

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Amy Watson
Team Leader
Key Sites Assessments

Sydney

17 August 2022

SCHEDULE 1

| | |
|-----------------------------|---|
| Development consent: | SSD 10405 granted by the Minister for Planning on 15 October 2021 |
| For the following: | Atlassian Central development including: <ul style="list-style-type: none">• site establishment and infrastructure works• partial demolition, deconstruction, retention, reconstruction and adaptive reuse of the Inwards Parcels Shed and associated structures• construction of a 39 storey tower (RL 197.9) for office and tourist and visitor accommodation• basement parking for service vehicles and bicycles• a pick-up/drop-off facility• provision of hard and soft landscaping• creation of lower and upper ground floor through site links• subdivision and stratum subdivision of the site |
| Applicant: | Vertical First Pty Ltd |
| Consent Authority: | Minister for Planning |
| The Land: | 8-10 Lee Street, Haymarket Lots 116, 117 and 118 in DP 1078271 and Lot 13 in DP 10662447 |
| Modification: | Amendment to the basement retaining wall design, the definition of construction/building works and administrative amendments to various conditions. |

SCHEDULE 2

1. The definition of construction/building work in Schedule 1 – Definitions is amended by the insertion of **bold and underlined words** and deletion of the ~~**bold and struck out words**~~ as follows:

Construction / building work

All physical work to enable operation including but not limited to the carrying out of works for the purposes of the development, including earthworks, and erection of buildings and other infrastructure permitted by this consent, but excluding the following:

- demolition and deconstruction activity;
- building and road dilapidation surveys;
- investigative drilling or investigative excavation;
- Archaeological Salvage;
- establishing any temporary site offices;
- **hazmat removal;**
- installation of environmental impact mitigation measures, fencing, enabling works; and
- minor adjustments to services or utilities, **including service isolations.**

~~However, where heritage items, or threatened species or threatened ecological communities (within the meaning of the *Biodiversity Conservation Act 2016* or *Environment Protection and Biodiversity Conservation Act 1999*) are affected or potentially affected by any physical work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with Heritage NSW and EESG.~~

PART A ADMINISTRATIVE CONDITIONS

2. Condition A2 is amended by the insertion of **bold and underlined words** and deletion of the **~~bold and struck out words~~** as follows:

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS, RtS and SRtS;
- (d) **as amended by the Section 4.55(1A) Modification Application report prepared for SSD 10405 Mod 1 by Urbis dated 2 June 2022 and Response to Request for Additional Information for SSD 10405 Mod 1 by Urbis dated 4 August 2022;**
- (e) in accordance with the approved plans in the table below (except where amended by the conditions of consent):

| Architectural plans prepared by <i>BVN Architecture / SHoP Architects</i> | | | |
|---|-----------------------------------|--|---|
| Plan No. | Issue | Name of Plan | Date |
| DA-09A-XXX-00 | 5 | SITE LOCATION PLAN | 04.05.21 |
| DA-09A-XXX-01 | 6 | SITE PLAN ROOF LEVEL | 04.05.21 |
| DA-09A-XXX-02 | 7 | SITE PLAN LOWER LEVELS | 04.06.21 |
| DA-09A-XXX-03 | 5 | SITE 3D AXONOMETRIC VIEWS | 04.05.21 |
| DA-09A-XXX-04 | 5 | SITE 3D AXONOMETRIC VIEWS | 04.05.21 |
| DA-09A-XXX-05 | 6 | SITE SECTION | 04.05.21 |
| DA-09B-B00-00 | 7 <u>8</u> | GENERAL ARRANGEMENT PLAN BASEMENT 2 | 04.05.21 <u>10.04.22</u> |
| DA-09B-B01-00 | 7 <u>8.1</u> | GENERAL ARRANGEMENT PLAN BASEMENT 1 | 04.05.21 <u>29.07.22</u> |
| DA-09B-G00-00 | 8 | GENERAL ARRANGEMENT PLAN LOWER GROUND LEVEL | 04.06.21 |
| DA-09B-G01-00 | 7 | GENERAL ARRANGEMENT PLAN UPPER GROUND LEVEL | 04.05.21 |
| DA-10B-B00-01 | 7 <u>8</u> | GENERAL ARRANGEMENT PLAN BASEMENT 2 PART 1 | 04.05.21 <u>10.04.22</u> |
| DA-10B-B00-02 | 7 | GENERAL ARRANGEMENT PLAN BASEMENT 2 PART 2 | 04.05.21 |
| DA-10B-B01-01 | 7 <u>8.1</u> | GENERAL ARRANGEMENT PLAN BASEMENT 1 PART 1 | 04.05.21 <u>29.07.22</u> |
| DA-10B-B01-02 | 7 | GENERAL ARRANGEMENT PLAN BASEMENT 1 PART 2 | 04.05.21 |
| DA-10B-G00-01 | 8 | GENERAL ARRANGEMENT PLAN LOWER GROUND PART 1 | 04.05.21 |
| DA-10B-G00-02 | 8 | GENERAL ARRANGEMENT PLAN LOWER GROUND PART 2 | 04.06.21 |
| DA-10B-G01-01 | 7 | GENERAL ARRANGEMENT PLAN UPPER GROUND PART 1 | 04.05.21 |
| DA-10B-G01-02 | 8 | GENERAL ARRANGEMENT PLAN UPPER GROUND PART 2 | 04.06.21 |
| DA-10B-G02-01 | 6 | GENERAL ARRANGEMENT PLAN MEZZANINE LEVEL | 04.05.21 |
| DA-10B-G03-01 | 6 | GENERAL ARRANGEMENT PLAN OSD LEVEL | 04.05.21 |
| DA-10B-G04-01 | 5 | GENERAL ARRANGEMENT PLAN CORE PLANTROOM LEVEL 01 | 04.05.21 |
| DA-10B-G05-01 | 5 | GENERAL ARRANGEMENT PLAN CORE PLANTROOM LEVEL 02 | 04.05.21 |
| DA-10B-T01-01 | 8 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 1 | 04.06.21 |
| DA-10B-T02-01 | 8 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 2 | 04.06.21 |
| DA-10B-T03-01 | 8 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 3 | 04.06.21 |
| DA-10B-T04-01 | 8 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 4 | 04.06.21 |
| DA-10B-T05-01 | 8 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 5 | 04.06.21 |
| DA-10B-T06-01 | 6 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 06 | 04.05.21 |
| DA-10B-T07-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 07 | 04.05.21 |
| DA-10B-T08-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 08 | 04.05.21 |
| DA-10B-T09-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 09 | 04.05.21 |

