

Attachment A

Recommended Conditions of Consent
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Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 to 4.

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2024/1018 dated 18 November 2024 (as amended) and the following drawings prepared by SJB:

Drawing Number	Revision	Drawing Name	Date
Demolition Plans			
DA-0251	11	Demolition Plan – Basement 02	17/09/2025
DA-0252	11	Demolition Plan – Basement 01	17/09/2025
DA-0253	11	Demolition Plan – Level 00	17/09/2025
DA-0254	11	Demolition Plan – Level 01	17/09/2025
DA-0255	11	Demolition Plan – Level 02	17/09/2025
DA-0256	11	Demolition Plan – Level 03	17/09/2025
DA-0257	11	Demolition Plan – Level 04	17/09/2025
DA-0258	11	Demolition Plan – Level 05	17/09/2025
DA-0259	11	Demolition Plan – Level 06	17/09/2025
DA-0260	11	Demolition Plan – Level 07	17/09/2025
DA-0261	11	Demolition Plan – Roof	17/09/2025
Floor Plans			
DA-1001	7	Floor Plan – Basement 02	15/05/2025
DA-1002	12	Floor Plan – Basement 01	17/09/2025
DA-1003	12	Floor Plan – Level 00	17/09/2025
DA-1004	8	Floor Plan – Level 01	17/09/2025

Drawing Number	Revision	Drawing Name	Date
DA-1005	8	Floor Plan – Level 02	17/09/2025
DA-1006	8	Floor Plan – Level 03	17/09/2025
DA-1007	8	Floor Plan – Level 04	17/09/2025
DA-1008	8	Floor Plan – Level 05	17/09/2025
DA-1009	8	Floor Plan – Level 06	17/09/2025
DA-1010	8	Floor Plan – Level 07	17/09/2025
DA-1011	8	Floor Plan – Roof	17/09/2025
Elevations			
DA-1401	8	Elevations – East	17/09/2025
DA-1402	8	Elevations – South	17/09/2025
DA-1403	7	Elevations – West	15/05/2025
DA-1404	7	Elevations – North	15/05/2025
DA-1411	8	Courtyard Elevations – Sheet 1	17/09/2025
DA-1412	8	Courtyard Elevations – Sheet 2	17/09/2025
Sections			
DA-1501	7	Building Section 1	15/05/2025
DA-1502	7	Building Section 2	15/05/2025
DA-1503	7	Building Section 3	15/05/2025
DA-1504	8	Building Section 4	17/09/2025
DA-1505	7	Building Section 5	15/05/2025
DA-1506	8	Building Section 6	17/09/2025
DA-1507	8	Building Section 7	17/09/2025

and as amended by the conditions of this consent.

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

Reason

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

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) The northern service courtyard must be designed to include a removable bollard, separating the courtyard from the driveway (located within the site of 100-102 Clarence Street).
- (b) All design modifications required by Heritage NSW as detailed in Schedule 3 are to be included in updated drawings.

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

Reason

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

(3) DELIVERY OF ESSENTIAL INFRASTRUCTURE

- (a) The delivery of all loading and servicing infrastructure including the loading dock, waste storage area and new carriageway must be delivered prior to the issue of the relevant Occupation Certificate for the first future fitout development application comprising >200sqm of gross floor area.
- (b) Temporary site servicing arrangements may be addressed in an interim traffic, servicing and waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

To ensure essential infrastructure is delivered to support future uses on site.

(4) DETAILED DEVELOPMENT APPLICATIONS

- (a) No consent is granted or implied for the fitout or detailed approval of each individual premises.
- (b) A detailed development consent is required to be obtained for the fitout and of each individual premises prior to that fitout or use commencing.
- (c) Subsequent detailed development applications must be consistent with this consent, including all approved management plans and strategies.

Reason

To require separate consent to be obtained for a use.

(5) SECTION 7.12 CONTRIBUTIONS PAYABLE – SUBMITTED AND VERIFIED PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

A monetary contribution is payable to the City of Sydney pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Central Sydney Development Contributions Plan 2020*.

The Section 7.12 levy is determined by the development cost, as per the following table:

Development cost *	Levy
* Refer to Section 2.3 of the <i>Central Sydney Development Contributions Plan 2020</i> for information on determining the development cost.	
Up to and including \$250,000	NIL
More than \$250,000, up to and including \$500,000	1%
More than \$500,000, up to and including \$1,000,000	2%
More than \$1,000,000	3%

The Section 7.12 levy is payable to the City of Sydney in accordance with the following:

- (a) Prior to a Construction Certificate being issued, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and that the levy has been paid to the Council in accordance with this condition. Payments may be made by EFTPOS (direct card only), cash (up to \$5,000 only), credit card (up to \$300,000 only) or bank cheque made payable to the City of Sydney council. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.
- (b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, one of the following must be submitted:
 - (i) **For development between \$250,000 and \$3,000,000** – the City of Sydney *Cost Summary Report* must be completed by a suitably qualified person such as the Project Architect or Project Manager and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Cost Summary Report* is available from the City's website at www.cityofsydney.nsw.gov.au; or
 - (ii) **For development more than \$3,000,000** – The City of Sydney *Registered Quantity Surveyor's Detailed Cost Report* must be completed by a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Registered Quantity Surveyor's Detailed Cost Report* is available from the City's website at www.cityofsydney.nsw.gov.au.

- (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Registered Certifier accordingly.
- (d) The development cost is to be determined in accordance with Section 2.3 of the Central Sydney Development Contributions Plan 2020, located in the version in force at the date of the grant of this consent.

Please contact Council's Planning Administration staff at Planningsystemsadmin@cityofsydney.nsw.gov.au to request a written Statement of Contributions Owing, prior to payment.

Reason

To ensure development contributions are paid to support the provision of public facilities, amenities, and services in Central Sydney.

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

- (a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of a Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council.
- (b) The contribution is \$426,273 (indexed at 1 March 2025). This is calculated by establishing the sum of the equivalent monetary contribution \$11,646.80 multiplied by 1% of the total floor of additional residential/hotel development (3,660sqm).
- (c) If the contribution is paid after the indexation period in which the consent is granted, being March 2025 to February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.
- (d) Contribution payable at Time of Payment = $C \times \text{MDP2} / \text{MDP1}$, where:
 - (i) C is the original total contribution amount payable to the City of Sydney as shown above;
 - (ii) MDP2 is the Median Strata Dwelling Price in Sydney LGA taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and
 - (iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Report used to establish the current equivalent monetary contribution rate, being March 2025 to February 2026.

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

Reason

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

(7) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

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

(8) CHANGES TO KERB SIDE PARKING RESTRICTIONS

- (a) The reinstatement of the cartway and construction of a new driveway from Clarence Street requires separate consideration by the Local Transport Forum.
- (b) A separate submission must be made to the Local Transport Forum 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.
- (c) 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.
- (d) 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.

