

St Vincent's Private Hospital Sydney Redevelopment

Attachment B - Response to City of Sydney Council's Recommended Conditions

Condition	Response
(1) COMPLIANCE WITH ARBORIST'S REPORT All tree protection recommendations contained in the Arboricultural Development Assessment Report prepared by 'Moore Trees', dated February 2015 must be implemented during construction and use of the development, including the following: (i) Section 5 – Tree Protection (ii) Appendix 8 – Transplant Method Statement	-
(2) CLASSIFICATION OF WASTE Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the <i>Environment Operations Act 1997</i> and the <i>NSW DECC Waste Classification Guidelines, Part1: Classifying Waste (July 2009)</i> . The classification of the material is essential to determine where the waste may be legally taken. The <i>Protection of the Environment Operations Act 1997</i> provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.	-
(3) NOTIFICATION – NEW CONTAMINATION EVIDENCE Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the City's Area Planning Manager and the Principal Certifying Authority immediately.	-
(4) DETAILED ENVIRONMENTAL SITE INVESTIGATION REQUIRED A Detailed Environmental Site Investigation (DESI) is to be carried out by a suitably qualified and competent environmental consultant and submitted to the City Area Planning Manager for further review in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated Land Management Act 1997 and SEPP 55 Remediation of Land" confirming that the site is suitable (or will be suitable, after remediation) for the proposed use. Where the DESI states that the site requires remediation, a Remediation Action Plan (RAP) is to	This condition is considered unnecessary and we request that it is not adopted by the Department in the conditions of consent. Since the submission of the EIS, additional testing has been carried out by Douglas Partners. A copy of the Preliminary Site Investigation with Limited Sampling report is provided at Attachment F . The Report concludes that the site is suitable for the proposed redevelopment from an environmental perspective. Douglas Partners have advised that " <i>The analyte concentrations in soil across the site were all within the adopted SAC for a commercial/industrial site with a basement level</i> "

be prepared by a suitably qualified and competent environmental consultant in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites and the Contaminated Land Management Act 1997 and submitted to the City Area Planning Manager for approval. Note: Where the DESI concludes that the site is suitable for the proposed use it is to be peer reviewed by a NSW EPA Accredited Site Auditor and a Section A Site Audit Statement submitted to the City Area Planning Manager certifying that the site is suitable for the proposed use. The DESI and RAP must be peer reviewed by a NSW EPA Accredited Site Auditor and include a section B Site Audit Statement from the Site Auditor certifying that the RAP is practical and the site will be suitable after remediation for the proposed use.	
(5) ENVIRONMENTAL MANAGEMENT PLAN Prior to the commencement of any demolition and remedial works an Environmental Management Plan (EMP) must be prepared for the site and submitted to the City's Area Planning Manager Department of Planning and Environment for written approval prior to the commencement of work. The EMP must consider all potential environmental impacts from the approved works including but not limited to sedimentation control, contamination containment, stockpiles, noise and vibration, odours and dust emissions. All works must be undertaken onsite in accordance with the approved Environmental Management Plan.	It is requested that this condition be amended so that the EPM has to be submitted to the Department for approval, rather than Council.
(6) DISCHARGE OF CONTAMINATED GROUNDWATER Prior approval must be sought from the City's Public Domain Department to discharge any groundwater into the City's stormwater drainage system. Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.	-
(7) UNDERGROUND STORAGE TANK REMOVAL The removal of underground storage tanks shall be undertaken in accordance with NSW WorkCover requirements which includes writing to the Chief Inspector of Dangerous Goods and complying with any conditions imposed. The tank removal shall be conducted in accordance with the <i>Australian Institute of Petroleum's Code of Practice, The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994)</i> and <i>AS4976-2008 The removal and disposal of underground petroleum storage tanks</i>. In the event of conflict between the Code of Practice and NSW WorkCover requirements, the latter shall prevail.	Whilst there is no evidence of underground storage tanks on the site, SVPHS acknowledges that this is a standard condition of consent.
(8) STOCKPILES (a) No stockpiles of soil or other materials shall be placed on footpaths or nature strips unless prior approval has been obtained from the City's Construction Regulation Unit. (b) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets. (c) All stockpiles of soil or other materials likely to generate dust or odours shall be covered. (d) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours	-
(9) IMPORTED FILL MATERIALS All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be	-

