

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

**DETERMINATION OF DEVELOPMENT APPLICATION No. 149-06-01
(File S01/01063)**

**ROAD WORKS, FOOTPATH, LANDSCAPING, LIGHTING, STREET FURNITURE, SIGNAGE
ASSOCIATED WITH HICKSON ROAD AND TOWNS PLACE**

I, Minister for Infrastructure and Planning and Minister for Natural Resources pursuant to sections 80 and 92(6) of the *Environmental Planning and Assessment Act 1979* ("the Act"), Section 9 (1) of the *Walsh Bay Development (Special Provisions) Act 1999*, clause 10 of the State Environmental Planning Policy No. 56 - Sydney Harbour Foreshores and Tributaries and the provisions of the Sydney Regional Environmental Plan No. 16 - Walsh Bay determine the development application referred to in Schedule 1, by granting consent to the applicant subject to the conditions referred to in Schedule 2.

The reasons for the imposition of the conditions are;

1. ***To maintain the strong robust marine and industrial character of Walsh Bay within the public domain area design.***
2. ***To improve public access within the precinct and in particular to the waterfront.***
3. ***To cater for and facilitate the changing uses and activities of the buildings and spaces within the Walsh Bay precinct.***

Craig Knowles
**Minister for Infrastructure and Planning and
Minister for Natural Resources**

Date:

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I, Minister for Juvenile Justice, Minister for Western Sydney, Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) pursuant to sections 80 and 92(6) of the *Environmental Planning and Assessment Act 1979* ("the Act"), Section 9 (1) of the *Walsh Bay Development (Special Provisions) Act 1999*, clause 10 of the State Environmental Planning Policy No. 56 - Sydney Harbour Foreshores and Tributaries and the provisions of the Sydney Regional Environmental Plan No. 16 - Walsh Bay determine the development application referred to in Schedule 1, by granting consent to the applicant subject to the conditions referred to in Schedule 2.

The reasons for the imposition of the conditions are;

- 4. *To maintain the strong robust marine and industrial character of Walsh Bay within the public domain area design.***
- 5. *To improve public access within the precinct and in particular to the waterfront.***
- 6. *To cater for and facilitate the changing uses and activities of the buildings and spaces within the Walsh Bay precinct.***

Diane Beamer

Minister for Juvenile Justice

Minister for Western Sydney

Minister Assisting the Minister for Infrastructure and Planning (Planning Administration)

Date: **2003**

SCHEDULE 1

APPLICATION MADE BY: Walsh Bay Finance Pty Ltd

TO: Minister for Infrastructure, Planning and Natural Resources

DEVELOPMENT APPLICATION: DA No. 149-06-01

IN RESPECT OF: Road Works, Footpaths, Landscaping, Lighting, Street Furniture and Associated Signage.

FOR THE: Hickson Road and Towns Place.

BCA CLASSIFICATION: 10b (Note: the majority of the work is not attached to, or being building work would have a classification).

DETERMINATION: Consent granted subject to compliance with Conditions shown in Schedule 2.

**NOTES RELATING TO THE MINISTER'S DETERMINATION OF DEVELOPMENT APPLICATION No.
149-06-01**

To ascertain the date upon which the consent becomes effective refer to section 83 of the Act.

To ascertain the date upon which the consent is liable to lapse refer to section 95 of the Act.

The applicant should ensure that all additional consents and agreements are obtained from other authorities, as relevant.

All references to:

- *the consent authority means the Minister for Infrastructure, Planning and Natural Resources or his delegate;*
- *the Deputy Director General means the Deputy Director-General of the Department of Infrastructure, Planning and Natural Resources or their delegate;*
- *the City or Council means the Council of the City of Sydney;*
- *the EPA means the Environment Protection Authority;*
- *the PCA means the Principal Certifying Authority.*

DEVELOPMENT APPLICATION No. 149-06-01

SCHEDULE 2

CONDITIONS OF CONSENT

GENERAL

1. Development shall comply with the relevant terms and conditions of the Masterplan approval (DA 60/97) dated 20th August 1997 except where amended and modified by this consent.

Note: The applicant is reminded of their obligations with regard to condition 55 of the Masterplan consent that requires regular liaison with Sydney Ports, the Ministry for the Arts, the Sydney Theatre Company, Sydney Dance Theatre and other occupants of Pier 4/5 and Shoresheds 4/5 to ensure all reasonable endeavours are made to minimise any disruption caused by the demolition and construction works.

DOCUMENTS TO BE COMPLIED WITH

2. The development is to be carried out in accordance with 'Stage 2 Public Domain Statement of Environmental Effects, 28th May 2001' prepared by APT Peddle Thorp' and as documented in the following:
 - Drawing No. 0921 Issue D 'Site Masterplan Hickson Rd level Sheet 1 dated Oct 2002;
 - Drawing No. 0922 Issue D 'Site Masterplan Hickson Rd level Sheet 2 dated Oct 2002;
 - Drawing No. 0923 Issue D 'Site Masterplan Hickson Rd level Sheet 3 dated Oct 2002;
 - Drawing No. 0924 Issue D 'Site Masterplan Hickson Rd level Sheet 4 dated Oct 2002;
 - Drawing No. 0925 Issue D 'Site Masterplan Hickson Rd level Sheet 5 dated Oct 2002;
 - Drawing No. 0926 Issue D 'Site Masterplan Hickson Rd level Sheet 6 dated Oct 2002;
 - Drawing No. 0927 Issue D 'Site Masterplan Hickson Rd level Sheet 7 dated Oct 2002;
 - Drawing No. 0928 Issue D 'Site Masterplan Hickson Rd level Sheet 8 dated Oct 2002;

Except as where amended by this consent

PUBLIC TRANSPORT & SEMI TRAILERS

3. Provisions to allow for the U-turn of STA buses and semi trailers are to be provided in the Walsh Bay Development Area.

HICKSON RD/POTTINGER ST INTERSECTION

4. Nothing in this approval grants consent to any works being undertaken at the intersection of Hickson Rd and Pottinger St. A design for the intersection prepared in consultation with, the State Transit Authority, Council, Walsh Bay Finance, Department of Commerce and NSW Police, is to be provided to the Deputy Director General or his nominee for his approval prior to the commencement of any works at this location.

FURTHER APPROVALS

5. The City of Sydney's (City) approval, as future land owner and asset manager, is required for all public domain details (including design details and fixtures) for works proposed to the Breezeway 8/9(item 37 in land dedication plan 21n), Windmill Steps and Lower Fort Street Steps including painting of fences, drainage amelioration works, sandstone pier repairs and restoration of all iron

work prior to the release of any Construction Certificate under the *Environmental Planning and Assessment Act 1979* for that Stage of construction.

