev 11	Elevation – Dowling Street (east)	11 October 2023
1503, Rev 11	Elevation – William Street (south)	11 October 2023

and as amended by the conditions of this consent.

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

**Reason**

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

**(3) MATTERS NOT APPROVED**

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

- (a) any demolition, tree removal, excavation, remediation and/or construction;
- (b) the height in storeys or street frontage height in storeys of the development;
- (c) the layout and number of residential apartments or non-residential tenancies;
- (d) the depth, extent, number, layout and design of basement levels and/or configuration of car parking;
- (e) the number of car parking spaces, bicycle spaces, car share or loading spaces/zones;
- (f) the precise quantum of floor space; and
- (g) up to 10% design excellence uplift in floor space.

**Reason**

To specify the matters that are not approved by this consent and that are to be determined under a subsequent DA for the detailed design of the building.

**(4) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT**

The terms of the planning agreement entered into in accordance with the VOLUNTARY PLANNING AGREEMENT condition contained in the Deferred Commencement Conditions at Part A of this consent must be complied with.

**Reason**

To ensure the development complies with all terms of the planning agreement.

**(5) BUILDING HEIGHT**

- (a) Building height proposed as part of any subsequent DA for the detailed design of the building must not exceed the heights expressed as RLs (AHD) shown on drawings listed in the APPROVED DEVELOPMENT condition above;
- (b) To be clear, this condition does not restrict development comprising building height:

- (i) proposed or erected by or on behalf of a public authority on land identified in the Voluntary Planning Agreement for transfer (and/or dedication) for the purpose of public amenities such as street furniture, street lighting, landscape structures or the like;
- (ii) located in the ground level common open space areas for the purpose of landscape structures and communal facilities that do not comprise floor space (or GFA) and do not compromise deep soil provision.

**Reason**

To ensure the constructed development complies with the approved height.

**(6) FLOOR SPACE RATIO**

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with the Sydney Local Environmental Plan 2012.
- (b) Notwithstanding (a) above, the development contained within the site may be eligible for up to 10% additional floor space pursuant to the provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the subsequent DA for the detailed design of the building exhibits design excellence and is the result of a competitive design process.

**Reason**

To specify the relevant floor space ratio controls applicable to the development.

**(7) DEVELOPMENT TO BE CONTAINED WITHIN ENVELOPE**

The detailed design of the building must be contained within the approved envelope except for footpath awnings and/or projections beyond private property boundaries over or into the public road/footpath in accordance with the requirements of Schedule 4 of the Sydney Development Control Plan 2012.

**Reason**

To ensure that the detailed building design is not inconsistent with the approved concept envelope.

**(8) DISTRIBUTION OF FLOOR SPACE WITHIN ENVELOPE**

The approved concept proposal envelope establishes the maximum parameters for the competitive design process and the future built form on the site. The detailed design of the building must not occupy the entirety of the envelope. The maximum permissible floor space of the detailed design must be consistent with the relevant provisions of the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and the conditions of this development consent.

**Reason**

To specify the relevant parameters for the detailed building design.

## **(9) COMPETITIVE DESIGN PROCESS**

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

- (a) In accordance with 'Design Excellence Strategy for 164-172 & 174-194 William Street, Woolloomooloo, dated 21 November 2023, prepared by Urbis for William Street Nominee; and
- (b) Prior to the lodgement of any subsequent DA for the detailed design of the building.

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

### **Reason**

To specify the approved Design Excellence Strategy for the development.

## **(10) ACOUSTIC / VENTILATION BRIEF**

- (a) Prior to the commencement of the competitive design process, a kit of acoustic privacy / natural ventilation solutions (the 'kit of parts') is to be submitted to and approved by Council's Area Planning Manager / Coordinator.
- (b) The kit of parts is to provide a coordinated resource of design measures to mitigate noise as well as to achieve the natural ventilation requirements of the Apartment Design Guide and is to be appended to any competitive design process brief.
- (c) The kit of parts must consolidate the recommendations contained in the:
  - (i) Concept DA Acoustic Assessment, 164-194 William Street, Woolloomooloo, ref. no. TM358-01F01 Concept Design Acoustic Report (4), dated 22 March 2023 and as prepared by Renzo Tonin and Associates; and
  - (ii) Natural Ventilation Amended Scheme, 164-194 William St Woolloomooloo, dated 14 March 2023 and as prepared by Flux Consultants Pty Ltd.
- (d) The kit of parts must not include detail solutions based on the reference scheme.