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|---------------|---|---|----------|
| DA-10B-T10-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 10 | 04.05.21 |
| DA-10B-T11-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 11 | 04.05.21 |
| DA-10B-T12-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 12 | 04.05.21 |
| DA-10B-T13-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 13 | 04.05.21 |
| DA-10B-T14-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 14 | 04.05.21 |
| DA-10B-T15-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 15 | 04.05.21 |
| DA-10B-T16-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 16 | 04.05.21 |
| DA-10B-T17-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 17 | 04.05.21 |
| DA-10B-T18-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 18 | 04.05.21 |
| DA-10B-T19-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 19 | 04.05.21 |
| DA-10B-T20-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 20 | 04.05.21 |
| DA-10B-T21-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 21 | 04.05.21 |
| DA-10B-T22-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 22 | 04.05.21 |
| DA-10B-T23-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 23 | 04.05.21 |
| DA-10B-T24-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 24 | 04.05.21 |
| DA-10B-T25-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 25 | 04.05.21 |
| DA-10B-T26-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 26 | 04.05.21 |
| DA-10B-T27-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 27 | 04.05.21 |
| DA-10B-T28-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 28 | 04.05.21 |
| DA-10B-T29-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 29 | 04.05.21 |
| DA-10B-T30-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 30 | 04.05.21 |
| DA-10B-T31-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 31 | 04.05.21 |
| DA-10B-T32-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 32 | 04.05.21 |
| DA-10B-T33-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 33 | 04.05.21 |
| DA-10B-T34-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 34 | 04.05.21 |
| DA-10B-T35-01 | 1 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 35 | 04.05.21 |
| DA-10B-T36-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 36 | 04.05.21 |
| DA-10B-T37-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 37 | 04.05.21 |
| DA-10B-T38-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 38 | 04.05.21 |
| DA-10B-T39-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 39 | 04.05.21 |
| DA-10B-T40-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 40 | 04.05.21 |
| DA-10B-T41-01 | 4 | GENERAL ARRANGEMENT PLAN TOWER LEVEL 41 | 04.05.21 |
| DA-10B-T42-01 | 4 | GENERAL ARRANGEMENT PLAN ROOF | 04.05.21 |
| DA-10C-XXX-01 | 4 | NORTH ELEVATION | 04.05.21 |
| DA-10C-XXX-02 | 4 | EAST ELEVATION | 04.05.21 |
| DA-10C-XXX-03 | 4 | SOUTH ELEVATION | 04.05.21 |
| DA-10C-XXX-04 | 4 | WEST ELEVATION | 04.05.21 |
| DA-10D-XXX-01 | 4 | SECTION N-S | 04.05.21 |
| DA-10D-XXX-02 | 4 | SECTION E-W | 04.05.21 |
| DA-11C-GXX-01 | 6 | SHED – NORTHERN ELEVATION | 04.05.21 |
| DA-11C-GXX-02 | 6 | SHED – SOUTHERN ELEVATION | 04.05.21 |
| DA-11C-GXX-03 | 6 | SHED – EASTERN ELEVATION | 04.05.21 |
| DA-11C-GXX-04 | 6 | SHED – WESTERN ELEVATION | 04.05.21 |
| DA-11D-XXX-01 | 7 | BASEMENT/PODIUM NORTH-SOUTH SECTION 1 | 04.05.21 |
| DA-11D-XXX-02 | 7 | DIVE RAMP SECTION | 04.05.21 |
| DA-11D-XXX-03 | 7 | BASEMENT/PODIUM EAST-WEST SECTION 1 | 04.05.21 |
| DA-11D-XXX-04 | 7 | BASEMENT/PODIUM NORTH-SOUTH SECTION 2 | 04.05.21 |
| DA-11D-XXX-05 | 6 | ADINA BASEMENT ENTRY SECTION | 04.05.21 |
| DA-11D-XXX-06 | 7 | BASEMENT/PODIUM EAST-WEST SECTION 2 | 04.05.21 |

| DA-11D-XXX-11 | 4 | YHA SECTION - N-S | 04.05.21 |
|---|-----|---|------------|
| DA-11D-XXX-12 | 4 | YHA SECTION - E-W | 04.05.21 |
| DA-11D-XXX-13 | 4 | HABITAT SECTIONS | 04.05.21 |
| DA-11D-XXX-14 | 4 | CROWN SECTION - N-S | 04.05.21 |
| DA-11D-XXX-15 | 4 | CROWN SECTION - E-W | 04.05.21 |
| DA-19U-XXX-31 | 6 | AREA PLANS (GFA) | 04.05.21 |
| DA-19U-XXX-32 | 7 | AREA PLANS (GFA) | 04.05.21 |
| DA-19U-XXX-33 | 6 | AREA PLANS (GFA) | 04.05.21 |
| DA-19U-XXX-34 | 7 | AREA PLANS (GFA) | 04.06.21 |
| DA-19U-XXX-35 | 6 | AREA PLANS (GFA) | 04.05.21 |
| DA-19U-XXX-71 | 4 | TOWER AREA PLANS - T06 | 04.05.21 |
| DA-19U-XXX-72 | 4 | TOWER AREA PLANS - T07-T10 | 04.05.21 |
| DA-19U-XXX-73 | 4 | TOWER AREA PLANS - T11-T14 | 04.05.21 |
| DA-19U-XXX-74 | 4 | TOWER AREA PLANS - T15-T18 | 04.05.21 |
| DA-19U-XXX-75 | 4 | TOWER AREA PLANS - T19-T22 | 04.05.21 |
| DA-19U-XXX-76 | 4 | TOWER AREA PLANS - T23-T26 | 04.05.21 |
| DA-19U-XXX-77 | 4 | TOWER AREA PLANS - T27-T30 | 04.05.21 |
| DA-19U-XXX-78 | 4 | TOWER AREA PLANS - T31-T34 | 04.05.21 |
| DA-19U-XXX-79 | 4 | TOWER AREA PLANS - T35-T38 | 04.05.21 |
| DA-19U-XXX-80 | 4 | TOWER AREA PLANS - T39-ROOF - AND TOTAL AREAS | 04.05.21 |
| DA-23B-G00-01 | 5 | DEMOLITION PLAN LOWER GROUND PART 1 | 04.05.21 |
| DA-23B-G00-02 | 5 | DEMOLITION PLAN LOWER GROUND PART 2 | 04.05.21 |
| DA-23B-G01-01 | 5 | DEMOLITION PLAN UPPER GROUND PART 1 | 04.05.21 |
| DA-23B-G01-02 | 5 | DEMOLITION PLAN UPPER GROUND PART 2 | 04.05.21 |
| DA-23B-G02-01 | 5 | DEMOLITION PLAN SHED ROOF | 04.05.21 |
| DA-23C-GXX-01 | 5 | DEMOLITION ELEVATIONS HERITAGE WALL | 04.05.21 |
| DA-23D-GXX-01 | 5 | DEMOLITION SECTIONS | 04.05.21 |
| DA-23D-GXX-02 | 5 | DEMOLITION SECTIONS | 04.05.21 |
| DA-40A-XXX-01 | 4 | WALL TYPE DIAGRAMS - TOWER & SHED | 04.05.21 |
| DA-43E-GXX-01 | 6 | ENCLOSURE DETAILS - LOWER LINK FACADES | 04.06.21 |
| DA-43E-GXX-02 | 5 | ENCLOSURE DETAILS - SHED FAÇADE UPPER GROUND | 04.05.21 |
| DA-43E-GXX-03 | 5 | ENCLOSURE DETAILS - SHED NORTH FAÇADE | 04.05.21 |
| DA-43E-GXX-10 | 4 | HERITAGE EAVE DETAIL | 04.05.21 |
| DA-43E-GXX-11 | 4 | HERITAGE COLUMN DETAILS | 04.05.21 |
| DA-43E-TXX-01 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-01A | 04.05.21 |
| DA-43E-TXX-02 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-01B | 04.05.21 |
| DA-43E-TXX-03 | 1 | TYPICAL ENCLOSURE SYSTEM - WT-01C | 04.05.21 |
| DA-43E-TXX-04 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-02 | 04.05.21 |
| DA-43E-TXX-05 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-03 | 04.05.21 |
| DA-43E-TXX-06 | 1 | TYPICAL ENCLOSURE SYSTEM - WT-04A | 04.05.21 |
| DA-43E-TXX-08 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-05A | 04.05.21 |
| DA-43E-TXX-09 | 4 | TYPICAL ENCLOSURE SYSTEM - WT-05B | 04.05.21 |
| Landscape plans prepared by ASPECT Studios | | | |
| Plan No. | Rev | Name of Plan | Date |
| SYD2022-SSDADA1 | I | LOWER LEVEL RL16 PLAN- DAY 1 | 5 May 2021 |
| SYD2022-SSDADA2 | I | UPPER LEVEL RL21 PLAN- DAY 1 | 5 May 2021 |
| SYD2022-SSDADA3 | I | UPPER LEVEL RL21 PLAN_THE RAMP - DAY 1 | 5 May 2021 |
| SYD2022-SSDADA4 | I | UPPER LEVEL RL21 SECTION AA_THE RAMP - DAY 1 | 5 May 2021 |
| SYD2022-SSDADA5 | I | UPPER LEVEL RL21 PLAN_UPPER LINK- DAY 1 | 5 May 2021 |