6. No Construction Certificate is to be issued under the *Environmental Planning and Assessment Act 1979* for any stage of the construction work until written approval has been obtained from the City, as landowners and future assets manager, for that stage of construction work.
7. All works to the public domain including remediation works are to be undertaken at no cost to the City.
8. No work must commence on site for any stage of the construction until written approval has been obtained from the City, as landowner and future assets manager, for that Stage of construction work.

SEPARATE APPLICATIONS

9. Separate development applications must be submitted for the following:
 - Any proposed external floodlighting or illumination of the building that is not already approved by this consent (to be accompanied by an energy efficient lighting management scheme).
 - Any proposed retail signs which are either externally fitted or applied.
 - The installation of externally visible telecommunication receiving devices.

PUBLIC ACCESS

10. Upon completion of construction, the proposed public domain area shall be made available for public use by residents, workers and visitors to the Walsh Bay precinct, 24 hours per day in perpetuity.

HOURS OF WORK AND NOISE

11. (a) No construction work is to occur prior to:

- 7:30am or after 5:00pm Mondays to Fridays;
- 7:30am or after 2:00pm on Saturdays;

No construction work is to occur on Sundays or public holidays.

- (b) All work must comply with "*The City of Sydney Building Sites Noise Code*" and Australian Standard 2436 - 1981 "*Guide to Noise Control on Construction, Maintenance and Demolition Sites.*"

GATEWAY PARK

12. Approval is not given for any work to Gateway Park. Any works to the Park shall be the subject of a separate development application.

WORKS AS EXECUTED DRAWINGS

12. Work-as-Executed plans are required for all Public Domain works detailed in each construction stage including stormwater and drainage works, Smartpoles™, street trees etc. Such Plans must

be submitted to the satisfaction of the City's Manager-Contracts and Asset Management at the completion of each construction stage.

DEDICATION

13. Upon satisfactory completion of all proposed redevelopment works within the public domains, undertaken in accordance with the City's requirements and completed to the City's satisfaction, the applicant shall dedicate to the City, free of charge, the Breezeway 8/9 (item 37) and the northern end of Pottinger Street identified to be dedicated to the City on the Masterplan Plan titled "Land Dedication Plan 21n" drawn by Peddle Thorp & Walker. The applicant shall liaise with Contracts and Asset Management regarding the final details of the dedication.
14. The applicant, prior to dedication of any structures and land within the public domain to the City, must be provided the following to the City:
 - (a) Validation of remediation works on the sites being confirmed to the levels recommended by the City's environmental consultant including the resolution of design and refurbishment actions to the City's satisfaction;
 - (b) Receipt of a Conditions Report for all dedicated assets to the City's (pre and post construction reports);
 - (c) All interests and covenants in respect of the land/structures to be transferred;
 - (d) Current and full survey;
 - (e) Copies of all Development Application consents and relevant other approvals;
 - (f) Remediation Audit Reports;
 - (g) Works-as-executed plans/documentation;
 - (h) Complete specifications for parks, fixtures and plant and confirmation that all works comply with relevant standards and regulations including the City and Australian Standards.
 - (i) Full disclosures of public liability claims and an indemnity in respect of those claims;
 - (j) Full disclosure of Native Title claims and satisfaction as to the lack of prospects of success in respect of those claims.
 - (k) The developer may proceed to dedicate land/structures to the City only after the provision of the above information and the completion of works to the City's satisfaction. All dedications are to be at no cost to the City.
15. The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 3661.1:1993 "*Slip Resistance of Pedestrian Surfaces Part 1: Requirements*", Appendices A and B.

FURNITURE AND FIXTURES

16. The developer must confirm in writing to the City's Manager – Contracts and Asset Management and City Project Unit, full details/specifications of all proposed furniture including bollards, litter bins, signs, street nameplates, plaques, benches, etc comply with current City standards (as

appropriate). Any material/details used by the applicant that do not confirm with City Standards are to be replaced by the developer at no cost to Council.

GENERAL TERMS OF APPROVAL UNDER SECTION 38 OF THE ROADS ACT 1994

APPROVALS

17. The City's approval, as current land owner, future land owner and asset manager, is required for all public domain details (including design details, drainage and stormwater, fixtures) prior to issuing a permit under the *Roads Act 1993*.
18. No work must commence on the site for any stage of the construction until written approval has been obtained from the City, as landowner and future assets manager, for that stage of construction work.
19. The City as land owner of Hickson Road, Towns Place, the Windmill Steps and Lower Fort Street Steps must be advised 21 days prior to the commencement of work in relation to any public domain.
20. All works must be executed to the City's satisfaction and conform to the City's specifications, including the lighting specifications (ie Smartpoles™).
21. All works to the public domain including remediation works are to be undertaken at no cost to the City. This includes but is not limited to site investigation works, the preparation of remediation and validation plans, supervision of remediation and the provision of validation and audit statements at the completion of work.

REVISION OF STAGE 2 PUBLIC DOMAIN DESIGN MANUAL

22. The Stage 2 Development Application "Public Domain Design Manual" dated May 2001 and prepared by HPA is to be updated to accurately reflect the City's public domain requirements/specifications. The revised Manual is to be submitted and approved by the City prior to the commencement of work for any future stage of the construction.

STAGING OF CONSTRUCTION WORK

23. A Construction Staging Plan and Construction Schedule must be lodged and approved by the City prior to the issue of any permit being issued under the *Roads Act 1993* for works to the public domain. This Construction Staging Plan will identify all stages of construction work for which future separate Construction Certificates will be issued. Work must be staged so as to facilitate vehicular access through Hickson Road at all times.

PRELIMINARY PUBLIC DOMAIN DETAILS

24. Prior to issue of any permit under the *Roads Act 1993* the following public domain details shall be submitted and approved by the City:

- (a) Longitudinal sections of Hickson Road, Towns Place and Pottinger Street (north) at the building alignment, the kerb and the gutter (invert) on a common datum line. This longitudinal section is to be drawn at 1:100 horizontal scale and 1:10 (exaggerated) vertical scale. This section is to ensure that any significant longitudinal gradient change, such as flattening for vehicle entries, occurs within the building line and not at the public pavement. A-typical cross sections at a scale of 1:100 are also to be provided detailing the 2.5% crossfall for the pavement.
- (b) A stormwater drainage concept plan that shows how the stormwater/drainage will operate over the various construction stages.

