

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF MAJOR PROJECT NO. 08_0104

(File No. S08/00831)

I, the Minister for Planning, having considered the matters in section 75J(2) of the *Environmental Planning & Assessment Act 1979* (the Act), determine pursuant to section 75J(1) of the Act to **give approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in Schedule 2.

This approval applies to the plans, drawings and documents cited by the proponent in their Environmental Assessment and Statement of Commitments, subject to the conditions of approval in Schedule 2.

The reasons for the imposition of conditions are:

1. To ensure the site is appropriately managed for the proposed use;
2. To adequately mitigate the environmental and construction impacts of the development;
3. To reasonably protect the amenity of the local area; and
4. To protect the public interest.

Kristina Keneally MP
Minister for Planning

Sydney,



2008

14/12/08

SCHEDULE 1

PART A — TABLE

Application made by:	University of New South Wales
Application made to:	Minister for Planning
Major Project Number:	08_0104
On land comprising:	Lot 1 DP 826022
Local Government Area	City of Sydney
For the carrying out of:	Demolition of existing structures (Buildings B, Building C (south) and Building D), alterations and additions to Building F, construction of a new 4 storey building with basement parking for 62 cars and associated landscaping.
Capital Investment Value	\$32,876,000.00
Type of development:	Project approval under Part 3A of the EP&A Act
Determination made on:	
Determination:	Project approval is granted subject to the conditions in the attached Schedule 2.
Date of commencement of approval:	This approval commences on the date of the Minister's approval.
Date approval is liable to lapse	5 years from the date of determination unless specified action has been taken in accordance with Section 75Y of the EP&A Act.

PART B — DEFINITIONS

In this approval the following definitions apply:

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Environmental Assessment means the document titled *Environmental Assessment – Redevelopment of College of Fine Arts Campus, UNSW, Paddington* prepared by Conics (Sydney) and dated August 2008.

BCA means the Building Code of Australia.

Council means City of Sydney

Department means the Department of Planning or its successors.

Director means the Director of the Strategic Assessments Branch of the Department of Planning.

Director General means the Director General of the Department of Planning.

Executive Director means the Executive Director of the Strategic Sites and Urban Renewals Division within the Department of Planning.

Major Project No. 08_0104 means the project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Condition A2, Part A, Schedule 2.

Minister means the Minister for Planning.

Project means development that is declared under Section 75B of the Act to be a project to which Part 3A of the Act applies.

Proponent means the person proposing the carry out of development comprising all or any part of the project, and includes persons certified by the Minister to be the proponent.

Regulations means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

RTA means the Roads and Traffic Authority.

Statement of Commitments means the Statement of Commitments (as they apply to this project) made by the Proponent.

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2**PART A - ADMINISTRATIVE CONDITIONS****(1) DEVELOPMENT DESCRIPTION**

Project Approval is granted for the redevelopment of the UNSW College of Fine Arts campus, comprising the following:

- Demolition of Building B, Building C (south) and Building D;
- Alterations and additions to Building F;
- Construction of a new four storey building with basement parking for 62 cars; and
- Associated landscaping works.

(2) APPROVED DEVELOPMENT

Development must be in accordance with Major Project No. 08_0104 dated 22 August 2008 and Environmental Assessment prepared by Conics, dated August 2008 and the following drawings:

Drawing Number	Architect	Date
A0-01 Issue B	Architectus	18/8/08
A2-01 Issue B	Architectus	18/8/08
A2-02 Issue B	Architectus	18/8/08
A2-03 Issue B	Architectus	18/8/08
A2-10 Issue B	Architectus	18/8/08
A2-11 Issue B	Architectus	18/8/08
A2-12 Issue B	Architectus	18/8/08
A1-01 Issue B	Architectus	18/8/08
A1-02 Issue B	Architectus	18/8/08
A1-03 Issue B	Architectus	18/8/08
A1-04 Issue B	Architectus	18/8/08
A1-05 Issue B	Architectus	18/8/08
A1-06 Issue B	Architectus	18/8/08
A5-01 Issue B	Architectus	18/8/08
A5-02 Issue B	Architectus	18/8/08
A5-03 Issue B	Architectus	18/8/08
A5-04 Issue B	Architectus	18/8/08
A5-05 Issue B	Architectus	18/8/08
LA-00 Issue D	EDAW/AECOM	August 2008
LA-01 Issue D	EDAW/AECOM	August 2008
LA-02 Issue D	EDAW/AECOM	August 2008
LA-03 Issue D	EDAW/AECOM	August 2008
LA-04 Issue D	EDAW/AECOM	August 2008
LA-05 Issue D	EDAW/AECOM	August 2008
LA-06 Issue D	EDAW/AECOM	August 2008
LA-07 Issue D	EDAW/AECOM	August 2008

(3) INCONSISTENCY BETWEEN PLANS AND DOCUMENTATION

In the event of any inconsistency between conditions of this project approval and the plans and documentation referred to above, the conditions of this project approval prevail.

(4) LAPSING OF APPROVAL

The project approval will lapse 5 years after the approval date in Part A of Schedule 1 of this project approval unless specified action has been taken in accordance with Section 75Y of the Act.

(5) COMPLIANCE WITH RELEVANT LEGISLATION AND AUSTRALIAN STANDARDS

The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project described in Condition A1, Part A, Schedule 2 of this approval.