| SYD2022-SSDADA6 | I | UPPER LEVEL RL21 SECTION CC | 5 May 2021 |
|---|-------|---|------------|
| SYD2022-SSDADA7 | I | UPPER LEVEL RL21 PLAN_YHA COURTYARD | 5 May 2021 |
| SYD2022-SSDADA8 | I | THE SHED ROOF (OSD) PLAN | 5 May 2021 |
| SYD2022-SSDADA9 | I | THE SHED ROOF (OSD) SECTION DD | 5 May 2021 |
| Civil plans prepared by TTW | | | |
| Plan No. | Rev | Name of Plan | Date |
| CI-20A-XXX-01 | 04 | NOTES AND LEGEND SHEET | 25.11.20 |
| CI-20A-000-01 | 04 | EXISTING SERVICING PLAN | 25.11.20 |
| CI-20B-000-01 | 03 | EROSION AND SEDIMENT CONTROL PLAN | 25.11.20 |
| CI-21B-000-01 | 04 | PROPOSED STORMWATER CONCEPT PLAN | 25.11.20 |
| CI-21B-000-02 | 03 | STORMWATER CONCEPT CATCHMENT PLAN | 25.11.20 |
| CI-20D-TXX-01 | 04 | SECTIONS SHEET 1 | 25.11.20 |
| CI-20D-TXX-02 | 04 | SECTIONS SHEET 2 | 25.11.20 |
| CI-20D-TXX-03 | 04 | SECTIONS SHEET 3 | 25.11.20 |
| CI-20G-XXX-01 | 03 | DETAIL SHEET | 25.11.20 |
| Survey plans prepared by LTS Lockley | | | |
| Plan No. | Issue | Name of Plan | Date |
| 50176 004DP | I | PLAN OF SUBDIVISION OF LOT 13 IN DP1062447 Sheet 1 of 4 sheet(s) | 30-06-21 |
| 50176 004DP | I | PLAN OF SUBDIVISION OF LOT 13 IN DP1062447 Sheet 2 of 4 sheet(s) | 30-06-21 |
| 50176 004DP | I | PLAN OF SUBDIVISION OF LOT 13 IN DP1062447 Sheet 3 of 4 sheet(s) | 30-06-21 |
| 50176 004DP | I | PLAN OF SUBDIVISION OF LOT 13 IN DP1062447 Sheet 4 of 4 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 1 of 17 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 2 of 17 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 3 of 17 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 4 of 17 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 5 of 17 sheet(s) | 30-06-21 |
| 50176 005DP | | PLAN OF SUBDIVISION OF LOTS 116 & 117 IN DP 1078271, PROPOSED LOT 199 IN DP____(Pt LOT 13 DP1062447), PROPOSED LOT 202 IN DP____(Pt Lot 118 DP1078271) & PROPOSED LOT 302 IN DP____(Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ | 30-06-21 |

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| | | PROPOSED LOT 302 IN DP ____ (Pt Lot 118 DP1078271) AND PROPOSED EASEMENTS WITHIN PROPOSED LOT 201 IN DP____ Sheet 17 of 17 sheet(s) | |
|--|--|---|--|

PART C PRIOR TO THE DEMOLITION AND DISMANTLING OF THE HERITAGE ITEM

3. Condition C3 is amended by the deletion of the insertion of **bold and underlined words** as follows:

- C3. **Following engagement of the heritage consultant in accordance with Condition C1**, throughout the documentation, **demolition, dismantling** and construction stages of the approved works the experienced heritage consultant is to:
- (a) prepare reports as required by this consent, including (but not limited to) reports required pursuant to Conditions C4 to C7, D32 and D34;
 - (b) undertake regular site inspections **during demolition and dismantling**
 - (c) maintain a diary of site inspections **during demolition and dismantling** that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works
 - (d) compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan; and
 - (e) upon completion of the **demolition and dismantling** works submit a copy of the final report to Heritage NSW and Council.

4. Condition C5 is amended by the insertion of **bold and underlined words** and deletion of the **~~bold and struck out words~~** as follows:

- C5. No work shall commence on the demolition and dismantling of the heritage item, until a Salvage and Reuse of Distinctive Elements Plan (SRDEP) for the identification and selection of heritage fabric to be salvaged and reused within the development is prepared by a suitably qualified and experienced heritage practitioner and submitted to and approved by the Planning Secretary. The SRDEP must be prepared in consultation with and endorsed by Heritage NSW and must include (but shall not be limited to):
- ~~(a) — a comprehensive plan package including specifications, methodologies and detailed architectural plans, sections and elevations at 1:20 and 1:5 scales;~~
 - (b) (a)** an assessment of the significance of heritage fabric, identification of each item of heritage fabric to be salvaged and justification for the selection of heritage fabric to be salvaged.
 - ~~(c) — confirmation of what salvaged heritage fabric would be:~~
~~— incorporated and reused appropriately within the reconstructed / adapted heritage item or within the development more broadly; and~~
~~surplus to the project and either stored for reuse within the Western Gateway Sub-Precinct, Central Station Precinct or transferred to a heritage building materials dealer for recycling;~~

5. Condition C7 is amended by the insertion of **bold and underlined words** and deletion of the **~~bold and struck out words~~** as follows:

- C7. Prior to any works commencing in relation to the demolition, dismantling and or alteration of the existing buildings and structures on the site, **a pre-work** archival photographic recording of the former Inwards Parcels Shed, Small Parcels Bagging Room and all associated heritage fabric is to be prepared by a suitably qualified and experienced heritage practitioner. The recording is to be in digital form, prepared in accordance with the Heritage NSW's guidelines titled '*Photographic Recording of Heritage Items using Film or Digital Capture*'. Copies of the record are to be submitted to Heritage NSW and Council and prepared subject to the following procedure:
- (a) the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure;
 - ~~(b) — because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project~~
 - ~~(c)~~**(b)** the form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'.
 - ~~(d)~~**(c)** the digital form of the recording is to be as follows:
 - (i) the Development Application number and the Condition of Consent number must be noted;
 - (ii) include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record;
 - (iii) the electronic images are to be taken with a minimum 8 megapixel camera, saved as JPEG TIFF or PDF files with a size of approximately 4-6MB, and cross referenced to the digital

catalogue sheets and base plans. Choose only images that are necessary to document the process, and avoid duplicate images;

- (iv) include written confirmation, issued with the authority of both the applicant and the photographer that Heritage NSW and Council is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included;
- (v) the report can be submitted on a USB, or web transfer, in PDF/A format (created directly from the digital original), with a digital catalogue of images with the following data for each: location, image subject/description and data photograph taken.

