

CONSOLIDATED INSTRUMENT

Section 75J of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2012, I approve the Project Application referred to in Schedule 1, subject to the Conditions as noted in Schedule 2 and the Proponent's Statements of Commitment at Schedule 3.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Richard Pearson

Deputy Director-General

Development Assessment & Systems Performance

Department of Planning & Infrastructure

Sydney

2012

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

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SCHEDULE 1

Application No.: MP11_0093

Proponent: Aboriginal Housing Company

Approval Authority: Minister for Planning

Land: Land bound generally by Louis Street, Vine Street, Eveleigh Street and Lawson Street, Redfern.

Land to which this approval applies also includes:

- Eveleigh Lane;
- that part of Caroline Lane to the east of Lot A DP 439351 (108 Lawson Street Redfern);
- Eveleigh Street (between Caroline Street and Lawson Street); and
- Caroline Street (between Louis Street and Eveleigh Street).

The site comprises **Pemulwuy Precincts 1 and 2 and includes** the following properties:

Street	House No.	Lot No(s)	DP
Louis	1-5	21	434387
	7 -33	1-14	33299
	35-37	1-2	206799
	39-59	1-11	33106
Caroline	2-10	1-5	33107
Eveleigh		29	374
		1	975453
	44-48	3130	975455
	50	321	131476
	52	1	525094
	54	322	131476
	56-58	B & A	75111
	60-64	A, B & C	107218
	66-68	Y & X	440163
	70-74	A, B & C	437340
	76	1	981953
	78	1	906105
	80-84	X, Y & Z	107216
	86	1	981953
	88-90	A & B	444916
	92-100	E – A	441990
	102	1	10425
Vine	1-11	6-1	436836

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Street	House No.	Lot No(s)	DP
Caroline (south side)	1-15	A-H	33204
Eveleigh (south of Caroline)	104-106	A-B	438843
	108	1	653482
	110	1	583847
	112	1	113726
Lawson	104	104	131639
	106	B	439351

Project:

Development of The Pemulwuy Project, Redfern for mixed uses including:

- commercial;
- retail;
- residential: and;
- community uses.

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Summary of Modifications

Application Number	Determination Date	Decider	Modification Description
MP11_0093 MOD 1	4 March 2019	Independent Planning Commission	<ul style="list-style-type: none"> delete all buildings and works relating to Precinct 3 from the project approval delete the land-bridge over the railway corridor replace the retail use in Precinct 1 with gallery use amend public domain and open space within Precinct 1 and 2 amend/delete conditions and Statement of Commitments to take account of the deletion of Precinct 3.
MP11_0093 MOD 2	Withdrawn	N/A	<ul style="list-style-type: none"> reduce number of adaptable units reduce accessible parking spaces
MP11_0093 MOD 3	24 September 2022	Director, Key Sites Assessments	<ul style="list-style-type: none"> amend indoor and outdoor space of the child care centre and add an acoustic barrier internal design changes a boundary adjustment reduce gross floor area
MP11_0093 MOD 4	22 September 2022	Director, Key Sites Assessments	<ul style="list-style-type: none"> amend layout of eight car parking spaces on Caroline Street modify land to be dedicated to Council
MP11_0093 MOD 5	7 July 2023		<ul style="list-style-type: none"> Internal and external design changes to precinct 2 New signage zone Reduction in Child Care Occupancy from 60 to 54

DEFINITIONS

Act	<i>Environmental Planning and Assessment Act 1979</i>
Advisory Notes	Advisory information relating to the approved development but do not form a part of this approval
BCA	Building Code of Australia
Certifying Authority	Has the same meaning as Part 4A of the Act
Council	Council of the City of Sydney
Department	Department of Planning and Environment
Planning Secretary	Planning Secretary of the Department of Planning and Environment
EA	Environmental Assessment Report prepared by Ludvik & Associates Pty Ltd
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Floor Space Ratio (FSR)	has the same meaning as in the Standard Instrument (Local Environmental Plans) Order 2006.
Gross Floor Area (GFA)	has the same meaning as in the Standard Instrument (Local Environmental Plans) Order 2006.
Redfern LAC	Redfern Local Area Command
SEPP MD	<i>State Environmental Planning Policy (Major Development) 2005</i>
Minister	Minister for Planning and Infrastructure
MP06_0101	Concept Plan (as modified) for this proposal
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PCA	Principle Certifying Authority (Part 4A of the Act)
PPR	Preferred Project Report
Proponent	Aboriginal Housing Company Ltd (AHC) or any party acting on the approval
Regulation	Environmental Planning and Assessment Regulation, 2000 (as amended)
RMS	NSW Roads and Maritime Services or its successors
Storey	has the same meaning as in Schedule 3, Part 5, Redfern-Waterloo Authority sites of State Environmental Planning Policy (Major Development) 2005.
Subject site	Land described in Schedule 1 of this approval

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

A1 Development Description

Development is granted for the carrying out of the development of **Pemulwuy Precincts 1 and 2** described below:

- **10,405** m² of gross floor area comprising:
 - **1,215** m² of retail/commercial gross floor area;
 - **7,340** m² of residential gross floor area comprising:
 - 36 townhouses (5 x 2 bedroom, 18 x 3 bedroom and 13 x 4 bedroom);
 - 26 apartments (21 x 2 bedroom and 5 x 3 bedroom);
 - **1,850** m² of cultural/community gross floor area, including a gymnasium/fitness centre, gallery, **54** place child care centre and offices for AHC;
- Basement car park for 115 vehicles including 10 accessible spaces;
- 8 at grade **car spaces in the Shared Zone in** Caroline Street **between Eveleigh Street and Louis Street** Landscaping and public domain improvement works.

