

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

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

These conditions are required to:

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


Acting Executive Director
Infrastructure and Industry Assessments
Department of Planning and Environment

Sydney 25th SEPTEMBER 2015

SCHEDULE 1

Application No.: SSD 5824

Applicant: Sovereign Wynyard Centre Pty Ltd

Consent Authority: Minister for Planning

Land: Site referred to as 'One Carrington Street' including: Thakral House 301 George Street, Shell House 2-12 Carrington Street, the Menzies Hotel 14 Carrington Street, 285 and 287 George Street and strata above and below Wynyard Lane.

Lot 1 DP853331, Lot 2 DP853331, Lot 4 DP853331, Lot 10 DP853331, Lot 22 DP59753 and Lot 23 DP59753.

Approved Development: Development of One Carrington Street including:

- demolition of The Menzies Hotel, 301 George Street and eastern access ways to Wynyard Station, development above Wynyard Lane and partial demolition of Shell House and 285-287 George Street;
- upgrade of the eastern access ways to Wynyard Station including provision of a new Transit Hall, through site link, retail areas and concourse layout;
- construction and use of a 27 storey commercial building on the land between Carrington Street and George Street;

- construction of a retail / commercial loading dock and two levels of basement comprising 89 tenant car spaces and end of trip facilities;
- refurbishment of 285-287 George Street and Shell House for commercial and retail uses;
- signage zones; and
- public domain upgrades surrounding the site.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent.
Council	City of Sydney Council
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Department	Department of Planning and Environment
Secretary	Secretary of the Department of Planning and Environment
Secretary's approval, agreement, endorsement or satisfaction	A written approval from the Secretary (or nominee/delegate)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Feasible	Feasible relates to engineering considerations and what is practical to build
Minister	Minister for Planning, or nominee
OEH	Office of the Environment and Heritage
PCA	Principal Certifying Authority
RtS	Response to Submissions report prepared by JBA Planning dated 25 September 2014 and addendum report dated 21 November 2014
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
RMS	Roads and Maritime Services Division, Department of Transport
Site	Land referred to in Schedule 1
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
TfNSW	Transport for New South Wales
Zone of Influence	The horizontal distance from the edge of the excavation to twice the maximum excavation depth.

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Terms of Consent

- A1 Except as amended by the conditions of this consent, development consent is granted only to carry out the development as described in Condition A2.
- A2 The Applicant shall carry out the project generally in accordance with the:
- a) State Significant Development Application SSD 5824;
 - b) Environmental Impact Statement prepared by JBA Planning dated May 2014;
 - c) Response to Submissions report prepared by JBA Planning dated 25 September 2014 and addendum report dated 21 November 2014;
 - d) The conditions of this consent; and
 - e) The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Make + Architectus			
Drawing No.	Revision	Name of Plan	Date
DA0002	00	General Notes and Symbols	19.03.2014
DA0006	00	Demolition Plan – Site	17.03.2014
DA0007	00	Demolition Plan – Shell House	17.03.2014
DA0008	00	Demolition Plan – 285 George Street	17.03.2014
DA0009	00	Excavation Plan	17.03.2014
DA1000	00	Existing Site Plan	19.03.2014
DA2000	00	Proposed Site Plan	19.03.2014
DA2002	00	Lower Basement Level	19.03.2014
DA2003	00	Basement Level	19.03.2014
DA2004	00	Hunter Connection Level	19.03.2014
DA2005	00	Concourse Level	19.03.2014
DA2006	00	George Street Level	19.03.2014
DA2007	00	Wynyard Lane Level	19.03.2014
DA2008	00	Carrington Street Level	19.03.2014
DA2009	00	Upper Ground Level	19.03.2014
DA2010	00	Mezzanine Level	19.03.2014
DA2011	00	Office Level 01	19.03.2014
DA2012	00	Office Level 02	19.03.2014
DA2013	00	Office Level 03	19.03.2014
DA2014	00	Office Level 04	19.03.2014
DA2015	00	Office Level 05	19.03.2014

DA2016	00	Office Level 06	19.03.2014
DA2017	00	Office Level 07	19.03.2014
DA2018	00	Office Level 08	19.03.2014
DA2019	00	Office Level 09	19.03.2014
DA2020	01	Office Level 10	11.09.2014
DA2021	00	Office Level 11	19.03.2014
DA2022	00	Office Level 12	19.03.2014
DA2023	00	Office Level 13	19.03.2014
DA2024	00	Office Level 14	19.03.2014
DA2025	00	Office Level 15	19.03.2014
DA2026	00	Office Level 16	19.03.2014
DA2027	00	Office Level 17	19.03.2014
DA2028	00	Office Level 18	19.03.2014
DA2029	00	Office Level 19	19.03.2014
DA2030	00	Office Level 20	19.03.2014
DA2031	00	Office Level 21	19.03.2014
DA2032	00	Office Level 22	19.03.2014
DA2033	00	Office Level 23	19.03.2014
DA2034	00	Office Level 24	19.03.2014
DA2035	00	Office Level 25	19.03.2014
DA2036	00	Office Level 26	19.03.2014
DA2037	00	Office Level 27	19.03.2014
DA2038	00	Office Level 28 Plant	19.03.2014
DA2039	00	Office Level 29 Plant	19.03.2014
DA2040	00	Office Level 30 Plant	19.03.2014
DA2041	00	Roof Plan	19.03.2014
DA2100	00	Proposed Elevation A (East)	19.03.2014
DA2101	00	Proposed Elevation B (South)	19.03.2014
DA2102	00	Proposed Elevation C (West)	19.03.2014
DA2103	00	Proposed Elevation D (North)	19.03.2014
DA2201	00	Proposed Section 02	19.03.2014
DA2202	00	Proposed Section 07	19.03.2014
DA2220	00	Proposed Section 1 Carrington to George Street Laneway	19.03.2014
DA2221	00	Proposed Section 2 Concourse Section	19.03.2014
DA2222	00	Proposed Section 3 Office Lobby to George Street	19.03.2014
DA2223	00	Proposed Section 04 Retail on George Street	19.03.2014
DA2224	00	Proposed Section 5 Carrington to George Street Laneway	19.03.2014