6. Condition C8 is added by the insertion of **bold and underlined words** as follows:

C8. As significant fabric may remain concealed and only be exposed during demolition and dismantling work, further archival recording is to be undertaken in stages, as considered appropriate by the conservation architect commissioned for the project, but must include:

- (a) Prior to the removal of any significant building fabric or furnishings from the site**
- (b) During the removal of fabric on site that exposes significant building fabric or furnishings**
- (c) After the demolition and dismantling work has been completed on site,**

The staged and final archival recordings are to be prepared according to the procedure outlined in Condition C7 (a-c) and copies are to be submitted to Heritage NSW and Council.

7. Condition C9 is added by the insertion of **bold and underlined words** as follows:

Protection of Public Infrastructure

C9. Prior to the commencement of any demolition or dismantling, the Applicant must:

- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;**
- (a) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council**
- (b) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites.**

8. Condition C10 is added by the insertion of **bold and underlined words** as follows:

Pre-Construction Dilapidation Report

C10. Prior to the commencement of any demolition or dismantling, the Applicant shall submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person. The Report is to detail the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. A copy of the report is to be provided to the Certifier, Planning Secretary, Council, Heritage NSW, TfNSW and each of the affected property owners for information.

9. Condition C11 is added by the insertion of **bold and underlined words** as follows:

C11. In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Planning Secretary that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.

10. Condition C12 is added by the insertion of **bold and underlined words** as follows:

C12. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant. Damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain.

11. Condition C13 is added by the insertion of **bold and underlined words** as follows:

Demolition

C13. Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 The demolition of structures (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and Planning Secretary.

12. Condition C14 is added by the insertion of **bold and underlined words** as follows:

Environmental Management Plan Requirements

C14. Management plans required under Conditions C15 to C21 of this consent must be prepared having regard to relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020) and a copy provided to the Planning Secretary and Council for information.

13. Condition C15 is added by the insertion of **bold and underlined words** as follows:

Construction Environmental Management Plan

C15. Prior to the commencement of any demolition and dismantling, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier. The CEMP must include, but not be limited to, the following:

(a) Details of:

- (i) hours of work;**
- (ii) 24-hour contact details of site manager;**
- (iii) stormwater control and discharge;**
- (iv) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;**
- (v) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;**
- (vi) community consultation and complaints handling;**
- (vii) measures to ensure the Devonshire Street Pedestrian Tunnel remains open and operational throughout the construction phase of the development and the final measures must be developed in consultation with key stakeholders;**
- (viii) air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works;**
- (ix) incorporation of all acoustic management and treatments.**

(b) Construction Traffic and Pedestrian Management Sub-Plan (see Condition E16);

(c) Construction Noise and Vibration Management Sub-Plan (see Condition E18);

(d) Construction Waste Management Sub-Plan (see Condition E19);

(e) Construction Soil and Water Management Sub-Plan (see Condition E20);

(f) Flood Emergency Response (see Condition E21);

(g) an unexpected finds protocol for contamination and associated communications procedure;

(h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and

- (i) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.

14. Condition C16 is added by the insertion of **bold and underlined words** as follows:

C16. The Applicant must not commence any demolition or dismantling of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.

15. Condition C17 is added by the insertion of **bold and underlined words** as follows:

Construction Pedestrian and Traffic Management Plan Sub-Plan

C17. Prior to the commencement of any demolition or dismantling, the Applicant shall submit to the satisfaction of the Certifier a Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP), prepared in consultation with the Council and TfNSW. The CPTMSP must include, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) a description of the development;
- (c) location of any proposed work zone(s);
- (d) details of crane arrangements including location of any crane(s);
- (e) haulage routes;
- (f) proposed construction hours;
- (g) predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;
- (h) details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;
- (i) details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;
- (j) pedestrian and traffic management measures;
- (k) construction program and construction methodology;
- (l) a detailed plan of any proposed hoarding and/or scaffolding;
- (m) consultation strategy for liaison with surrounding stakeholders, including other developments under construction;
- (n) any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- (o) cumulative construction impacts of projects including Sydney Metro City and South West. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMSP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and
- (p) proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMSP.

16. Condition C18 is added by the insertion of **bold and underlined words** as follows:

Construction Noise and Vibration Management Sub-Plan

C18. Prior to the commencement of any demolition or dismantling, the Applicant shall submit to the satisfaction of the Certifier a Construction Noise and Vibration Management Sub-Plan (CNVMP) prepared in consultation with Council. The CNVMSP must address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced noise expert;
- (b) describe procedures for achieving the noise criteria / management levels in the City of Sydney Construction Hours /Noise Code of Practice 1992. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property;

- (c) incorporate the recommendations of the noise reports prepared by Stantec titled 'Atlassian Central Noise & Vibration Impact Assessment Ref: 45474' dated 23 September 2020 as updated by 'Atlassian Central Acoustics, Noise & Vibration Schematic Design Report – 2.0 Ref: 45474' dated 16 April 2021;
- (d) details of non-tonal alarms, materials handling and work site training;
- (e) include strategies that have been developed with the community for managing high noise generating works and describe the community consultation/liaison undertaken to develop the strategies;
- (f) details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum;
- (g) what plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available;
- (h) include a complaints management system that would be implemented for the duration of the construction; and
- (i) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with Condition C14.

17. Condition C19 is added by the insertion of **bold and underlined words** as follows:

Construction Waste Management Sub-Plan

C19. Prior to the commencement of any demolition or dismantling, the Applicant shall submit to the satisfaction of the Certifier a Construction Waste Management Sub-Plan (CWMSP). The CWMSP must include, but not be limited to, the following elements:

- (a) require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";
- (b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;
- (c) procedures for minimising the movement of waste material around the site and double handling;
- (d) waste (including litter, debris or other matter) is not caused or permitted to enter any waterways;
- (e) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;
- (f) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises;
- (g) details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):
 - a traffic plan showing transport routes within the site;
 - a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and
 - the name and address of each licensed facility that will receive waste from the site (if appropriate).

18. Condition C20 is added by the insertion of **bold and underlined words** as follows:

Construction Soil and Water Management Plan Sub-Plan

C20. Prior to the commencement of any demolition or dismantling, the Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSP) and the plan must address, but not be limited to the following:

- (a) be prepared by a suitably qualified expert, in consultation with Council;
- (b) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';

- (c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas.
- (d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the site);
- (e) detail all off-site flows from the site; and
- (f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to, 1 in 5-year ARI and 1 in 100-year ARI.

19. Condition C21 is added by the insertion of **bold and underlined words** as follows:

Construction Flood Emergency Response Sub-Plan

C21. Prior to the commencement of any demolition or dismantling, the Applicant must prepare a Construction Flood Emergency Response Sub-Plan (CFERSP). The CFERSP must address, but not be limited to, the following:

- (a) be prepared by a suitably qualified and experienced person(s) in consultation with Council and EESG;
- (b) address the provisions of the Floodplain Risk Management Guidelines (EESG);
- (c) include details of:
 - (i) the flood emergency responses for the construction phase(s) of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees, contractors and visitors.