### **Reason**

To provide consistent and useful information on acoustic and natural ventilation performance to participants in the competitive design process.

## **(11) DETAILED DESIGN OF BUILDINGS – JUDGE LANE AND FUTURE PEDESTRIAN LANEWAY**

The design brief for the competitive design process and the building design submitted as part of any subsequent DA for the detailed design of the building, must address the following design requirements:

- (a) Existing Judge Lane and the future pedestrian laneway needs to be considered wholistically to ensure that the pedestrian connection is clear and continuous.
- (b) Investigation into the provision of equitable/*Disability Discrimination Act, 1992* (Cth) compliant access through the dedicated laneway.
- (c) Exploration of Judge Lane conversion to shared zone and its connection to the new pedestrian laneway.
- (d) Consideration of how the setback area adjacent to Judge Lane (deep soil) will address Judge Lane. It should be noted that should a publicly accessible private pathway be included in this setback area, a shared zone in Judge Lane will not be supported.

**Reason**

To specify the matters that have been identified through the concept DA assessment as requiring further resolution through the competitive design process and detailed design development.

**(12) DETAILED DESIGN OF BUILDINGS - LANDSCAPE**

- (a) Deep soil areas nominated on the building envelope plan, must demonstrate that the concept development achieves deep soil in accordance with the Sydney Development Control Plan 2012, to a minimum area of 10% of the total site area after dedication. These deep soil zones must be incorporated as actual deep zone zones throughout the competitive design process and Stage 2 development applications.
- (b) Deep soil zones must be unencumbered by built elements either above or below. This includes basements, on-site detention below, structures and balconies above.
- (c) Tree planting must be approached to provide a minimum of 15% canopy cover across the site within 10 years of completion.
- (d) The rooftop of buildings must be designed to provide communal open spaces, accommodate rooftop planting for biodiversity, tree planting and water reuse. Provide a minimum soil depth of 1m and soil volumes that comply with the Landscape Code

**Reason**

To require landscape design guidance to competitors in the competitive design process and through detailed design development stages.

**(13) DETAILED DESIGN OF BUILDINGS – HERITAGE CONSERVATION AREA INTERFACE**

The design brief for the competitive design process and the building design submitted as part of any subsequent DA for the detailed design of the building, must address the following design requirements:

- (a) Be prepared in conjunction with heritage advice and demonstrate a sympathetic approach for how the site interfaces with the Woolloomooloo heritage conservation area.

**Reason**

To specify the matters that have been identified through the concept DA assessment as requiring further resolution through the competitive design process and detailed design development.

**(14) LANDSCAPE STRATEGY**

- (a) Prior to the preparation of the brief for the competitive design process, a Landscape Concept Plan must be submitted to Council's Director City Planning, Development and Transport for approval.
- (b) The Plan should identify any landscape constraints and set the aspirations and requirements for the landscape spaces, including communal rooftops and green roofs, in order to achieve design excellence.
- (c) It should establish a clear commitment to designing landscape at grade and on structure sustainably, in an integrated manner, to meet the Landscape Code, and demonstrate that the function and aesthetic of both the landscape and the building have been considered concurrently in relation to each other.

**Reason**

To specify landscape design details to be submitted prior to a competitive design process.

**(15) DESIGN PRINCIPLES**

The design brief for the competitive design process must address the following design principles, as outlined in the document titled draft William Street Design Principles, Rev 0, dated 11/10/2023, prepared by FJC Studio:

Urban Form and Articulation

- (a) Reduce bulk and scale to an appropriate size for the William Street boulevard scale and Woolloomooloo village scale
  - i) Provide articulation to the southern William Street building to read as discrete building forms
  - ii) Building forms to respond to Woolloomooloo built form character.

