

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

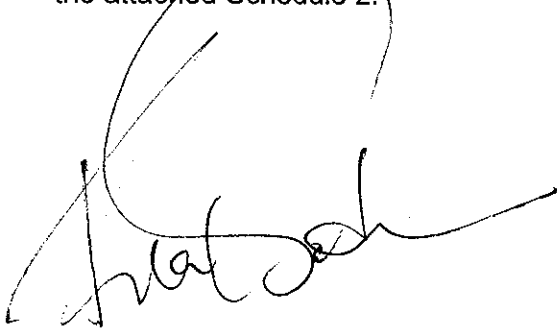
DETERMINATION OF MAJOR PROJECT NO. 05_0085

(FILE NO. 9040884-3)

**PROPOSED NEW FACULTY OF LAW BUILDING
THE UNIVERSITY OF SYDNEY, CAMPERDOWN CAMPUS**

I, the Minister for Planning, having considered the following, pursuant to Part 3A of the *Environmental Planning & Assessment Act, 1979*, Section 75J Clause (2) determine the major project proposal referred to in the attached Director-General's Environmental Assessment Report, by granting approval to the major project referred to in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2.

This approval applies to the plans, drawings and documents cited by the Proponent in its Environmental Assessment and in this approval and the Proponent's Statement of Commitments in Appendix B of the Planning Report, subject to the conditions of approval in the attached Schedule 2.



Frank Sartor MP
Minister for Planning

Sydney,



2007

SCHEDULE 1

PART A—TABLE

Application made by:	Adam Pollack, Capital Insight Pty Ltd C/- University of Sydney, Campus Property and Services Level 2, Services Building G12, DARLINGTON NSW 2006
Application made to:	Minister for Planning
Major Project Application:	MP 05_0085
On land comprising:	3000 Parramatta Road, CAMPERDOWN NSW 2008
Local Government Area:	City of Sydney
For the carrying out of:	Construction of a building for the Faculty of Law within the Camperdown Campus including library, lecture theatres, moot court facilities, 5 storey teaching building, 7 storey faculty building, light tower and basement car parking.
Estimated cost of works:	\$95,000,000
Type of development:	Major Project
S.119 public inquiry held:	No
Determination made on:	26 January 2007

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 05_0085

Responsibility for other approvals / agreements

The Proponent is solely responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Appeals—Third Party

A third party right to appeal to this approval in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C—DEFINITIONS

In this approval,

AC means Accredited Certifier and has the same meaning as Part 4 of the Act or where the Building Works are undertaken by the Crown it has the same meaning as S116G of the Act.

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means the Building Code of Australia.

Council means City of Sydney Council.

Department means the Department of Planning or its successors.

Director means the Director of Urban and Coastal Assessments or its successors.

Director-General means the Director-General of the Department of Planning.

Environmental Assessment means the Environmental Assessment prepared by GHD Pty Ltd on behalf of Capital Insight Pty Ltd and dated March 2006.

Minister means the Minister for Planning.

MP No. 05_0085 means the Major Project described in the Proponent's Environmental Assessment Report.

Proponent means Capital Insight Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2**RECOMMENDED CONDITIONS OF APPROVAL****MAJOR PROJECT NO. 05_0085****PART A—ADMINISTRATIVE CONDITIONS****A1 Development Description**

(1) Approval is granted only to carrying out the development described in detail below:

- Construction of a new Faculty of Law Building comprising 2 distinct above ground buildings (9 and 7 levels in total including podium levels and basement car park) that interconnect with an extensive forecourt area, as follows:
 - 2 level basement car park containing 419 car parking spaces;
 - 2 storey podium base containing lecture theatres, seminar rooms and a new law library and a landscaped forecourt fronting onto Eastern Avenue on Level 2 of the podium;
 - 3 storey teaching building including teaching spaces and the use of a podium level restaurant;
 - 5 storey faculty building; and
 - light tower located toward the centre of the forecourt at the northern end of the site adjacent to the Fisher Library to a maximum height of 13.85 metres;
- Minor alterations and additions to facilitate the interface with the Fisher Library Book Stack, Carslaw Building and Eastern Avenue Auditorium and Lecture Complex with the proposed buildings;
- Landscaping, lighting and site works;
- Upgrade of Barff Road to facilitate 2 way traffic, loading area and pedestrian access in the following way:
 - reconstruction of the existing Barff Road alignment to facilitate two way traffic flow and pedestrian access between City Road and the proposed Faculty of Law Building and create an active edge between the University and the adjacent Victoria Park;
 - provision of a loading area to service the proposed Faculty of Law Building; and
 - maintain service vehicle access to the existing loading dock for the Carslaw Building; and
- Extensions/augmentation of the physical infrastructure/utilities as required by the proposal - existing water, electricity and sewer facilities within the site.