VEHICULAR SPACES

25. The following on-street car parking requirements apply:-

A maximum of 323 publicly available metered on-street parking spaces are to be provided within the Walsh Bay Masterplan Area including the provision of:

- (a) No more than 216 on-street metered parking spaces in Hickson Road; and
- (b) 39 on-street metered parking spaces in Towns Place;

The total number of metered on-street parking spaces is subject to the provision of u-turn areas for STA buses and semi-trailers and the approved design of the Hickson Rd/Pottinger St intersection (as per condition no. 3 & 4).

26. The layout of all on-street parking is to be in accordance with Australian Standard AS 2890.5-1993 *"Parking Facilities- On-street Parking"*.

LIGHTING STANDARDS

27. The Lighting Specifications for the Walsh Bay Public Domain are to comply with the City's Standards. The applicant should liaise with the Public Domain Officer in the City Development and Projects Division regarding these specifications.

The following details are to be incorporated into the Public Domain Plan (refer to Condition 42) for each stage of the construction work and submitted for the approval of the City prior to the issue of a permit under the *Roads Act 1993*:

- (a) **Hickson Road footpath pedestrian lighting poles:** All pedestrian lights for Hickson Road must be Smartpole™ products either Smartpole™ Type-D or the new slimmer Smartpole™ version as adopted for use by Sydney Harbour Foreshore Authority (SHFA).
- (b) **Hickson Road-Median Smartpoles™:** All median Smartpoles™ are required to be Type-Ab poles with double banner outreaches on all median poles.
- (c) **Banner fittings for Median Smartpoles™:** The Median Smartpoles™ should be specified to have the standard City of Sydney banner outreaches, double back to back. Smartpoles™ pole Type-Ab accommodates this application.
- (d) **Communications infrastructure:** The City of Sydney requires infrastructure for future CCTV lines be provided in all Smartpoles™ (Refer to the Smartpole™ product manual part 1-5 available from Streetscape Projects Australia address Suite 308, Henry Lawson Business Centre. Birkenhead Point, NSW 2047, phone number (02) 9819-7279))
- (e) **Under bridge road lighting – floodlights:** The flood lights proposed under the bridged should be amended and should be sourced from precedents established throughout the City of Sydney

pre-Olympic upgrades i.e. SILL or We-ef types. The lighting should be confirmed to meet the Australian Standards (AS 1158 1987). The glare aspects of all proposed floodlights should be confirmed to be within Australian Standards (AS 1158 1987 clause 2.2.1).

Note: The L8 – bridge uplighting fitting is not a City of Sydney Lighting standard fitting. The applicant is to provide a City of Sydney standard, such as Sill or Kilm types.

- (f) **Smartpole™ location conflict:** The proposed median Smartpole™ location at Bridge 6/7 given its proximity to the pedestrian bridges is to be reviewed to ensure the potential for excessive glare to the bridge users is eliminated. The applicant is to provide further advice in relation to the lighting type and precise location to the satisfaction of the City.
- (g) **Uplighting:** The proposed L2 – tree uplighting on Hickson Road is to be deleted from the proposal.

Note: The Uplight proposed should be consistent with a decorative lighting strategy, which emphasises historical elements or special feature within the Walsh Bay site. WBF should provide a decorative lighting strategy for information.

- (h) **Pedestrian crossings:** The light pole must be the Smartpole™ product - as installed at King Street Wharf - Smartpole™ Type-D, or the new slimmer Smartpole™ version. Documentation is required in accordance with AS1158.4-1987 (Supplementary lighting at pedestrian crossings) to prove compliance with all relevant aspects of AS1158.4.

Note: Some of the Smartpoles™ adjacent to pedestrian crossing may need to be relocated to support the necessary floodlights, at the appropriate height, outreach distance, and distance in advance on the kerbside of the crossing.

- (i) **Towns Place:** The light poles for pedestrian crossing must be the Smartpole™ product - as installed at King Street Wharf - Smartpole™ Type-D, or the new slimmer Smartpole™ version. Documentation is required to prove compliance with Australian Standard AS1158.4. 1987 (Supplementary lighting at pedestrian crossings).

Note: The proposed pedestrian refuge in Towns Place will need to comply with AS1158.4 1987 (Supplementary lighting at pedestrian crossings). Refer to Attachment D – Extract from Australian Standard.

- (j) **Pottinger Street:** Details indicating the lighting details/specifications and levels at the intersection of Hickson Road and Pottinger Street and along the northern end of Pottinger Street are to be submitted to the City. These details should demonstrate how the new scheme is integrated with footpath pedestrian lights already supplied along Pottinger Street and should confirm compliance with the relevant Australian Standards.

Note: The City will only except Pottinger Street in dedication subject all works being undertaken to the satisfaction of the City.

SMARTPOLES-DEED

- 28. Prior to the commencement of installation of the Smartpoles™ documentary evidence must be provided to the City that the applicant has entered into a Deed with the City, the cost of preparation and executive of the such Deed (including stamp duty and registration fees) to be fully borne by the applicant, which contains such conditions as the General Manager of the City reasonably requires and generally consistent with the requirements contained in other conditions to address the specifications, installation, operation, restriction on communication devices, maintenance, and ownership of the Smartpoles™.

Note: In principle, the intention is that the developer pays for the installation of the Smartpoles™ and other lighting in the public domain in accordance with the AS3000 and Energy Australia Standard NS 137 – Multi Functional Standard-Installation (August 2002) to the satisfaction of the City. Ownership is then transferred to the City and, with all property rights for any attachments and cabling then transferred to the Energy Australia.

SMARTPOLES - PROVISION

29. The applicant shall pay the cost of installation of smartpoles™ and all required lighting within the public domain/Walsh Bay Masterplan Area to the requirements of the City and in accordance with AS3000 Energy Australia Standard NS 137 – Multi Functional Standard-Installation (August 2002).

SMARTPOLES - OWNERSHIP

26. Ownership of the Smartpole™ is to transfer to the City of Sydney at the completion of each construction stage. Prior to the transfer of ownership the developer shall certify that the installation of the Smartpoles complies with the standards specified by the City ie AS 3000 and Energy Australia Standard NS 137- Multi Functional Standard-Installation (August 2002). The developer is responsible for remediation works during the “defects liability period” with any such works being completed to the satisfaction of the City and at the full cost of the developer. Until the transfer is complete, the application is responsible for all costs associated with the installation and maintenance costs associated with the Smartpoles™.

27. All materials shall be unencumbered (including Smartpoles™).

28. Prior to the transfer of ownership of the Smartpoles™ to the City of Sydney, the applicant shall disclose to the City of Sydney any requests from telecommunication companies to utilise Smartpoles™.