Sight Lines

- (b) Encourage visual connectivity across the site to establish meaningful connection to its surround context
  - i) Provide visual connection from William Street to Woolloomooloo along the north south pedestrian connection
  - ii) Provide visual connection from William Lane to Dowling Street



- iii) Provide visual connection from Dowling Street to green space on Judge Lane.

#### Connectivity

- (c) Encourage pedestrian permeability connectivity through the site to continue the laneway way networks of the surrounding context
  - i) Provide an east west pedestrian connection activated with retail space to align with William Lane
  - ii) Provide a north south pedestrian connection with Judge Street.
  - iii) Provide an east west connection from Dowling Street to the corner of Judge Lane and Forbes Street.

#### Ground Plane Activation

- (d) Encourage active frontages to establish a vibrant street interface with pedestrians.
  - i) Provide active retail frontages to William Street, Dowling Street and Forbes Street
  - ii) Vehicle Entry to located to limit disruption on ground plane
  - iii) Provide active retail laneway east west.

#### **Reason**

To specify the matters that have been identified through the concept DA assessment as requiring further resolution through the competitive design process and the detailed design development stages.

### **(16) WIND ASSESSMENT**

- (a) Prior to the lodgement of any subsequent detailed development application, the 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 and private open space 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.

#### **Reason**

To specify the matters that have been identified through the concept DA assessment as requiring further resolution through the detailed design development stages.

## **(17) WASTE AND RECYCLING MANAGEMENT**

- (a) Prior to the commencement of any competitive design process for the site, a Waste Management Strategy (WMS) must be submitted to and approved by Council's Area Planning Manager / Coordinator and which once approved, may be appended to the design brief for the competitive design process. The WMS must address the following requirements:
- (i) estimates of waste streams (waste, recycling and food waste) that will be generated and the number of bins and collection frequency to manage the waste generated calculated in accordance with the rates specified in the City's *Guidelines for Waste Management in New Developments*;
  - (ii) the minimum spatial requirements (minimum room sizes, minimum door sizes, manoeuvring space, size of bin holding areas etc) for waste management systems and facilities based on the estimated waste generation of the ongoing operation of the development and must account for specified bin sizes (240L, 660L or 1100L);
  - (iii) safe and convenient access for waste collection staff with a maximum walking distance from any entrance of a residential dwelling to the waste and recycling storage area is not to exceed 30 metres;
  - (iv) maximum manual handling distance by council contractors of 10 metres;
  - (v) waste management and collection must be accommodated wholly within the site;
  - (vi) access for a 10.6 metre long Council garbage truck and vertical clearance of 4 metres clear of all ducts, pipes and other services;
  - (vii) waste collection vehicles to be able to enter and exit the premises in a forward direction;
  - (ix) waste management systems and facilities that promote safe and convenient access for all users;
  - (x) separate waste storage area for residential and commercial aspects of developments. Commercial tenants must not have access to residential waste storage areas.
- (b) Details are to be provided with the subsequent DA for the detailed design of the building to demonstrate that adequately sized waste management facilities including waste storage areas and truck access and loading is provided in accordance with the relevant requirements of the Sydney DCP 2012 and the City's *Guidelines for Waste Management in New Developments*.

### **Reason**

To ensure that waste and recycling management requirements are considered during the competitive design process and through detailed design development.

## **(18) ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

Details are to be provided with the subsequent DA for the detailed design of the building to confirm that the building has adopted the following ESD targets set out in the Design Excellence Strategy referred to in COMPETITIVE DESIGN PROCESS condition above:

- (a) BASIX Energy minimum score as per State Environmental Planning Policy (Sustainable Buildings) 2022 +5
- (b) BASIX Water minimum score as per State Environmental Planning Policy (Sustainable Buildings) 2022 +10
- (c) electrification of all building components, including in all dwellings, centralised services and commercial/retail premises.

The ESD targets are to be included in the competitive design process brief and carried through the competition phase, design development, construction, and through to completion of the project.