(2) Development must be carried out consistently with the Statement of Commitments (in Appendix B of the Planning Report) except as amended by the conditions of approval.

(3) The following works do not form part of this approval and are subject to separate approval by Council (Local Traffic Committee):

- closure of Eastern Avenue to general traffic flows to create a pedestrian promenade between City Road and University Place;
- Fisher Road to be designated as the inter campus vehicle link route;
- removal of existing on road car parking spaces along and adjacent to Eastern Avenue;
- the approved future café/restaurant located adjacent to the forecourt area is subject to separate application to Council for its fitout and hours of operation;
- no 'public entertainment' as defined under the *Local Government Act 1993* is to be provided within the premises unless approved by a separate development approval

by Council under the *Environmental Planning and Assessment Act 1979* and an application under Section 68 of the *Local Government Act 1993*; and

- separate approval shall be obtained from Council for any events to be held in the Plaza area on level 3, including but not limited to markets, exhibitions, or any other event not covered by this approval.

A2 Development in Accordance with Plans

The development will be undertaken in accordance with the Environmental Assessment dated March 2006 prepared by GHD Pty Limited and the following drawings:

Architectural (or Design) Drawings prepared by FJMT at Appendix B of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
XX-DA-01	01	General Arrangements Site Plan	24-03-06
B1-DA-01	01	General Arrangements Basement 1 Reference Plan	24-03-06
B2-DA-01	01	General Arrangements Basement 2 Reference Plan	24-03-06
L1-DA-01	01	General Arrangements Level 1 Reference Plan	24-03-06
L2-DA-01	01	General Arrangements Level 2 Reference Plan	24-03-06
L3-DA-01	01	General Arrangements Level 3 Reference Plan	24-03-06
L4-DA-01	01	General Arrangements Level 4 Reference Plan	24-03-06
L5-DA-01	01	General Arrangements Level 5 Reference Plan	24-03-06
L6-DA-01	01	General Arrangements Level 6 Reference Plan	24-03-06
L7-DA-01	01	General Arrangements Level 7 Reference Plan	24-03-06
L8-DA-01	01	General Arrangements Roof Plant Level Reference Plan	24-03-06
L9-DA-01	01	General Arrangements Roof Level Reference Plan	24-03-06
F10-A-171.200 XX-DA-01	01	General Arrangements East Elevation, Section Grid E/F North-South	24-03-06
F10-A-171.201 XX-DA-01	01	General Arrangements West Elevation, Section Grid E/F North-South	24-03-06
F10-A-171.203 XX-DA-01	01	General Arrangements South Elevation, Section Grid 10/11 West-East	24-03-06
F10-A-171.204 XX-DA-01	01	General Arrangements Section Grid 3/4 West-East	24-03-06
F10-A-171.205 XX-DA-01	01	General Arrangements Sections Grid 1/2, Grid 4/5 East-West	24-03-06