DA2300	00	Proposed Shell House Elevations	17.03.2014
DA2301	00	Proposed 285-287 George Street	17.03.2014
DA2310	00	Concept Plan Envelope Compliance	17.03.2014
DA5000	00	Typical Cladding Detail 1	19.03.2014
DA5001	00	Typical Cladding Detail 2	19.03.2014
DA6000	00	GFA Schedule	17.03.2014
Landscape and Public Domain Drawings prepared by Oculus			
Drawing No.	Revision	Name of Plan	Date
L-M-010	C	MEZZANINE TERRACE	21.03.2014
L-04-010	C	LEVEL 04 TERRACE	21.03.2014
L-09-010	C	LEVEL 09 TERRACES	21.03.2014
L-10-010	C	LEVEL 10 RESTAURANT TERRACE	21.03.2014
L-27-010	C	LEVEL 27 OFFICE TERRACE	21.03.2014
L-00-200	C	TERRACE SECTIONS	21.03.2014
L-00-300	C	PLANTING PALETTE	21.03.2014
L-100	C	PUBLIC DOMAIN CONCEPT PLAN	21.03.2014
L-110	C	PUBLIC DOMAIN MATERIALS	21.03.2014

Inconsistency Between Documents

- A3 If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Limits on Consent

- A4 This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.
- A5 This consent does not approve strata subdivision, retail fit out, commercial fit out or signage (outside of the approved signage zones). Separate approval/s for the strata subdivision, relevant fit out and signage must be obtained for this development, if required by the EP&A Act

Obligation to Minimise Harm to the Environment

- A6 In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

Prescribed Conditions

- A7 The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Legal Notices

- A8 Any advice or notice to the consent authority shall be served on the Secretary.

Section 61 Contributions

A9 A cash contribution comprising 1% of the total cost of the development is payable to Council pursuant to section 61 of the City of Sydney Act 1988 and the Central Sydney Contribution (Amendment) Plan 2002 / Central Sydney Development Contributions Plan 2013 in accordance with the following:

- a) prior to a Construction Certificate being issued, evidence must be provided of Council's written verification of the amount of the contribution as required in b) below, and then that the levy has been paid to the Council in accordance with this condition. Payment may be by EFTPOS (debit card only), CASH or BANK CHEQUE made payable to Council. Direct debit, personal or company cheques will not be accepted.
- b) The contribution must not be paid to Council until it is accompanied by separate written verification by Council of the specific amount payable. In order to obtain such verification, the 'City of Sydney Registered Quantity Surveyor's Detailed Cost Report' indicating the itemised cost of the development must be completed and submitted to Council by the Certifying Authority (CA), together with copies of the plans the subject of the application for the Construction Certificate. A copy of the required format for the 'City of Sydney Registered Quantity Surveyor's Detailed Cost Report' may be obtained from Council's One Stop Shop, any of the Neighbourhood Service Centres and Council's website: www.cityofsydney.nsw.gov.au.
- c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the CA accordingly.
- d) The items to be including in the calculation of the cost of development are demolition works, site remediation including decontamination, excavation and site preparation, construction costs, fit out, professional fees as part of the design (including design competitions) documentation and implementation process, fixed building machinery, equipment and appliances, kitchens and bar areas, car parking, air conditioning plant and equipment, services (fire, mechanical ventilation, electrical, hydraulic), ceilings, fire protection devices, installation of services (power, water, sewer, telephone), lifts and other essential machinery, floor coverings, Building Code of Australia compliance works, replacement of existing materials, fixtures and fittings, construction related insurance, assessment and construction related fees, charges and GST and any other matter not expressly excluded in (e) below.
- e) The items to be excluded in the calculation of the cost of development are the cost of land, marketing expenses (excluding display suites etc), finance and interest, building insurance after practical completion, drapery, commercial stock inventory, loose furniture, loose equipment, loose electrical appliances, minor maintenance of existing retained fixtures (patching, repainting) and stamp duty.

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

George Street Awning

- B1. Prior to the issue of the relevant Construction Certificate the detailed design of the George Street awning shall be submitted to and approved by the Secretary (or nominee). The detailed design of the awning shall:
- a) be prepared by the applicant in consultation with the City of Sydney; and
 - b) be accompanied by further studies that demonstrate that the awning height and design provides suitable weather protection, sightlines, architectural expression, and relationship to the Wynyard Station transit hall entrance.