A2 Terms of Approval

This approval relates solely to Precincts 1 and 2. Any reference to any development within Precinct 3 in the following drawings and associated reports is to be disregarded.

The development will be undertaken in accordance with MP11_0093 and the Environmental Assessment dated December 2011, prepared by Ludvik and Associates Pty Ltd, except where amended by:

- a) the Preferred Project Report dated August 2012, prepared by Ludvik and Associates Pty Ltd
- b) **the following modification application(s):**
 - i) **MP 11_0093 MOD 1 prepared by Ludvik & Associates Pty Ltd dated 10 July 2018**
 - ii) **MP11_0093 MOD 4 prepared by Ludvik and Associates Pty Ltd dated 23 July 2020 and Additional Information dated 4 September 2020 prepared by Deicorp**
 - iii) **MP11_0093 MOD 3 prepared by City Plan dated 1 May 2020 and Additional Information dated 1 July 2020, 27 July 2020 and 8 September 2020, all prepared by Deicorp**
 - iv) **MP11_0093 MOD 5 prepared by Gyde Consulting dated 14 February 2023**
- c) the following drawings:

Drawing No./Report	Revision	Name of Plan
Architectural Plans prepared by Nordon Jago Architects		
Overall Drawings – All Precincts		
ODA013	C	Laneways
ODA070	J	Public Domain Areas
ODA900	A	Materials and Finishes Board
ODA015	B	Proposed Site Plan – Precincts 1 and 2
Precinct 1		
1DA005	G	Precinct 1 Perspectives and Site Analysis
1DA091	E	Basement Level B1
1DA100	E	Plan Level 01 - Townhouses

1DA101	L	Plan Level 02 – Townhouses Plan Level 01(GF) – Mixed Use Building	
1DA102	E	Plan Level 01.1 (Mezzanine)	
1DA103	E	Plan Level 02 - Residential	
1DA104	E	Plan Level 03-05 Typical	
1DA120	E	Roof Plan	
1DA150	A	Townhouse Typical Detail Plan/Section	
1DA151	A	Townhouse Street Perspectives	
1DA200	D	Sections A & B	
1DA201	D	Section C & D	
1DA300	D	North & West Elevations	
1DA301	D	South & East Elevations	
Precinct 2			
2DA005	I	Precinct 2 Perspectives and Site Analysis	29.06.20
2DA100	O	Level 1 Plan	14.11.22
2DA101	L	Level 2 Plan	28.08.20
2DA102	G	Level 3 Plan	30.04.20
2DA103	G	Level 4 Plan	30.04.20
2DA120	I	Roof Plan	21.07.20
2DA130	A	Unencumbered Area Plan	14.11.22
2DA200	N	Sections	14.11.22
2DA300	J	Elevations	14.11.22
Report/Plan	Author	Date	
Landscape Treatments			
Public Domain & & Public Art Strategy	Scott Carver Pty Ltd Professor Michael Tawa	5 June 2017	
Email to Greg Colbran (Dei Corp) regarding landscape treatments for townhouses	Andrew Turnbull, Scott Carver	23 August 2012	
Acoustic Assessment			
Pemulwuy Acoustic Assessment	Koikas Consultants Pty Ltd	13 December 2011	
Traffic Assessment			
Transport and Accessibility Impact Assessment	John Coady Consulting Pty Ltd	13 December 2011	
Structural Assessment			
Structural report for Pemulwuy	Bonacci	12 December 2011	
BASIX Assessment			
Precinct 1 BASIX Assessment	Windtech	13 December 2011	
Precinct 3 BASIX Assessment	Windtech	13 December 2011	
Site Investigation			
Geotechnical Assessment	SMEC Testing Services Pty Ltd	August 2010	
Supplementary advice regarding groundwater conditions	SMEC Testing Services Pty Ltd	25 August 2010	
Stormwater Drainage			

Stormwater Concept Plan SC 01	Neil Lowry & Associates	December 2011
Site Plan SC 02	Neil Lowry & Associates	December 2011
Construction Management		
Construction Management Methodology	Dei Corp	10 December 2011
Traffic and Pedestrian Management Plan	Lack Group	13 December 2011
Traffic Management Plan 2011/421	Lack Group	13 December 2011
Soil Water Management Plan Layout for Precinct 1 & 2, Redfern Dwg. No. C082 Rev A	Bonacci	March 2011
Report/Plan	Author	Date
Soil Water Management Plan Layout for Precinct 3, Redfern Dwg. No. C083 Rev A	Bonacci	March 2011
Sediment Basin Detail Dwg No. C084 Dev A	Bonacci	March 2011
Wind Assessment		
Precinct 1 –Report No. WB028-01F02 (rev2)	Windtech	7 December 2011
Precinct 2 –Report No. WB028-01F06 (rev2)	Windtech	7 December 2011
Precinct 3 –Report No. WB028-01F07 (rev2)	Windtech	7 December 2011
Heritage Assessment		
Heritage Interpretation Strategy	NBRS	9 December 2011
Railway Corridor Retaining Wall	NBRS	9 December 2011

except for:

- any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- 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, including the Proponent's Statements of Commitment (Schedule 3), the conditions of this approval prevail.

A4 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of approval under Clause 98 of the Environmental Planning and Assessment Regulation 2000 in relation to the requirements of the Building Code of Australia (BCA).

A5 Approval is not granted in relation to these matters

This approval does not give approval for:

- a) The provision of any mechanical plant or equipment. Separate approval may be required in relation to the installation of mechanical plant and equipment relating to the use of the proposed development.
- b) Subdivision of the development.