### **Reason**

To specify the ESD target benchmarks for the development.

## **(19) RESIDENTIAL LAND USE**

- (a) 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 Flat Development, the guidelines of the Apartment Design Guide (the ADG), and the provisions in Section 4.2 of the Sydney Development Control Plan 2012, with particular attention to the following matters:
  - (i) ADG objectives 2F Building separation and 3F-1 Visual privacy;
  - (ii) ADG objective 4B-1 Natural ventilation;
  - (iii) ADG objective 4B-3 Natural cross ventilation;
  - (iv) ADG objective 4J Noise and pollution – with noise and natural ventilation addressed through siting and layout, facade treatment and design and lastly through attenuated passive ventilation devices;
- (b) A BASIX certificate in accordance with the requirements of State Environmental Planning Policy (Sustainable Buildings) 2022 must be submitted with any subsequent DA for the detailed design of the building.

### **Reason**

To identify particular planning requirements for the attention of competitors in the competitive design process and for the architects commissioned to undertake the detailed design of the building.

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

- (a) 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 Area Coordinator Planning Assessments/Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
  - (i) above ground envelope design in accordance with the development consent;
  - (ii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

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

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

**Reason**

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

**(21) PUBLIC ART**

- (a) The revised Preliminary Public Art Plan dated December 2022 - March 2023 and prepared by Amanda Sharrad (Council reference TRIM 2023/155451) must be included as an appendix to the competitive design process brief as per Section 3.3.7 of Sydney Development Control Plan 2012.
- (b) An updated version of the approved Preliminary Public Art Plan must be submitted following the competitive design process once the built form and public art opportunities are confirmed with the lifespan of the artwork amended to align with the life of the building.
- (c) A Detailed Public Art Plan, based upon the preliminary plan referred to in (a and b) above, must be prepared and submitted with any subsequent detailed design development application.
- (d) All public artworks must be in accordance with the relevant objectives and provisions of the Sydney Development Control Plan 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

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-and-culture/public-art>

Please contact the Public Art Team for further information at:

[publicartreferrals@cityofsydney.nsw.gov.au](mailto:publicartreferrals@cityofsydney.nsw.gov.au)

**Reason**

To ensure an appropriate Preliminary Public Art Plan is prepared for the development.

**(22) STREET TREES AND DETAILED DESIGN APPLICATION**

- (a) All street trees surrounding the site must be included for retention in any subsequent detailed design DA.
- (b) Any design elements (awnings, street furniture, footpath upgrades etc) within the public domain must ensure appropriate setbacks are provided from the street tree to allow maturity of the tree to be achieved.
- (c) The location of any new driveways must not require the removal of any existing street trees. The driveway must be appropriately set back so it does not have adverse impacts both below and above ground upon any existing street trees.

**Reason**

To specify that retention of street trees is to be considered during design development.

**(23) ACOUSTIC REPORT**

An Acoustic Impact Assessment must be undertaken by a suitably qualified acoustic consultant and submitted with any subsequent DA for the detailed design of the building in accordance with the provisions of the Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012, the NSW Government's Development near Rail Corridors and Busy Roads - Interim Guideline and the State Environmental Planning Policy (Infrastructure) 2007.

**Reason**

To specify that an acoustic report must be submitted as part of any subsequent DA for the detailed design of the building.

**(24) FLOOD PLANNING LEVELS**

Details must be submitted with any subsequent DA for the detailed design of the building to demonstrate compliance with the recommended flood planning levels specified in Table 1 of the report titled: Flood Planning Levels Assessment for 164-194 William Street, Woolloomooloo (ref 211734) dated 17 March 2023 prepared by TTW Pty Ltd.

**Reason**

To ensure the detailed design of the building addresses flood risk.