LIGHTING

29. At no time is the intensity, period of intermittency and hours of illumination of the-public domain to cause injury to the amenity of the neighbourhood. If in the opinion of the City injury is likely to be caused, the intensity, period of intermittency and hours of illumination must be varied to the approval of the City. Any works required to modify the lighting during the defects liability period is to be undertaken at no cost to Council.

SIGNAGE

30. The following signs in the Walsh Bay Public Domain area are not approved and should be deleted from the proposal:

- (a) S1 type of signage proposed for Bridge 2/3 and the Towns Place Bridge.
- (b) Retail signs S9, S10, S11 and S12- These signs do not directly relate to the public domain works and should be the subject of a separate development application.

Note: The retail signage is considered excessive. Any new application should seek to consolidate and minimise the extent of retail signage.

SIGNAGE LOCATIONS

31. The precise location and method of fixing/installation for all signage (with the exception of traffic signage) are to be incorporated into the Public Domain Plan for each stage of the construction work.

Note: All signs are to be erected/installed in a secure manner for safety purposes and its installation is not to involve measures that would cause irreversible damage to the building.

32. The applicant is to provide an addition S13 sign (Major Directions sign) in the vicinity of Shoreshed 2/3. The precise location and method of fixing/installation must be submitted and approved by the City as part of the relevant Public Domain Plan.

STREET TREES

33. The applicant must liaise with the City regarding the final details of the Tree Planting Scheme for the public domain. The final Tree Planting Scheme must be incorporated into the Public Domain Plan for each stage of the construction work and submitted for the approval of the City including the following:

- (a) A detailed plan showing the precise location of each tree and nominating the tree species;
- (b) The extension of the tree planting scheme to include Towns Place;

Note: The trees are to be 300 litres and planted at a minimum of 12 metre centres.

- (c) A Subsurface Investigation Report detailing the existing subsurface conditions where all new trees are to be planted or relocated along Hickson Road. The Report is to include the following:
 - (i) sections illustrating the subsurface conditions at 30 metre intervals along Hickson Road to a depth of 1.5 metres;
 - (ii) an infrastructure plan which illustrates the precise location of all existing and proposed services and location of all proposed street trees.

Note: There is to be no conflict in the location between the location of services and street trees.

- (iii) an Arborist's Report verifying the suitability or otherwise of the subsurface environment to support the nominated tree species;
- (iv) recommendations and design specifications regarding the following:
 - a. preparation of the tree pits/channels;
 - b. drainage lines;
 - c. methodology to protect drainage lines and pavement structure from root invasion and structure damage as the trees mature;
 - d. appropriate irrigation system to be the City of Sydney standard;
 - e. capacity in the irrigation system to apply liquid fertilisers to maintain the tree;
 - f. soil structure details/specification for tree pits/channels; and
 - g. maintenance procedures to ensure the useful life of the trees (including measures required to prevent root damage to the road infrastructure).

Note: The City is currently reviewing its planting policy and the developer will be required to meet the planting detail current at the time of planting. You should liaise with the Public Domain Officer in the City Development and Projects Division regarding this matter.

34. All street trees shall be protected at all times during construction, in accordance with the City's Tree Preservation Order. Any tree on the footpath which is damaged or removed during construction shall be replaced, to the approval of the City and the Principal Certifying Authority.
35. All new trees to be planted in the public domain shall have a minimum pot size of 300 litres and must meet the 'Natspec' specifications in terms of height and calliper size.
36. Approval is granted to remove the following three trees only:
 - (a) Tree 1- *Ficus Hillii* (T2) located at the western end of the central median in Hickson Road adjacent to the Pottinger Street intersection;
 - (b) Tree 2- 4th tree *Platanus x hybrida* (T2) on the southern side of Hickson Road west of the Pottinger St intersection; and
 - (c) Tree 3- *Ficus Hillii* (T2) located in front of the new theatre on the southern side of Hickson Road.
37. The transplanting of the central median *Ficus Hillii* in Hickson Road is subject to an Arborist Report being submitted, detailing works methodology and remediation including extensive post transplanting maintenance. The Arborist's Report is to be submitted and approved by the City's Street Tree - Contract Coordinator prior to the issue of any permit under the *Roads Act 1993*. The selected new planting species of *Platanus orientalis* (T3) is not consistent with the current planting species of *Platanus x hybrida* located on the southern side of Hickson Road. All T3 new plantings are to be *Platanus x hybrida*.
38. All trees are to have tree granite surrounds and the joints between the granite setts must be fixed with blue metal stabilised to a depth of 85mm and fixed with Terrabond or equal.
39. All current and new street trees require a post construction Maintenance Report (ie. after practical completion and at four monthly intervals for a twelve month period). The Maintenance Report is to be submitted to the City's Street Tree - Contract Coordinator for approval prior to the issue of an Occupation Certificate for each relevant construction stage. Post planting maintenance is to be carried out by at full cost to the developer for a period of 12 months.

PARKING METERS

40. The City's Parking Meter Contract Manager (currently Greg McCarthy, telephone no. 9265 9737 or (0408) 614 135) is to be contacted with respect to the relocation, removal and installation of parking meters within the public domain. Details including the precise location of all parking metres must be incorporated into the Public Domain Plan for each stage of the construction work and submitted for the approval of City's Manager- Contract and Asset Management prior to issue of a permit under the *Roads Act 1993* for that stage of construction work. All works associated with the relocation, removal and installation of parking meters are to be undertaken at no cost to the City.

PUBLIC DOMAIN PLAN

41. A separate Public Domain Plan is to be submitted and approved by the City for each stage of construction work prior to the release of a permit under the *Roads Act 1993* for that stage of the construction work. The following requirements apply for each Public Domain Plan:-
 - (a) Three copies of a detailed Public Domain Plan shall be prepared by an architect, urban designer or landscape architect. It is recommended that draft plans should be submitted to the City for comment prior to formal submission for approval.