- c) Right hand turns from Lawson Street into Eveleigh Street, with the exception of emergency vehicle access.
- d) **The installation of signage within signage zone/s. Separate approval may be required unless it can be undertaken as exempt or complying development.**

A6 Lapsing of Approval

This approval will lapse 5 years from the date of commencement of approval, unless:

- 1) a shorter period of time is specified by the Regulations or
- 2) the development has physically commenced.

A7 No Approval for Road Works External to the site

This approval does not include any of the road works proposed which are external to the site. Such works include:

- a) the relocation of the intersection of Vine Street and Abercrombie Street.

Separate application will be required to be made to Council in relation to these works.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1 Design Modifications

The Construction Certificate plans and specifications, required to be submitted to the Certifying Authority must specify the following modifications:

- a) Swept path plans demonstrating that vehicular movements into and out of the rear of 108 Lawson Street Redfern can be achieved from Caroline Lane in accordance with Australian Standard AS 2890.1.
- b) The western facing windows of townhouses and apartments are to be provided with screening to allow for passive control of afternoon sun.

B2 Waste Management

Prior to the issue of **the relevant** Construction Certificate, the **Applicant** is to submit a Waste Management Plan for the management of operational waste for the various components of the development. This plan is to address:

- a) Practical removal of waste storage containers, including recycling bins, from the lower ground area of the building on Precinct 1 for collection.
- b) An education program to encourage use of the recycling facilities for the residents of the apartment building on Precinct 1.
- c) Practical removal of waste storage containers, including recycling bins, from the storage facilities of the building on Precinct 2 for collection.
- d) Details of the ventilation of waste storage areas which do not have access to natural ventilation.
- e) Management of the removal of bins from the waste storage areas for collection and their removal following collection.
- f) **Waste collection times and proposed waste collection vehicle routes, to minimise conflict with pedestrians.**

The Waste Management Plan shall be to the satisfaction of Council.

B3 Acoustic Treatments

The following details as recommended in the Koikas Consultants Pty Ltd Acoustics Assessment dated 13 December 2011 are required to be submitted with the Construction Certification application:

- a) The maximum vibration limit is to be specified by a consulting geotechnical engineer prior to commencement of excavation;
- b) The specifications shall include reference to building materials capable of achieving the recommended acoustic attenuation in accordance with Section 6.5 of the Koikas assessment.
- c) Compliance with the recommendations of Section 10.1 of the Koikas assessment in relation to BCA requirements.

B4 Construction Management Plan

A detailed construction management plan (CMP) is to be submitted with the Construction Certificate application. The CMP is to include the following details:

- a) Details as specified in Section 5.5 of the Koikas Acoustic Assessment
- b) A detailed demolition and construction waste management plan. The demolition and construction waste management plan must address:

- i. Procedures for the removal and disposal of asbestos cement products, including procedures for notification of all adjoining and nearby properties that asbestos materials are to be removed;
 - ii. Classification of waste materials;
 - iii. Investigation for recycling and reuse of demolition materials;
 - iv. Location of waste storage facilities.
- c) A detailed traffic and pedestrian management plan, including haulage and delivery routes, delivery times and the number and type of vehicles to be used during construction and demolition.
- d) Details of arrangements for parking of construction workers vehicles.
- e) Loading and unloading of vehicles:
 - i. If, during construction, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
 - ii. A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- f) An undertaking in relation to inspection and maintenance of erosion and sediment control barriers.
- g) Details of dust and debris control.
- h) Details of how tracking of soil and materials from the site will be managed.
- i) Details of the protection of public and private property.
- j) Details regarding tree protection.
- k) Site management details.

The CMP is to be prepared in consultation with Council and Redfern LAC to ensure the concerns of these authorities are appropriately addressed.

Details of written consultation with Council and Redfern LAC are to be provided to the PCA with the Construction Certificate application.

B5 Geotechnical Certification

Prior to the issuing of a Construction Certificate, a Geotechnical inspection report/certificate confirming that the development site is suitable for the proposed development must be provided to the principal certifying authority. The certificate must be in accordance with the relevant requirements of the Building Code of Australia and be prepared by an appropriately qualified person.

B6 Structural Certification

Structural drawings prepared by suitably qualified practicing structural engineer are required to be submitted with the Construction Certificate application.

B7 Footpath Damage Bank Guarantee Eveleigh Street, Caroline Street And Lawson Streets

A Footpath Damage Bank Guarantee must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges and is to be calculated for the footways affected by works away from the central Pemulwuy space. This has been determined as being 65 linear metres of concrete unit paving footway and 330 linear metres of asphalt footway. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank

guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.

The guarantee must be lodged with Council prior to issue of a Construction Certificate.

B8 Reflectivity

The PCA must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20% prior to issue of the Construction Certificate.

B9 Materials and Finishes

The Principal Certifying Authority must be satisfied that the materials and finishes proposed buildings to be used in this development are in accordance with the approved plans, as amended by conditions of the approval. This condition does not relate to the materials and finishes of the public domain area which will require the separate approval of Council (refer condition B15).

B10 Long Service Levy

Receipt of payment of the Long Service Payments Corporation in accordance with Section 34 of Building Construction Industry Payments Act 1986 must be presented to the PCA prior to issue of a Construction Certificate.

B11 Alignment Levels

- a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.
- b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.

B12 Stormwater and Drainage - Major Development

On-site detention, treatment and re-use is encouraged.