**(25) LAND CONTAMINATION**

- (a) Any subsequent DA for the detailed design of the building must include reports and documentation to address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.
- (b) The relevant reports and documentation may include but are not limited to the following:
  - (i) Remediation Action Plan, Stage 1 Development Application, 164-192 William St, Woolloomooloo (Project 208700.00), Revision 4, dated 15 March 2023, prepared by Douglas Partners ty Ltd;
  - (ii) Interim Audit Advice No. 1 – Remediation Action Plan, dated 21 March 2023, prepared by Ramboll Australia Pty Ltd.

**Reason**

To advise as to the documentation to be provided as part of any subsequent DA for the detailed design of the building to demonstrate site suitability.

**(26) LAND DEDICATION – NO LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN**

Any land that is to be dedicated to the City under the planning agreement entered into in accordance with the VOLUNTARY PLANNING AGREEMENT condition contained in the Deferred Commencement Conditions at Part A of this consent, must not be encumbered by an Environmental Management Plan or Long-Term Environmental Management Plan.

**Reason**

To ensure future public land is not encumbered by onerous ongoing land contamination management requirements.

**(27) PUBLIC DOMAIN CONCEPT PLAN**

A public domain concept plan, showing all site frontages, including areas extending a minimum of 5 metres either side of the site boundary and to the road centreline, is to be prepared in accordance with the *Public Domain Manual* and the City's *Sydney Streets Code* and submitted with the detailed design DA. The concept plan is to include public domain upgrades to both Judge Lane and Forbes Street frontages, including the extension of the footpath widening at the southern end of Forbes Street to the extent of the redundant driveway.

**Reason**

To ensure the detailed design of the building provides for a suitable public domain interface.

**(28) PARKING DESIGN**

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

**Reason**

To ensure any subsequent detailed building design addresses the relevant design standards for off street parking facilities.

**(29) SECURITY GATES**

Any detailed building design submitted as part of any subsequent DA that incorporates a car park accessed by a security gate, then that gate must be located at least 6 metres within the site from the property boundary with the street.

**Reason**

To ensure any subsequent detailed building design provides adequate space between security gates and the street.

**(30) ON SITE LOADING AREAS AND OPERATION**

The detailed building design must provide for all loading, unloading and servicing operations to be carried out within the confines of the site and so there is no obstruction of other properties/units or the public way.

**Reason**

To ensure any subsequent detailed building design is able to contain all loading activities within the site.

**(31) VEHICLES ACCESS**

The detailed building design must allow for all vehicles to enter and depart the site in a forward direction.

**Reason**

To optimise traffic and pedestrian safety on and around the site.

**(32) LOADING DOCK MANAGEMENT PLAN**

A Loading Dock Management Plan must be submitted as part of any subsequent DA for the detailed design of the building.

The Loading Dock Management Plan must include the strategy for the management of all servicing of the site including delivery vehicles, garbage collection, service vehicles, removalist vehicles and should include information such as arrivals to the site, the anticipated numbers of arrivals per week, time of day of the arrivals, length of stay, vehicle type etc. along with how these will be managed to prevent disruption to public streets. The Loading Dock Management Plan must be able to respond to changes in the surrounding road environment and be updated accordingly.

**Reason**

To ensure an integrated approach to loading and servicing requirements and to the detailed design of the building itself.

**(33) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES**

The detailed design of the building must provide access and facilities for people with a disability in accordance with the Building Code of Australia.

**Reason**

To ensure the detailed design of the building provides access for people of all abilities.

**(34) ADAPTABLE HOUSING**

The subsequent DA for the detailed design of the building is to provide the required number of residential units that are able to be adapted for people with a disability in accordance with provision 3.12.2 of the Sydney Development Control Plan 2012, the Building Code of Australia and Australian Standard AS4299.

**Reason**

To ensure the detailed design of the building provides apartments that can be easily adapted for people with a disability.

**(35) SIGNAGE STRATEGY**

A detailed signage strategy must be submitted with any subsequent DA for the detailed design of the building. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

**Reason**

To require signage to be considered as part of any subsequent detailed building design.

**(36) INFORMATION FOR THE PURPOSE OF CALCULATING SECTION 7.11 CONTRIBUTIONS**

Any subsequent DA for the detailed design of the building must include the following information:



- (a) Gross floor area (GFA) schedules and diagrams for the proposed development for the purposes of calculating Section 7.11 contributions and credits;

**Reason**

To provide information necessary to the assessment of any subsequent DA for the detailed design of the building.