compatible with the existing soil characteristic for site drainage purposes. The City may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works: (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.	
(10) ASBESTOS REMOVAL WORKS All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.	-
(11) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA The proposed work must comply with the Building Code of Australia (BCA).	-
(12) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION AND OR OCCUPATION CERTIFICATES (a) All performance parameters, requirements, engineering assumptions and recommendations contained in the acoustic report prepared by Noise Impact Assessment and Construction Noise and Vibration Assessment prepared by Acoustic Logic dated 22/01/2015 reference 20150083.1/2201A/RO/BW must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the premises in accordance with the requirements of (b) and (c) below and at the satisfaction of the certifying authority. (b) Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant* (see definition below) to be in accordance with the requirements of the DA acoustic report set out below. Specifically, the consultant will prepare a written Acoustic Certification Report with reference to drawings, to the satisfaction of the Principal Certifying Authority (c) Prior to the issue of an the final Occupation Certificate, a suitable qualified acoustic consultant is to provide a written Acoustic Verification Report to the satisfaction of the PCA that the development complies with the requirements set out in the Report and in (a) and (b) above. Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.	Construction and occupation of the new development will be staged. To facilitate this, it is requested that Condition 12(c) be deferred to the issue of the final Occupation Certificate.
(13) COMPLIANCE WITH DEMOLITION, EXCAVATION & CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN (a) All works conducted on site which form part of this development must be carried out in accordance with the submitted Demolition, Excavation and Construction Management Plan Noise Impact Assessment and Construction Noise and Vibration Assessment prepared by Acoustic Logic dated 22/01/2015 reference 20150083.1/2201A/RO/BW. (b) Where all such control measures have been implemented and the resultant noise and/ or	-

vibration levels at any sensitive receiver still exceed the council's applicable criteria stated in the Construction Hours/Noise Code 1992 and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels. (Use where respite periods not specified under the approved DEC NMP) Such periods must be set and agreed to by Council's Health and Building Unit.	
(14) NOISE - GENERAL (a) The emission of noise associated with the use of the premises including the cumulative operation of any mechanical plant and equipment, and air conditioning shall comply with the following: (i) The LAeq, 15 minute noise level emitted from the use must not exceed the project specific noise level for that receiver as determined in accordance with the NSW EPA Industrial Noise Policy. Noise must be measured in accordance with the Industrial Noise Policy and relevant requirements of Australian Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. (ii) Project specific noise levels shall be determined by establishing the existing environmental noise levels, in complete accordance with the assessment LA90, 15 minute / rating LA90, 15 minute process to be in accordance with the requirements for noise monitoring listed in the NSW EPA Industrial Noise Policy and relevant requirements of Australian Standard AS1055-1997 Standard AS 1055-1997 Acoustics – Description and measurement of environmental noise. (iii) Modifying factors in Table 4.1 of the NSW EPA Industrial Noise Policy are applicable.	-
(15) ALIGNMENT LEVELS – MAJOR DEVELOPMENT (a) Proposed building floor levels, basement levels, basement car park entry levels and ground levels shown on the approved Development Application plans are indicative only and have not been approved by this consent. (b) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, the refurbishment of the High Rise Wing, alignment levels for the building and site frontages must be submitted to and approved by Council. The submission must be prepared by a Registered Surveyor, must be in accordance with the City of Sydney's Public Domain Manual and must be submitted with a completed Alignment Levels checklist (available in the Public Domain Manual) and Footpath Levels and Gradients Approval Application form (available on the City's website). (c) These alignment levels, as approved by Council, are to be incorporated into the plans submitted with the application for a Construction Certificate for any civil, drainage and public domain work the refurbishment of the High Rise Wing as applicable under this consent. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work the refurbishment of the High Rise Wing.	Whilst this is a standard condition of consent, the requirement to have the alignment levels resolved prior to a Construction Certificate for any excavation, civil construction, drainage or building work presents a significant timing risks, as it can take some time to resolve the alignment levels with Council. Further, the new East Wing (which will be constructed first) does not have any interface with the public domain. The proposal to link Condition 15 to the issue of a Construction Certificate for the refurbishment of the High Rise Wing (which fronts Victoria Street) will provide enough time for the alignment levels to be resolved with Council, whilst ensuring they are incorporated at the appropriate stage in the design and construction process. The proposed changes to Condition 15(c) reflect the fact that Construction Certificates cannot be issued for Public Domain works. The proposal to tie these requirements to the refurbishment of the High Rise Wing will provide sufficient time to design the Public Domain works in consultation with Council, and will ensure that the works are undertaken in a timely manner.