F10-A-171.206 XX-DA-01	01	General Arrangements Sections Grid 6/7, Grid 7/8 East-West	24-03-06
F10-A-171.207 XX-DA-01	01	General Arrangements Section Grid 9/10 East-West	24-03-06
Architectural (or Design) Drawings prepared by <i>Jeppe Aagaard Anderson+Tinka Sack+Turf Design</i> at Appendix B of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
F10-L27X-000- LX-DA	01	Title Page	27-03-06
F10-L27X-001- LX-DA	01	Landscape Finishes	27-03-06
F10-L27X-002- LX-DA	01	Landscape Finishes	27-03-06
F10-L27X-003- LX-DA	01	Planting Plan	27-03-06
F10-L27X-004- LX-DA	01	Planting Plan	27-03-06
F10-L27X-005- LX-DA	01	Barff Rd & Victoria Park Interface Sections A, B	27-03-06
F10-L27X-006- LX-DA	01	Victoria Park Interface Sections D, E, F	27-03-06
F10-L27X-007- LX-DA	01	Victoria Park & Barff Rd Sth Interface Sections G, H, I	27-03-06
F10-L27X-008- LX-DA	01	Typical Details	27-03-06
F10-L27X-009- LX-DA	01	Typical Details	27-03-06
F10-L27X-010- LX-DA	01	Raised Granite Planter Typical Detail	27-03-06
Landscape Plan prepared by <i>Hydro-Plan Pty Ltd Irrigation and Water Resource Consultants</i> at Appendix B of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
F10-L-221_001- LX-PD	02	Landscape Irrigation Automatic Irrigation System	16-12-05
Siteworks Plan prepared by <i>FJMT</i> at Appendix B of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
C-2201.01-SW	DA-01	Siteworks Plan Sheet 1 of 2	28-03-06

except for:

- (1) any modifications which are 'Exempt Development' as identified in *South Sydney Local Environmental Plan 1998* or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- (2) otherwise provided by the conditions of this approval.

A3 Inconsistency between documents

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

A4 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of approval under clause 98 of the Regulation.

A5 Exclusion – Development in Victoria Park (Lot 7035 DP 1051257)

This approval does not give consent for any works to be undertaken in any part of Victoria Park. (No owner's consent was obtained from the Department of Lands).

A6 Signage

A separate development application to Council for any proposed signs (other than exempt or complying signs under Council's exempt and complying DCPs) which are either externally fitted or applied must be submitted for the approval of Council prior to the erection or display of any such signs.

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

There are no conditions of approval relating to this section.

PART C—PRIOR TO COMMENCEMENT OF WORKS

Design Details and Changes

C1 Outdoor Lighting

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the AC prior to the commencement of works.

C2 Internal Lighting

The proposed internal lighting system for the office spaces must be designed to provide for the efficient use of energy including the use of energy efficient light fittings, zoned lighting and controls and sensors to ensure automatic switch off during non-working hours. Details of the internal lighting system must be submitted for the approval of the AC prior to the commencement of works.

C3 Reflectivity

The light reflectivity from building materials used on the facades of the buildings shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the AC prior to the commencement of works.

C4 Building Facade

External materials and finishes, including schedules and a sample board of materials and colours of the building façade, must be submitted by the Proponent to the Director for approval prior to the commencement of works.

C5 Building Height

A report from a suitably qualified person shall be prepared demonstrating the adequacy of the proposed mechanical plant atop the building to ensure that the overall height of the building does not increase beyond that indicated in the approved plans for this approval as a result of having to install additional plant at a later stage. The maximum RLs approved under this approval are as follows:

- Faculty Building: RL 58.64 – with the exception of the roof ventilation element above – RL 59.40;
- Teaching Building RL 49.21 RL 48.50 for rest of building.

This report must be submitted to AC prior to the commencement of works.

C6 Access and Facilities for Persons with Disabilities

Prior to the commencement of works, a certificate from an appropriately qualified access consultant certifying that access and facilities are provided; internally within the building,

within the plaza area and connections to the adjoining buildings, park and street; for people with a disability in accordance with the *Building Code of Australia; City of Sydney Access DCP 2004* and the *Disability Discrimination Act* must be provided to the AC.

C7 Water saving devices

- (1) All toilets installed within the development must be of water efficient dual-flush capacity with a minimum "AAA" rating. The details must be submitted for the approval of the AC, prior to the commencement of works.
- (2) All taps and shower heads installed must be water efficient with a minimum "AAA" rating. The details are to be submitted for the approval of the AC, prior to the commencement of works.

C8 Receptacles for Cigarette Butts

An adequate number of receptacles for the disposal of cigarette butts are to be provided on the site, adjacent to the entrance/s to the building. The receptacle's must:

- (a) be located entirely on private property and must not be located on or over Council's footpath;
- (b) not obstruct any required means of egress or path of travel from the building required by the *Building Code of Australia*; and
- (c) be appropriately secured to the building.