- (b) The Public Domain Plan shall be as follows:-
- (i) Drawn at 1:100 scale.
 - (ii) Show the entire layout of flagstone paving where this paving is required.
 - (iii) Show all trees with tree granite surrounds. The joints between the granite setts must be fixed with blue metal stabilised to a depth of 85mm and fixed with Terrabond or equal.
 - (iv) Nominate the location, type and material of all existing and proposed public pavement elements including Smartpoles™, lighting bollards, street name-plates, trees, paving, kerbs and gutters, pedestrian ramps, vehicle crossings, street furniture, utility poles, parking meters, pedestrian and traffic signals, service pits and stormwater pits.
 - (v) Include a longitudinal section of the pavement showing existing and proposed levels at 10 metre intervals at the building alignment, the kerb and the gutter on a common datum line. This longitudinal section is to be drawn at 1:100 horizontal scale and 1:10 (exaggerated) vertical scale. This section is to ensure that any significant longitudinal gradient change, such as flattening for vehicle entries, occurs within the building line and not at the public pavement.
 - (vi) Include 1:50 scale cross sections through pedestrian ramps and vehicle crossings.
 - (vii) Include the specifications, details and detailed set outs for all works and fixtures such as bins, seats, bike racks, paving, signs and way-finding signs to the satisfaction of the City.
- (c) The Public Domain Plan shall comply with the specifications and details of the *Central Sydney Paving Design Policy 1996* and the City's Specifications and the *Central Sydney Street Tree Policy 1994*.
- (d) The Public Domain Plan shall incorporate the standard specifications and detail of the Central Sydney Paving Design Policy 1996 and the City's Specifications adapted to suit the specific site requirements as advised by the Public Domain Officer and may include:-
- (i) Levels for footways and roads need to be submitted for approval. Adjustment to paving grades to provide a maximum crossfall of 2.5% from building line to top of kerb.
 - (ii) Cross sections should be provided at 10 metre intervals for the full length of the Hickson Road, Towns Place and Pottinger Street carriageways.
 - (iii) Longitudinal sections of all kerbs are to be provided.
 - (iv) Repaving in accordance with *Central Sydney Paving Design Policy 1996* and the City's Specifications. All granite paving (where applicable) is to be sealed in accordance with the City's specifications.
 - (v) The relocation or provision of new vehicle crossovers and pedestrian ramps including the consequent relocation of existing service pits, traffic signals, kerb corner radii, signs, street furniture and street trees.
 - (vi) The retention of existing street trees and the provision of new street trees to comply with the *Central Sydney Street Tree Policy 1994*.

- (vii) The repair and where required the resetting of all stone kerbing to 150mm above the gutter height and the replacement of concrete kerbing with stone kerbing. Where adjustments require substantial kerb and gutter demolition, the carriageway shall be reconstructed to the centre line of the carriageway.
 - (viii) The retention and repair of any existing pavement lights.
 - (ix) The retention and repair of any existing serviceable stone gutters.
 - (x) The realignment and level adjustment of service pit lids to correspond to new kerb ramps and paving. New service pit lids in flagstone paving to be infill type, with stone infill to match stone paving surrounds. New service pit lids in asphalt paving to be infill type, with cement mortar infill coloured to match adjoining asphalt.
 - (xi) The provision of smart pole(s), (to be provided at the applicants cost).
- (e) Random checks by City officers may be made throughout the construction process to advise the contractor of non-complying elements. However, no parts of the work are to be considered approved until receipt of the City of Sydney letter of approval. The City of Sydney will require all non complying parts to be rectified prior to issue of this letter.

Note: *Three Copies of the Public Domain Plan are to be lodged with the Manager Design, City Development and Projects Division.*

ALIGNMENT LEVELS

42. For each of the construction stages, the following must be submitted for the City's approval prior to issue of a permit under the *Roads Act 1993* for that stage of construction work:-
- (a) Information including footpath alignment levels must be submitted for approval for the design of the building.

Such information must be accompanied by a plan prepared by a Registered Surveyor showing the existing location, size and levels (AHD) of all service covers, trees, poles and street furniture, kerb, gutter and alignment levels at 10m cross/sections, alignment levels at proposed and existing vehicular and/or pedestrian entrances within the footway adjacent to and extending 20 metres past either side of the site.

TRACHYTE KERBING

43. In accordance with its heritage significance any trachyte kerbing to be removed or relocated as a consequence of the proposal is to be protected, preserved, stored and re-installed in accordance with the requirements and to the satisfaction of the City of Sydney.

DESIGN LIFE OF CARRIAGEWAY CONSTRUCTION

44. The overlay or resheeting of Hickson Road, Pottinger Street and Towns Place are to be certified to provide a design life of at least 20 years.

CONSTRUCTION PROGRESS CERTIFICATION

45. For the duration of the construction process a Construction Progress Certificate shall be provided to the City on a three-monthly basis to the effect that the construction work, including architectural detail, is in accordance with the approved development application drawings and conditions of development consent and the approved Construction Certificate drawings and specifications. The form of the Construction Progress Certificate is to be developed by the applicant and approved by the City's Manager- Contracts and Asset Management prior to the release of a Construction Certificate for works to the public domain.

WITNESS POINTS

46. The Developer is fully responsible for informing the City's Specialist Development Engineer, Peter Thompson (Contracts and Asset Management Unit) on 9265 9150 of the specific timing of the following construction stages:

- (a) Site set-out;
- (b) Paving, stone kerbs or stone gutters delivered to site;
- (c) Sub-grade preparation;
- (d) Excavation of tree pits;
- (e) Trial layout of typical paving;
- (f) Laying and set-out of kerb;
- (g) Street nameplates delivered to site;
- (h) Smartpole™ delivered to the site;
- (i) Street furniture delivered to the site;
- (j) Trees delivered to site;
- (k) Trees placed and ready for backfilling;
- (l) Smartpole™ placed and ready for installation;
- (m) Street furniture placed and ready for installation;
- (n) Laying concrete base in road and footway;
- (o) Laying reinforcement;
- (p) Laying asphalt;
- (q) Excavation for drainage assets (excluding connections to kerb); and
- (r) Laying stormwater pipe (excluding connections to kerb).

47. The City's Specialist Development Engineer is to be given a minimum of 48 hours written notice of the above stages. It is the responsibility of the Developer to retain copies of facsimile/email transmission reports etc to prove notification of such works.

The City's Specialist Development Engineer may or may not elect to inspect such stages. The Developer will not be informed of such inspections.

Where formal notification of these stages is not provided or is incorrect, the City's Specialist Development Engineer may request certain tests to confirm compliance with the approved specifications. These tests may include but not be limited to the following:

- (a) Coring of the concrete base at one randomly selected site for every 30 m² of new base;
- (b) Coring of the paving (road surface or footpath) at one randomly selected site for every 30 m² of new base; and
- (c) Excavation of a test opening over new drainage lines.

The Developer is fully responsible for the cost of the above tests and for rectifying all works that do not comply. Rectification will involve complete removal and replacement of all non-conforming sections of work.