(16) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN 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 building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street. The form of the recording is to be as follows:- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions; (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage; (c) Each image is to be numbered and cross referenced to a site location plan; (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record; (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an the final Occupation Certificate is issued for the development, whichever is earlier.	Construction and occupation of the new development will be staged. To facilitate this, it is requested that the condition be reworded so that any damage is required to be rectified before the issue of the final Occupation Certificate.
(17) PRESERVATION OF SURVEY MARKS All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark. 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. 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 Senior Surveyor to arrange for the recovery of the mark. A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with	-

(18) PROTECTION OF SURVEY INFRASTRUCTURE Prior to the commencement of any work on site, a statement prepared by a Surveyor registered under the Surveying Act 2002 must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Reservation of Survey Infrastructure. Any Permanent Marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the Land and Property Management Authority. Reason: To ensure that the survey control infrastructure and cadastral framework are preserved for the public benefit and in accordance with the Surveying Act 2002.	-
(19) PUBLIC DOMAIN PLAN (a) A detailed Public Domain Plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with Council's Public Domain Section and be approved by Council prior to a Construction Certificate being issued for public domain work or above ground building work, whichever is later the refurbishment of the High Rise Wing. The Public Domain Plan must be submitted with a completed Public Domain Plan checklist (available in the City of Sydney's Public Domain Manual). (b) The Public Domain Plan must document all works required to ensure that the public domain complies with the City of Sydney's Public Domain Manual, Sydney Streets Design Code and Sydney Streets Technical Specification, including requirements for 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. If an Alignment Levels condition applies to the development, the Public Domain Plan submission must incorporate the approved Alignment Levels. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work the refurbishment of the High Rise Wing. (c) The works to the public domain are to be completed in accordance with the approved Public Domain Plan and Alignment Levels plans and the Public Domain Manual before an the final Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier. (d) A Public Domain Works Deposit will be required for the public domain works, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Deposit must be submitted as an unconditional bank guarantee in favour of Council as security for completion of the obligations under this consent. (e) 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 Construction Certificate being issued the commencement of the public domain works. (f) The Bank Guarantee will be retained in full until all Public Domain works 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	The proposed changes to Condition 19 reflect the fact that Construction Certificates cannot be issued for Public Domain works. The proposal to tie these requirements to the refurbishment of the High Rise Wing will provide sufficient time to design the Public Domain works in consultation with Council, and will ensure that the works are undertaken in a timely manner. Further, and as outlined above, construction and occupation of the new development will be staged. To facilitate this, it is requested that Condition 19(c) be deferred to the issue of the final Occupation Certificate.
(20) PUBLIC DOMAIN WORKS - HOLD POINTS AND HANDOVER	The proposed changes to Condition 20 are required for the same reasons as the