Public Art Strategy

- B2. A public art strategy that nominates artists, artworks and potential locations for public art installations to the value of \$500,000 must be submitted to and approved by the Council prior to the relevant Construction Certificate being issued.

Facilities for Disabled

- B3. The development must be designed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the relevant Construction Certificate drawings.

Reflectivity

- B4. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 per cent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the PCA prior to the issue of a Construction Certificate for above ground façade works.

Storage and Handling of Waste

- B5. The building plans and specifications accompanying the relevant Construction Certificate shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. Requirements of City of Sydney Policy for Waste Minimisation in New Developments 2005 shall be met, including:
- a) rendering all internal walls of the storage area are to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
 - b) provision for the separation and storage, in appropriate categories, of material suitable for recycling; and
 - c) provision for separate storage and collection of organic/food waste.

Mechanical Ventilation

- B6. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.

Compliance with the Building Code of Australia (BCA)

- B7. Details shall be provided to the satisfaction of the PCA, with the application for a Construction Certificate, which demonstrates that the proposal complies with the prescribed conditions of consent under Clause 98 of the Environmental Planning and Assessment Regulation in relation to the requirements of the Building Code of Australia (BCA).

Structural Details

- B8. Prior to the issue of a relevant Construction Certificate, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:
- a) the relevant clauses of the BCA; and
 - b) the development consent.

Car Parking

- B9. A total of 89 tenant car parking spaces are permitted within the basement levels of the site.
- B10. The applicant must ensure that the car park entry/exits are designed in such a manner as to ensure that the future queuing areas and capacity requirements comply with Appendix D of AS 2890.1-2004.
- B11. The layout of the proposed car parking areas associated with the subject development (including driveways, ramps, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) shall be accordance with AS 2890.1-2004, AS 2890.6 for accessible spaces and AS2890.2-2002 for heavy vehicles where applicable.

Bicycle Parking and End of Trip Facilities

- B12. A minimum of 446 bicycle parking spaces and end of trip facilities comprising 46 showers and 446 lockers are to be provided on the site. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for services and finishes works.

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3- 1993 *Parking Facilities Part 3: Bicycle Parking Facilities*. Alternative designs can be accepted if they meet the objectives of the standard. The applicant needs to ensure that:

- a) all bicycle parking for staff/employees of any land use must use a secure access facility that is not readily open to the general public; and
- b) all bicycle parking for visitors of any land use must be facilities to which the bicycle frame and both wheels can be locked.

The applicant shall investigate the potential for increasing the width of the access points for bicycles from Wynyard Lane to the basement parking levels from 1.6 metres to 1.8 metres.

Note: If a basement storage area exists on title, that is large enough to store a bike and is no smaller than a class 1 bike locker, this can be counted as a space.

Basement Car Park Operation

- B13. Details shall be provided to the satisfaction of the PCA, with the application for a Construction Certificate, which demonstrate that the vehicular access to the basement

from Wynyard Lane and internal vehicular circulation complies with the amended car park design as described in the addendum traffic statement titled 'Proposed Car Park Operation Submission to DOPE', reference 13S123000, prepared by GTA Consultants dated 21 November 2014.

Shared Zone

- B14. Any proposed shared zone along Wynyard Lane shall be in accordance with the Roads and Maritime Technical Direction (TTD 2014/003 July 2014) *Design and implementation of shared zones including provision for parking*. Prior to issue of the relevant Construction Certificate, an approval for the proposed shared zone arrangement must be obtained from Roads and Maritime. In the event that the shared zone is not approved, the public domain within Wynyard Lane shall be made good to City of Sydney Standards.

Footpath Damage Bank Guarantee

- B15. A Footpath Damage Bank Guarantee for Carrington Street must be lodged with Council prior to issue of a Construction Certificate. The Bank Guarantee shall be:
- a) calculated on the basis of 100 lineal metres of the granite paving and stone kerb to the site frontage and must be lodged with Council in accordance with Council's adopted Schedule of Fees and Charges. 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 from works associated with the site; and
 - b) retained in full until the relevant Occupation Certificate(s) have been issued and any rectification works to the Carrington Street footway and the approved Public Domain works are completed to Council's satisfaction. On satisfying the above requirements 90% of the total securities will be released, with the remaining 10% to be retained for the duration of the 12 months Defect Liability Period.

Footpath Alignment Details and Public Domain Plan

- B16. Prior to a Construction Certificate for works at street level or above (other than demolition, shoring and site preparation):
- a) 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 Council's Public Domain Manual;
 - b) the footpath alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate; and
 - c) the footpath alignment levels application must be made prior to or concurrently with the submission of the Public Domain Plan (**condition B17**).
- B17. Prior to the issuing of the relevant Construction Certificate for the public domain works, three copies of a detailed Public Domain Plan (prepared by an architect, urban designer or landscape architect) must be lodged with Council's Public Domain Section and be approved by Council. The Public Domain Plan shall relate to the public domain adjacent to the site and shall address the following:
- a) upgrading of the footway on the southern side of Margaret Street between Carrington Street and Wynyard Lane and pedestrian ramps on both sides of affected within the scope of works;
 - b) Design details for any approved shared zone along Wynyard Lane shall be in accordance with RMS requirements; and
 - c) the Public Domain Plan shall be consistent with the submission/approval of the footpath alignment levels application (**condition B16**).