Reason

To require separate consent to be obtained for changes to kerb side parking arrangements.

(9) COST OF SIGNPOSTING

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

Reason

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

(10) SERVICE VEHICLE SIZE LIMIT

The largest size of the service vehicle that can access to the site is 6.4 m.

A minimum of three (3) service vehicle spaces must be provided within the site, comprising one (1) Small Rigid Vehicle (SRV) space and two (2) B99 (standard car/van/ute) loading spaces.

Any subsequent detailed design development application must include swept paths for the largest vehicles to access any proposed onsite loading areas (including accessing the driveway in and out from the roadway and manoeuvring within the loading areas).

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(11) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction while using the York Street driveway. All service vehicles must use a spotter when entering the site by reversing in from Clarence Street into the carriageway service vehicle parking space and are required to exit the site in a forward direction.

Reason

To increase pedestrian safety at the site access.

(12) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item, other than items identified for removal/alteration/penetrations/fixings on the approved plans.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) The creation of the new carriageway on Clarence Street and removal of vehicle entries on York Street are to match existing materials and finishes of the relevant buildings, including flooring where appropriate.
- (d) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (e) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (f) The face brickwork/stone/tiles must not be rendered, painted or coated.

Reason

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

(13) MATERIALS FOR MAKING GOOD

New materials for making good and repairs, are to match the existing in terms of colours, finishes, sizes, profile and properties.

Reason

To ensure appropriate materials and finishes are used.

(14) CONSERVATION MANAGEMENT PLANS

- (a) The conservation management plans or heritage asset action plans for 71 York Street, 73 York Street, 75 York Street and 104-108 Clarence Street are to be updated to include evidence discovered during the alteration works.
- (b) The updated documents are to provide further detailed investigations to the existing fabric, update significance rating of all building components and spaces as built at completion of the project and revise management policies where needed.
- (c) The updated heritage management plans and heritage asset action plans are to be submitted to the satisfaction of Council's Area Planning Manager prior to the issue of an Occupation Certificate.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(15) NO OBSTRUCTIONS

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

Reason

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

(16) WASTE AND RECYCLING MANAGEMENT - GENERAL

- (a) The proposal must be consistent with the Waste and Recycling Management Strategy prepared by Arup, dated 29 July 2025 (Council Ref: 2025/475788).
- (b) Temporary site servicing arrangements may be addressed in an interim waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

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

(17) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The number of bicycle parking spaces and end of trip facilities to be provided within the site boundary is to be demonstrated for each subsequent detailed development application, with reference to 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 Parking Facilities Part 3: Bicycle Parking Facilities. Detailed plan must be submitted as part of any subsequent fitout development application.
- (b) The site shall also consider cargo bike spaces to facilitate delivery and servicing.

Reason

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

(18) LAND SUBDIVISION – SEPARATE DA REQUIRED

Any proposal for land subdivision will require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the *Environmental Planning and Assessment Act 1979*.

Reason

(19) EASEMENTS FOR ACCESS

Appropriate Easements for Access (or similar) are to be created over any required corridors, passages, traffic aisles, stairs and lifts, within the development, pursuant to Section 88B of the *Conveyancing Act 1919*, where access over one lot is required by the owner/occupier of another lot in the development prior to the issue of any Occupation Certificate.

These are to include, but not be limited to:

- (a) An Easement for future services (whole of lot).
- (b) A Restriction for fire safety and protection.
- (c) An Easement for Garbage Room.
- (d) An easement for loading dock.
- (e) A right of carriageway, limited in stratum over No.104-118 Clarence Street, benefiting No.71 York Street.

The Easements may be reciprocal in nature (burdening one lot and benefitting another in the development), granting rights of access to persons and/or vehicles (where appropriate), and is to be created in appropriate terms acceptable to Council, with the Council being the authority to release, vary or modify the easement.

Reason

To ensure the orderly development of the property.

(20) EASEMENTS RELATING TO LOTS

Documentary reciprocal easements for services, drainage, support and shelter, and emergency egress (and other similar easements as required), affecting the whole of each lot if so desired, must be created over the lots in the development, pursuant to Section 88B of the *Conveyancing Act 1919* and to Council's satisfaction prior to the issue of any Occupation Certificate.

Reason

To ensure the orderly development of the property.

(21) RIGHTS OF CARRIAGEWAY OVER SHARED DRIVEWAY AREAS

All shared driveway areas must be covered by dimensioned rights of carriageway in stratum if appropriate, pursuant to Section 88B of the *Conveyancing Act, 1919*. Global rights of carriageway must not be used for the shared driveway areas. Rights of carriageway must be prepared prior to the issue of any Occupation Certificate.

Reason

To ensure clarity in relation to the driveway areas and the orderly operation of the buildings.

(22) S88B INSTRUMENT

The terms within any Section 88B must ensure that easements prevail over any building management statement.

Reason

To ensure easements have certainty.

(23) SIGNAGE STRATEGY

A separate development application is to be submitted seeking approval of a signage strategy for the building. The signage strategy development application must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Reason

To require separate consent to be obtained for a signage strategy.

(24) SIGNS - SEPARATE DA REQUIRED

A separate development application (or included in any separate fitout development application) for any proposed signs must be submitted to and approved by Council prior to the erection or display of any such signs, other than those permitted to be erected as exempt or complying development.

Reason

To require separate consent to be obtained for any additional signs.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(25) DEMOLITION, SALVAGE AND REUSE SCHEDULE AND METHODOLOGY

- (a) A schedule of materials to be salvaged and reused must be developed and submitted to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate. The schedule is to include detailed methodologies for carrying out demolition, dismantling and alterations to significant building fabric.
- (b) Salvaged materials are to be reused for the project or stored safely within the buildings. Location of the storage area during the work and after the project must be specified.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(26) NEW CONNECTING OPENINGS

- (a) Creating the new openings must not adversely impact the structural integrity of the existing buildings and avoid major structural interventions to the retained walls.
- (b) The following details must be provided to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate:
 - (i) Confirm the wall between 71 and 73 York Street is not a party wall but comprises two separate walls. If so, these two walls must clearly shown on the demolition plans and proposed plans.
 - (ii) The exact locations and sizes of the proposed connecting openings on the northern and southern walls of 73 York Street are to be further reviewed so that the new openings do not compromise the integrity of retained side walls and western walls of No.73 York Street. The new openings must not remove existing wall piers. The sizes of the openings are to be reduced to allow more original masonry walls at 73 York Street and 71 York Street be retained.