SYDNEY TRAFFIC COMMITTEE

48. The applicant is to submit final details of the carriageway design (Hickson Road, Towns Place and Pottinger Street-north) for the approval of the Sydney Traffic Committee prior to the release of any permit under the *Roads Act 1993*. The details are to include:

- (a) Fully dimensioned Plans at a scale of 1:200 detailing:
 - (i) Compliance with the on-street parking provisions of the Australian Standard AS 2890.5 - 1993 "*Parking facilities- On-street parking*";
 - (ii) The critical dimensions of the roadway and footpath;
 - (iii) Designs of the two intersections (Hickson Road/Towns Place and Hickson Road/Pottinger Street) including dimensions of traffic islands, kerb setbacks/extensions, lane widths etc;
 - (iv) Line marking (including longitudinal lane markings, on-street parking spaces and pedestrian crossings) and other road marking arrangements;
 - (v) Precise traffic sign locations for various kerbside restrictions and sign face designs;
 - (vi) Final layout and precise design of pedestrian crossings;

Note: *The potential for the incorporation of a pedestrian crossing in Hickson Road in the vicinity of new Theatre (ie. between bridge 6/7 and 8/9) should be investigated.*

- (vii) Final layout and design of all "No Stopping" restrictions including those for the approaches to the marked pedestrian crossings to reflect RTA's current requirement on the minimum "No Stopping" restrictions.
- (b) A Traffic Assessment justifying the need and design of the traffic calming measure "Raised Pedestrian Refuge" proposed in Towns Place as per requirement stipulated in RTA Technical Direction No. 98/6 '*Use of Traffic Calming Devices as Pedestrian Crossings*'.

The developer should provide full details of materials and the design of this "raised pedestrian refuge" including the levels, surface treatment, and its relationship to Towns Place and the through-site-link, for the City's approval should the 'raised pedestrian threshold' be warranted.

- (c) Pedestrian and Traffic Management Plan must be submitted to and approved by the City prior to the commencement of construction work. The Plan is to detail the various stages of construction work (demolition, excavation and construction) and shall ensure that safe vehicular access and pedestrian access along Hickson Road and Towns Place are maintained at all times during the construction period. The Plan must include details of the following:

- (i) Proposed ingress and egress of vehicles to and from the construction site;
- (ii) Proposed protection of pedestrians adjacent to the site;
- (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site;
- (iv) Proposed route of construction vehicles to and from the site;
- (v) The Pedestrian and Traffic Management Plan shall be implemented during the construction period.

49. All costs of traffic management measures shall be borne by the applicant.

50. All pavement markings must be formed thermoplastic or other products approved by the City's Manager – Contracts and Asset Management.

CONSTRUCTION TRAFFIC

51. All construction traffic shall enter and exit the development via Hickson Road south. Construction vehicle access to the development site shall be restricted to Hickson Road. In this regard, construction vehicle movement through the surrounding residential areas and the Rocks/ north of the City is not permitted. The developer is to ensure that all construction contractors and suppliers are advised of this restriction.

DISABLED ACCESS

52. Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the Building Code of Australia and The City's Access Policy. A certificate certifying compliance with this condition must be provided, and copy submitted to the City prior to the issue of a permit under the *Roads Act 1993*.

PAVING MATERIALS

53. All new Austral Verde kerb stones are to be either 200mm or 300mm wide and are to be laid to ensure overall uniformity of thickness with the existing stone throughout the site.

54. The paving throughout the Walsh Bay Development Area is to comply with the specifications and design details contained in Central Sydney Paving Design Policy. In this regard, the following paving details are to be installed within the public domain:

(a) Hickson Road:

- (i) *Footpath:* Asphalt surface and the reinstatement of trachyte kerbing
- (ii) *Central Median:* Asphalt surface and new austral verde kerbing

(b) Towns Place:

- (i) *Footpath:* Asphalt surface and reinstate trachyte or austral verde kerbing.

(c) Pottinger Street (north)

- (i) *Footpath: Asphalt surface and sandstone kerbing.*

(d) Road Pavement Surfaces

- (i) *Asphalt surface*

Such details should be included in each Public Domain Plan. You should liaise with the Public Domain Officer in the City Development and Projects Division in this regard.

STORMWATER AND DRAINAGE

55. The following stormwater details shall be submitted for each stage of construction work:-

- (a) Details of the proposed stormwater disposal and drainage of the development are to be submitted for approval by the City prior to issue of a permit under the *Roads Act 1993*. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) The requirements of Sydney Water (currently the Urban Development Central East Group, Rockdale Regional Office) with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to issue of a permit under the *Roads Act 1993*.

56. Stormwater drainage must incorporate a system of Standard the City Trapped Gullies or gross Pollutant Traps to minimise the discharge of solids to Sydney Harbour. All systems are to be approved by the City's Manager – Contracts and Asset Management prior to the issue of a permit under the *Roads Act 1993* for that stage of construction work.

57. All seepage from the cliff face or retaining walls is to be collected and discharged to underground drainage systems or by pipes to the gutter to ensure only wet weather flow discharges across the footway or steps. All systems are to be approved by the City's Manager – Contracts and Asset Management prior to the issue of a permit under the *Roads Act 1993* for that stage of construction work.

58. Prominent identifying signs are required for all stormwater pipes that discharge to Sydney Harbour. The signs are required to confirm location for possible future underwater inspection and maintenance prior to completion.

UTILITY SERVICES

59. To ensure that utility authorities are advised of the development:-

- (a) A survey is to be carried out of all utility services within the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to commencement of work the applicant is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

DEMOLITION WORK METHOD STATEMENT

60. Prior to the commencement of demolition work a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement to the satisfaction of the Principal Certifying Authority (the City or an accredited certifier) and a copy sent to the City (if it is not the PCA). A copy of the Statement must also be submitted to the WorkCover Authority.
61. The Statement must be in compliance with *AS2601-1991 Demolition of Structures*, the requirements of WorkCover Authority and conditions of the Development Approval, and must include provisions for:-
- (a) Enclosing and making the site safe, any temporary protective structures must comply with the *Guidelines for Temporary Protective Structures* (April 2001);
 - (b) Induction training for on-site personnel;
 - (c) Inspection and removal of asbestos, and contamination and other hazardous materials;
 - (d) Dust Control:-

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.
 - (e) Disconnection of Gas and Electrical Supply;
 - (f) 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.
 - (g) Access and egress:-

No demolition activity shall cause damage to or adversely affect the safe access and egress of this building.
 - (h) Waterproofing of any exposed surfaces of adjoining buildings;
 - (i) Control of water pollution and leachate and cleaning of vehicles tyres:-

Proposals shall be in accordance with the *Protection of the Environmental Operations Act 1997*.
 - (j) Working hours, in accordance with this Development Consent;
 - (k) Confinement of demolished materials in transit;
 - (l) Proposed truck routes, in accordance with this Development Consent;
 - (m) Location and method of waste disposal and recycling in accordance with the *Waste Minimisation and Management Act 1995*.