The Public Domain Plan must be prepared in accordance with Council's Public Domain Manual. The works to the public domain are to be completed in accordance with the approved plan and the Public Domain Manual prior to the issue of the final Occupation Certificate for the main office tower and Shell House office space (which-ever is the latter).

Note 1: Some of the public domain works contemplated under this condition may not need to be undertaken in the event that they are effected by the provision of the CBD Light Rail project.

Note 2: A Public Domain Works Guarantee deposit will be required for the public domain works in Wynyard lane and Margaret Street, in accordance with Council's adopted fees and charges and the Public Domain Manual. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee (or other agreed equivalent method) 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 Bank Guarantee will be retained in full until the approved Public Domain works to Wynyard Lane and Margaret Street are completed and the required certifications, warranties and works-as-executed documentation are submitted and approved by Council in writing. On satisfying the above requirements, 90% of the total securities will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

Public Domain Works – Hold Points and Handover

B18. Prior to a Construction Certificate being issued for works to the public domain, 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.

B19. 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.

Preservation of Survey Marks

B20. 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.

Prior to the issue of a Construction Certificate, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council.

A fee must be paid to the Council 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).

Information to be Provided to TfNSW

B21. Prior to the issuing of the relevant Construction Certificate the Applicant is to submit to the PCA written evidence from TfNSW confirming that TfNSW has endorsed the following documentation:

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- a) building services studies, identifying the location of existing services and any impacts associated with their relocation or decommissioning;
 - b) Geotechnical and Structural report/drawings that meet TfNSW requirements;
 - c) construction methodology with construction details pertaining to structural support during excavation;
 - d) cross sectional drawings showing Sydney Trains/TfNSW land and infrastructure within 25m of the proposed development; these drawings shall show all the associated existing rail infrastructure in proximity to the proposed development, the proposed development in its entirety, ground surface, sub soil profile, design of subground support adjacent to existing rail infrastructure. The position of adjoining infrastructure is to be verified by a Registered Surveyor;
 - e) detailed identity Survey Plan showing the relationship of the proposed development with respect to Sydney Trains/TfNSW land and infrastructure within 25m of the proposed development;
 - f) if required by TfNSW, a Three Dimensional Finite Element Analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor/property;
 - g) Fire and Life Safety Report for construction and operation. The report should include, but not limited to the following:
 - Evacuation modelling of a fully people saturated Station with approximately 2,000 people evacuating through One Carrington Street development during operation; and
 - The safe holding capacity for occupants from the Station to One Carrington Street development will need to be demonstrated through tenability assessment and pedestrian modelling.
 - h) Pedestrian Modelling Report for construction and operation. The report should include, but not limited to the following:
 - The report will need to show the pedestrian flows currently achieved through the George Street ramps are maintained in the final One Carrington Street proposal; and
 - Through Static or Dynamic modelling the report will need to show how pedestrian flows between Wynyard Station's unpaid concourse and George Street are maintained through the various stages of construction.
 - i) Security risk assessment and security management plan - prior to the issue of the relevant construction certificate, the applicant undertakes security risk assessments and prepares security management plans for construction, prior to occupation and post occupation stages.

Project Delivery Agreement

B22. Prior to the issuing of the relevant Construction Certificate the Applicant is to submit to the PCA written confirmation from TfNSW that the Project Delivery Agreement has been executed.

Environmental Performance

B23. Prior to the issuing of the relevant Construction Certificate the Applicant is to provide documentation, prepared by a suitably qualified consultant, indicating that the main office tower and Shell House have been designed in accordance with the principles of:

- a) a 5 star Green Star Office Design V3 Design and As Built rating; and
- b) a 5 star base building NABERS energy rating for continued operational energy efficiency.

Construction Program

B24. Prior to the issue of a Construction Certificate the Applicant is to provide evidence to the PCA that it has provided TfNSW with its milestone construction program.

Pre-Construction Dilapidation Reports

B25. The Applicant is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) 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'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for below ground works. A copy of the report is to be forwarded to the Council and each of the affected property owners.

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 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.

B26. In relation to the rail corridor, the dilapidation survey will be undertaken via a joint inspection with representatives from Sydney Trains and TfNSW. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. 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 to Sydney Trains and TfNSW will be required unless otherwise notified by Sydney Trains and TfNSW.

Outdoor Lighting

B27. All outdoor lighting within the site shall comply with, where relevant, *AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting* and *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the PCA prior to the issue of a Construction Certificate for above ground works.

B28. Lighting designs certified by a practicing lighting engineer are to be submitted for Council approval prior to the issue of a Construction Certificate for public domain works. The lighting designs shall provide for:

- a) Smartpole lighting to the southern side of Margaret Street (along the site's frontage) to Council's specifications complying with AS1158 Category V1 for roadway and Category P1 + 4 Lux vertical illumination for footpaths.
- b) Council's standard wall mounted lighting in Wynyard Lane (along the site's frontage) complying with AS1158 Category P1 + 4 lux vertical illumination.

Internal Lighting System

B29. The proposed internal lighting system for the commercial office spaces must be designed to provide for the efficient use of energy including the use of energy efficient light fittings, zoned lighting and controls and sensors to ensure automatic switch off during non-working hours. Details of the internal lighting system must be submitted to and approved by the Certifying Authority prior to the issue of the relevant Construction Certificate.