Details showing compliance with this condition must be submitted to the

Earthworks and Remediation

C9 Erosion and Sedimentation Control

- (1) An Erosion and Sediment Control Plan is to be developed and incorporated into the Construction Management Plan. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1 (2004)* by Landcom; the *Guidelines for Erosion and Sediment on Building Sites (2004)* City of Sydney; and the *NSW Protection of the Environment Operations Act 1997*.
- (2) The Erosion and Sediment Control Plan must include a drawing(s) that clearly shows:
 - (i) location of site boundaries and adjoining roads
 - (ii) approximate grades and indications of direction(s) of fall
 - (iii) approximate location of trees and other vegetation, showing items for removal or retention
 - (iv) location of site access, proposed roads and other impervious areas
 - (v) existing and proposed drainage patterns with stormwater discharge points
 - (vi) north point and scale.
- (3) Specify how soil conservation measures will be conducted on site including:
 - (i) timing of works
 - (ii) locations of lands where a protective ground cover will, as far as is practicable, be maintained

- (iii) access protection measures
- (iv) nature and extent of earthworks, including the amount of any cut and fill
- (v) where applicable, the diversion of runoff from upslope lands around the disturbed areas
- (vi) location of all soil and other material stockpiles including topsoil storage, protection and reuse methodology
- (vii) procedures by which stormwater is to be collected and treated prior to discharge including details of any proposed pollution control device(s)
- (viii) frequency and nature of any maintenance program
- (ix) other site-specific soil or water conservation structures.

Details are to be submitted to the satisfaction of the AC prior to the commencement of works.

Site Contamination

C10 Site contamination

- (1) Prior to the commencement of works, the Proponent shall submit to the AC a Remedial Action Plan and a Hazardous Materials Survey. The Remedial Action Plan must be accompanied by a statement from a site auditor accredited by the Environmental Protection Agency to issue site audit statements.
- (2) Upon completion of the remediation works on the site and prior to the commencement of works., the Proponent shall submit a detailed Site Audit Summary Report, Site Audit Statement and Validation Report to the Certifying Authority. The site audit must be prepared in accordance with the *Contaminated Land Management Act 1997* and be completed by a site auditor accredited by the Department of Environment and Conservation (Environmental Protection Agency) to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.

Waste Management

C11 Storage and Handling of Waste

The design and management of facilities for the storage and handling of waste must be in accordance with the Proponent's Statement of Commitments, the *City of Sydney Code for Waste Handling in buildings 1994* and the *Waste Minimisation and Management Act 1995*. Details are to be submitted to the satisfaction of the AC prior to the commencement of works.

Traffic Management

C12 Approved Basement Levels and Car Parking Figures

- (1) The maximum number of car spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the AC prior to the commencement of works.

	Basement Level 1	Basement Level 2	Total
Standard car spaces (2.5 x 5.4 m)	165	175	340
Small car spaces (2.3 x 5.0 m)	35	33	68

Disabled spaces (3.2 x 5.5 m)	5	4	9
Courier bays	2	0	2
Total Car Spaces	207	212	419
Bicycle spaces	24	0	24
Motorcycle spaces	21	26	47

- (2) The disabled car spaces must comply with the dimensions stated in Australian Standard AS 2890 being 3.2 x 5.5m. Details showing that all proposed disabled car spaces as approved in the table above comply with this dimension must be submitted for the approval of the AC prior to the commencement of works.
- (3) The small car spaces approved by this approval in accordance with the table above are to be signed accordingly.
- (4) Off-street parking associated with the proposed development (such as driveway, ramp grades, aisle widths, aisle lengths, disabled car parking spaces, minimum headroom clearances, parking bay dimensions, sight distances and loading bays) should be designed in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002.
- (5) Plans of the 2 basement car parking levels referred to in Condition A2 shall be amended showing compliance with the reduced number of car parks approved in Condition A1 and incorporating compliance with Condition B10.
- (6) Amended plans demonstrating compliance with this condition are to be submitted to the AC prior to the commencement of works.