(a) Prior to a Construction Certificate being issued for public domain work including civil, drainage and subsurface works, the refurbishment of the High Rise Wing, a set of hold points for approved public domain, civil and drainage work is to be determined with and approved by the City's Public Domain section in accordance with the City of Sydney's Public Domain Manual and Sydney Streets Technical Specification. (b) Prior to a Certificate of Completion being issued for public domain works and before the issue of an the final Occupation Certificate for the development or before the use commences, whichever is earlier, electronic works-as executed (as-built) plans and documentation, certified by a suitably qualified, independent professional must be submitted to and accepted by Council for all public domain works. Completion and handover of the constructed public domain works must be undertaken in accordance with the City of Sydney's Public Domain Manual and Sydney Streets Technical Specification, including requirements for as-built documentation, certification, warranties and the defects liability period.	changes to Condition 19, above as a Construction Certificates cannot be issued for Public Domain works.
(21) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT (a) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development. (b) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued excluding any approved preparatory, demolition or excavation works. (c) Prior to the issue of an the final Occupation Certificate, 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. (d) 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 a the relevant Construction Certificate being issued for public domain works or above ground building works, whichever is earlier, and prior to the commencement of any work within the public way. (e) 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. (f) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), but excluding approved preparatory or demolition work, a stormwater quality assessment must be undertaken and must be approved by Council. The stormwater quality assessment must: (i) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design; (ii) use modelling from an industry standard water quality model; and (iii) demonstrate what water sensitive urban design and other drainage measures	Following a meeting with Sydney Water on the 5th August 2015, parts of Condition 21 are not applicable to the proposed development, as outlined below: a) There is an existing OSD tank on the campus. No additional OSD is to be provided, and so this condition is not applicable. b) The proposal is consistent with Sydney Water's OSD requirements – there are no changes in impervious areas, and so no additional OSD is required. c) No additional OSD is provided, and so this condition is not applicable. d) There are no changes to stormwater connections with Council's system, and so this condition is not applicable. e) As per (d), this condition is not applicable. f) This condition is not applicable – refer City of Sydney DCP 2012 Section 3,3.7.3 Stormwater quality – this section does not apply where development of a site area is less than 1,000m². If this condition is imposed, it is requested that Condition 21(c) be deferred to the issue of the final Occupation Certificate to facilitate the release of staged Occupation Certificates. It is also proposed to clarify that Condition 21(d) has to be satisfied prior to the issue of the relevant Construction Certificate.

will be used to ensure that the development will achieve the following post-development pollutant loads: a. reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%; b. reduce the baseline annual pollutant load for total suspended solids by 85%; c. reduce the baseline annual pollutant load for total phosphorous by 65%; d. reduce the baseline annual pollutant load for total nitrogen by 45%.	
(22) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS All works to the City's public domain, including rectification of identified defects, are subject to a 12 month defects liability period from the date of final completion. The date of final completion will be nominated by Council on the Certificate of Completion for public domain works.	-
(23) DRAINAGE AND SERVICE PIT LIDS Drainage and service pit lids throughout the public domain shall be heelguard and bicycle safe, finish flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Pit lids shall be in accordance with the City of Sydney's Sydney Streets Design Code and Sydney Streets Technical Specification. Details of drainage and service pit lids shall be submitted and approved by Council prior to a Construction Certificate being issued for the relevant stage of work.	-
(24) PROTECTION OF STONE KERBS (a) The existing stone kerbs on the frontages of the site are to at driveway crossovers into the site will be retained and properly protected during excavation and construction works. (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of an the final Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council. (c) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers. (d) 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. (e) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers. All unused stone kerbs are to be salvaged and returned to the City's store. (f) Council approval is required before kerbs are removed. (g) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.	Whilst this is a standard condition, given the size of the site frontage, it is requested that the extent of the stone kerb that is to be retained and protected be limited to the driveway crossovers. Notwithstanding this, it is noted that the kerbs will generally be protected by the construction hoardings. Again, it is requested that Condition 24(b) be deferred to the issue of the final Occupation Certificate, so that the construction and occupation of the new development can be staged.
(25) PUBLIC DOMAIN DAMAGE DEPOSIT A Public Domain Damage Deposit must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Public Domain Damage Deposit must be	-

submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site. The guarantee must be lodged with Council prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier. The Bank Guarantee will be retained in full until the final Occupation Certificate has been issued and any rectification works to the footway and Public Domain 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.	
(26) PUBLIC DOMAIN LIGHTING (a) Prior to a Construction Certificate for public domain works or above ground building works being issued, whichever is later the refurbishment of the High Rise Wing, a detailed Public Domain Lighting Plan for pedestrian and street lighting in the public domain must be prepared by a suitably qualified, practicing lighting engineer or lighting designer and must be submitted to and approved by Council. The Lighting Plan must be prepared in accordance with the City of Sydney's Interim Draft Sydney Lights Design Code, Sydney Streets Design Code, Sydney Streets Technical Specification and Public Domain Manual and must include the following: (i) Vertical and horizontal illuminance plots for the public domain lighting design to demonstrate compliance with all relevant Australian Standards and to meet the lighting categories and requirements specified by the City; (ii) The location, type and category of existing and proposed lights, including details of luminaire specifications, required to ensure compliance with City policies and Australian Standards; (iii) Footing locations and structural details; (iv) Location and details of underground electrical reticulation, connections and conduits; (v) Certification by a suitably qualified, practicing lighting engineer or lighting designer to certify that the design complies with City policies and all relevant Australian Standards including AS 1158, AS 3000 and AS4282; (vi) Structural certification for footing designs by a suitably qualified, practicing engineer to certify that the design complies with City of Sydney policies and Australian Standards. (b) The public domain lighting works are to be completed in accordance with the approved plans and the City of Sydney's Public Domain Manual before an the final Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.	The proposed change to Condition 26(a) is required for the same reasons as the changes to Conditions 19 and 20, above. Again, it is requested that Condition 26(c) be deferred to the issue of the final Occupation Certificate, so that the construction and occupation of the new development can be staged.
(27) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.	-
(28) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE (a) Prior to an the final Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to Council for the electronic Visualisation City Model. (b) The data required to be submitted within the surveyed location must include and identify: (i) building design above and below ground in accordance with the development consent; (ii) all underground services and utilities, underground structures and basements, known	Again, it is requested that Condition 28(a) be deferred to the issue of the final Occupation Certificate, so that the construction and occupation of the new development can be staged.

archaeological structures and artefacts; (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C. The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file. (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at http://www.cityofsydney.nsw.gov.au/development/applicationguide/ application-process/model-requirements Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.	
(29) CONSTRUCTION TRAFFIC MANAGEMENT PLAN A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.	-
(30) COST OF SIGNPOSTING All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.	-
(31) ON SITE LOADING AREAS AND OPERATION All loading and unloading operation associated with servicing the site must be carried out within the confines of the site or in an approved construction zone, at all times and must not obstruct other properties or the public way. At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.	As it is currently drafted, Condition 31 is not achievable. The site cannot be access directly off the street, and so all loading and unloading will take place within an approved construction zone.
(32) ROAD OPENING PERMIT (a) A separate Road Opening Permit under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any: (a) Excavation in or disturbance of a public way, or (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).	-
(33) MECHANICAL VENTILATION (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1 and AS1668.2. (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1 and AS1668.2, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person certified and certified in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate. (c) Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2(a)(iii) of the Building Code of	-