Safer by Design

B30. To minimise the opportunity for crime and in accordance with 'Crime Prevention Through Environmental Design' principles, the measures provided in the Crime Prevention through Environmental Design Report, prepared by ARUP and dated 24

March 2014, are to be demonstrated on the architectural plans where possible and to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.

Sydney Water Notice of Requirements

- B31. An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the Sydney Water Act 1994 (Compliance Certificate) prior to the issue of any Construction Certificate for construction works (excluding demolition)

Stormwater and Drainage Management

- B32. Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including details of the provision and maintenance of overland flow paths must be submitted to and approved by Sydney Water in consultation with Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- a) 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 related work within the public way.
 - b) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted to the PCA prior to a Construction Certificate being issued;
 - c) 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; and
 - d) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.
- B33. Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater - Soils & Construction Volume 1 (2004) by Landcom. Details are to be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate for below ground works.

Installation of Dual Flush or Vacuum Toilets

- B34. All toilets installed within the development must be of water efficient dual flush capacity or vacuum design with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the approval of the Certifying Authority, prior to the issue of the relevant Construction Certificate.

Installation of Water Efficient Urinals

- B35. New urinal suites, urinals and urinal flushing control mechanisms must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS).
- B36. Systems must include "smart controls" to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the PCA, prior to the issue of the relevant Construction Certificate.

Installation of Water Efficient Taps

- B37. All taps and shower heads installed must be water efficient with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS), where available. The details

are to be submitted for the approval of the Certifying Authority, prior to the issue of the relevant Construction Certificate.

PART C PRIOR TO COMMENCEMENT OF WORKS

Certified Plans

- C1. Plans certified in accordance with section 109C of the EP&A Act are to be submitted to the PCA and the Department prior to commencement of each stage of the works and shall include details as required by any of the following conditions.

Notice of Commencement of Works

- C2. The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of building or subdivision works on the Site.

Demolition, Excavation and Construction Management

- C3. Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the PCA:
- a) 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.
 - b) 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.)
 - c) An Excavation Work Method Statement prepared by an appropriately qualified person.
 - d) A Waste Management Plan for the demolition and or excavation of the proposed development.

Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the *Work, Health and Safety Act 2011* and Regulation; Council's *Policy for Waste Minimisation in New Developments 2005*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations and must include provisions for:

- a) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.
- b) The name and address of the company/contractor undertaking demolition/excavation works.
- c) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.
- d) The name and address of the transport contractor.
- e) The type and quantity of material to be removed from site.
- f) Location and method of waste disposal and recycling.
- g) Proposed truck routes, in accordance with this development consent.
- h) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).
- i) Measures to control noise emissions from the site.
- j) Measures to suppress odours.
- k) Enclosing and making the site safe.
- l) Induction training for on-site personnel.

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- m) Written confirmation that an appropriately qualified Occupational Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to Work Cover Authority.
 - n) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the Work Cover Authority.
 - o) Disconnection of utilities.
 - p) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).
 - q) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).
 - r) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).
 - s) Working hours, in accordance with this development consent.
 - t) Any Work Cover Authority requirements.

The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

Construction Management Plan

- C4. Prior to the commencement of relevant works on the Site, a Construction Management Plan (CMP) shall be prepared in consultation with TfNSW, and submitted to the PCA. The CMP shall be informed by the Construction Management Plan submitted with the EIS. The Plan shall address, but not be limited to, the following matters where relevant:
- a) evacuation and emergency egress capacity;
 - b) the staging of works and simultaneous construction with other projects in the Wynyard Precinct;
 - c) hours of work;
 - d) 24 hour contact details of site manager;
 - e) construction noise and vibration management, prepared by a suitably qualified person;
 - f) management of dust to protect the amenity of the neighbourhood;
 - g) use of hoardings and scaffolding;
 - h) way-finding signage;
 - i) erosion and sediment control;
 - j) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site;
 - k) air quality management including issues associated with odour, minimising dust on site and prevention of dust from leaving the site during construction works; and
 - l) incorporation of all acoustic management and treatments.

Construction Pedestrian and Traffic Management Plan

- C5. Prior to the commencement of any works on the site, a Construction Pedestrian and Traffic Management Plan (CPTMP) prepared by a suitably qualified person shall be submitted to the PCA. The Plan must be prepared in consultation with Council, Roads and Maritime, TfNSW and the CBD Coordination Office. The Plan shall address, but not be limited to, the following matters:
- a) bus operation on Carrington Street, York Street, Margaret Street and Wynyard Street;

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- b) details of specific measures to ensure the arrival of vehicles to the site do not cause additional queuing on Carrington Street, York Street, Margaret Street and Wynyard Street;
 - c) details of response to traffic incidents on Carrington Street, York Street, Margaret Street and Wynyard Street;
 - d) details of the monitoring regime for maintaining the simultaneous operation of buses and construction vehicles on Carrington Street, York Street, Margaret Street and Wynyard Street;
 - e) potential overlap with the CBD Light Rail construction;
 - f) ingress and egress of vehicles to the site;
 - g) loading and unloading, including construction zones;
 - h) the staging of works and simultaneous construction with other projects in the Wynyard Precinct;
 - i) predicted traffic volumes, types and routes;
 - j) details of construction vehicle marshalling areas outside the CBD on the fringes; and
 - k) pedestrian and traffic management measures.

