
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 05_0164

(FILE NO. 9041197-1)

**PROPOSED NEW BUILDING (USYD CENTRAL), THE UNIVERSITY OF SYDNEY,
DARLINGTON 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 consent** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2.

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

Frank Sartor MP
Minister for Planning

Sydney,

2006

SCHEDULE 1

PART A—TABLE

Application made by:	Adam Pollack, Capital Insight Pty Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 05_0164
On land comprising:	96-148 City Road, Darlington NSW 2008 Lot 1 in DP 790620
Local Government Area	City of Sydney
For the carrying out of:	Construction of a new seven storey building (USyd Central Building) containing a mixture of uses incorporating, student support services, food outlets, retail, external plaza and a library. The new building will also interface with a proposed pedestrian bridge across City Road from the Camperdown Campus that is the subject of a separate approval.
Estimated Cost of Works	\$54,200,000
Type of development:	Major Project
S.119 Public inquiry held:	No
Determination made on:	

PART B—NOTES RELATING TO THE DETERMINATION OF MP NO. 05_0164

Responsibility for other approvals / agreements

The Proponent is solely responsible for ensuring that all additional consents 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 development consent 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 consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

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 consent.

Council means City of Sydney Council.

Department means the Department of Planning or its successors.

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

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_0164 means the Major Project described in the Proponent's Environmental Assessment Report.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

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

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_0164

PART A—ADMINISTRATIVE CONDITIONS

A1 *Development Description*

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

- bulk excavation of approximately 3750m²
- the construction of a seven storey building (excluding sub floor and roof top plant and services) that will be a mixed use development incorporating:
 - student support services,
 - a Sciences and Technology Library, and
 - approximately 670m² of retail space to be occupied by café style and convenience outlets;
- a 3000m² external plaza area; and
- an interface between the proposed building and a proposed new pedestrian bridge traversing City Road.

(2) The proposed pedestrian bridge over City Road connecting the USyd Central Building to the Camperdown Campus is subject to a separate development application currently under assessment with Council and does not form part of this consent.

(3) The proposed future retail fitout, hours of operation and detailed operations contained within the approved retail spaces of the USyd Central Building do not form part of this consent and will be subject to separate development applications to be lodged with Council

(4) Development must be carried out consistently with the Statement of Commitments (attached Schedule 3) except as amended by the conditions of approval.

(5) These conditions of approval do not relieve the Proponent of its obligations under any other Act.

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 including all Appendices and the following drawings:

Architectural (or Design) Drawings prepared by <i>John Wardle Architects + GHD</i> Environmental and Community Planning at Appendix J of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
DA-1	-	Title Sheet	May 2005
DA-2	-	Context/Location Plan	May 2005
DA-3	-	Level 0 & Level 1 Plan	May 2005
DA-4	-	Level 2 Plan	May 2005

DA-5	-	Level 3 & Level 4 Plan	May 2005
DA-6	-	Level 5 & Level 6 Plan	May 2005
DA-7	-	Level 7 & Level 8 Plan	May 2005
DA-8	-	Roof Plan	May 2005
DA-9	-	Sections	May 2005
DA-10	-	Elevations	May 2005
DA-11	-	Elevations	May 2005
Proposed Building Envelope Cross Sections prepared by <i>John Wardle Architects + GHD Environmental and Community Planning</i> at Annexure H of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
-	-	North Elevation – City Road	May 2005
-	-	South Elevation – Maze Green	May 2005
-	-	Section N-S Looking West	May 2005
Surfaces Plan and Planting Plan prepared by <i>Taylor Thomson Whitting</i> at Annexure L of the Environmental Assessment			
000C-L-08-P-TD-00.PDF	-	Surfaces Plan	25/11/05
000C-L-10-P-TD-00.PDF	-	Planting Plan	25/11/05
Hydraulic Services Drawings prepared by <i>Lincolne Scott Consulting Engineers</i> at Appendix G of the Environmental Assessment			
Drawing No.	Revision	Name of Plan	Date
H0001	A	Site Plan Hydraulics Layout	July 2005
H1001	A	Basement Hydraulics Layout Drainage Inground	July 2005
H1002	A	Basement Hydraulics Layout Drainage at High Level	July 2005
H1003	A	Basement Hydraulics Layout Water & Gas	July 2005
H1101	A	Level 1 Hydraulics Layout	July 2005
H1201	A	Level 2 Hydraulics Layout	July 2005
H1301	A	Level 3 Hydraulics Layout	July 2005
H1401	A	Level 4 Hydraulics Layout	July 2005
H1501	A	Level 5 Hydraulics Layout	July 2005
H1601	A	Level 6 Hydraulics Layout	July 2005
H1701	A	Level 7 Hydraulics Layout	July 2005
H1801	A	Level 8 Hydraulics Layout	July 2005
H1901	A	Level 9 Hydraulics Layout	July 2005
H5001	A	Hot, Warm and Cold Water Diagram	July 2005
H5002	A	Sanitary Plumbing and Drainage Diagram	July 2005
H5003	A	Re-used Cold Water, Retail Potable Cold Water, Gas Services Diagram	July 2005