- a) Prior to a Construction Certificate being issued, 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.
- b) 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 Construction Certificate being issued and prior to the commencement of any work within the public way.
- c) The requirements of Sydney Water with regard to the onsite detention of stormwater as specified in their submission dated 10 February 2012 must be complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.
- d) 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.

Any direct connection of stormwater to Sydney Water's stormwater channel will need to comply with Sydney Water's connection requirements. Should this be proposed the Proponent will be required to lodge a stormwater connection application with a Sydney Water accredited Water Servicing Coordinator.

B13 Water Sensitive Urban Design (WSUD)

The proposed development is required to meet contemporary stormwater quality targets. A WSUD Strategy and MUSIC model is required to be prepared and submitted to Sydney Water prior to the issue of a Construction Certificate for the development.

B14 Photographic Record / Dilapidation Report – Public Domain

Prior to a Construction Certificate being issued, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street. The form of the recording is to be as follows:-

- a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- c) Each image is to be numbered and cross referenced to a site location plan;
- d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

B15 Public Domain Hold Points

- a) Prior to a Construction Certificate being issued for a new building work, excluding approved preparatory, demolition and shoring work, a set of hold points for approved public domain and civil construction work is to be determined with and approved by the City's Public Domain section in accordance with the City's Public Domain Manual.
- b) Completion and handover of the constructed public domain works is to be undertaken in accordance with the City's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period

B16 Landscaping

- a) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council prior to the issue of a Construction Certificate. The plan must include:
 - (i) Location of existing and proposed structures on the site including existing trees (if applicable);
 - (ii) Details of earthworks including mounding and retaining walls and planter boxes (if applicable);

- (iii) Location, numbers and type of plant species;
- (iv) Details of planting procedure and maintenance;
- (v) Details of drainage and watering systems.
- b) Prior to the issue of a Construction Certificate, a maintenance plan is to be submitted and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during occupation of the property.

B17 Car Parking

The on-street parking spaces in Caroline Street shall comply with the minimum requirements in Australian Standard AS 2809.4 – 2020.

The off street car parking facilities shall comply with the minimum requirements of Australian Standard AS/NZS 2890.1 – 2004 Parking facilities Part 1: Off-street car parking (with the exception of the accessible spaces which must comply with AS 2890.6 – 2009).

The layout of the basement car park, including driveway, ramp grades, aisle widths and sight distances are to be designed in accordance with AS 2890.2 – 2002.

B18 Dilapidation Report

Dilapidation report/s of adjoining buildings are to be prepared by an appropriately qualified practicing structural engineer and submitted for the approval of the Principal Certifying Authority:

- a) prior to the issue of a Construction Certificate and commencement of demolition/excavation works; and
- b) on completion of construction demolition/excavation works.

A specific site dilapidation report shall be provided in relation to 108 Lawson Street in accordance with the undertaking from Dei Corp to Marcello Araldi dated 19 September 2012.

B19 Electricity Substation

If an electricity substation is required for the development, the Proponent shall liaise with the applicable energy supplier in relation to the size and location of the substation. In this regard, any substation(s) shall be located in an area which is not visually prominent and does not detract from the amenity of the public domain. Details of the location of the substation(s) are to be submitted for approval of Council and Ausgrid, prior to a Construction Certificate being issued.

NOTE: The location of the substations is not approved as part of this plan. The Proponent is to negotiate an alternative location for the substations with Council and Ausgrid.

B20 Survey of Utility Services

To ensure that utility authorities are advised of the development prior to the issue of a Construction Certificate 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.

B21 Adaptable Housing

Prior to a Construction Certificate being issued, the following information is required to be submitted to the PCA:

- a) Confirmation that 57 of the residential units are able to be adapted for people with a disability in accordance with the Building Code of Australia and City of Sydney Access DCP 2004;
- b) Compliance with Australian Standard AS4299, is to be submitted to the Certifying Authority.

This advice is to be prepared by an appropriately qualified access consultant.

B22 BASIX Certificates

A copy of the required completed BASIX certificates must be lodged with the Construction Certificate application and the items nominated as part of the BASIX certificate must be specified on the Construction Certificate plans.

B23 Security Measures

Prior to the issue of a Construction Certificate for the proposed development, the Proponent is to provide written evidence to the PCA that they have liaised with the Redfern Local Area Command of the NSW Police in relation to the installation of security devices and any other crime prevention initiatives.

B24 Loading Areas

The Proponent is to prepare a Plan of Management addressing how businesses within the development can be serviced without impacting on the roadways. The Plan of Management should address:

- Frequency of deliveries
- Types of vehicles
- Management of removalist vehicles servicing the residential dwellings.

Should the Plan of Management involve loading from streets, the approval of Council to the Plan of Management will be required to be provided. Use of streets as a loading area may require the creation of formal loading zones in which case the approval of the relevant Traffic Committee and Council will be required.

Sydney Trains Conditions

B25 Geotechnical and Structural Stability and Integrity

Prior to the issue of a Construction Certificate for Precinct **2** and any works within 25 m of the rail corridor including 2 m or more of ground penetration or excavation, the following are to be prepared in accordance with Sydney Trains' requirements and provided to Sydney Trains for review and written endorsement:

- a) A final Geotechnical and Structural report that meets **Sydney Trains' requirements**.
- b) **An Excavation and Construction Methodology that meet Sydney Train's requirements.**
- c) Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor. **All RL depths and horizontal distances as determined by the registered surveyor of the proposed Level 1 (excavated level) to be nearest platform, track, and any overhead structures.**

- d) A Detailed survey of the proposed development in relation to the Rail Corridor, as undertaken and provided by a registered surveyor to the satisfaction of Sydney Trains.
- e) If required, a Monitoring Plan including instrumentation and monitoring regime for the duration of the excavation and construction of the development that meet Sydney Trains' requirements.
- f) If required, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from **Sydney Trains** confirming that this condition has been satisfied.