**PART B1 – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**There are no conditions relevant to Part B1.**

**PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

There are no conditions relevant to Part C.

**PART D – WHILE BUILDING WORK IS BEING CARRIED OUT**

**There are no conditions relevant to Part D.**

**PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

**There are no conditions relevant to Part E.**

**PART F – OCCUPATION AND ONGOING USE**

**There are no conditions relevant to Part F.**

## PART G – TRANSPORT FOR NSW

### (37) TRANSPORT FOR NSW CONDITIONS

- (a) All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the William Street boundary.
- (b) The Cross City Tunnel (CCT) runs in stratum beneath William Street abutting the subject property and as such prior to the issue of any construction certificate, the following shall be submitted to TfNSW for review and comment:
  - (i) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020-001.
  - (ii) Any proposed excavation/supports and foundations are constructed clear of the CCT Lease Area (containing the tunnel and rock anchors) as demonstrated by the developer producing an interface drawing showing the relative locations (with Reduced Levels and dimensions) of the proposed excavation/support and the CCT Lease Area at various locations along the William Street frontage.
  - (iii) Depending upon the proximity of the excavation and supports and foundations to the CCT the Applicant may be required to enter into an interface agreement with TfNSW and the CCT operator (Transurban CCT Pty Ltd).
  - (iv) The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au).

The developer is to meet the full cost of the assessment by TfNSW. This report would need to address the impact of excavation/support on the structural stability of the CCT and detailing how the CCT would be monitored for vibration.

The development must not interfere with the ongoing operation and maintenance of the CCT without the prior agreement of TfNSW and the CCT operator.

- (c) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system along the William Street frontage are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au).

A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

- (d) The developer shall be responsible for all public utility adjustment/relocation works, etc. necessitated by the above/approved work and as required by the various public utility authorities and/or their agents.

- (e) A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Williams Street during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
- (f) Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant shall:
  - (i) Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. The 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)
    - c. Details of crane arrangements including location of any crane(s).
    - d. Haulage routes.
    - e. Proposed construction hours.
    - f. Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods.
    - g. Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing.
    - h. Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site.
    - i. Pedestrian and traffic management measures.
    - j. Construction program and construction methodology.
    - k. A detailed plan of any proposed hoarding and/or scaffolding.
    - l. Measures to avoid construction worker vehicle movements within the CBD.
    - m. Consultation strategy for liaison with surrounding stakeholders, including other developments under construction.
    - n. Cumulative construction impacts of projects in proximity to the site.
    - o. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and



- p. 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.
- (ii) Submit a copy of the final plan to [development.sco@transport.nsw.gov.au](mailto:development.sco@transport.nsw.gov.au) for TfNSW endorsement; and
- (iii) Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and TfNSW (via [sco@transport.nsw.gov.au](mailto:sco@transport.nsw.gov.au)) to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

## **PART H – AUSGRID CONDITION**

### **(38) AUSGRID CONDITION**

- (a) Any detailed design for the building to be lodged under a subsequent DA must comply with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction works near existing electrical assets. The “as constructed” minimum clearances to Ausgrid’s infrastructure must not be encroached by the building development. It also remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite. Ausgrid’s Network Standards can be sourced from Ausgrid’s website, [www.ausgrid.com.au](http://www.ausgrid.com.au) Should you have any enquiries, please contact Ausgrid at [Development@ausgrid.com.au](mailto:Development@ausgrid.com.au)

## **PART J - PRESCRIBED CONDITIONS**

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2021* apply:

Clause 69 Compliance with National Construction Code (previously known as Building Code of Australia) and insurance requirements under the *Home Building Act, 1989*

Clause 70 Erection of signs

Clause 71 Notification of *Home Building Act, 1989* requirements

Clause 72 Conditions relating to entertainment venues

Clause 73 Conditions relating to maximum capacity signage

Clause 74 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, 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>