H5004	A	Grease Waste Diagram	July 2005
H5005	A	Plant Room Plan, Specification and Details	July 2005
External Materials and Finishes Board prepared by <i>John Wardle Architects</i>			
Drawing No.	Revision	Name of Plan	Date
DA-12/13	-	Materials Board	30/11/05

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 consent.

A3 *Inconsistency between documents*

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above including the Statement of Commitments, the conditions of this consent prevail.

A4 *Prescribed Conditions*

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

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Design Details and Changes

B1 *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 PCA prior to the issue of a Construction Certificate for above ground works.

B2 *Reflectivity*

The visible light reflectivity from building materials used on the facades of the building 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 PCA prior to the issue of a Construction Certificate for above ground works.

B3 *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 to the satisfaction of the PCA prior to the issue of a Construction Certificate for above ground works.

B4 Aria Laneway

- (1) The Aria Laneway is to be adequately illuminated at all times that are outside of daylight hours.
- (2) All access points to the Aria Laneway shall be restricted outside of the operating hours of the Wentworth Building. At a minimum, a chain shall be installed on Level 3 at the northern end of the laneway with supplementary signage indicating the restricted access and the hours of restriction. Access along the laneway directly into the building shall also be restricted by similar means.
- (3) A Security Management Plan outlining the implementation of condition B4(2) and any measures to be employed to ensure compliance with this condition is to be submitted to the Director, Urban Assessments, prior to the issue of a Construction Certificate for above ground works.

B5 Plaza Design

Prior to the issue of a Construction Certificate for above ground works, the Proponent shall submit design details relating to the plaza on Level 2 to the Director, Urban Assessments for approval. The details are to be in accordance with City of Sydney Council's Public Domain Manual and are to include:

- (1) all aspects of the proposed "Green Wall" on the eastern boundary of the site including species (to be consistent with the range of species prevalent throughout the University grounds), and maintenance;
- (2) proposed landscaping options to the plaza space and maintenance details, to achieve coverage of a minimum of 15% of the total area of the plaza;
- (3) paving details including layout, finishes, colour differentiation, any patterning ;
- (4) the location of permanent and removable seating and details of how removable seating is to be managed; and
- (5) options to achieve shade coverage to a minimum of 25% of the hard paved area within the plaza.

B6 Building Façade

The design details of the proposed building façade including all external finishes, colours and glazing must be in accordance with the materials, schedule and sample board, and specifications prepared by the architect for the project.

B7 Access and Facilities for Persons with Disabilities

- (1) Prior to the issue of a Construction Certificate, a certificate from an appropriately qualified access consultant certifying access and facilities for people with a disability in accordance with the *Building Code of Australia* and the *City of Sydney Access DCP 2004* must be provided to the PCA.

B8 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 capacity of the Principal Certifying Authority, prior to the issue of a Construction Certificate for above ground 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 PCA, prior to the issue of a Construction Certificate.

B9 *Receptacles for Cigarette Butts*

- (1) 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 and locations in relation to the receptacles are to be provided to the PCA prior to the issue of a Construction Certificate for above ground works.

Tree Protection**B10 *Tree Protection and Transplantation***

- (1) The trees identified as Port Jackson Fig and Southern Magnolia within the Arborist Report prepared by Judy Fakes dated 7 October 2004 shall be transplanted within the University grounds prior to the issue of a Construction Certificate for site excavation. Details of how this will be undertaken shall be certified by a suitably qualified Arborist and submitted to Council prior to the removal of the trees. These details are to include specifications of all trees proposed to be transplanted to ensure the long term survival of the transplanted trees.
- (2) The Callery Pear trees (*Pyrus calleryana*) adjacent to the USyd Central site, along Maze Crescent, shall be retained and protected during construction in accordance with the methodology outlined in Appendix M of the Environmental Assessment.