- (iii) Locations of existing beams, roof trusses and side wall piers (L04) at 73 York Street must be shown on the existing and proposed plans. The new lift at 73 York Street must not conflict with the existing beams and roof trusses.
- (iv) Existing floor beams and joists providing lateral support to the western, northern and southern walls of 73 York Street are to be retained. The floors demolished are to be interpreted on the retained walls.
- (v) Ground level connecting openings between 71 and 73 York Street and between 73 and 75 York Street, are to be no higher than the underside of the first floor structure of 73 York Street, or 4m where no structure applies to allow existing brickwork above this height be retained and the existing beam and floor structure not affected.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(27) STRUCTURAL ASSESSMENT

- (a) The extent of demolition and new wall openings must not adversely impact on the structural integrity of the existing buildings and retained walls. The proposed works must be assessed in a structural report prepared by a suitably qualified structural engineer experienced in heritage buildings. The report must examine how the demolition and alterations will impact on the retained structures and building components and specify any retrofitting or interventions required. Design of the connecting openings is to be reviewed incorporating the structural assessment recommendations.
- (b) The report must be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure heritage fabric is appropriately retained and conserved.

(28) HERITAGE DESIGN DETAILS

Following design details including 1:10-1:20 scale drawings and material and finish specifications, must be provided to the satisfaction of Council's Area Planning Manager prior to the issue of a Construction Certificate:

- (a) All new connecting openings, including details of the reveals, bulkheads and thresholds.
- (b) New planters in front of the connecting openings facing the courtyard.
- (c) New western enclosure to the retained section of 73 York Street.
- (d) Elevation of retained original western wall of 73 York Street, showing all the alterations and new works to this wall.

- (e) Design details of reinstatement of original carriageway at 104-118 Clarence Street.
- (f) Design details of basement level vehicle entry shutter and egress door at York Street frontage of 71 York Street.
- (g) New lifts at 71 York Street and 73 York Street. The lift shaft at 73 York Street is to be transparent clear glass to mitigate its impact. The pop-up over the roof of 73 York Street must be minimised and not visible from York Street.

Reason

To ensure works to heritage items are appropriately detailed.

(29) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.
- (b) The Construction Traffic Management Plan should generally include, but not be limited to, the following:
 - (i) Site information and building construction plan
 - a. A description of the development
 - b. Construction program and construction methodology
 - c. Construction hours
 - d. A detailed plan of any proposed hoarding and/or scaffolding
 - e. Details of crane arrangements including the location of any crane(s)
 - f. Location(s) where it is proposed to park construction vehicle
 - g. Location of any proposed work zone(s)
 - (ii) Access and movement
 - a. Pedestrian and traffic management measures.
 - b. Haulage routes.
 - c. Predicted number of construction vehicle movements and detail of vehicle types.
 - (iii) Impacts
 - a. Identify any potential impacts to general traffic, cyclists, pedestrians and bus stops/services within the vicinity of the site from construction activities and construction vehicles during the construction of the proposed works.

- b. Existing CTMPs for developments within or around the development site should be referenced in the CTMP to ensure that coordination of work activities is managed to minimise impacts on the surrounding road network.
- (iv) Mitigation
 - a. Measures to minimise movement delays (i.e. vehicle movements are to be minimised during peak network demand periods).
 - b. Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads.
 - c. 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 CTMP.
 - d. Measures to avoid construction worker vehicle movements.
- (v) Monitoring
 - a. Details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site.
- (vi) Consultation
 - a. Consultation strategy for liaison with surrounding stakeholders, including other developments under construction.
 - b. Any impacts on bus stops/services shall include consultation and approval from the bus operator before changes are implemented and shall ensure like-for-like bus infrastructure is provided.
 - c. Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Customer Journey Planning within TfNSW 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.
- (c) The approved plan must be complied with during any demolition and/or construction work.

Reason

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

(30) DILAPIDATION REPORT - PUBLIC DOMAIN

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

The submission is to include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Reason

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

(31) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- (a) Before the issue of a construction certificate, a construction environmental management plan (CEMP) must be prepared for the site by a suitably qualified environmental consultant and submitted to Council's Area Planning Manager for approval.
- (b) The CEMP must consider all potential environmental impacts from the approved works including but not limited to sediment and erosion control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.
- (c) All works must be undertaken onsite in accordance with the approved CEMP.

Reason

To ensure that construction is appropriately managed to prevent pollution impacts.

(32) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION CERTIFICATE

- (a) All relevant performance parameters (including but not limited to requirements, engineering assumptions and recommendations) in the DA Acoustic Report prepared by The Acoustic Group, dated 14 November 2024, ref 54.5543.R1C:MSC, titled *Preliminary Acoustic Assessment Kings Green Concept Development Application (DA) 71-75 York Street. 46-52 King Street & 104-108 Clarence Street, Sydney* (Council Ref: 2024/662726) must be implemented in the development prior to the commencement of its use.
- (b) Prior to the issue of a relevant construction certificate, the Certifier must ensure the following:

- (i) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.
- (ii) The consultant is required to review the relevant building plans, specifications, and associated documentation, and must:
 - a. Verify that the construction plans, drawings, and construction methodology for the development are consistent with the approved acoustic report and comply with all relevant conditions and documentation of this consent.
 - b. Resolve any non-compliances through amended construction plans, drawings, and construction methodology as necessary.
 - c. Ensure that all requirements under this clause are completed to the written satisfaction of the Certifier.
- (iii) Following completion of the above tasks, the consultant must provide written notification to the Certifier outlining any identified non-compliances.

Reason

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

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

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

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

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

- (a) identification of noise sensitive receivers near to the site.
- (b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.

- (c) A representative background noise measurement ($L_{A90, 15 \text{ minute}}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
- (h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Reason

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

(34) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to a Construction Certificate being issued.

Reason

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

(35) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for the group of heritage buildings must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Planning Manager prior to a Construction Certificate being issued. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.
- (b) The interpretation plan must detail how information on the history and significance of the heritage buildings will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.
- (c) The plan must specify the location, type, making materials and contents of the interpretation device being proposed.
- (d) Prior to the issue of a relevant Occupation Certificate, the approved interpretation plan must be implemented to the satisfaction of Council's Urban Design and Heritage Manager / Area Planning Manager.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(36) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)

- (a) Prior to a Construction Certificate being issued, an archival photographic recording of the existing buildings, including 71, 73 and 75 York Street, and 104-118 Clarence Street is to be prepared to Council's satisfaction. The recording is to be in digital form, prepared in accordance with the NSW Heritage Division of the Department of Environment and Heritage guidelines titled "Photographic Recording of Heritage Items using Film or Digital Capture". One copy of the record is to be submitted to Council to be lodged with Council's Archives.

Procedure

- (b) For buildings or structures with heritage significance, the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure. For a scope of work, refer to Council's Heritage Specialist to determine the particular architectural/design features of the building/site that may need to be recorded.
- (c) For buildings or structures with no heritage significance the archival documentation requirements are less comprehensive and may just be limited to contextual and exterior photographs only. However, this will depend upon the type, complexity and significance of the building, and should be confirmed with Council's Area Coordinator Planning Assessments / Area Planning Manager, and if necessary, Council's Urban Design and Heritage Manager.