SITE CONTAMINATION REPORTS

62. Prior to commencement of site excavation works, a Site Contamination Survey Report, prepared by a qualified Environmental Consultant, in accordance with the provisions of the *Contaminated Land*

Management Act 1997 must be submitted to the Principal Certifying Authority (PCA) (The City or an accredited certifier).

63. Where a site is determined to be a "Contaminated Site" under the definition contained in ANZECC/NHMRC 1992 definitions, prior to commencement of site excavation works:-
- (a) A Remediation Action Plan (RAP), which details the proposed method for the proper cleaning of contaminated materials from the site is to be provided to the PCA, (and a copy is to be sent to the City, if it is not the PCA).
 - (b) A suitability qualified and accredited "Independent Auditor", to the satisfaction of the City, (in terms of Section 7A of the *Environmental Planning and Assessment Act 1979*) is to be appointed in accordance with the requirements of the *Contaminated Land Management Act 1997, and Regulations 1998*.
 - (c) The approved Remediation Action Plan, must be available on the site at all times during the progress of the work.
 - (d) The Independent Auditor is to provide a letter to the PCA that the RAP is appropriate to remediate the land to the standard suitable for the proposed redevelopment of the land and that common or public areas meet the criteria for common property or designated public space.
 - (e) On completion of the excavation works, a validation certificate must be submitted to the PCA (and a copy sent to the City if it is not the PCA). The certificate signed by the Independent Auditor, must testify that the requirements detailed in the Remediation Action Plan, have been satisfactorily completed, and have achieved results as required under the requirements of the *Contaminated Land Management Act 1997, and Regulations 1998*.

NOTIFICATION OF EXCAVATION WORKS

64. The Principal Certifying Authority and the City's Manager- Contracts and Asset Management must be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

WATER AND SEDIMENT CONTROL STATEMENT FOR DEMOLITION AND EXCAVATION

65. The following environmental protection measures are required:-
- (a) Prior to the commencement of demolition and/or excavation, a Demolition/Excavation Water and Sediment Control Statement must be submitted to and approved by the Principal Certifying Authority (the City or an accredited officer) which appropriately addresses environmental protection measures for each stage of the public domain work.
 - (b) Such statement must include:-
 - (i) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
 - (ii) The proposed method of discharge;
 - (iii) The procedures to be adopted for the prevention of run-off from the site onto the public way;
 - (iv) The procedures to be adopted for the prevention of run-off from the site onto the public way.

- (c) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's *Erosion and Sediment Control Manual* and the Department of Housing Manual *Managing Urban Stormwater - Soils and Construction (August 1998)*.
- (d) The Demolition/Excavation Water and Sediment Control Statement shall be implemented during the demolition and/or excavation period.
- (e) Any seepage or rainwater collected on site during work must not be pumped to the street stormwater system unless separate prior approval is given in writing by the City.
- (f) The applicant must also comply with the *NSW Protection of the Environmental Operations Act 1997*, whereby it is an offence to pollute classified waters such as Sydney Harbour to which much of the City's street drainage is directly connected.

ENVIRONMENTAL PROTECTION DURING CONSTRUCTION

66. The following environmental protection measures are required:-

- (a) Prior to the commencement of construction work, a Water and Sediment Control Statement must be submitted and approved by the Principal Certifying Authority which appropriately addresses environmental protection measures for each stage of the public domain work.
- (b) Such statement must include:-
 - (i) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device;
 - (ii) The proposed method of discharge;
 - (iii) The procedures to be adopted for the prevention of run-off from the site onto the public way;
 - (iv) The procedures to be adopted for the prevention of loose material and litter from being blown onto the public way;
 - (v) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's "*Erosion and Sediment Control Manual*".
- (c) The statement is to be consistent with the principles and practices set out in the Department of Land and Water Conservation's *Erosion and Sediment Control Manual* and the Department of Housing Manual *Managing Urban Stormwater – Soils and Construction (August 1998)*.
- (d) The Water and Sediment Control Statement shall be implemented during the construction period.
- (e) Any seepage or rainwater collected on site during construction must not be pumped to the street stormwater system unless separate prior approval is given in writing by the City.
- (f) The applicant must also comply with the *NSW Protection of the Environment Operations Act 1997*, whereby it is an offence to pollute classified waters such as Sydney Harbour to which much of the City's street drainage is directly connected.

STRUCTURAL CERTIFICATION FOR DESIGN - MAJOR WORKS

67. Prior to the commencement of work, the following documentation must be submitted to the satisfaction of the Principal Certifying Authority (PCA) and a copy of same submitted to the City (if it was not the PCA):

- (a) Structural Drawings showing all new fully detailed structural elements, prepared by an appropriately qualified practising Structural Engineer, corresponding with and attached to a Structural Certificate (see (b));
- (b) Structural Certificate/s for Design, of all new fully detailed structural elements and for checking any structural elements supporting the new work, submitted in the form of S1A completed by the Project/Principal Engineer and S1B completed usually by the Architect, OR a Compliance Certificate (in accordance with Section 109C of the *Environmental Planning and Assessment Act 1979*), after the structural drawings have been checked and comply with:
 - (i) The relevant clauses of the Building Code of Australia (BCA);
 - (ii) The relevant conditions of Development Consent;
 - (iii) The Architectural Plans incorporated with the Construction Certificate; and
 - (iv) The relevant Australian Standards listed in the BCA (Specifications A1.3);
 - (v) Any other relevant report/s or documents. Specify on S1A.
- (c) Repeat (a) and (b) for any revision, or staged submission of structural drawings.

Notes:

- (d) An appropriately qualified practising structural engineer certifying by completing S1A must have:-
 - (i) Appropriate tertiary qualifications in Civil or Structural Engineering; AND
 - (ii) Corporate membership of the Institution of Engineers Australia or equivalent; AND
 - (iii) Evidence of relevant experience in the form of a CV/Resume;
 - (iv) Appropriate current professional indemnity insurance.
- (e) An appropriately qualified practising structural engineer certifying by issuing a Compliance Certificate must have accreditation as a certifier for Structural Engineering issued by the Institution of Engineers Australia in accordance with the *Environmental Planning and Assessment Act 1979*.
 - (i) An appropriately qualified person certifying by completing S1B must have a good working knowledge of the Building Code of Australia and Structural and Architectural drawing co-ordination so that all structural elements supporting the new work are fully certified by the project structural engineer.
 - (ii) Certification of Inspection/s is also required prior to issue of the Occupation Certificate, and/or prior to use. See Schedule 1E Conditions.

OBSTRUCTION OF THE PUBLIC WAY

68. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of Notice by the City to stop all work on site.