20. Condition C22 is added by the insertion of **bold and underlined words** as follows:

Hazardous Materials Survey

C22. Prior to the commencement of any demolition or dismantling, a Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (Australia Institute of Occupational Hygienists) and submitted to the Certifier. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.

21. Condition C23 is added by the insertion of **bold and underlined words** as follows:

C23. All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report as approved via Condition C23 must be complied with.

22. Condition C24 is added by the insertion of **bold and underlined words** as follows:

Soil and Water

C24. Prior to the commencement of any demolition or dismantling, the Applicant must install erosion and sediment controls and other soil and water management measures in accordance with the CSWMSP (Condition C20) which must remain in place throughout demolition, dismantling and construction works.

23. Condition C25 is added by the insertion of **bold and underlined words** as follows:

Construction Worker Transportation

C25. Prior to the commencement of any demolition or dismantling, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information.

24. Condition C26 is added by the insertion of **bold and underlined words** as follows:

Construction Parking and Truck Movements

C26. Prior to the commencement of any demolition or dismantling, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.

25. Condition C27 is added by the insertion of **bold and underlined words** as follows:

C27. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:

- (a) minimise the impacts of earthworks and construction on the local and regional road network;**
- (b) minimise conflicts with other road users;**
- (c) minimise road traffic noise; and**
- (d) ensure truck drivers use specified routes.**

26. Condition C28 is added by the insertion of **bold and underlined words** as follows:

C28. Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.

27. Condition C29 is added by the insertion of **bold and underlined words** as follows:

C29. The Applicant must provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number (via development.sco@transport.nsw.gov.au) is current during any stage of construction.

28. Condition C30 is added by the insertion of **bold and underlined words** as follows:

Protection of Rail Assets and Operation – demolition and dismantling

C30. Prior to the commencement of any demolition or dismantling, the Applicant must contact TfNSW to confirm whether it requires the following matters to be addressed. If TfNSW confirms any of the following matters need to be addressed, the Applicant shall prepare/action the required details in consultation with TfNSW and submit evidence to the Certifier of Sydney Trains' endorsement(s) of the final details. The details include the:

- (a) preparation of a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works;**
- (b) preparation of a Track Monitoring Plan (including instrumentation and the monitoring regime during excavation and construction phases);**
- (c) need to obtain public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by TfNSW and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure and must be maintained for the duration specified by TfNSW**
- (d) need to lodge a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains.**

Note: The Applicant should contact TfNSW External Interface Management team to obtain the level of insurance required and/or Bond or Bank Guarantee for the proposal required under sub-points (c) and (d).

29. Condition C31 is added by the insertion of **bold and underlined words** as follows:

TfNSW requirements during demolition and dismantling

C31. No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless endorsed by TfNSW. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.

30. Condition C32 is added by the insertion of **bold and underlined words** as follows:

C32. No work (including need for access to undertake maintenance work) is permitted within the rail corridor, or any easements which benefit TfNSW / Transport Asset Holding Entity, at any time, unless the prior approval of, or an Agreement/Licence with TfNSW / Transport Asset Holding Entity has been obtained by the Applicant.

31. Condition C33 is added by the insertion of **bold and underlined words** as follows:

C33. No form of pollution or contamination should enter the railway corridor as a result of development's activities. Any form of pollution or contamination that occur in the rail corridor as a consequence of the development activities shall remain the full responsibility of the owner of the development.

32. Condition C34 is added by the insertion of **bold and underlined words** as follows:

C34. Prior to the commencement of any demolition or dismantling, appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of TfNSW prior to the fencing work being undertaken. The fencing is to remain in place throughout the duration of demolition, dismantling and construction works.

33. Condition C35 is added by the insertion of **bold and underlined words** as follows:

C35. Prior to the commencement of any demolition or dismantling, a programme of baiting and monitoring of rodent activity is to be put in place at the site. A licensed Pest Control Operative must carry out all pest control work and prepare a report, confirming that there is no evidence of any rodent activity at the site prior to the commencement of any demolition or dismantling works on site.

PART D PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

34. Condition D62 is added by the insertion of **bold and underlined words** as follows:

Updated Salvage and Reuse of Distinctive Elements Plan

D62. Prior to the issue of Construction Certificate four (CC4), an updated Salvage and Reuse of Distinctive Elements Plan (SRDEP) required under Condition C5 must be prepared by a suitably qualified and experienced heritage practitioner and submitted to and approved by the Planning Secretary. The updated SRDEP must be prepared in consultation with and endorsed by Heritage NSW and must be updated to include (but shall not be limited to):

- (a) a comprehensive plan package including specifications, methodologies and detailed architectural plans, sections and elevations at 1:20 and 1:5 scales**
- (b) confirmation of what salvaged heritage fabric would be:**
 - (i) incorporated and reused appropriately within the reconstructed / adapted heritage item or within the development more broadly, and**
 - (ii) surplus to the project and either stored for reuse within the Western Gateway Sub-Precinct, Central Station Precinct or transferred to a heritage building materials dealer for recycling.**

35. Condition D63 is added by the insertion of **bold and underlined words** as follows:

Public Domain Plan Detailed Documentation for Construction – Lee Street Public Domain

D63. Prior to the issue of Construction Certificate five (CC5) a detailed Public Domain Plan and all relevant documentation must be submitted to and approved by the City's Public Domain Unit. This Plan must:

- (a) document all works required to ensure that the public domain complies with the City of Sydney's Public Domain Manual, Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights Design Code, Sydney Streets Technical Specification and Sydney's Parks Code;**
- (b) consider road pavement, traffic measures, footway pavement, kerb and gutter, drainage, vehicle crossovers, pedestrian ramps, lighting, street trees and landscaping, signage and other public domain elements;**
- (c) be checked, accurate, and comply with specified requirements; and**
- (d) must be based on an accurate survey, to scale and fully coordinated across all disciplines and submissions.**
- (e) be to construction standard and will be approved under Section 138 of the Roads Act.**
- (f) be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation.**

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

Note: If the proposed detailed design of the public domain requires changes to any previously approved levels, an Application for Public Domain Levels and Gradients must be submitted to and approved by the Public Domain Unit to reflect these changes prior to an approval being issued for the construction of public domain work.

Note: Stamped plans will be issued for construction and approved under Section 138 of the Roads Act.

36. Condition D64 is added by the insertion of **bold and underlined words** as follows:

D64. Approval under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any excavation in or disturbance of a public way for the construction of approved public domain works.

37. Condition D65 is added by the insertion of **bold and underlined words** as follows:

Public Domain Works Bond and Defects Liability – Lee Street Public Domain

D65. Prior to the issue of Construction Certificate 5 (CC5), a Public Domain Works Bond will be required as security for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Bond must be submitted as cash, an unconditional bank guarantee or insurance bond as per the Council's Performance Bond Policy in favour of the City as security for completion of the obligations under this consent (Guarantee).

38. Condition D66 is added by the insertion of **bold and underlined words** as follows:

D66. The City's Public Domain Unit must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with the City prior to an approval being issued for the Public Domain Plan.

39. Condition D67 is added by the insertion of **bold and underlined words** as follows:

D67. The Guarantee will be retained in full until all Public Domain works, including rectification of damage to the public domain, are completed to City of Sydney standards and approval and the required certifications, warranties and works-as-executed documentation are submitted and approved by the City in writing. On satisfying the above requirements, 90% of the security will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

40. Condition D68 is added by the insertion of **bold and underlined words** as follows:

D68. All works to the City's public domain, including rectification of identified defects, are subject to a 6-month defects liability period from the date of final completion. The date of final completion will be nominated by Council on the Certificate of Practical Completion for public domain works.