- (d) Because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project, and submitted as two parts as follows.
 - (i) The first submission of the archival recording of significant building fabric or furnishings is to be prior to the removal of any significant building fabric or furnishings from the site, and must be submitted to and approved by Council prior to the commencement of any work on site and prior to a Construction Certificate being issued.
 - (ii) The second submission of the archival recording is of significant building fabric or furnishings that is exposed during demolition or construction and after work has been completed on site and must be submitted to Council prior to an Occupation Certificate being issued.
- (e) The form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'.
 - (i) For each of the two submissions listed above in (a) and (b), the digital form of the recording is to be as follows:
 - a. The Development Application number and the Condition of Consent number must be noted.
 - b. Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
 - c. The electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital catalogue sheets and base plans. Choose only images that are necessary to document the process and avoid duplicate images.
 - d. Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
 - e. The report can be submitted by digital file transfer in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each location, image subject/description and date.

Reason

To ensure appropriate archival documentation of the building.

(37) ARCHAEOLOGICAL ASSESSMENT

An archaeological assessment undertaken by a suitably qualified archaeologist must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the issue of a Construction Certificate, relevant to buildings with new lift pits or where any excavation works are to be undertaken. 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.

Recommendations by the archaeological assessment are to be implemented 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.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

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

- (a) The submitted BCA compliance report must be updated to reflect the revised design of the proposal. The report is to include recommended measures to address performance-based solutions required by the report. The updated report is to be submitted for approval by Council's Area Planning Manager.
- (b) Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be addressed in the updated BCA compliance report.
- (c) Any subsequent detailed design DA must be accompanied by a compliance report demonstrating the existing buildings are suitable for their specific use. The report should specify any interventions or alternative solutions needed to achieve compliance.

Reason

To ensure an appropriate heritage outcome.

(39) HERITAGE CONSERVATION WORKS – HERITAGE ITEM OR SIGNIFICANT BUILDINGS

- (a) Prior to the issue of a Construction Certificate, a schedule of conservation works to be undertaken concurrent with the works is to be submitted to Council's Urban Design and Heritage Manager for approval.
- (b) The schedule is to detail the conservation of all fabric identified as having heritage significance/value including but not limited to the following:
 - (i) Retained roof structure above the proposed courtyard at rear of 73 York Street
 - (ii) Retained western wall of 73 York St
 - (iii) All masonry walls after new openings are created
 - (iv) Salvage and retrofitting of floor joists and boards where new stairs/lifts are introduced
 - (v) Repair works to existing columns, floor/roof timber structure, ceilings and joinery at the entrances
 - (vi) Any heritage building elements and fabric affected by the proposed alterations.
- (c) The schedule is to be supported by outline specifications, methodologies and detailed architectural sections, elevations and plans at 1:20 and 1:5 scales. The details should incorporate any structural and/or building services design for the building.
- (d) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building. Any departure from approved plans requiring additional demolition/chasing of significant fabric is to be discussed with City of Sydney Heritage Specialists for acceptance.
- (e) A schedule of site inspections at key points during construction (like after demolition, before covering significant fabric with new ceilings and floors and/or when design changes impacting significant fabric need to be implemented and required to be discussed with Council) is required to be submitted to City of Sydney for approval.
- (f) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013. Appropriately qualified contractors and tradespersons are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works within the heritage building.
- (g) **INSPECTION AND APPROVAL:** The conservation works are to be progressively inspected by Council Heritage Specialists in accordance with approved scheduled site inspections as per point (e), and be implemented to the satisfaction of Council's Urban Design and Heritage Manager prior to the issue of an Occupation Certificate or commencement of the use, whichever is the earlier.

Reason

To ensure the carrying out of appropriate heritage conservation works.

(40) USE OF HERITAGE CONSULTANT - MAJOR DEVELOPMENT

- (a) An experienced heritage consultant is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The conservation architect is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.
- (b) Evidence and details of the above commission on the above terms are to be provided to Council prior to the issue of any Construction Certificate or commencement of work on site whichever is the earlier.
- (c) Throughout the documentation and construction stages of the approved works the experienced heritage consultant is to:
 - (i) Undertake site inspections of not less than fortnightly intervals.
 - (ii) Maintain a diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.
 - (iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.
- (d) Upon completion of the works, the final report is to be submitted for approval by Council's Urban Design and Heritage Manager / Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

Reason

To ensure that the implementation of the approved development is carried out in a manner that does not have adverse heritage impacts.

(41) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.

- (b) The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The Bond must be lodged with the City prior to an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.
- (c) The bond in this condition will be released in full when the Final Occupation Certificate for this consent has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. If rectification works are required the City will release 90% of the total Bond, with the remaining 10% balance to be held for the duration of a 6 months Defect Liability Period.

Reason

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

(42) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Clarence Street, King Street and York Street frontages of the site are to be retained and properly protected during demolition, excavation and construction works.
- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.
- (c) Note the following:
 - (i) all costs associated with the works are to be borne by the developer.
 - (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
 - (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
 - (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
 - (v) Council approval is required before kerbs are removed.
 - (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
 - (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.

Reason

To ensure the protection of stone kerbs.

(43) PUBLIC DOMAIN VEHICLE ENTRIES

A public domain concept plan, extending a minimum of 5m past the location of the vehicle footway crossing removal and creations on York Street and Clarence Street, and to the road centreline, must be prepared in accordance with the City's *Public Domain Manual* and *Sydney Streets Code*. The plan must identify all proposed public domain works required to be carried out.

The plan must be submitted to and approved by the City's Public Domain Unit prior to the issue of any Construction Certificate for the development other than for demolition or excavation.

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

Reason

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

(44) PUBLIC DOMAIN LEVELS AND GRADIENTS

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

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

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

Reason

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

(45) STORMWATER AND DRAINAGE - MINOR DEVELOPMENT

The drainage system is to be constructed in accordance with the City's standard requirements as detailed in the City of Sydney's Stormwater Drainage Manual. The development is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

Reason

To ensure the drainage system is constructed in accordance with Council's requirements.

(46) NATIONAL CONSTRUCTION CODE COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF THE BUILDING IS REQUIRED

Pursuant to Section 64 of the Environmental Planning and Assessment Regulation 2021, each building must comply with the Building Code of Australia through the prescribed compliance pathways addressing the following matters prior to the issuing of each relevant construction certificate:

- (b) Fire resistance - Part C1;
- (c) Fire resistance and stability – Part C2;
- (d) Compartmentation and separation - Part C3;
- (e) Protection of openings - Part C4;
- (f) Access and egress - Part D1;
- (g) Provision of escape - Part D2;
- (h) Construction of exits - Part D3;
- (i) Access for people with disability - Part D4;

Note: Compliance with the access provisions of Part D4 may necessitate design modifications prior to a Construction Certificate being issued.