Archaeological Investigation

C13 Archaeological Investigation

- (1) All works related to the ongoing excavation must comply with conditions of the S140 approval (2005/S140/019) granted by the NSW Heritage Council on 20 June 2005 under the *Heritage Act 1977*;
- (2) Should any potential archaeological deposit likely to contain Aboriginal artefacts be identified during the planning or historical assessment stage, application must be made by a suitably qualified archaeologist to the National Parks and Wildlife Service (NPWS) for an excavation permit for Aboriginal artefacts;
- (3) The proponent must comply with the conditions and requirements of any excavation permit required, and are to ensure that allowance is made for compliance with these conditions and requirements into the development program;
- (4) General bulk excavation of the site is not to commence prior to compliance with the conditions and requirements into the development program;
- (5) Should any historical artefacts be unexpectedly discovered in any areas of the site not subject to an excavation permit, then all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with Section 91 of the *Heritage Act 1977*; and
- (6) Should any Aboriginal artefacts be unexpectedly discovered in any areas of the site not subject to an excavation permit. Then all excavation or disturbance of the area is to stop immediately and the NPWS is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974*.

Sydney Water

C14 Decommissioning Water Mains

Final drawings of the basement section of the Faculty of Law Building must be submitted to Sydney Water prior to construction to ensure appropriate access to the service trench has been provided. Any requirements of Sydney Water are to be incorporated into the final basement designs and evidence of compliance with this condition is to be submitted to and approved by the AC prior to the commencement of works.

Structural Details

C15 Structural Details

Prior to the commencement of any structural works, the Proponent shall submit to the satisfaction of the AC structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with relevant building standards.

Construction Management

C16 Construction Management Plan

Prior to construction, a Construction Management Plan shall be submitted to and approved by the AC. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) traffic and pedestrian management in accordance with Proponent's Statement of Commitments (attached Schedule 3) and Condition C17,
- (4) dust management in accordance with the Proponent's Statement of Commitments (attached Schedule 3),
- (5) noise and vibration management in accordance with the Proponent's Statement of Commitments (attached Schedule 3),
- (6) waste and recycling management in accordance with the Proponent's Statement of Commitments (attached Schedule 3),
- (7) erosion and sediment control in accordance with the Proponent's Statement of Commitments (attached Schedule 3) and Condition C9; and
- (8) suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C17 Traffic and Pedestrian Management Plan

Prior to construction, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the AC. The Plan shall address, but not be limited to, the following matters:

- (1) vehicular site ingress and egress,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes,

- (4) pedestrian and traffic management methods, and
- (5) the management of pedestrian and vehicular traffic during related construction activities (including but not limited to construction of the pedestrian bridge and signalised intersection).

The Proponent shall submit a copy of the approved plan to Council.

C18 Footpath Damage Bank Guarantee

Prior to works commencing the owner of the site must provide a bank guarantee for a sum to be determined by Council as security for rectification of any damage to the public way along the City Road frontage of the site. NB. The bank guarantee required by this condition does not need to be provided if a separate bank guarantee is lodged as part of an approval for a hoarding over the public way.

C19 Stormwater and Drainage

- (1) Prior to works commencing, details of the proposed stormwater disposal and drainage from the development, including a system of on-site stormwater detention in accordance with Council's standard requirements, and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (2) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to the commencement of any work within the public way.
- (3) The requirements of Sydney Water 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 works commencing.
- (4) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.

C20 Certification of Geotechnical Inspection

- (1) Prior to works commencing, a Geotechnical Inspection Certificate in accordance with Clause A2.2(a)(iii) of the BCA, prepared by an appropriately qualified person, must be submitted to the satisfaction of the Certifying Authority and a hard copy submitted to Council.
- (2) Prior to commencement of any foundation works, a Geotechnical Report must be submitted to the satisfaction of the AC and a copy submitted to Council.