Earthworks and Remediation**B11 *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.
- (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
- (c) 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

Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for site excavation.

Site Contamination

B12 Site contamination

- (1) Upon completion of the remediation works on the site and prior to the issue of a Construction Certificate for above ground 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

B13 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 (Schedule 3). Details are to be submitted to the satisfaction of the PCA prior to the issue of a Construction Certificate involving excavation.

Compliance

B14 Compliance Report

Prior to the commencement of works, the Proponent, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this part.

PART C—PRIOR TO COMMENCEMENT OF WORKS

Structural Works

C1 Structural Details

Prior to the commencement of any structural works, the Proponent shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- (1) the relevant clauses of the BCA,
- (2) the relevant development consent,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Prior to works commencing, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia must be submitted to the satisfaction of the PCA. A copy of the certificate must be submitted to Council if Council is not the Consent Authority.

Interpretation Strategy

C2 Interpretation Strategy

- (1) An interpretation strategy for the site must be submitted to and approved by Council, prior to works commencing.
- (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.
- (3) Prior to occupancy, the approved interpretation strategy must be implemented to the satisfaction of Council.

Construction Management

C3 Construction Management Plan

Prior to the commencement of any works on the site, the draft Construction Management Plan contained within the Environmental Assessment shall be developed in accordance with the Proponent's Statement of Commitments (attached Schedule 3) in consultation with Council. Comments raised by Council are to be incorporated in the final document to be submitted to and approved by the PCA. The submission to the PCA is to include written evidence of such review by Council.

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 C6,
- (4) dust management in accordance with the Proponent's Statement of Commitments (attached Schedule 3) and condition C7,
- (5) noise and vibration management in accordance with the Proponent's Statement of Commitments (attached Schedule 3) and Condition C8,
- (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 B12, and
- (8) the protection of trees (refer condition B11).

C4 Traffic and Pedestrian Management Plan

Prior to the commencement of any works on the site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to and approved by the PCA. 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.

C5 Dust Control Measures

In accordance with the Proponent's Statement of Commitments (attached Schedule 3), a Dust Management Plan shall be prepared and submitted to the PCA for approval. The Dust Management Plan is to detail adequate measures to be taken to prevent dust affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) all materials shall be stored or stockpiled at the best locations,
- (4) the surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays, and
- (7) gates shall be closed between vehicle movements and shall be fitted with shade cloth.

Cleaning of footpaths and roadways shall be carried out regularly.

C6 Noise and Vibration Management Plan

Prior to the commencement of any works on the site, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to and approved by the PCA. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,
- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this consent,
- (4) The construction vibration criteria specified in the conditions of this consent,

- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,
- (6) Weekly noise and vibration monitoring during peak construction activity, or other such interval as agreed to by Council, to the satisfaction of Council, and reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction,
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this consent,
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration, and
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints.

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

C7 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.

C8 Application for Hoardings and Scaffolding on a Public Place

- (1) A separate application is to 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.

C9 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.

C10 Vehicle Cleansing

Prior to the commencement of work, 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.

C11 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.

C12 Certification of Geotechnical Inspection

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.

C13 Geotechnical Report and Certification

Prior to commencement of any foundation or bulk excavation, a Geotechnical Report must be submitted to the satisfaction of the PCA and a copy submitted to Council.

Sydney Water

C14 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 to the satisfaction of the PCA prior to the issue of a Construction Certificate.

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.

C15 Building Plan Approval

- (1) The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au, see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.
- (2) The PCA must ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the commencement of works.

C16 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

C17 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.

C18 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.

Compliance

C19 Compliance Report

Prior to the commencement of works, the Proponent, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this part.

PART D—DURING CONSTRUCTION

Site Maintenance

D1 Erosion and Sediment Control

All erosion and sediment control measures, in accordance with the Proponent's Statement of Commitments (attached Schedule 3), are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

During the construction period:

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

D2 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

D3 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, Council or the PCA.

D4 Notification of Excavation Works

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

D5 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, PCA 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) 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
- (4) 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.

D6 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 Council, 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.

D7 Contact Telephone Number

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.

D8 Protection of Trees – On-site Trees

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

D9 Protection of Street Trees

All street 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 PCA. 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.

D10 Dust Control Measures

All dust control measures are to be effectively implemented and maintained for the duration of the construction and excavation works.

D11 Hours of Work

The hours of construction, including the delivery of materials to and from the site, 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.