41. Condition D69 is added by the insertion of **bold and underlined words** as follows:

D69. Prior to the issue of Construction Certificate 1 (CC1), the Applicant must prepare a Heritage Management Plan for the development to be submitted to and approved by the Planning Secretary. This plan must:

- (a) be prepared in consultation with Heritage NSW and the Registered Aboriginal Parties (RAPs). The RAPs must be provided with a reasonable opportunity, being at least 28 days, to provide comment on the draft Heritage Management Plan;**
- (b) include a protocol for ongoing consultation with the RAPs for the duration of this project;**
- (c) include a description of the measures that would be implemented for archaeological investigations that includes at least the following:**
 - (i) Aboriginal cultural heritage research questions;**
 - (ii) the proposed staging and timing of excavations in relation to the development phases;**
 - (iii) a staged testing and excavation methodology;**
 - (iv) detailed triggers for expansion of any test pits to salvage excavation;**
 - (v) a methodology for the excavation of features such as, but not limited to, hearths, knapping floors and middens etc;**
 - (vi) artefact analysis methodology;**
 - (vii) identified stop points where additional consultation with RAPs, Heritage NSW and the Secretary may be required if significant Aboriginal objects are identified;**
 - (viii) sampling and dating methodology; (**
 - (ix) short term and long term care and control of any Aboriginal objects;**
 - (x) reporting requirements;**
- (d) include measures to prevent harm to any Aboriginal objects outside the construction boundary;**
- (e) include a program to monitor and report on the effectiveness of any mitigation and management measures in protecting or limiting harm to Aboriginal objects;**
- (f) ensure any workers on site receive suitable Aboriginal cultural heritage induction(s) prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions;**
- (g) include a Trigger Action Response Plan that included stop work provisions, notification protocols and significance assessment protocols to manage key risks to Aboriginal heritage, including:**
 - (i) the discovery of any potential human remains;**
 - (ii) the discovery of previously unidentified Aboriginal objects within the construction footprint; and**

(iii) managing unauthorised ground disturbance.

42. Condition D70 is added by the insertion of **bold and underlined words** as follows:

D70. Following the archaeological testing program and prior to issue of Construction Certificate 2 (CC2), a report documenting the finds including a reassessment of their significance and likely impact from the project, shall be submitted to and approved by the Planning Secretary in consultation with the Heritage Council of NSW.

43. Condition D71 is added by the insertion of **bold and underlined words** as follows:

Non-Aboriginal Archaeology - Archaeological Salvage

D71. Where State significant archaeological salvage is required, and prior to the commencement of archaeological salvage excavation, the Archaeological Research Design prepared by AMBS Ecology and Heritage dated September 2020 shall be amended to refine the salvage program based on the testing results. This document shall be prepared in consultation with the Heritage Council of NSW (or its delegate) and submitted to and approved by the Planning Secretary prior to issue of Construction Certificate 2 (CC2).

PART E PRIOR TO THE COMMENCEMENT OF CONSTRUCTION

44. Conditions E9, E10, E11, E12, E13, E14, E15, E16, E17, E18, E19, E20, E21, E22, E23, E24, E29, E30, E31, E33, E40, E43, E45, E47, E50, E52, E53, E54, E55, E56, and E57 are deleted by the **bold and struck out words** as follows:

Protection of Public Infrastructure

~~E9. Prior to the commencement of any demolition, earthworks or construction, the Applicant must:~~

- ~~(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;~~
- ~~(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Planning Secretary, Certifier and Council~~
- ~~(c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the Australian Standard 4970 Protection of Trees on Development Sites.~~

Pre-Construction Dilapidation Report

~~E10. Prior to the commencement of any demolition, earthworks or construction, the Applicant shall submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person. The Report is to detail the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. A copy of the report is to be provided to the Certifier, Planning Secretary, Council, Heritage NSW, TfNSW and each of the affected property owners for information.~~

~~E11. In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Planning Secretary that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.~~

~~E12. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant. Damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain Works or before the final Occupation Certificate is issued for the development, whichever is the sooner.~~

Demolition

~~E13. Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 The demolition of structures (Standards Australia, 2001) must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier and Planning Secretary.~~

Environmental Management Plan Requirements

~~E14. Management plans required under Conditions E15 to E21 of this consent must be prepared having regard to relevant guidelines, including but not limited to the Environmental Management Plan Guideline: Guideline for Infrastructure Projects (DPIE April 2020) and a copy provided to the Planning Secretary and Council for information.~~

Construction Environmental Management Plan

~~E15. Prior to the commencement of any demolition, earthworks or construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier. The CEMP must include, but not be limited to, the following:~~

- ~~(a) Details of:~~
 - ~~(i) hours of work;~~
 - ~~(ii) 24-hour contact details of site manager;~~
 - ~~(iii) stormwater control and discharge;~~
 - ~~(iv) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;~~

- ~~(v) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;~~
- ~~(vi) community consultation and complaints handling;~~
- ~~(vii) measures to ensure the Devonshire Street Pedestrian Tunnel remains open and operational throughout the construction phase of the development and the final measures must be developed in consultation with key stakeholders;~~
- ~~(viii) air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works;~~
- ~~(ix) incorporation of all acoustic management and treatments.~~
- ~~(b) Construction Traffic and Pedestrian Management Sub-Plan (see Condition E16);~~
- ~~(c) Construction Noise and Vibration Management Sub-Plan (see Condition E18);~~
- ~~(d) Construction Waste Management Sub-Plan (see Condition E19);~~
- ~~(e) Construction Soil and Water Management Sub-Plan (see Condition E20);~~
- ~~(f) Flood Emergency Response (see Condition E21);~~
- ~~(g) an unexpected finds protocol for contamination and associated communications procedure;~~
- ~~(h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and~~
- ~~(i) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.~~

E16. ~~The Applicant must not commence demolition, earthworks or construction of the development until the CEMP is approved by the Certifier and a copy submitted to the Planning Secretary.~~

Construction Pedestrian and Traffic Management Plan Sub-Plan

E17. ~~Prior to the commencement of any demolition, earthworks or construction, the Applicant shall submit to the satisfaction of the Certifier a Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP), prepared in consultation with the Council and TfNSW. The CPTMSP must include, but not be limited to, the following:~~

- ~~(a) be prepared by a suitably qualified and experienced person(s);~~
- ~~(b) a description of the development;~~
- ~~(c) location of any proposed work zone(s);~~
- ~~(d) details of crane arrangements including location of any crane(s);~~
- ~~(e) haulage routes;~~
- ~~(f) proposed construction hours;~~
- ~~(g) predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods;~~
- ~~(h) details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;~~
- ~~(i) details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on roads surrounding the site;~~
- ~~(j) pedestrian and traffic management measures;~~
- ~~(k) construction program and construction methodology;~~
- ~~(l) a detailed plan of any proposed hoarding and/or scaffolding;~~
- ~~(m) consultation strategy for liaison with surrounding stakeholders, including other developments under construction;~~
- ~~(n) any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;~~
- ~~(o) cumulative construction impacts of projects including Sydney Metro City and South West. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMSP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network; and~~
- ~~(p) proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMSP.~~