- (j) Fire fighting equipment - Part E1;
- (k) Smoke hazard management (Performance Requirements) - Part E2;
- (l) Lift installations - Part E3;
- (m) Visibility in an emergency, exit signs and warning systems - Part E4;

Reason

To ensure the works comply with relevant regulations.

(47) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS

A qualified practising registered structural engineer must provide structural certification to the Registered Certifier verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of the *Building Code of Australia* prior to a Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

Reason

To ensure the existing structure can support the new loads.

(48) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

- (a) The proposal must be consistent with the Waste and Recycling Management Strategy prepared by Arup, dated 29 July 2025 (Council Ref: 2025/475788).
- (b) Temporary site servicing arrangements may be addressed in an interim waste management strategy, submitted to and approved by Council's Area Planning Manager prior to the issue of a construction certificate.

Reason

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

BEFORE BUILDING WORK COMMENCES

(49) STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS

Prior to a commencement of demolition, excavation or construction work, a report or certification from a practicing structural engineer experienced in dealing with heritage buildings must be submitted to and approved by Council's Urban Design and Heritage Manager / Area Coordinator Planning Assessments / Area Planning Manager. The report must explain how the retained building elements, such as building facades or chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

Reason

To ensure the preservation of the building elements that are proposed to be retained.

(50) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

- (a) Prior to the commencement of demolition and/or excavation work required under this consent (or in relation to any future fitout development application) the following details must be submitted to and be approved by the Principal Certifier:
 - (i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
 - (ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)

- (iii) An Excavation Work Method Statement prepared by an appropriately qualified person.
- (iv) A Waste and Recycling Management Plan – Demolition and Construction for the demolition and or excavation of the proposed development. The plan is to include details of materials that will be excavated and their proposed destination or reuse.
- (v) 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.

- (b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, 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:
 - (i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
 - (ii) The name and address of the company/contractor undertaking demolition/excavation works.
 - (iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
 - (iv) The name and address of the transport contractor.
 - (v) The type and quantity of material to be removed from site.
 - (vi) Location and method of waste disposal and recycling.
 - (vii) Proposed truck routes, in accordance with this development consent.
 - (viii) 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. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
 - (ix) Measures to control noise emissions from the site.

- (x) Measures to suppress odours.
 - (xi) Enclosing and making the site safe.
 - (xii) Induction training for on-site personnel.
 - (xiii) 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.
 - (xiv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.
 - (xv) Disconnection of utilities.
 - (xvi) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
 - (xvii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
 - (xviii) Waterproofing of any exposed surfaces of adjoining buildings.
 - (xix) 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*).
 - (xx) Working hours, in accordance with this development consent.
 - (xxi) Any SafeWork NSW requirements.
- (c) 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.
 - (d) 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.

Reason

To ensure that impacts arising from demolition, excavation and construction are appropriately managed.

(51) HAZARDOUS MATERIALS SURVEY REQUIRED

A Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (*Australia Institute of Occupational Hygienists*) and submitted to the satisfaction of Council's Area Coordinator Planning Assessments / Area Planning Manager prior to any demolition / refurbishment work commencing at the site. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.

Reason

To ensure that hazardous materials on the site are identified and appropriately managed.

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

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

Reason

To ensure relevant approvals for public domain work are obtained.

(53) ROAD OPENING APPLICATION

A separate road opening application under Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council prior to the commencement of any:

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

Reason

To ensure that approval under the Roads Act is obtained.

(54) USE OF A STRUCTURAL ENGINEER

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

Reason

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

(55) EXCAVATION AND CONSTRUCTION METHODOLOGY

- (a) A Detailed Excavation and Construction Methodology is to be prepared by the builder engaged for the construction works under this consent. The methodology must be endorsed by the structural consultant engaged as per the Condition titled *Use of a Structural Engineer* above and submitted to the Principal Certifier prior to commencement of excavation or construction works whichever is the earlier.
- (b) Excavation is to be carried out in accordance with the methodology required by (a) above.

Reason

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

(56) OTHER REQUIRED APPROVALS

Any structure, attachment or activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the Local Government Act 1993 and/or Section 138/139 of the Roads Act 1993 prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

- (a) installation of construction-related temporary structures including hoardings/scaffolding;
- (b) installation and/or alterations to advertising/business signs;
- (c) installation and/or alterations to street awnings;
- (d) crane operation and other hoisting activities;
- (e) temporary works (e.g. barricading, road openings, mobile hoisting devices);
- (f) works zones (for loading and unloading from the roadway); and
- (g) temporary ground anchoring and shoring to support a roadway when excavating; and
- (h) any other structure or encroachment including facade elements/architectural features.

Reason

To ensure use of a public place is managed appropriately.

(57) SURVEY SETOUT

All footings, walls, external stairs and floor slabs adjacent to a boundary must be set out by a Registered Surveyor. On commencement of brickwork or wall construction, a survey and report, prepared by a Registered Surveyor, must be submitted to the Principal Certifier and Council indicating the position of new external walls and features in relation to the boundaries of all allotments. Any encroachments identified by the proposed building works over adjoining boundaries must be removed or an appropriate easement created under Section 88B of the Conveyancing Act, 1919, with terms to the satisfaction of Council, prior to the issue of an occupation certificate.

Reason

To ensure the development does not encroach onto neighbouring properties.

To ensure separate development consent is sought for land subdivision.

(58) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

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

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

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

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

Reason

To ensure the preservation of existing survey infrastructure.

DURING BUILDING WORK

(59) USE OF INTRUSIVE APPLIANCES – NOT APPROVED

This development consent does not extend to 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”.

A separate Section 4.55 or development application must be submitted to the Council for the use of any equipment 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*.

Reason

To ensure the acoustic amenity of surrounding developments is maintained.

(60) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) 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.
- (b) 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*.
- (c) 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.
- (d) If the discovery is on Council's land, Council must be informed.

Reason

To ensure that the archaeology of the site is appropriately managed and protected.

(61) SURVEY CERTIFICATE AT COMPLETION

Prior to the issuance of an Occupation Certificate, a Final Survey Plan and Certificate prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002, must be submitted to Council upon completion of the building works. This documentation shall certify the location and height of all new building works, including offsets relative to the allotment boundaries.

Reason

To ensure the development does not encroach onto neighbouring properties and is in accordance with the approved plans.

(62) NOTIFICATION – NEW CONTAMINATION EVIDENCE

- (a) Council and the Certifier (AND/OR ACCREDITED SITE AUDITOR IF REQUIRED) must be notified immediately of any new information which arising during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.
- (b) Once identified, remediation, demolition or construction work must immediately cease.
- (c) A certified environmental consultant must be appointed to undertake an assessment of the potential contaminants and works required to make the site safe from potential human health and environmental harm.
- (d) If the duty to report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, the NSW EPA and Council must be notified immediately.