The Proponent is to be aware that **Sydney Trains** will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.

All piling and excavation works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.

B26 Contribution Levy Credit for Public Domain Works

Prior to the issue of a Construction Certificate, and if a contribution levy credit for public domain works is to be sought under Condition E16(b), the Applicant must provide an outline of the proposed public domain works and estimated cost for the Secretary's approval

B27 Demolition, Excavation and Construction Impacts

Prior to the issue of a Construction Certificate for any building on Precinct a Risk Assessment/**Construction** Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works **on any potential** impacts on the rail corridor **is to be prepared for Sydney Trains review and written endorsement**. The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from RailCorp confirming that this condition has been satisfied.

B28 Crane and Other Aerial Operations

Prior to the issuing of a Construction Certificate **for Precinct 2** the **Applicant** is to submit to **Sydney Trains** a plan showing all craneage and other aerial operations for the development and must comply with all **Sydney Trains** requirements. The Principle Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from **Sydney Trains** confirming that this condition has been satisfied.

C1 Construction Certificate

Prior to commencement of any demolition, excavation or construction works associated with the approved development, it is necessary to obtain a Construction Certificate (CC). A CC may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the CC are to be amended to satisfy all relevant conditions of this approval.

C2 Site Fencing

The construction site must be enclosed with a 1.8m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority prior to commencement of any works or demolition on site. The written endorsement of Council and Redfern LAC to the location and design of the site fencing shall be submitted to the PCA prior to installation of the fencing.

C3 Erosion and Sediment Control

Erosion and sediment control devices are to be installed, as necessary, prior to the commencement of any demolition, excavation or construction works on the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum of three months following completion of the project, where necessary.

C4 Preservation of Survey Marks

All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.

A fee will apply for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).

C5 Demolition, Excavation and Construction Management

Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifying Authority:

- i. Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.
- ii. A Demolition Work Method Statement prepared by a licensed demolisher who is registered with the Work Cover Authority. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)
- iii. An Excavation Work Method Statement prepared by an appropriately qualified person.

C6 Utility Services

Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Ausgrid, 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 Proponent.

C7 Public Domain

Prior to the commencement of construction, the Proponent must obtain Council's written endorsement regarding the material, finishes and treatment of the public domain areas within the site.

Council will require three copies of a detailed Public Domain Plan. This Plan must be prepared by an architect, urban designer or landscape architect and be lodged with Council's Public Domain Section and endorsed by Council prior to the commencement of public domain works.

The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual.

The detailed documentation shall be provided at a level and standard suitable for construction purposes. Documentation shall include but not be limited to:

- a) A1 sized public domain plans at scale 1:200;
- b) Cross sections and Elevations at scale 1:100;
- c) Include specifications for the proposed works;
- d) Ensure maximum footpath cross falls of 2.5% from building line to top of kerb;
- e) Long Sections at scale 1:200;
- f) Construction details at appropriate scale;
- g) Schedules and specification;
- h) Services;
- i) Entire scope of works on Council property and that proposed to be dedicated including intersection treatments with the proposed new road pavements, line marking, parking, kerb and gutters (as relevant);
- j) Civil and stormwater infrastructure;
- k) Footpaths and pavements, treatment to the right of carriageway, road restoration;
- l) Street tree planting;
- m) utility poles, and service pits;
- n) Species, quantity, spacing, sizes of planting, staking and/or tree guard;
- o) Materials and finishes;
- p) Furniture and fixtures;
- q) Street lighting, pedestrian lighting and feature lighting;
- r) Drainage lines, and pits; and
- s) Extent of temporary works and permanent features to be clearly shown, including furnishing and/or footings, finished surfaces, service and planting.

The documentation shall also provide detailed design for safety and security which encompasses the following:

1. The through site links (or shared zones and pedestrian streets as appropriate), shall be designed and developed in accordance with the following principles:
 - a) Safe, passive surveillance, activity and night time use and provision for active surveillance at clearly defined entry points;
 - b) Equitable and easy access by the provision of a continuous paths of travel (consistent with AS 2107);
2. Well lit to safety standards (AS1158 pedestrian lighting). Use of metal halide (white) lighting, giving regard to highlighting any unique architectural features;
3. Uninhibited public access 24 hours a day to all public and communal areas;
4. Direct route with direct views from adjacent streets or public domain and provide clear, unencumbered sight lines;

Note: A Public Domain Works Guarantee deposit will be required for the public domain works associated with the shared zones adjoining Lawson Street down Eveleigh Street and along Caroline Street, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. This is separate to and in addition to the Footway Damage Bank Guarantee. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for completion of the obligations under this consent.

Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with Council prior to a Road Opening Permit for works on the public way being issued.

The public domain plan will need to be endorsed by both Council and Redfern LAC to ensure it meets the requirements of those authorities prior to final approval of the [Planning Secretary](#).

C8 Stray Currents and Electrolysis from Rail Operations

Prior to the commencement of works [on Precinct 2](#) the [Applicant](#) is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The [Applicant](#) must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principle Certifying Authority with the application for a Construction Certificate.

C9 Dilapidation Surveys

Prior to the commencement of [Precinct 2](#) works [during and on completion of works](#), a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from [Sydney Trains](#) and the [Applicant](#). These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by [Sydney Trains](#).

PART D – DURING CONSTRUCTION

D1 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.

D2 Hours of Work

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

- a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 6.00pm on Mondays to Fridays, inclusive, and 7.00am and 3.30pm on Saturdays, with

safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.