Construction Noise and Vibration Management Sub-Plan

E18. ~~Prior to the commencement of any demolition, earthworks or construction, the Applicant shall submit to the satisfaction of the Certifier a Construction Noise and Vibration Management Sub-~~

~~Plan (CNVMP) prepared in consultation with Council. The CNVMSP must address, but not be limited to, the following:~~

- ~~(a) be prepared by a suitably qualified and experienced noise expert;~~
- ~~(b) describe procedures for achieving the noise criteria / management levels in the City of Sydney Construction Hours / Noise Code of Practice 1992. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property;~~
- ~~(c) incorporate the recommendations of the noise reports prepared by Stantec titled 'Atlassian Central Noise & Vibration Impact Assessment Ref: 45474' dated 23 September 2020 as updated by 'Atlassian Central Acoustics, Noise & Vibration Schematic Design Report—2.0 Ref: 45474' dated 16 April 2021;~~
- ~~(d) details of non-tonal alarms, materials handling and work site training;~~
- ~~(e) include strategies that have been developed with the community for managing high noise generating works and describe the community consultation/liaison undertaken to develop the strategies;~~
- ~~(f) details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum;~~
- ~~(g) what plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available;~~
- ~~(h) include a complaints management system that would be implemented for the duration of the construction; and~~
- ~~(i) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the management measures in accordance with Condition E14.~~

Construction Waste Management Sub-Plan

E19. ~~Prior to the commencement of any demolition, earthworks or construction, the Applicant shall submit to the satisfaction of the Certifier a Construction Waste Management Sub-Plan (CWMSPP). The CWMSPP must include, but not be limited to, the following elements:~~

- ~~(a) require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";~~
- ~~(b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;~~
- ~~(c) procedures for minimising the movement of waste material around the site and double handling;~~
- ~~(d) waste (including litter, debris or other matter) is not caused or permitted to enter any waterways;~~
- ~~(e) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;~~
- ~~(f) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises;~~
- ~~(g) details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):~~
 - ~~(i) a traffic plan showing transport routes within the site;~~
 - ~~(ii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and~~
 - ~~(iii) the name and address of each licensed facility that will receive waste from the site (if appropriate).~~

Construction Soil and Water Management Plan Sub-Plan

E20. ~~Prior to the commencement of any demolition, earthworks or construction, the Applicant must prepare a Construction Soil and Water Management Sub-Plan (CSWMSPP) and the plan must address, but not be limited to the following:~~

- ~~(a) be prepared by a suitably qualified expert, in consultation with Council;~~

- ~~(b) describe all erosion and sediment controls to be implemented during construction, as a minimum, in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) commonly referred to as the 'Blue Book';~~
- ~~(c) include an Acid Sulfate Soils Management Plan, if required, including measures for the management, handling, treatment and disposal of acid sulfate soils, including monitoring of water quality at acid sulfate soils treatment areas.~~
- ~~(d) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the site);~~
- ~~(e) detail all off-site flows from the site; and~~
- ~~(f) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to, 1 in 5-year ARI and 1 in 100-year ARI.~~

~~Construction Flood Emergency Response Sub-Plan~~

~~E21. Prior to the commencement of any demolition, earthworks or construction, the Applicant must prepare a Construction Flood Emergency Response Sub-Plan (CFERSP). The CFERSP must address, but not be limited to, the following:~~

- ~~(a) be prepared by a suitably qualified and experienced person(s) in consultation with Council and EESG;~~
- ~~(b) address the provisions of the Floodplain Risk Management Guidelines (EESG);~~
- ~~(c) include details of:~~
 - ~~(i) the flood emergency responses for the construction phase(s) of the development;~~
 - ~~(ii) predicted flood levels;~~
 - ~~(iii) flood warning time and flood notification;~~
 - ~~(iv) assembly points and evacuation routes;~~
 - ~~(v) evacuation and refuge protocols; and~~
 - ~~(vi) awareness training for employees, contractors and visitors.~~

~~Hazardous Materials Survey~~

~~E22. Prior to the commencement of any demolition, earthworks or construction, a Hazardous Materials Survey Report must be prepared by a certified Occupational Hygienist (Australia Institute of Occupational Hygienists) and submitted to the Certifier. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to their safe management and/or removal to ensure the site is made safe for demolition, construction and future use/occupation.~~

~~E23. All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report as approved via Condition E22 must be complied with.~~

~~Soil and Water~~

~~E24. Prior to the commencement of any demolition, earthworks or construction, the Applicant must install erosion and sediment controls and other soil and water management measures in accordance with the CSWMSP (Condition E20).~~

~~Construction Worker Transportation~~

~~E29. Prior to the commencement of any demolition, earthworks or construction, the Applicant must submit a Construction Worker Transportation Strategy to the Certifier. The Strategy must detail the provision of sufficient parking facilities or other travel arrangements for construction workers in order to minimise demand for parking in nearby streets or public parking facilities. A copy of the strategy must be submitted to the Planning Secretary for information.~~

~~Construction Parking and Truck Movements~~

~~E30. Prior to the commencement of any demolition, earthworks or construction, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles, to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.~~

~~E31. A Driver Code of Conduct must be prepared and communicated by the Applicant to heavy vehicle drivers and must address the following:~~

- ~~(a) minimise the impacts of earthworks and construction on the local and regional road network;~~
- ~~(b) minimise conflicts with other road users;~~
- ~~(c) minimise road traffic noise; and~~
- ~~(d) ensure truck drivers use specified routes.~~

- E32. ~~Prior to the commencement of the removal of any waste material from the site, the Applicant must notify the TfNSW Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the site.~~
- E33. ~~The Applicant must provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The Applicant is responsible for ensuring the builder's direct contact number (via development.sco@transport.nsw.gov.au) is current during any stage of construction.~~
- E40. ~~Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of TfNSW prior to the fencing work being undertaken.~~
- E43. ~~Prior to commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to be submitted to and approved by the Planning Secretary. This plan must:~~
- ~~(a) be prepared in consultation with Heritage NSW and the Registered Aboriginal Parties (RAPs). The RAPs must be provided with a reasonable opportunity, being at least 28 days, to provide comment on the draft Heritage Management Plan;~~
 - ~~(b) include a protocol for ongoing consultation with the RAPs for the duration of this project;~~
 - ~~(c) include a description of the measures that would be implemented for archaeological investigations that includes at least the following:~~
 - ~~(i) Aboriginal cultural heritage research questions;~~
 - ~~(ii) the proposed staging and timing of excavations in relation to the development phases;~~
 - ~~(iii) a staged testing and excavation methodology;~~
 - ~~(iv) detailed triggers for expansion of any test pits to salvage excavation;~~
 - ~~(v) a methodology for the excavation of features such as, but not limited to, hearths, knapping floors and middens etc;~~
 - ~~(vi) artefact analysis methodology;~~
 - ~~(vii) identified stop points where additional consultation with RAPs, Heritage NSW and the Secretary may be required if significant Aboriginal objects are identified;~~
 - ~~(viii) sampling and dating methodology; (~~
 - ~~(ix) short term and long term care and control of any Aboriginal objects;~~
 - ~~(x) reporting requirements;~~
 - ~~(d) include measures to prevent harm to any Aboriginal objects outside the construction boundary;~~
 - ~~(e) include a program to monitor and report on the effectiveness of any mitigation and management measures in protecting or limiting harm to Aboriginal objects;~~
 - ~~(f) ensure any workers on site receive suitable Aboriginal cultural heritage induction(s) prior to carrying out any activities which may disturb Aboriginal sites, and that suitable records are kept of these inductions;~~
 - ~~(g) include a Trigger Action Response Plan that included stop work provisions, notification protocols and significance assessment protocols to manage key risks to Aboriginal heritage, including:~~
 - ~~(i) the discovery of any potential human remains;~~
 - ~~(ii) the discovery of previously unidentified Aboriginal objects within the construction footprint; and~~
 - ~~(iii) managing unauthorised ground disturbance.~~
- E45. ~~Following the archaeological testing program, a report documenting the finds including a reassessment of their significance and likely impact from the project, shall be submitted to and approved by the Planning Secretary in consultation with the Heritage Council of NSW.~~
- Non-Aboriginal Archaeology – Design Review following testing**
- E46. ~~Should archaeological deposits and substantially intact evidence of State significance be found, notification under s146 of the Heritage Act 1977 is required and a design review process must be undertaken in consultation with the Heritage Council to achieve the best outcomes for managing State significant archaeology at the site. The final design must be submitted to and approved by the Planning Secretary in consultation with the Heritage Council of NSW (or its delegate).~~