Reason

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

(63) CLASSIFICATION OF WASTE

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

Reason

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

(64) PUBLIC DOMAIN WORKS SECURITY BOND

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

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

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

Reason

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

(65) DRAINAGE AND SERVICE PIT LIDS

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

Reason

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

(66) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

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

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

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

Reason

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

(67) HOLD POINTS

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

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

Reason

To ensure hold points are adhered to during construction works.

(68) HOURS OF WORK AND NOISE – CBD

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

- (a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
- (c) Notwithstanding the above, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

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

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

Reason

To protect the amenity of the surrounding area.

(69) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

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

Reason

To protect the amenity of the public domain.

(70) NO OBSTRUCTION OF PUBLIC WAY

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

Reason

To protect the amenity of the public domain.

(71) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

Reason

To allow adequate vehicular access to the site.

(72) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) 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, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) 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 approved hours of construction 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.

Reason

To ensure mobile cranes are used appropriately.

(73) ASBESTOS REMOVAL WORKS

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

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

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.

- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (SafeWork NSW)* December 2011 and the *City of Sydney Managing Asbestos Policy dated 21 October 2013 and associated guidelines*.
- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

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

Reason

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

(74) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
- (d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.
- (f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Reason

Prescribed condition EP&A Regulation 2021, Section 70.

(75) COVERING OF LOADS

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

Reason

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

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(76) HISTORIC MARKER

A plaque of high-quality material (e.g. bronze or stainless steel) describing the history of the site and building must be installed on the facade of the building prior to an Occupation Certificate being issued. The design, location and wording must be submitted for the approval of Council's Urban Design and Heritage Manager prior to manufacture and installation. The marker is to be incorporated into the heritage interpretation plan if a plan is required by this consent.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(77) CYCLICAL MAINTENANCE PLAN

A cyclical maintenance plan specifying frequency and methodologies to conduct building inspections and maintenance works to building elements and services must be submitted to and approved by Council's Urban Design and Heritage Manager prior to the issue of an Occupation Certificate / registration of heritage floor space. The maintenance plan is to be prepared by a suitably qualified heritage consultant and endorsed by the building owner.

Reason

To ensure appropriate ongoing maintenance of the building.

(78) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

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

Reason

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

(79) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an **Occupation Certificate**, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan and specifications approved with a Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(80) PUBLIC DOMAIN VEHICLE ENTRIES COMPLETION

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

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

Reason

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

(81) PUBLIC DOMAIN VEHICLE ENTRIES COMPLETION – WORK AS EXECUTED DOCUMENTATION

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

Reason

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

(82) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of a proposed structure shall encroach onto the adjoining properties. Prior to the issue of a Final Occupation Certificate for the relevant building/s, the Principal Certifier shall review the Final Identification Survey and confirm that the proposed structures stand wholly within the subject boundaries. Any encroachments of the building over the side boundaries must be removed, or alternatively, appropriate easements under Section 88B of the Conveyancing Act, 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of registration provided to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason

To ensure the orderly development of land, and that the property rights of adjoining owners are respected.

OCCUPATION AND ONGOING USE

(83) TRADING HOURS - INDOOR

The indoor trading hours are regulated as follows:

- (a) The permitted trading hours are restricted to between 6.00am and 12.00midnight Monday to Sunday.
- (b) Notwithstanding (a) above, the premises may operate for 24-hour trade for a trial period of 3 years from the date of the issue of an Occupation Certificate for the first detailed design DA.
- (c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council at least 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by NSW Police and Liquor & Gaming.

Reason

To ensure the premises trades within the approved trading hours.

(84) TRADING HOURS - OUTDOOR

The outdoor trading hours, including internal courtyards and rooftop terraces are regulated as follows:

- (a) The permitted trading hours are restricted to between 10.00am and 10.00pm Monday to Sunday.
- (b) Notwithstanding (a) above, the premises may trade between 10.00am and 12.00midnight for a trial period of 3 years from the date of the issue of an Occupation Certificate for the first detailed design DA.
- (c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council at least 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by NSW Police and Liquor & Gaming.

Reason

To ensure the premises trades within the approved trading hours.

(85) MAXIMUM CAPACITY OF PERSONS

- (a) The maximum number of persons (including staff, patrons and performers) permitted in the premises at any one time is 8,211 persons.

- (b) Subsequent detailed development applications must specify the maximum number of persons permitted within each individual premises.
- (c) The manager is responsible for ensuring that the total number of persons in the precinct does not exceed that specified in part (a) above.

Reason

To ensure the premises can safely accommodate patrons, staff and performers and safeguard the amenity of the surrounding neighbourhood.

(86) PLAN OF MANAGEMENT

- (a) The use must always be operated / managed in accordance with the Plan of Management prepared by Merivale dated 15 May 2025 (Council Ref: 2025/305874). In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.
- (b) The Plan of Management can be updated at any time. Any revised Plan of Management is to be submitted to and endorsed by Council's Area Planning Manager and may be updated without the requirement for a Section 4.55 modification application.
- (c) Subsequent detailed development applications must be supported by a Plan of Management addendum prepared in accordance with the requirements of the Sydney Development Control Plan 2012, based on the nature of the premises.

Reason

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

(87) SURVEILLANCE CAMERAS

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

- (e) When the premises is operating there must be at least one staff member present at the premises who is authorised to access the CCTV system and able to immediately review recordings and produce copies.

Reason

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

(88) COPIES OF CONSENTS AND MANAGEMENT PLANS

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

Reason

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

(89) NEIGHBOURHOOD AMENITY

Management must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood.

Reason

To safeguard the amenity of the surrounding neighbourhood.

(90) SECURITY – LICENSED PREMISES

Security is to be provided at any time and in any manner specified in the approved Plan of Management.

Reason

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

(91) CESSATION OF SERVICE

The premises may be open for business only between the approved trading hours. The operator must cease providing food and/or alcohol at the premises 15 minutes before the required closing time.

Reason

To ensure the development operates within the approved trading hours.

(92) ON SITE LOADING AND SERVICE VEHICLE PARKING

- (a) Future individual fitout development applications must demonstrate that all loading and unloading operations associated with servicing the site can be carried out within the confines of the site at all times and must not obstruct other properties or the public domain.

- (b) The strategies adopted in the submitted Traffic, Servicing and Waste Management Strategy prepared by Arup dated 16 May 2025 (Council ref: 2025/305877) must be complied with including:
 - (i) Minimum of two B99 loading bays and one SRV loading bay
 - (ii) Larger trucks must be restricted from accessing the loading dock during peak pedestrian and traffic hours
 - (iii) Any service vehicle reverse movements through the public road or footpath must be supervised by a qualified staff member

Reason

To maintain the orderly operation of servicing areas and to ensure the public domain and surrounding developments are kept free from physical obstructions.