Australia, must be submitted to the Principal Certifying Authority.	
(34) MICROBIAL CONTROL IN WATER SYSTEMS (a) Prior to the issue of the Final Occupation a Construction Certificate detailed plans of any water cooling system (including cooling towers) as defined under the Public Health Act 2010 must be prepared by a suitably qualified person and certified in accordance with AS3666: 1: 2011 Air handling and water systems of buildings – Microbial Control – Design, installation and commissioning and must be submitted to and approved by Council. (b) Water cooling system operation and maintenance manuals and maintenance service records shall be readily available at the premises for inspection by an authorised officer upon request. Such records must be kept on the premises in accordance with Clause 2.6 to AS/NZS 3666:2:2011 Air handling and water systems of buildings – Microbial control, operation and maintenance. (c) The installation, operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the following: (i) Public Health Act 2010, Public Health Regulation 2012 and Parts 1 and 2 (or part 3 if a Performance-based water cooling system) of AS3666:2011 Air handling and water systems of buildings – Microbial Control and the NSW Health Code of Practice for the Control of Legionnaires Disease. (ii) Prior to the issue of an the final Occupation Certificate or if non applicable, prior to commencement of the use, the owner or occupier of the premises at which any warm water system and/or water cooling system is installed must cause notice of such installation(s) by providing to Council's Environmental Health department, written notification by way of the prescribed form under Clause 12 to the Public Health Regulation 2012. Any changes to these particulars must be notified to Council's Environmental Health department in writing within 7 days of the change(s). Copies of the notification forms are available on the City of Sydney website.	It is requested that this condition is removed as it is not applicable due to this development having existing cooling towers in place, and these will not be altered as part of the proposed development. If this condition is imposed, it is requested that Condition 34(c)(ii) be deferred to the issue of the final Occupation Certificate to facilitate the release of staged Occupation Certificates.
(35) FUTURE FOOD USE - MECHANICAL VENTILATION PROVISION The approved mechanical exhaust systems are to be designed to be capable of accommodating exhaust requirements for all ground floor retail tenancies in accordance with relevant Australia Standards, in order to allow for the event that any of the tenancies are approved for future use by food premises or other uses which require mechanical exhaust. Any exhaust system servicing an area where food is being cooked must discharge exhaust air at roof level.	It is requested that this condition be amended on the basis that there is no retail tenancies proposed within the scheme. There is a campus cafeteria included in the scheme located on Level 3 which includes a mechanical exhaust system discharging at roof level.
(36) DETAILED PLANS OF FOOD FITOUT REQUIRED Detailed plans of the kitchen, bar and food preparation and storage areas must be prepared by a suitably qualified person and certified in accordance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises and must be submitted to and approved by Council prior to a the relevant Construction Certificate being issued.	It is requested that this requirement be deferred to the relevant Construction Certificate, as the campus cafeteria will not be construction as part of the first stage of the development.
(37) NOTIFY NSW FOOD AUTHORITY Prior to the commencement of food handling operations, the food business must notify the NSW Food Authority of the following information including: (a) Contact details for the food business, including the name and address of the business and the proprietor of the business. (b) The nature of the food business.	-

(c) The location of any other food premises associated with the food business, within the jurisdiction of NSW Health. You may notify the NSW Food Authority via the Internet on www.foodnotify.nsw.gov.au or by contacting the Council for a notification form. Failure to notify the NSW Food Authority may result in a penalty not exceeding \$2,750.	
(38) COOKING EQUIPMENT AND VENTILATION Cooking must not commence until an air handling system, in accordance with Part F4.12 of the BCA is approved, installed and operational. Cooking is defined as the process of changing any food from raw to cooked by applying heat, and also includes the preparation of food by heating it. This definition does not include heating food in a microwave, a sandwich press, a toaster or similar, unless the kW or MJ combined or separate exceed that specified in the BCA, or if the use of such equipment generates excessive heat, condensation or grease. Cooking equipment that requires an air handling system is specified in AS1668.2 and BCA F4.12.	-
(39) SANITARY FACILITIES – FOOD PREMISES The sanitary facilities must be separated from all food handling areas via an airlock, self-closing door or mechanical ventilation in accordance with the provisions of the Building Code of Australia, Part F 3.1, 4.8 and 4.9.	-
(40) PERSONAL LOCKERS Clothing lockers or change rooms for male and female staff must be provided in the premises or a dedicated, separate and isolated space for personal items must be provided in a separate location to the food handling and storage areas.	-
(41) SWIMMING POOL (HYDROTHERAPY POOL) - WASTE AND OVERFLOW WATERS Swimming pool waste and overflow waters must be collected and directed to the sewer in accordance with the requirements of Sydney Water, and details are to be submitted with the application for the relevant a Construction Certificate to the satisfaction of Council or the accredited certifier and approved by the Certifying Authority.	It is requested that this requirement be deferred to the relevant Construction Certificate
(42) SWIMMING POOL (HYDROTHERAPY POOL) /SPA Swimming and/or spa pool/s and pool surrounds must be maintained in accordance with the Public Health (General) Regulation 2012. Note: Guidance may also be obtained from the NSW Health Department's Public Swimming Pool and Spa Pool Guidelines	-
(43) APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE (a) A separate application under Section 138 of the Roads Act 1993 is to be made to Council to erect a hoarding and/or scaffolding (temporary structures) in a public place. (b) Where a consent is granted allowing the placement of temporary structures in a public place the structures must comply fully with Council's Policy for the Design of Construction Hoardings and the conditions of any consent granted including: (i) maintaining a current and valid consent for the full duration that the temporary structures are installed in the public place (Section 139, Roads Act 1993); (ii) bill posters and graffiti being removed within 24 hours of their placement (Clause 3.1); (iii) maintaining temporary structures in a clean and tidy condition including repainting where directed by an authorised officer of Council (Clause 3.1); (iv) hoarding site fences complying with Clause 3.3 - Element 3; (v) site sheds on decks of Type B hoardings being fully screened from the public place (Clause 3.3 - Element 5); and	-