Non-Aboriginal Archaeology – Archaeological Salvage

~~E47. — Where State significant archaeological salvage is required, and prior to the commencement of archaeological salvage excavation, the Archaeological Research Design prepared by AMBS Ecology and Heritage dated September 2020 shall be amended to refine the salvage program based on the testing results. This document shall be prepared in consultation with the Heritage Council of NSW (or its delegate) and submitted to and approved by the Planning Secretary.~~

Non-Aboriginal Archaeology – Public Open Day

~~E48. — Where state significant archaeological salvage is required, the Proponent shall factor into the program an opportunity for interpretation, public education and public access to the results of the archaeological investigation via a public Open Day. It must be conducted on a weekend to facilitate public attendance and should be advertised at least one week ahead to ensure that the greatest number of people are aware of the activity. Details of the proposed public Open Day must be sent to the Planning Secretary and the Heritage Council of NSW prior to the event to enable promotion of attendance.~~

Non-Aboriginal Archaeology – Final Reporting

~~E49. — A final archaeological excavation report shall be prepared within 12 months of the completion of the final archaeological excavation program for the project and copies of the final report shall be submitted to the Planning Secretary, the Heritage Council of NSW under s146 of the Heritage Act 1977 and to the local Council's local studies unit. The final report shall include:~~

- ~~(a) details of all archaeological findings (i.e. from testing and salvage excavations); and~~
- ~~(b) details of any significant artefacts recovered, where they are located and details of their ongoing conservation and protection in perpetuity by the land owner.~~

Rodent Treatment Program

~~E50. — Prior to the commencement of any demolition, earthworks or construction, a programme of baiting and monitoring of rodent activity is to be put in place at the site. A licensed Pest Control Operative must carry out all pest control work and prepare a report, confirming that there is no evidence of any rodent activity at the site prior to the commencement of any demolition or dismantling works on site.~~

Public Domain Plan Detailed Documentation for Construction – Lee Street Public Domain

~~E52. — Prior to the construction of any public domain works, a detailed Public Domain Plan and all relevant documentation must be submitted to and approved by the City's Public Domain Unit. This Plan must:~~

- ~~(a) document all works required to ensure that the public domain complies with the City of Sydney's Public Domain Manual, Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights Design Code, Sydney Streets Technical Specification and Sydney's Parks Code;~~
- ~~(b) consider road pavement, traffic measures, footway pavement, kerb and gutter, drainage, vehicle crossovers, pedestrian ramps, lighting, street trees and landscaping, signage and other public domain elements;~~
- ~~(c) be checked, accurate, and comply with specified requirements; and~~
- ~~(d) must be based on an accurate survey, to scale and fully coordinated across all disciplines and submissions.~~
- ~~(e) be to construction standard and will be approved under Section 138 of the Roads Act.~~
- ~~(f) be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation.~~

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

~~Note: If the proposed detailed design of the public domain requires changes to any previously approved levels, an *Application for Public Domain Levels and Gradients* must be submitted to and approved by the Public Domain Unit to reflect these changes prior to an approval being issued for the construction of public domain work.~~

~~Note: Stamped plans will be issued for construction and approved under Section 138 of the Roads Act.~~

~~E53. — Approval under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any excavation in or disturbance of a public way for the construction of approved public domain works~~

Public Domain Works Bond and Defects Liability – Lee Street Public Domain

~~E54. — A Public Domain Works Bond will be required as security for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in~~

accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Bond must be submitted as cash, an unconditional bank guarantee or insurance bond as per the Council's Performance Bond Policy in favour of the City as security for completion of the obligations under this consent (Guarantee).

- E55. The City's Public Domain Unit must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with the City prior to an approval being issued for the Public Domain Plan.
- E56. The Guarantee will be retained in full until all Public Domain works, including rectification of damage to the public domain, are completed to City of Sydney standards and approval and the required certifications, warranties and works as executed documentation are submitted and approved by the City in writing. On satisfying the above requirements, 90% of the security will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.
- E57. All works to the City's public domain, including rectification of identified defects, are subject to a 6-month defects liability period from the date of final completion. The date of final completion will be nominated by Council on the Certificate of Practical Completion for public domain works.

PART F – DURING CONSTRUCTION

45. Condition F32 is amended by the insertion of **bold and underlined words** and deletion of the ~~**bold and struck out words**~~ as follows:

Erosion and Sediment Control

- F32. All erosion and sediment control measures must be effectively implemented and maintained in accordance with the CSWMSP (Condition ~~E20~~ **C20**).

46. Condition F60 is added by the insertion of **bold and underlined words** as follows:

Non-Aboriginal Archaeology – Design Review following testing

- F60. Should archaeological deposits and substantially intact evidence of State significance be found, notification under s146 of the Heritage Act 1977 is required and a design review process must be undertaken in consultation with the Heritage Council to achieve the best outcomes for managing State significant archaeology at the site. The final design must be submitted to and approved by the Planning Secretary in consultation with the Heritage Council of NSW (or its delegate).**

47. Condition F61 is added by the insertion of **bold and underlined words** as follows:

Non-Aboriginal Archaeology - Public Open Day

- F61. Where state significant archaeological salvage is required, the Proponent shall factor into the program an opportunity for interpretation, public education and public access to the results of the archaeological investigation via a public Open Day. It must be conducted on a weekend to facilitate public attendance and should be advertised at least one week ahead to ensure that the greatest number of people are aware of the activity. Details of the proposed public Open Day must be sent to the Planning Secretary and the Heritage Council of NSW prior to the event to enable promotion of attendance.**

48. Condition F62 is added by the insertion of **bold and underlined words** as follows:

Non-Aboriginal Archaeology - Final Reporting

- F62. A final archaeological excavation report shall be prepared within 12 months of the completion of the final archaeological excavation program for the project and copies of the final report shall be submitted to the Planning Secretary, the Heritage Council of NSW under s146 of the Heritage Act 1977 and to the local Council's local studies unit. The final report shall include:**
- (a) details of all archaeological findings (i.e. from testing and salvage excavations); and**
- (b) details of any significant artefacts recovered, where they are located and details of their ongoing conservation and protection in perpetuity by the land owner.**

End of modification
(SSD 10405 MOD 1)