(93) DELIVERY SERVICE PLAN

A Delivery Service Plan (DSP) must be submitted with any subsequent detailed fitout development application. The DSP should be prepared with reference to the Loading and Servicing Last Mile Freight Toolkit published by Transport for NSW and address and include the following:

- (a) The requirements of section 7.8.1 of DCP 2012 as they apply to the proposed development.
- (b) Why the DSP is being prepared.
- (c) The capacity of nearby on-street parking and loading zones.
- (d) Anticipated generation of waste, freight, delivery and servicing trips caused by the proposed development, with reference to the proposed uses and quantum of gross floor area.
- (e) The expected timing of service and freight vehicle movements through the day and the week, and anticipated time slots per vehicle type.
- (f) Anticipated peak and priority time slots by land use, business or activity, and any proposed exclusive operational windows.
- (g) Design details for the proposed loading and servicing facilities, including number of service bays, clearance heights, grades and turning widths.
- (h) Description of the minimum required features and capacities of a booking system to adequately manage the proposed loading dock.
- (i) Details of how oversized and incompatible vehicles will be prevented from attending the site, with reference to proposed clearance heights and service bay sizes.
- (j) Details of consolidation strategies that will be employed to reduce vehicle movements, including offsite delivery consolidation, waste contract consolidation and procurement-led consolidation.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(94) SCHEDULED COLLECTIONS – COMMERCIAL

Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.

Reason

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

(95) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS

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

Reason

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

(96) ANNUAL FIRE SAFETY STATEMENT FORM

An annual Fire Safety Statement must be given to Council and Rescue NSW commencing within 12 months after the date on which the Fire Safety Certificate is issued or the use commencing, whichever is earlier.

Reason

To ensure annual checks on fire safety measures.

(97) OCCUPATION CERTIFICATE TO BE SUBMITTED

An Occupation Certificate must be obtained from the Principal Certifier and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

Reason

To ensure the site is authorised for occupation.

SCHEDULE 2

PRESCRIBED CONDITIONS

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

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

SCHEDULE 3

Terms of Approval

The Terms of Approval for Integrated Development as advised by the Heritage Council of NSW are as follows:

(98) APPROVED DEVELOPMENT

All development shall comply with the information contained within:

(a) Architectural drawings, prepared by SJB Architects, as listed below:

Dwg	Dwg Title	Date	Rev
Project Name: Kings Green 71,73,75 York St and 46-50 King St and 104-118 Clarence Street			
DA-0000	COVER SHEET	17.09.2025	8
DA-0101	LOCATION PLAN	15.05.2025	7
DA-0102	SITE PLAN	15.05.2025	7
DA-0201	EXISTING PLAN – BASEMENT 02	15.05.2025	7
DA-0202	EXISTING PLAN – BASEMENT 01	15.05.2025	7
DA-0203	EXISTING PLAN – LEVEL 00	15.05.2025	7
DA-0204	EXISTING PLAN – LEVEL 01	15.05.2025	7
DA-0205	EXISTING PLAN – LEVEL 02	15.05.2025	7
DA-0206	EXISTING PLAN – LEVEL 03	15.05.2025	7
DA-0207	EXISTING PLAN – LEVEL 04	15.05.2025	7
DA-0208	EXISTING PLAN – LEVEL 05	15.05.2025	7
DA-0209	EXISTING PLAN – LEVEL 06	15.05.2025	7
DA-0210	EXISTING PLAN – LEVEL 07	15.05.2025	7
DA-0211	EXISTING PLAN – ROOF	15.05.2025	7
DA-0251	DEMOLITION PLAN – BASEMENT 02	17.09.2025	11
DA-0252	DEMOLITION PLAN – BASEMENT 01	17.09.2025	11

DA-0253	DEMOLITION PLAN – LEVEL 00	17.09.2025	11
DA-0254	DEMOLITION PLAN – LEVEL 01	17.09.2025	11
DA-0255	DEMOLITION PLAN – LEVEL 02	17.09.2025	11
DA-0256	DEMOLITION PLAN – LEVEL 03	17.09.2025	11
DA-0257	DEMOLITION PLAN – LEVEL 04	17.09.2025	11
DA-0258	DEMOLITION PLAN – LEVEL 05	17.09.2025	11
DA-0259	DEMOLITION PLAN – LEVEL 06	17.09.2025	11
DA-0260	DEMOLITION PLAN – LEVEL 07	17.09.2025	11
DA-0261	DEMOLITION PLAN – ROOF	17.09.2025	11
DA-1001	FLOOR PLAN – BASEMENT 02	15.05.2025	7
DA-1002	FLOOR PLAN – BASEMENT 01	17.09.2025	12
DA-1003	FLOOR PLAN – LEVEL 00	17.09.2025	12
DA-1004	FLOOR PLAN – LEVEL 01	17.09.2025	8
DA-1005	FLOOR PLAN – LEVEL 02	17.09.2025	8
DA-1006	FLOOR PLAN – LEVEL 03	17.09.2025	8
DA-1007	FLOOR PLAN – LEVEL 04	17.09.2025	8
DA-1008	FLOOR PLAN – LEVEL 05	17.09.2025	8
DA-1009	FLOOR PLAN – LEVEL 06	17.09.2025	8
DA-1010	FLOOR PLAN – LEVEL 07	17.09.2025	8
DA-1011	FLOOR PLAN – ROOF	17.09.2025	8
DA-1401	ELEVATIONS - EAST	17.09.2025	8
DA-1402	ELEVATIONS - SOUTH	17.09.2025	8
DA1403	ELEVATIONS - WEST	15.05.2025	7
DA1404	ELEVATIONS - NORTH	15.05.2025	7
DA-1411	COURTYARD ELEVATIONS – SHEET 1	17.09.2025	8
DA-1412	COURTYARD ELEVATIONS – SHEET 2	17.09.2025	8

DA-1501	BUILDING SECTION 1	15.05.2025	7
DA-1502	BUILDING SECTION 2	15.05.2025	7
DA-1503	BUILDING SECTION 3	15.05.2025	7
DA-1504	BUILDING SECTION 4	17.09.2025	8
DA-1505	BUILDING SECTION 5	15.05.2025	7
DA-1506	BUILDING SECTION 6	17.09.2025	8
DA-1507	BUILDING SECTION 7	17.09.2025	8

- (b) *Amended Heritage Impact Statement (HIS), Kings Green Precinct Concept DA*, prepared by City Plan Heritage, dated 22 May 2025
- (c) *Statement of Environmental Effects (SOEE), Kings Green Precinct Concept DA*, prepared by Ethos Urban, dated 11 November 2025
- (d) *Response to request for further information*, prepared by Ethos Urban, dated 22 May 2025
- (e) *Conservation Management Plan (CMP) 73 York Street*, City Plan Heritage, dated 16 May 2025
- (f) *Conservation Management Plan (CMP) 75 York Street*, City Plan Heritage, dated 16 May 2025
- (g) *Conservation Management Plan (CMP) 71 York Street*, City Plan Heritage, dated 14 May 2025
- (h) *Heritage Asset Action Plan (HAAP) 46-52 King Street*, City Plan Heritage, dated 9 May 2025
- (i) *Heritage Asset Action Plan (HAAP) 104-118 Clarence Street*, City Plan Heritage, dated 22 May 2025
- (j) *Site Survey Part 1, 50 and 52 King Street, 71, 73 and 75 York Street and 104-118 Clarence Street*, prepared by CSA Surveyors, dated 1 August 2022
- (k) *Site Survey Part 2, 50 and 52 King Street, 71, 73 and 75 York Street and 104-118 Clarence Street*, prepared by CSA Surveyors, dated 1 August 2022
- (l) *Addendum Heritage Impact Statement (HIS), Kings Green Precinct Concept DA*, prepared by City Plan Heritage, dated 11 September 2025