Sydney Water

C21 Compliance Certificate

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Water Board (Corporatisation) Act, 1994* (Compliance Certificate). Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) shall be produced prior to the construction.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

C22 Connection to Sewers

Waste water arising from the use must be directed to the sewers of Sydney Water Corporation under a Trade Waste Licence Agreement. The pre-treatment of wastewater may be a requirement of the Corporation prior to discharge to the sewer. Details of the Corporation's requirements should be obtained prior to the commencement of construction work.

Services

C23 Utility Services

To ensure that utility authorities are advised of the development:

- (1) A survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (2) Prior to the commencement of work the Proponent is to negotiate with the utility authorities (eg. 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.
- (3) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment within the building for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the AC prior to the commencing of works.
- (4) A separate application must be submitted to Council prior to the instalment of any external telecommunication apparatus, or the like.

C24 Contact Telephone Number

Prior to the commencement of the works, the Proponent shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works. The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Disposal of Seepage and Stormwater

In accordance with Proponent's Statement of Commitments (attached Schedule 3) any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

Construction Management

D2 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, or authorised officer.

D3 Notification of Excavation Works

The AC and Council must be given a minimum of 48 hours notice that excavation, shoring or underpinning works are about to commence.

D4 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, AC and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) 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;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) A copy of the first page of the development approval, building approval (including any modification to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;
- (4) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (5) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D5 Lighting of site outside of standard construction hours

Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of the Department, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.

D6 Protection of Surrounding Trees

All trees adjacent to the site not approved for removal must be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order. Details of the methods of protection must be submitted to and be approved by Council prior to works commencing and such approval should be forwarded to the AC. All approved protection measures must be maintained for the duration of construction and any tree on the footpath which is damaged or removed during construction must be replaced.

D7 Hours of Work

The hours of work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with the preparation of the commencement of work (eg. Loading and unloading of goods, transferring of tools, etc) in connection with the proposed development, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (2) between 7:30 am and 3:30 pm, Saturdays with safety inspections permitted from 7:00am;
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (4) the delivery of materials is required outside these hours by the Police or other authorities;
- (5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- (6) the work is approved through the Construction Noise and Vibration Management Plan; and
- (7) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

D8 Loading and Unloading during Construction

The following requirements apply:

- (1) all loading and unloading associated with construction must be accommodated on site;
- (2) the structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development;
- (3) if, during excavation, it is not feasible for loading and unloading to take place on site, a construction zone on the street may be considered by Council;
- (4) in addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level;
- (5) if a construction zone is warranted an application must be made to Council prior to commencement of work on the site. An approval for a construction zone may be given for a specific period and certain hours of the days to meet the particular need of the site for such a facility at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

D9 Waste and Contamination

The exportation of waste (including fill or soil) from the site must be in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the Department of Environment and Conservation's *Environmental Guidelines Assessment, Classification and Management of Non-Liquid Wastes*.

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the AC.

Public Access**D10 Public Way to be Unobstructed**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

D11 Excavation – Aboriginal Artefacts

Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

D12 Excavation – Historical Artefacts

Should any historical 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 shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

Compliance**D13 General**

All works are to be carried out in accordance with the approved Construction Management Plan including but not limited to identification of hours of work, construction noise and vibration management, soil erosion and sediment control plan, air quality and dust control procedures, waste management plan, storage and handling of material, protection of trees and emergency procedures.

PART E—PRIOR TO SUBDIVISION OR STRATA SUBDIVISION

There are no conditions of approval relevant to this section.

PART F—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**S94 Contributions****F1 S94 Contributions**

Section 94 contribution of \$235,088.85 (or other satisfactory arrangements with Council) shall be paid to the satisfaction of the Council prior to occupation.

Engineering**F2 Fire Safety Certificate**

A Fire Safety Certificate shall be furnished to the AC for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the works. A copy of the Fire Safety certificate must be submitted to the approval authority and Council.

F3 Annual Fire Safety Statement

For any essential fire safety equipment, an Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority initial Fire Safety Certificate is received.

F4 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the AC prior to use of the premises.

F5 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent prior to the occupation of the works.

Traffic Management**F6 Intersection**

Prior to occupation, the proposed signalised intersection of Barff Road and City Road must be fully constructed and operational.