GENERAL TERMS OF APPROVAL UNDER S58 OF THE HERITAGE ACT 1977

69. All works comprising the Walsh Bay public domain shall be in accordance with the recommendations contained within:
- (a) The Walsh Bay Precinct Conservation Plan prepared by Clive Lucas Stapleton and Partners;
 - (b) The Walsh Bay precinct interpretation plan prepared by Tropman and Tropman Architects, OHM Consultants and HPA Architects and Peddle Thorp and Walker;

Except as amended by these conditions:

70. Should archaeological remains not identified in previous archaeological studies be uncovered by road and civil works, work must cease in the affected areas and the Heritage Office informed immediately;
71. The results of any archaeological works undertaken in the course of the civil and roadworks shall be used to inform the heritage interpretation program for the Walsh Bay precinct;
72. In areas where original historic fabric such as trachyte or sandstone kerbing is to be removed for the installation of stormwater pits or roadworks all fabric must be removed under the supervision of a qualified heritage specialist. The removed fabric must be reused in its original location, or when this not feasible, in a similar location elsewhere on the site;
73. All works involving heritage fabric shall be supervised on site by a qualified heritage specialist;
74. No material shall be removed from the site for disposal, until it has first been checked, recorded and approved for removal by an experienced conservation consultation approved by the director for the Heritage office. This record shall be submitted to the heritage office on a regular basis;
75. An archival record of areas impacted by works associated with the public domain shall be prepared including archival photographic records before, during and after the development, documenting changes to heritage fabric and any significant fabric uncovered during the course of the works. The archival record shall be prepared in accordance with heritage council guidelines and copies lodged with planningNSW library and state archives;
76. All necessary actions shall be taken by the applicant to minimise the impacts of new civil and roadworks upon adjoining heritage fabric and/or structures due to impacts from machinery and other sources. These actions shall include the preparation of conditions reports for surrounding heritage properties before, during and upon completion of the proposed building to allow comparison. The procedure shall also include provision for immediate action by the application for remediation of any damage to the heritage fabric as a result of the proposed building activity and avoid any further damage;
77. Where possible original stone and brick shall be reused in the landscaping works. If this is not feasible it should be used in other parts of the precinct for landscaping purposes;
78. New stonework provided as part of the landscape treatment should not attempt to mimic historic stonework. The different periods of development on the site should be clearly differentiable;

79. The final text of all interpretative signage is to be submitted to the heritage office for approval prior to manufacture;
80. A further application must be made for approval under section 60 of the NSW *Heritage Act 1977* before works commence.

ATTACHMENT TO CONDITIONS OF CONSENT DA 149-06-01

The following addresses further permits required to be obtained by the applicant pursuant to the granting of this consent.

APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

1. A separate application is to be made to the City for Approval under Section 68 of the *Local Government Act 1993* to erect a hoarding or scaffolding in a public place and such application is to include:-
 - (a) Architectural, construction and structural details of the design in accordance with the *Policy for the Design and Construction of Hoarding* (September 1997) and the *Guidelines for Temporary Protective Structures* (April 2001).
 - (b) Structural certification prepared and signed by an appropriately qualified practising structural Engineer.
 - (c) Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.
2. The following protective measures shall be provided under any hoarding on the public footway during construction of the development to the City's satisfaction:-
 - (a) Plastic sheeting to cover the stone paving;
 - (b) Minimum 12mm thick plywood on top of the plastic sheeting; and
 - (c) These measures shall be maintained in a safe and tidy condition for the duration of construction.

APPLICATION FOR A ROAD OPENING PERMIT

3. A separate Road Opening Permit under Section 138 of the *Roads Act 1993* shall be obtained from the City of Sydney 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).
4. Documents required with the Road Opening Permit application include:-
 - (a) A plan and relevant sections showing scope of works, boundaries, utility services, levels of proposed excavation, and details of method of reinstating public way;
 - (b) Evidence that public utility drawings have been inspected;
 - (c) Evidence of a \$10 million dollar Public Liability Insurance Policy specifically indemnifying the City of Sydney, valid for at least the duration of the project;
 - (d) A Security Deposit for reinstatement of public way.
5. The Road Opening Permit will be subject to further conditions that shall be complied with.

BARRICADE PERMIT

6. Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the *Local Government Act 1993* for a Barricade Permit is to be obtained from the City prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the City.

TEMPORARY GROUND ANCHORS, TEMPORARY SHORING AND PERMANENT BASEMENT/RETAINING WALLS

7. For temporary shoring, a separate application must be lodged to the City under the provisions of Section 68 of the *Local Government Act 1993*.
8. For temporary ground anchors, new permanent basement wall/s or other ground retaining elements:-
 - (a) Prior to issue of a Construction Certificate, the following documents shall be submitted satisfactory to the PCA and a copy to the City (if the City is not the PCA):-
 - (i) Dilapidation Report of adjoining buildings/structures.
 - (ii) Evidence that public utility services have been investigated.
 - (iii) If adjoining a Public Way:-
 - a. Evidence of a \$10 million dollar Public Liability Insurance Policy specifically indemnifying the City of Sydney, valid for at least the duration of the project. The original document shall be submitted to the City.
 - b. Bank Guarantee in accordance with the City's Fees and Charges. The original document shall be submitted to the City.
 - (b) Prior to commencement of work:-
 - (i) The location of utility services shall be fully surveyed and the relevant Public Utility Authority requirements complied with; and
 - (ii) The following documents shall be submitted satisfactory to the PCA and a copy to the City (if the City is not the PCA):-
 - a. Structural drawings and certification as prescribed elsewhere in this Schedule.
 - b. Geotechnical Report and certification as prescribed elsewhere in this Schedule.
 - (c) Prior to issue of Occupation Certificate, the City's Development Engineer shall be notified on 9265 9105 when the Restoration of the Public Way is complete and in accordance with the following:-
 - (i) All ground anchors shall be de-stressed and isolated from the building prior to completion of the project.
 - (ii) The temporary structure, including foundation blocks, anchors and piers shall be removed above and below the public way, prior to completion of project, down to a depth of 2m.
 - (iii) All timber shall be removed.

- (iv) The voids then backfilled with stabilised sand (14 parts sand to 1 part cement).
- (d) After satisfying (c) (i) to (iv), notification in writing by the contractor shall accordingly be submitted satisfactory to the PCA and a copy to the City (if the City is not the PCA).
- (e) All costs for any reinstatement of the public way made necessary because of an unstable, damaged or uneven surface to the public way shall be borne by the owner of the land for works approved under this consent.

USE OF MOBILE CRANES

9. Permits required for use of mobile cranes:-

- (a) 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 the City for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of the City 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 the City, will create significant traffic disruptions.
- (b) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes shall not be delivered to the site prior to 7.30am without the prior approval of the City.