(vi) providing and maintaining operational artificial lighting systems under Type B hoardings (Clause 3.3 – Element 9).	
(44) BARRICADE PERMIT Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.	-
(45) HOURS OF WORK AND NOISE – OUTSIDE CBD The hours of construction and work on the development must be as follows: (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am 7.00am and 5.30pm 6.00pm on Mondays to Fridays, inclusive, and 7.30am and 3.30 5.00pm on Saturdays, with safety inspections being permitted at 7.00am 6.30am on work days, and no work must be carried out on Sundays or public holidays. (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites. Note: The City of Sydney Code of Practice for Construction Hours/Noise 1992 allows extended working hours subject to the approval of an application in accordance with the Code and under Section 96 of the Environmental Planning and Assessment Act 1979.	The proposed changes to Condition 45 seek to align the construction hours in the Noise Impact Assessment and Construction Noise and Vibration Assessment that was submitted with the EIS.
(46) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.	-
(47) LIGHTING OF SITE OUTSIDE OF STANDARD CONSTRUCTION HOURS Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood or Obtrusive Light in accordance with the definition in Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting. If in the opinion of Council, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.	-
(48) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT (a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites is restricted to the hours of (EHO to specify hours) (b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436- 2010 Guide to Noise Control	-

on Construction, Maintenance and Demolition Sites.	
(49) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements: (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size; (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period; (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing (d) The approved hours of work, the Principal Certifying Authority including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, are to be displayed on the site notice; (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.	-
(50) ACCESS DRIVEWAYS TO BE CONSTRUCTED Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.	-
(51) NO OBSTRUCTION OF PUBLIC WAY The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.	-
(52) USE OF MOBILE CRANES The following requirements apply: (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building. (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions. (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.	-
(53) LOADING AND UNLOADING DURING CONSTRUCTION The following requirements apply: (a) All loading and unloading associated with construction activity must be accommodated on site. (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.	-

(c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities. (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level. (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development. (f) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.	
(54) ENCROACHMENTS – PUBLIC WAY No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.	-
(55) VEHICLE CLEANSING Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	-
(56) COVERING OF LOADS All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	-
(57) EROSION AND SEDIMENT CONTROL The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifying Authority must be implemented in full during the construction period. During the construction period; (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event; (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.	-
(58) HAZARDOUS AND INDUSTRIAL WASTE Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following: (a) Protection of the Environment Operations Act 1997 (b) Protection of the Environment Operations (Waste) Regulation 2005 (c) Waste Avoidance and Resource Recovery Act 2001 (d) Work Health and Safety Act 2011	-

(e) Work Health and Safety Regulation 2011.	
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