Prior to the commencement of work, the Applicant shall submit a copy of the CBD Coordination Office endorsed CPTMP to Council.

- C6. The Construction Traffic and Pedestrian Management Plan shall include the cumulative construction impacts of all the projects listed below:
- a) CBD & South East Light Rail (CSELR), 2014/15 to 2020;
 - b) Sydney City Centre Bus Plan, 2014 to 2015;
 - c) Wynyard Station Upgrade Works, 2015 to 2017; and
 - d) Wynyard Walk, now to 2016.

Note: Dates above are indicative and are subject to confirmation with project owners.

Construction Noise and Vibration

- C7. Prior to the commencement of construction activities, a detailed Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person. TfNSW endorsed plan shall be submitted to the PCA. The Plan shall include, but not be limited to:
- a) identification of each work area, site compound and access route (both private and public);
 - b) identification of the specific activities that will be carried out and associated noise sources at the premises and access routes;
 - c) identification of all potentially affected sensitive receivers;
 - d) the construction noise objectives identified in accordance with the Interim Construction Noise Guidelines (DECC 2009);
 - e) assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d);
 - f) where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts;
 - g) description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers;
 - h) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity; and
 - i) measures to monitor noise performance and respond to complaints.

Construction Waste Management Plan

C8. Prior to the commencement of any works on the Site, a detailed Construction Waste Management Plan prepared by a suitably qualified person, in consultation with TfNSW, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:

- a) recycling of demolition materials including concrete; and
- b) removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.

The Applicant shall submit a copy of the Plan to the Department of Planning, TfNSW and Council, prior to commencement of work.

Photographic Record

C9. Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, 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 Council 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.

Utility Services

C10. Prior to the commencement of work the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

C11. Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

European Archaeology

C12. An Archaeological Research Design and Management Strategy shall be prepared to guide the European archaeological program and mitigate any impacts. The Strategy

shall be written in consultation with the Heritage Division of the Office of Environment and Heritage and in accordance with the Heritage Council's guidelines.

Aboriginal Heritage

- C13. An Aboriginal Archaeology Research Design Strategy shall be prepared to provide a methodology to mitigate any impacts on Aboriginal archaeology for the site. This may include monitoring or testing. Any necessary program of excavation must be undertaken in partnership with the Metropolitan Local Aboriginal Land Council.

PART D DURING CONSTRUCTION

Erosion and Sediment Control

- D1. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater—Soils & Construction Volume 1* (2004) by Landcom. Details are to be included in the CEMP submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate for below ground works.

Road Occupancy Licence

- D2. A Road Occupancy Licence (ROL) must be obtained from the Transport Management Centre (TMC) for any activity likely to impact on the operational efficiency of the road network. The ROL allows the applicant to use a specified road space at approved times, provided certain conditions are met.

Proponents must allow a minimum of 10 working days for processing from date of receipt. Traffic Control Plans are to accompany each ROL application.

Construction Traffic and Pedestrian Management

- D3. Construction vehicles shall not use Carrington Street and access the construction zone on Carrington Street between 3.30pm and 7.30pm on weekdays without prior approval of the CBD Coordination Office.

Public Transport Coordination (PTC) Meetings

- D4. The applicant shall provide the following information to TfNSW and its internal stakeholders at monthly Public Transport Coordination meetings which will be set up and chaired by CBD Coordination Office:
- a) update of construction activities;
 - b) the details in relation to date and timing of construction activities such as concreting etc. that are likely to generate high volume of construction vehicles;
 - c) the details of full or part road closures that are likely to impact on traffic and bus movements in the vicinity of the site;
 - d) update of the CTPMP if any changes to the original CTPMP is required;
 - e) safety incidents as a result of construction activities associated with pedestrian and public transport movements adjacent to the site; and
 - f) actions by the applicant for the safety and traffic management issues raised by TfNSW and its internal stakeholders.

Minutes of meetings shall be taken by the applicant and a copy of the minutes of meetings is to be distributed to all attendees within a week of the PTC meeting.

Disposal of Seepage and Stormwater

- D5. Any seepage or rainwater collected on-site during construction, must be either re-used or disposed of, so as not to cause pollution. Seepage or rainwater shall not be pumped to the street (for collection by surface stormwater system) unless separate prior approval is given in writing by Council.

Utilities

- D6. The Applicant shall be responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.

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- D7. All construction or regulatory signage associated with the proposed development are to be at no cost to TfNSW and Roads and Maritime.

Access During Construction

- D8. The applicant shall provide an alternative access at all times to rail tenants and rail operations impacted by the closure of Wynyard Lane during demolition and construction in accordance with the executed Project Delivery Agreement (**Condition B22**).

Security Management

- D9. The applicant shall implement a security management plan during construction which has been endorsed by TfNSW.

Protection of Trees

- D10. No street trees are to be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.
- D11. All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of Council.