F7 Removal of Car Parking Spaces

The car parking spaces located within the internal roads of the Subject Site and approved by Council for relocation equivalent to the number of car parking spaces provided within the new Faculty of Law Building car park as approved by this approval, must be removed in accordance with the Deed of Agreement between the Proponent and Council. Prior to occupation, the process of removal of these spaces must be approved by Council.

F8 Pedestrian Access Barff Road

Removal bollards must be installed at the Faculty of Law Building forecourt along Barff Road so as to allow the potential for larger vehicles (ie HRV 12.5 m) to satisfactorily access the site should be required. The use of the Barff Road forecourt would allow larger vehicles to enter and exit the University in a forward direction.

PART G—POST OCCUPATION AND DURING OPERATION

Safety and security

G1 Public toilets

The proposed public toilets are to be patrolled and regulated by the University Security Services during all hours that they are accessible.

Noise

G2 Noise Control – Plant and Machinery

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- (1) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (2) A sound pressure level at any affected property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.

Landscaping

G3 Landscape Plan

A detailed long-term maintenance schedule or Operational Management Plan must be lodged for the approval of Council prior to occupation, including the following details:

- (i) Details of planting procedure and maintenance;
- (ii) Details of drainage and watering systems;
- (iii) Details of protection plan for all retained trees; and
- (iv) Detailed specifications of all trees proposed to ensure the long-term survival of transplanted trees.

Heritage

G4 Heritage Interpretation Strategy

- (1) An interpretation strategy for the site must be submitted to and approved by Council, prior to occupation;
- (2) The interpretation strategy should include, but is not limited to, the provision of details of public art interpretation through design and/or the display of selected artefacts and/or other material, appropriate to the education of the public in the history and significance of the site. It is to specifically include an interpretation of the significance of the Tin Sheds as part of the development of the USYD Central building on the campus; and
- (3) Post occupancy, the approved interpretation strategy must be implemented to the satisfaction of Council.

ADVISORY NOTES

AN1 Application for Hoardings and Scaffolding on a Public Place

- (1) A separate application is to be made to Council 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 *Guidelines for Temporary Protective Structures* (April 2001);
 - (b) structural certification prepared and signed by an appropriately qualified practicing 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;
 - (d) assessment of the impacts of construction and final design upon the City of Sydney's street furniture such as bus shelters, phone booths, bollards and litter bins, and JCDecaux furniture including kiosks, bus shelters, phones, poster bollards, bench seats and litter bins. The Proponent is responsible for the cost of removal, storage and reinstallation of any of the above as a result of the erection of the hoarding. In addition, the Proponent will be responsible for meeting Council's lost revenue as a result of the removal of street furniture. Costing details will be provided by Council. The Proponent must also seek permission from the telecommunications carrier (eg. Telstra) for the removal of any public telephone.
- (2) Should the hoarding obstruct the operation of Council's CCTV Cameras, the Proponent shall relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the Proponent. Further information and a map of the CCTV cameras are available by contacting Council's CCTV Unit on 9265 9232.
- (3) The hoarding must comply with the Council's policies for hoardings and temporary structure on the public way and graffiti must be removed from the hoarding within one working day.

AN2 Barricade Permit

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 Council 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 Council.

AN3 Car Parking

The underground basement car park must be fully constructed and operational prior to the proposed prohibition of on-street car parking.

AN4 Requirements of Public Authorities for Connection to Services

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the AC prior to the commencement of works.

AN5 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied:

- (1) 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 relevant road authority:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of road authority will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of the road authority, will create significant traffic disruptions.
- (2) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building:
- (3) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30 am without the prior approval of Council.

AN6 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN7 Approval under Roads Act 1993

The Proponent shall obtain, as necessary, approvals under Section 138 of the Roads Act 1993 for any works to be carried out on public roads.

AN8 Construction Inspections

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction.

AN9 Noise Generation

Any noise generated during the construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

AN10 Stormwater drainage works or effluent systems

Construction for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will be subject to separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN11 Temporary Structures

An approval under Section 68 of the Local Government Act 1993 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under Section 68 of the Local Government Act 1993 to certify the structural adequacy of the design of the temporary structures.

AN12 Disability Discrimination Act

This major project has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

AN13 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This major project has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of consent as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.