- b) All work, including demolition, excavation and building work must comply with the City of Sydney Building Sites Noise Code and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

D3 No Obstruction of Public Way

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

D4 Use of Mobile Cranes

The following requirements apply:

- a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- c) 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 7.30am without the prior approval of Council.

D5 Compliance with Construction and Traffic Management Plans

All development activities and traffic movements must be carried out in accordance with the approved Construction and Traffic Management Plans. All controls in the Plans must be maintained at all times. A copy of the Plans must be kept on-site and made available upon request.

D6 Construction Noise

Noise from the construction, excavation and demolition activities associated with the development shall comply with the NSW Department of Environment and Heritage Noise Guidelines 2009.

D7 Dust Control

Dust control measures shall be implemented during all periods of earthworks, demolition, excavation and construction in accordance with the requirements of NSW Department of Environment and Heritage.

D8 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.

D9 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.

D10 Archaeological Discovery During Excavation

- a) 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 should be informed in accordance with section 146 of the Heritage Act 1977.
- b) Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and the Department of Environment and Heritage is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974.

D11 Dial before you dig

Care is to be taken during excavation and demolition to ensure existing cables are not damaged.

Sydney Trains Conditions

D12 Physical Access to Sydney Trains Facilities

No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with **Sydney Trains**.

Where the **Applicant** proposes to enter or use the rail corridor, the Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from **Sydney Trains** confirming that its conditions have been satisfied.

D13 Adjacent Heritage Structures

As the proposed development is located in close proximity of railway heritage items, the **Applicant** is required to retain the services of a heritage expert/architect to supervise works that are in close proximity to the heritage item in order to conserve heritage values.

E1 Occupation Certificate

Occupation or use, either in part or full, is not permitted until an Occupation Certificate (OC) has been issued. The OC must not be issued unless the buildings are suitable for occupation or use in accordance with its classification under the BCA and until all preceding conditions of this approval have been complied with.

Where Council is not the PCA, a copy of the OC must be provided to Council.

E2 Plan of Management –Car Parking Areas

Prior to the issue of an Occupation Certificate (OC) for the development a Plan of Management for the car parking areas (basement and at grade) is to be prepared and submitted to the PCA for approval.

The Plan of Management shall identify:

- Security procedures.
- Distribution of car parking spaces for the various uses throughout the development and designation of the spaces for the various uses.
- Emergency procedures.
- Signposting

The Plan of Management must also address the management of the at grade car parking spaces (on the forecourt area of Precinct 1). In this regard the Proponent is required to consult with Council regarding options for management of these spaces and enforcement of parking restrictions. The written endorsement of Council to the Plan of Management shall be submitted with the application for Occupation Certificate. A copy of the endorsed Plan of Management shall be provided to the Director General.

E3 Plan of Management – Child Care Centre

Prior to the issue of an Occupation Certificate for the child care centre, a Plan of Management for the centre is to be prepared and submitted to the PCA for approval.

The Plan of Management shall include the following details:

- Hours of operation.
- Security procedures
- An emergency evacuation plan that encompasses the requirements of the NSW Fire Brigade and outlines the procedures by which staff will be trained in emergency procedures.
- Compliance with recommendations of Section 7.6 of Koikas Acoustic Assessment.
- **Anti-climbing measures and ongoing maintenance/ graffiti removal for the acoustic wall**
- Landscape details.
- Compliance with the requirements of **Education and Care Services National Regulations and Child Care Planning Guidelines.**

E4 Compliance with BASIX requirements

The PCA must be satisfied that all commitments listed in each relevant BASIX Certificate for the development have been fulfilled prior to an Occupation Certificate being issued.

E5 Travel Plan

Prior to the issue of an Occupation Certificate for the development, the Proponent must prepare a Green Travel Plan. The Green Travel Plan shall include details of train and bus timetables and illustrations of routes between the site and various destinations. The Travel Plan is to be submitted to Council for approval prior to issue of an Occupation Certificate.

E6 Public Domain

The works to the public domain are to be completed in accordance with the approved plan and the Public Domain Manual before any Occupation Certificate is issued in respect of the development.

E7 Site Landscaping

All landscaping in accordance with the detailed landscape plan referred to in condition **B16** is to be completed prior to an Occupation Certificate being issued.

E8 Acoustic Certification

Prior to the issue of an Occupation Certificate for the development, certification from an accredited Acoustic consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants is required to be provided. The certification shall indicate that the acoustic mitigation measures outlined in the Koikas acoustic assessment and relevant Australian Standards have been suitably incorporated into the development and that relevant noise criteria have been satisfied.

E9 Waste Management

Prior to the issue of an Occupation Certificate, the approval of Council must be obtained in relation to the waste and recycling management facilities and ensure arrangements are in place for waste collection by Council.

E10 Section 73 Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the Building Developing and Plumbing section on the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to Council or the Principal Certifying Authority prior to an Occupation Certificate being issued.

E11 Fire Safety Certificate

A Fire Safety Certificate must be submitted to the PCA for all items listed in the Fire Safety Schedule prior to issue of an Occupation Certificate. A copy of the Fire safety Certificate must be submitted to Council if it is not the PCA.