Protection of Stone Kerbs

- D12. The existing stone kerbs on the George Street, Margaret Street, Wynyard Lane and Carrington Street frontages of the site are to be retained and properly protected during excavation and construction works approved by this development consent.
- a) To avoid damage to stone kerbs during construction and / or excavation works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (ie. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City's standard details and specifications after the construction and / or excavation works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath and road access until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of the final Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council.
 - b) Kerbs which are damaged as a result of this development are to be replaced to match existing to the City's satisfaction or as otherwise advised by Council officers.
 - c) Where new crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
 - d) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by Council officers. All unused stone kerbs are to be salvaged and returned to the City's store.
 - e) Council approval is required before kerbs are removed.

Construction Noise Management

- D13. The development shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction

noise management levels shall be identified and managed in accordance with the CEMP.

- D14. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the *NSW Industrial Noise Policy*), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- D15. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in the CEMP.

Vibration Criteria

- D16. Vibration caused by construction at any residence or structure outside the Site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150 Part 3 *Structural Vibration in Buildings. Effects on Structures*; and
 - b) for human exposure to vibration, the evaluation criteria set out in the *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006).
 - c) These limits apply unless otherwise outlined in the CNVMP.

Hoarding Requirements

- D17. The following hoarding requirements shall be complied with:
- a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
 - b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

Approved Plans to Be On-Site

- D18. 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.

Site Notice

- D19. A site notice(s) shall be prominently displayed at the boundaries of the Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.
- D20. The notice(s) is to satisfy all but not be limited to, the following requirements:
- a) The notice is to be able to be read by the general public;
 - b) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
 - d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Site is not permitted.

Archaeology

D21. After any archaeological works have been undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, Council and the Department. The Applicant shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The final excavation report shall include the following:

- a) an executive summary of the archaeological programme;
- b) due credit to the client paying for the excavation, on the title page;
- c) an accurate site location and site plan (with scale and north arrow);
- d) historical research, references, and bibliography;
- e) detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
- f) nominated repository for the items;
- g) detailed response to research questions (at minimum those stated in the department approved Research Design);
- h) conclusions from the archaeological programme. This information must include an assessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the Site and other Comparative Site Types and recommendations for the future management of the site; and
- i) details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

Hazardous Materials

D22. The hazardous materials identified within the refurbishment works shall be removed in accordance with the recommendations set out in the Hazardous Materials Survey, prepared by Airsafe dated 9 April 2014.

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Road Damage and Roadway Costs

- E1. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Site as a result of construction works associated with the approved development, is to be met in full by the Applicant/developer prior to the issue of the final Occupation Certificate for the main office tower and Shell House office space (whichever is the latter).
- E2. All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

Vehicle Footway Crossing

- E3. All construction and repair works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate, including:
- i) The vehicle footway crossing in Margaret St is to be removed as part of these works. A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.
 - ii) All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of the relevant Occupation Certificate(s).

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over the crossing vehicle.

Loading Dock Management Plan

- E4. The applicant shall develop and implement a Loading Dock Management Plan which will manage delivery vehicles to the site. The loading dock management plan shall include management of delivery vehicles and vehicles accessing public and One Carrington car parks between 6.30am and 9.30am on weekdays. This plan is to manage cars and trucks accessing the applicant's car park, public car park and loading dock in an efficient manner along safe and controlled routes, whilst minimising queuing along Margaret Street at all times. Such Plans may also involve scheduling of delivery vehicle movements to site in advance by the loading dock master.

Basement Car Park Operation

- E5. Access to, internal circulation within and management of the basement car park shall be completed in accordance with the approved works (**condition B13**) prior to the issue of any Occupation Certificate or before the use commences, whichever is sooner.

Facilities for Disabled

- E6. The development must be constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the relevant Construction Certificate drawings.

Registration of Easements

- E7. Prior to the issue of the relevant Occupation Certificate, the Applicant shall provide to the PCA evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

Water Authority Compliance

- E8. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. The Section 73 Certificate must be submitted to the PCA prior to issue of the relevant occupation certificate.

Post-Construction Dilapidation Report

- E9. Prior to the issue of an occupation certificate
- a) The Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
 - b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions and
 - ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - c) A copy of this report is to be forwarded to the Council and each of the affected property owners.
- E10. In relation to the rail corridor, the final dilapidation survey will be undertaken via a joint inspection with representatives from Sydney Trains and/or TfNSW. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. 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 to Sydney Trains/TfNSW will be required unless otherwise notified by Sydney Trains or TfNSW. The final occupation certificate shall not be issued until written confirmation has been received from Sydney Trains and TfNSW confirming their satisfaction with the dilapidation survey and/or rectification of any damage.

Way Finding Signage Strategy

- E11. A Way Finding Signage Strategy is to be prepared in accordance with Transport NSW Wayfinding Planning Guidelines and in consultation with Transport NSW and submitted for approval and implemented prior to the final Occupation Certificate for the site. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Signposting

- E12. Car parking area and Loading Dock (in particular overhead clearance) are to be suitably signposted and be restricted to commercial tenant only.

Security Management

- E13. Prior to the issue of an Occupation Certificate the applicant shall implement a security management plan that has been endorsed by TfNSW.