D12 Covering of loads

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

D13 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.

Public Access

D14 Public Way to be Unobstructed

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

D15 Excavation – Aboriginal Relics

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*.

D16 *Excavation – Historical Relics*

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*.

D17 *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.

Compliance**D18 *Compliance Report***

The Proponent, or any party acting upon this consent, shall, for the duration of construction period, submit to the Department a three monthly report addressing compliance with all relevant conditions of this part.

PART E—PRIOR TO SUBDIVISION OR STRATA SUBDIVISION

There are no conditions of consent relevant to this section.

PART F—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE**Occupation Certificate****F1 *Occupation Certificate to be Submitted***

An Occupation Certificate must be obtained from the PCA and a copy submitted to Council prior to the commencement of occupation or use of the building.

Pedestrian bridge**F2 *Pedestrian bridge***

In the event of the proposed pedestrian bridge not being approved by Council at such time that the building is completed, the Proponent is to modify the design to enable the existing bridge across City Road to be linked with the approved building. The amended design details are to be submitted to the Director, Urban Assessments, prior to the issue of an Occupation Certificate.

Engineering**F3 *Fire Safety Certificate***

A Fire Safety Certificate shall be furnished to the PCA 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 consent authority and Council.

F4 *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 consent authority initial Fire Safety Certificate is received.

F5 *Structural Inspection Certificate*

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

F6 *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.

F7 *Waste and Recycling Management*

Prior to the issue of an Occupation Certificate, the PCA must ensure that waste handling works have been completed in accordance with: the Waste Management Plan; other relevant development consent conditions; and Council's *Policy for Waste Minimisation in New Developments 2005*.

F8 *Sydney Water*

A Compliance Certificate issued under Part 6, Division 9, Section 73 of the *Water Board (Corporatisation) Act, 1994* shall be submitted to the PCA prior to the issue of the Occupation Certificate.

PART G—POST OCCUPATION AND DURING OPERATION

During operation

G1 *Approved uses / Further approvals*

- (1) The following uses are approved within the building:
 - (a) Library on Levels 1 and 2.
 - (b) Retail spaces on Level 2 with the exception of the fitout and separate operation of these spaces which are to be subject to separate Council approval; and
 - (c) Offices on Levels 3 to 7.
- (2) Separate approval shall be obtained from Council for any events to be held in the Plaza, including but not limited to markets, exhibitions, or any other event not covered by this consent.
- (3) Separate approval shall be obtained from Council for any proposed signage other than that which is exempt or complying development in accordance with Council's Exempt and Complying DCP.

Operating hours

G2 *Approved hours*

The hours of operation of the individual retail tenancies are to be subject to a subsequent Development Application to be lodged with the City of Sydney Council.

Safety and security

G3 Pedestrian traffic

Safe and secure pedestrian access to within and immediately adjacent to the USyd Central Building is to be provided following occupation of the building, particularly where construction works are occurring in the vicinity of the building (eg. pedestrian bridge and signalised intersection).

G4 Public toilets

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

G5 Aria Laneway

All pedestrian access points to the Aria Laneway are to be restricted outside the hours of operation of the Wentworth Building.

Noise

G6 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.
- (3) Notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Receptacles for Cigarette Butts

G7 Maintenance

The emptying and maintenance of the receptacle/s for cigarette butts on the subject site must be done on a daily basis and is the responsibility of the building owner/manager.

Compliance

G8 Compliance Report

The Proponent, or any party acting upon this consent, shall submit to the Department a report addressing compliance with all relevant conditions of this consent within 12 months of the issue of the Occupation Certificate.

ADVISORY NOTES

AN1 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 PCA prior to the commencement of works.

AN2 Compliance with Building Code of Australia

The Proponent is advised to consult with the Certifying Authority about compliance with the BCA prior to submitting the application for a Construction Certificate.

AN3 Application for Hoardings and Scaffolding

A separate application may be required to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place.

AN4 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.

AN5 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.

AN6 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.

AN7 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.

AN8 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.

AN9 Stormwater drainage works or effluent systems

A construction certificate 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 not be issued until prior 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.

AN10 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.

AN11 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.

AN12 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.

SCHEDULE 3

MP 05_0164

USYD CENTRAL BUILDING, DARLINGTON CAMPUS

THE UNIVERSITY OF SYDNEY

STATEMENT OF COMMITMENTS

(SOURCE: ENVIRONMENTAL ASSESSMENT)