E12 Dedication of Open Space

Prior to the issue of an Occupation Certificate for this development **the following spaces within Precinct 1 and 2 shall be dedicated to Council for public use in accordance with Drawing LD CD 600 Land Dedicated to Council, prepared by Scott Carver Rev A dated 03.09.2020:**

- a) **Zone A: the two public domain areas (272m²) of Precinct 2 bound by Caroline Street, Eveleigh Street and Lawson Street**
- b) **Zone C: the 749.3m² forecourt area of Precinct 1 bound by Caroline Street and Louis Street-including the 4 car parking spaces along the Caroline Street frontage of Precinct 1.**

E12 Site Consolidation

The allotments comprising the subject site are to be consolidated into **two** lots, corresponding to the **two** development precincts **(Precincts 1 and 2)** prior to issue of an Occupation Certificate for this development.

E13 Signposting of Share Ways

The share ways shall be signposted in accordance with RMS standard requirements.

E16 Contribution levied under Redfern– Waterloo Authority Contributions Plan (RWCP)

- 1) In accordance with the provisions of the RWCP, prior to the issue of an Occupation Certificate for the development, the Proponent shall either:
 - a) pay a contribution of **\$883,925** (based on 2% of the estimated development cost); or
 - b) undertake public domain improvement works to a minimum value of **\$883,925** (or 2% of the estimated cost of the development). Such works could include pavement treatment to the share ways, improved lighting to the public domain and/or landscaping and street tree planting.
- 2) **Prior to the issue of an Occupation Certificate** evidence of the costs of the public domain improvement works shall be provided to Council and the **Planning Secretary**.

E17 Contribution levied under Redfern– Waterloo Authority Affordable Housing Contributions Plan (RWAHCP)

In accordance with the provisions of the RWAHCP, prior to the issue of an Occupation Certificate for the development, the Proponent shall either:

- a) pay an affordable housing contribution of **\$903,986.40** (based on a rate of **\$86.88/m²** of GFA). This rate is indexed and a final calculation of the amount owing will be made prior to payment; or
- b) Upon:
 - i. Registration of the Aboriginal Housing Company Limited as a community housing provider under the *Housing Act 2001 (NSW)*; and

- ii. The registration of a restriction as to user under Section 88B of the *Conveyancing Act 1919*, (or similar restrictive covenant on the Title of the consolidated allotments), to the effect that the 62 dwellings on Precinct 1 will be provided as affordable housing in perpetuity.

The contribution levied under the RWAHCP will be waived.

Evidence of the registration of AHC as a community housing provider and the restriction on the title of the land shall be provided to the [Planning Secretary](#) prior to the issue of an Occupation Certificate for the development.

Sydney Trains Conditions

E18 Dilapidation Surveys

Prior to the issue of the Occupation Certificate for Precinct **2** and 12 months from the completion of works at Precinct **2**, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from [Sydney Trains](#) and the Proponent. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by [Sydney Trains](#).

E17 As-Built Drawings

Prior to the issuing of an Occupation Certificate for Precinct **2** as-built drawings are to be endorsed by a Registered Surveyor [are to be provided to Sydney Trains for review](#).

F1 Signs/Goods in the Public Way

No signs or goods are to be placed on the footway or roadway adjacent to the property.

F2 Shop Fronts

- a) All shop front glazing must be clear and untinted and must not be obscured by blinds, curtains or the like.
- b) Security roller shutters must not be installed on the outside of the shop front. Any security grill is to be a dark recessive colour, located on the inside of the shop front, must be an open grille / see through and not a solid metal type.

F3 Intruder Alarms

Should intruder alarm/s be installed these must operate in accordance with the requirements of Clause 53 of the Protection of the Environment Operations (Noise Control) Regulation 2008 under the Protection of the Environment Operations Act, 1997.

F4 Intercom for Basement Car Park

An intercom must be installed at the entry to the basement car park entry and be at least 6m clear of the property boundary, wired to all units and the management office. The intercom must comply with *'Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23'*.

F5 Signs At Egress

The following signs must be provided and maintained within the site at the point of vehicle egress from the basement car park:

- a) Compelling drivers to stop before proceeding onto the public way: and
- b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

F6 Signposting

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

No sign(s) shall be erected without the prior approval of Council and the relevant Traffic Committee.

F7 Licensing of Child Care Centre

- a) A license to operate the child care centre must be obtained from the NSW Department of Family and Community Services prior to commencement of operations at the child care centre.
- b) Full compliance with any licensing requirements of the NSW Department of Family and Community Services is required.

F8 Child Care Centre maximum capacity

The total number of children at the centre at any one time must not exceed **54** children.

F9 Awning Maintenance

The awnings must be inspected and maintained to ensure their structural integrity, aesthetic and functional quality.

F10 Paving Materials

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

F11 Separate approval for retail and commercial tenancies

Separate development approval is required prior to use and occupation of any of the retail and commercial tenancies approval as part of this development.

F12 Car Park Management

The car parking area(s) shall be managed in accordance with the approved Plan of Management.

F13 Use of Share Ways

Use of the share ways within the development site shall be in accordance with RMS requirements for share ways.

Sydney Trains Conditions

F14 Drainage

Given the site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and is not allowed to be discharged into the rail corridor unless prior approval has been obtained from **Sydney Trains**.

F15 Pollution Control

During all stages of the development extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.