Costed Heritage Asset Maintenance Plan

E14. To ensure the continued protection of heritage significance of the heritage item and to guide the future maintenance on heritage fabric, a costed Heritage Asset Maintenance Plan is to be developed. The following is to apply:

- a) The Plan is to be based the NSW Heritage Division of the Department of Environment and Heritage publication: 'Preparing a maintenance plan', and is to be a guide for the effective, continuous, protective maintenance of all significant heritage fabric for a minimum period of 20 years.
- b) The Plan is to include all fabric identified as being of heritage significance, specification notes and methodologies based on the Articles of the Australian ICOMOS Burra Charter 1999 and best conservation practise, and a list of appropriate consultants and suppliers together with the projected costing for each item of work.
- c) The Plan is to be prepared by the Conservation Architect and is to be submitted to Council for approval prior to the issue of an Occupation Certificate.

Public Art Strategy

E15. Installation of the artwork approved by Council as part of the Public Art Strategy required by condition B2 must be completed prior to the issue of the final Occupation Certificate.

Environmental Performance

E16. Prior to the issue of the final Occupation Certificate for the main office commercial tower and Shell House office space (which-ever is the latter), the applicant is to provide to the PCA documentation certifying that the buildings incorporate the elements of the design, such that it is capable of achieving:

- a) a minimum 5 star Green Star Office Design V3 Design and As Built rating; and
- b) a minimum 5 star base building NABERS energy rating for continued operational energy efficiency.

Green Travel Plan

E17. To encourage travel modes other than private vehicle the Applicant shall prepare and implement a green travel plan and transport access guide. Details are to be submitted to the PCA prior to the issue of the final Occupation Certificate.

Mechanical Ventilation

E18. Following completion, installation and testing of all the relevant mechanical ventilation systems and prior to the issue of any Occupation Certificate, the Applicant shall provide evidence to the satisfaction of the PCA that the installation and performance of the relevant mechanical systems complies with:

- a) the BCA;
- b) Australian Standard AS1668 and other relevant codes;
- c) the development consent and any relevant modifications; and
- d) any dispensation granted by the NSW Fire Brigade.

Fire Safety Certification

E19. Prior to the issue of the relevant Occupation Certificate, a Fire Safety Certificate shall be obtained for all the relevant Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council and be prominently displayed in the building.

Building Identification Signage

E20. Prior to the erection of the Building Identification Signage, the signage design proposed within the Building Identification Signage Zones, must be submitted to Council for endorsement.

Retail/Commercial Signage Strategy

E21. A signage strategy for retail/commercial tenancies within the site is to be prepared and submitted to the Council for approval prior to the installation of any business identification or advertising signs. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

PART F POST OCCUPATION

Security Management

- F1. The applicant shall implement a security management plan during occupation which has been endorsed by TfNSW.

Loading and Unloading

- F2. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Site at all times.

Unobstructed Driveways and Parking Areas

- F3. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

Wynyard Lane to be Unobstructed

- F4. Wynyard Lane must not be obstructed by any materials, vehicles, refuse, skips or the like (directly associated with the premises) under any circumstances.

External Lighting

- F5. External Lighting shall comply with *AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting*.

Anti-Graffiti

- F6. Where possible all ground level surfaces are to be treated with anti-graffiti coating to minimise the potential for defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 48 hours.

Waste Management

- F7. Waste management shall be undertaken in accordance with the Waste Management Plan prepared by The Mack Group and submitted with the EIS.

Business Identification Signage

- F8. Business and building identification signage and temporary sales unit signage shall comply with the following:-
- a) The approved signage shall be appropriately maintained at all times.
 - b) The signage shall be utilised as building and business identification signage only and shall not be adapted or altered to be third party advertising signage without the further consent.
 - c) The signage shall not:-
 - i) flash, move, be animated, scintillate or be decorated with rotating flashing lights;
 - ii) include any apparatus to provide any sound;
 - iii) carry a message(s) which is offensive;
 - iv) give instructions to traffic by the use of the words 'Halt', 'Stop', or any other direction, nor imitate traffic signs in respect to shape, layout or colour;
 - v) contain interchangeable or movable parts;

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- vi) impair or distract the vision of a driver through the intensity of the illumination of the sign;
 - vii) must not impede the ability of the occupants to exit the building under emergency conditions.
- d) The wording to the signage shall be primarily displayed in English but may include a translation in another language.

ADVISORY NOTES

Appeals

- AN1 The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Other Approvals and Permits

- AN2 The Applicant shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

Responsibility for Other Consents / Agreements

- AN3 The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Street Numbering

- AN4 Street numbers and the building name(s), if any, will need to be clearly displayed at either end of the ground level frontages in accordance with the council's policy, prior to the occupation of the building(s) or commencement of the use. If street numbers or changes to street numbers are required, a separate application shall be made to the Council.

Temporary Structures

- AN5 An approval under *State Environmental Planning Policy (Temporary Structures) 2007* must be obtained from the council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.
- AN6 Structural certification from an appropriately qualified practicing structural engineer must be submitted to the council with the application under *State Environmental Planning Policy (Temporary Structures) 2007* to certify the structural adequacy of the design of the temporary structures.

Asbestos Removal

- AN7 All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence" and removal must be carried out in accordance with NOHSC: "*Code of Practice for the Safe Removal of Asbestos*"

Site Contamination Issues During Construction

- AN8 Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.

Below Ground (Sub-Surface) Works – Non-Aboriginal Relics

- AN9 If any unexpected non-Aboriginal archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the Heritage Division, OEH shall be contacted. Depending on the level of significance of the relics, further management strategy, including possible retention and/or interpretation of the relics may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

- AN10 In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The proponent must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.