EXCEPT AS AMENDED by the General Terms of Approval

(99) DETAILS TO BE SUBMITTED FOR APPROVAL

- (a) The following information is to be submitted with the s.60 application for approval by the Heritage Council of NSW (or delegate):
 - (i) Structural certification of the following:
 - a. The proposed size and number of openings to all original perimeter walls of 73 and 75 Yorks Street
 - b. The proposed removal of existing beams at the western end of 73 York Street.
 - c. The proposed roof structure including retained original timber roof trusses and new glazed roof cladding.
 - (ii) Amended plans of the ground floor showing deletion of openings between 71 and 73 York Street and ground floor openings between 73 and 46-52 King Street that conflict with the original western brick façade and other original masonry piers of 73 York Street. All openings that compromise the structural integrity of the perimeter wall.
 - (iii) Detailed drawings of all proposed works to 73 and 75 York Street including the following,
 - a. The treatment of the 1 exposed column in the basement of 73 York Street.
 - b. The new lift within 73 York Street building including consideration of the impact of the lift location on the original structural columns and fabric.
 - c. The 2 large openings in the northern basement brick perimeter walls of 73 York Street including materials and dimensions.
 - d. The basement stairs that ascend to the central entrance of 73 York Street and the new accessible lift lobby including materials and dimensions that align with the heritage values of the site
 - e. Proposed finishes to ground floor and opportunities to reinstate original details.
 - f. The original western masonry wall showing treatment of existing windows and opening of ground floor and first floor. Details of remnant features that enable interpretation such as the gable and ventilation window, express piers and central concrete column are to be shown as retained.
 - g. The detail plans and elevations of all openings including dimensions and finishes demonstrating how the original fabric will be modified. All openings in the original walls of 73 and 75 York Street to be numbered.

- h. The retention of the rendered and painted internal wall finish and exposed original structural elements within 73 York Street building.
 - i. Any new partition walls including to the new fire stair of 75 York Street, and fixing details to significant fabric.
 - j. A detailed dismantling methodology of all original fabric, such as beams and timber floor structure of 73 York Street, including condition assessment for re-use within the proposed design. This should include hold points for inspection, storage details, proposed restoration works and prepared in accordance with a tradesperson with experience working with the preservation and repair of heritage fabric. The methodology should include recycling of original flooring of 73 York Street to patch the areas affected by the removal of the stairwell and lift core on each level as well as opportunities for reinstatement of timber floor to ground floor.
- (iv) The detail design of final number and location of openings between 73 and 75 York Street and adjoining buildings should include the following:
- a. Only the minimum necessary removal of original fabric of perimeter walls of 73 and 75 York Street buildings to achieve compliant accessible egress, historical interpretation and retention of structural integrity.
 - b. Detailed drawings demonstrating the introduction of proposed arches in the perimeter wall of 73 York Street including methodology for the formation of the proposed openings.

Reason: The details requested were either not supplied during the assessment of the application or were considered to be unsympathetic to the heritage values. The assessment and management of these details is considered essential in order to obtain a good heritage outcome.

(100) HERITAGE CONSULTANT

A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

(101) SPECIALIST TRADESPERSONS

All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

(102) SITE PROTECTION

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

(103) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
- (b) The interpretation plan must detail how information on the history and significance of National House and Hardware House will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
- (c) The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

(104) PHOTOGRAPHIC ARCHIVAL RECORDING

A photographic archival recording of National House and Hardware House must be prepared prior to the commencement of works, and may be requested during works and at the completion of works. This recording must be prepared in accordance with the Heritage NSW publication 'Guidelines for preparing archival recordings of heritage items as a condition of consent' (2025). Only the digital copy of the archival record must be submitted electronically to Heritage NSW. The required format and specifications of the record are published on the Heritage NSW website.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

(105) UNEXPECTED FINDS

The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

(106) COMPLIANCE

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

(107) SECTION 60 APPLICATION

An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

ADVISORY NOTE

The following information is required to enable assessment of future applications:

- (a) Survey of the elevation of western wall of 73 York Street is to be provided in survey and proposed demolition and detail design drawings.
- (b) Survey to be amended to show timber floors to 73 and 75 (Note Figure 62, CMP75, p56).
- (c) Survey to show party wall detail between 73 and 71.
- (d) Survey to show accurate extent of original western c1891 masonry wall to all floors of 75 York Street.
- (e) The Statement of Heritage Impact should assess the proposal against the conservation policies in the Conservation Management Plan (CMP).
- (f) Details of all retained walls around the rear light well to 73 York Street are to be shown.
- (g) Details of proposed works to roof terrace at 75 York Street including visual analysis of views to and from the item.
- (h) A schedule of conservation works including to the building façades.

- (i) Archaeological assessment
- (j) Services installation plans.

ADVICE

Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

RIGHT OF APPEAL

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

SCHEDULE 4

STATE AUTHORITY CONDITIONS

The following conditions of consent have been recommended by State authorities:

TRANSPORT FOR NSW

(108) ROAD OCCUPANCY LICENCE

Road Occupancy Licence (ROL) shall be obtained from the Transport Management Centre for any works that may impact on traffic flows on King Street during construction activities for both the concept DA and subsequent future DA's lodged for the approved works. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

SYDNEY WATER

Prior to the issue of an Occupation Certificate/Subdivision Certificate:

(109) SECTION 73 COMPLIANCE CERTIFICATE

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

(110) BUILDING PLAN APPROVAL (INCLUDING TREE PLANTING GUIDELINES)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

(111) TREE PLANTING

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water’s Technical guidelines – Building over and adjacent to pipe assets.

(112) TRADE WASTEWATER REQUIREMENTS

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water’s sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water’s Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

(113) BACKFLOW PREVENTION REQUIREMENTS

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water’s supply must install a testable Backflow Prevention Containment Device appropriate to the property’s hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

- (a) Get your hydraulic consultant or plumber to check the available water pressure versus the property’s required pressure and flow requirements.
- (b) Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

(114) WATER EFFICIENCY RECOMMENDATIONS

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- (a) Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- (b) Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html>
- (c) Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- (d) Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

(115) CONTINGENCY PLAN RECOMMENDATIONS

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at:

<https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au