Schedule 3

Statements of Commitment

No.	Subject	Commitment	Timing
1.	Authority Approvals	All necessary approvals and permits required for the construction of the buildings under State and Commonwealth legislation are to be obtained.	Prior to the carrying of work
2.	Demolition	Demolition works are to be carried out in accordance with the requirements of AS 2601-2001: <i>Demolition of Structures</i> .	During the demolition of the existing buildings
3.	Remediation	Any soil contamination encountered during the construction phase is to be remediated in accordance with relevant <i>Australian Standards</i> , Codes and guidelines.	As part of site preparation works and prior to the commencement of building works
4.	Building Works	The buildings are to be constructed in accordance with the approved plans the relevant Construction Certificate and in accordance with the <i>Building Code of Australia</i> .	Ongoing from the commencement of construction
5.	Construction Management	Construction work is to be carried out in accordance with the Construction and Traffic Management Plan to be submitted prior to the issue of a Construction Certificate. All contractors/suppliers will be advised of the Management Plan and will be required to adhere to those requirements throughout the construction phase. Erosion and sediment control measures are to be installed and maintained for the duration of the construction works and until all ground disturbed by the works is stabilised. Measures are to be taken to mitigate dust emanating from the site to protect the amenity of surrounding properties during the construction phase.	Ongoing from the commencement of construction
6.	Waste Management	Wastes associated with demolition works, construction work and the on-going operation of the buildings are to be managed in accordance with the Waste Management Plan. The removal of all wastes, including asbestos based wastes, is to be undertaken in accordance with the regulations and requirements of the NSW Government and relevant codes of practice and guidance notes.	Ongoing from the commencement of demolition works
7.	Public Domain	Public domain works are to be constructed in accordance with the Public Domain and Public Art Strategy, June 2017, prepared by Scott Carver Pty Ltd and Professor Michael Tawa .	As part of construction works
8.	Safety and Security	All outdoor lighting is to be installed in accordance with AS/NZ 1158.3:1999 - <i>Pedestrian Area (Category P) Lighting</i>	As part of construction works

No.	Subject	Commitment	Timing
		and AS 4282:1997 – <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	
9	Acoustic & Vibration	The buildings are to be constructed in accordance with the recommendations contained in the report prepared by Koikas Associates Pty Ltd relating to acoustic and vibration measures to be implemented.	As part of construction works
10	Road Traffic Facilities	The road traffic facilities identified in the Transport and Accessibility Impact Assessment prepared by John Coady Consulting Pty Ltd are to be established.	As part of construction works
11	Car Parking, Loading & Access	One hundred and fifteen (115) off-street car parking are to be provided in accordance with AS2890.1-2004: <i>Parking Facilities - Part 1: Off-Street Car Parking</i> . Loading facilities are to be established in accordance with the approved plan and AS2890.2-2002: <i>Parking Facilities - Part 2: Off-Street Commercial Vehicle Facilities</i> .	As part of construction works
12	Retail & Commercial Uses	Development applications for the commencement of the use of the retail and commercial tenancies are to be submitted to and approved by Sydney City Council prior to the commencement of their use.	Prior to the commencement of use of retail and commercial tenancies
13	Ecologically Sustainable Development	The buildings are to be constructed in accordance with the commitments contained in the BASIX Assessment prepared by Windtech Consultants Pty Ltd.	As part of construction works
14	Heritage/Archaeology	Appropriate action is to be taken should any unexpected historical archaeological relic or Aboriginal object be discovered during the excavation program.	During excavation works
15	Stormwater Drainage	<i>Stormwater drainage works are to be carried out in accordance with the plans prepared by Neil Lowry & Associates.</i>	As part of construction works
16	Access & Facilities for People with a Disability	<i>Access facilities are to be provided in accordance with AS1428-2001 - Access for Design and Mobility - New Building Work.</i> <i>57 of the dwellings in Precinct 1 are to be constructed in accordance with AS4299-1995 - Adaptable Housing.</i>	As part of construction works
17	Public Utilities	<i>The buildings are to be connected to the required water, sewerage and electricity infrastructure in accordance with the requirements of Sydney Water Corporation and Energy Australia. Other utilities, such as gas and telecommunications, are to be connected in accordance with the requirements of the service providers.</i> <i>The provision and/or adjustment of public utility infrastructure is to be carried out in accordance with the requirements of the relevant public authority.</i>	As part of construction works

No.	Subject	Commitment	Timing
		<i>Any easements required to facilitate the provision of utility infrastructure are to be granted to the relevant public authority.</i>	
18	Development Contributions	<i>All reasonably required contributions are to be paid.</i>	When required
19	Occupation of the Building	<i>All required certificates are to be provided to the Principal Certifying Authority and an occupation certificate issued prior to the occupation of the buildings.</i>	Prior to occupation of the building
20	Community Consultation	<i>The Aboriginal Housing Company will continue to liaise with the local community during the construction phase.</i>	Ongoing
21	Child Care Centre	<i>The child care centre is to be constructed and operated in accordance with the requirements of the Department of Community Services.</i>	Ongoing
22	Dwellings in Precinct 1	<i>The sixty-two (62) dwellings in Precinct 1 are to be retained in the ownership of the Aboriginal Housing Company. These dwellings are to be managed by the Aboriginal Housing Company to provide affordable housing for the local Aboriginal and Torres Strait Islander Community</i>	Ongoing
23	Gallery	<p>The gallery is to be constructed, established and maintained in Precinct 1 for use by the Aboriginal Housing Company to display articles associated with the Aboriginal and Torres Strait Islander community.</p> <p>A development application for the use and fitout of this space as a gallery is to be submitted to and approved by Sydney City Council prior to the establishment of the gallery.</p>	Prior to the commencement of the gallery and ongoing
24	Development	Development of the Project, i.e. in Precincts P1, P2 and P3, is to be carried out concurrently	Ongoing
25	Dedication of land to Sydney City Council	An area of some 988 m² of the land is to be dedicated to Council as part of the public domain, of which 753 m² is to be located in Precinct 1 and 235 m² in Precinct 2.	Prior to the occupation of the development
26	Design Excellence	The design excellence of the Project is to be retained throughout the Project to the completion of construction	Ongoing

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