PART B—DESIGN MODIFICATIONS / COVENANTS AND CONTRIBUTIONS / USE AND OPERATION

Note: Some conditions in Part B are to be satisfied prior to the issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(6) ARCHAEOLOGICAL ASSESSMENT

An archaeological assessment report for the site shall be prepared by a suitably qualified and experienced archaeologist. The archaeological assessment shall address the potential impact of the proposal on Busby's Bore and the perimeter wall of Victoria Barracks and is to include recommended management measures to protect the bore and any other archaeological resources, as well outline mitigation measures required to minimise any adverse impacts. The archaeological assessment report and any resulting modifications to the drawings referred to Condition A2 shall be submitted to Council for approval prior to the issue of a Construction Certificate.

In the event that an agreement can not be reached within 3 months from the date of this approval, or at such earlier time that negotiations have been exhausted, the proponent shall submit to the Department of Planning evidence of their attempts made to satisfy Council's concerns and the Director General shall determine the matter.

(7) BUILDING D SETBACK FROM SELWYN STREET TREES

An arborist report shall be prepared by a suitably qualified and experienced arborist prior to the issue of a Construction Certificate. The arborist report shall address the potential impact of the proposal on the existing Fig tree on Selwyn Street and is to include recommended setbacks to Building D and appropriate pruning measures to ensure the long term health of the tree. The arborist report and any resulting modifications to the drawings referred to Condition A2 shall be submitted to Council for approval prior to the issue of a Construction Certificate.

In the event that an agreement can not be reached within 3 months from the date of this approval, or at such earlier time that negotiations have been exhausted, the proponent shall submit to the Department of Planning evidence of their attempts made to satisfy Council's concerns and the Director General shall determine the matter.

(8) SOUTHERN ELEVATION (BLOCK C NORTH)

A detailed drawing showing the southern elevation of Block C North shall be submitted to Council for approval prior to the issue of a Construction Certificate. The extent of works to conserve this wall are to be annotated on the drawings.

(9) MATERIALS AND SAMPLE BOARD

A materials and sample board detailed all proposed finishes, colours and glazing must be submitted for the approval of Council prior to a Construction Certificate being issued.

(10) SIGNS - SEPARATE DA REQUIRED

A separate development application for any proposed signs (other than exempt or complying signs under Council's exempt and complying DCPs) must be submitted to and approved by Council prior to the erection or display of any such signs.

(12) HOURS OF ACCESS – SELWYN STREET

The hours of pedestrian access to the campus from Selwyn Street are restricted to between 8am and 9pm Mondays to Friday inclusive and 8am and 4pm on Saturdays. Only emergency vehicles are permitted to access the campus through the Selwyn Street gates.

(13) NOISE - USE (GENERAL)

The use of the premises shall not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;
- (b) A sound pressure level at any affected premises that exceeds the background (LA90 15 min.) noise level in the absence of the noise under consideration by more than 5 dB(A). The source noise level shall be assessed as LAeq, 15 min and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

(14) NOISE - MECHANICAL PLANT AND EQUIPMENT

Noise associated with mechanical plant and equipment must not give rise to any one or more of the following:

- (a) Transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) An indoor LAeq sound pressure level contribution in any place of different occupancy greater than 3 dB(A) above the L90 background level in any octave band from 31.5 Hz to 9 kHz centre frequencies inclusive between the hours of 7am to midnight and 0 dB(A) above the L90 background level in any octave band from 31.5 Hz to 9 KHz centre frequencies inclusive between the hours of midnight to 7am the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this subclause does not apply to any such frequencies.

(15) CAR PARKING SPACES AND DIMENSIONS

A maximum of 78 off-street car parking spaces must be provided. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.

(16) SEALING OF CAR PARK

The surface of the car park must be sealed to allow safe and clear operation of the car park, appropriately line-marked for spaces and to aid traffic circulation, prior to an Occupation Certificate being issued or the use commencing, whichever is earlier.

(17) ACCESSIBLE CAR PARKING SPACES

Of the required car parking spaces, at least 2 must be 3.2m x 5.5m minimum (with a minimum headroom of 2.5m) and must be clearly marked and appropriately located as accessible parking for people with mobility impairment. The design and layout of accessible car parking for people with mobility impairment is to be provided in accordance with Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and the *City of Sydney Access Development Control Plan 2004*. The details must be submitted to and approved by the Certifying Authority prior to a Construction Certificate being issued.

(18) BICYCLE PARKING

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 except that:

- (a) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers, and
- (b) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and

(c) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

(19) VEHICLES ENTER/LEAVE IN FORWARD DIRECTION

All vehicles must always be driven onto and off the site in a forward direction.

(20) SIGNS AT EGRESS

Appropriate sign(s) must be provided and maintained within the site at the point(s) of vehicular egress, compelling drivers to stop before proceeding onto the public way.

(21) SECURITY GATES

Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the street front property boundary. The security gate is to be operated by remote control.

(22) VEHICLE FOOTWAY CROSSING

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.

All disused or redundant vehicle crossings and laybacks must be removed and 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 an Occupation Certificate or Certificate of Completion.

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

(23) LOCATION OF DRIVEWAYS

The access driveway for the site must not be closer than:

- (a) 10 metres from the intersection of the nearest cross street/lane.
- (b) 20 metres from the intersection of the nearest signalised cross street/lane.
- (c) 1 metre from the property boundary of the adjacent site.
- (d) 2 metres from any other driveway of the site.
- (e) 10 metres from any existing driveway or road/lane intersection located on the opposite side of the access road.

The details must be submitted to and approved by the Certifying Authority prior to a Construction Certificate being issued.

(24) EXISTING SERVICE VEHICLE DOCK

The existing service vehicle dock must be maintained for use in connection with the proposed development.

(25) LOADING WITHIN SITE

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times (and must not obstruct other properties/units or the public way).

(26) LOADING/PARKING KEPT CLEAR

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.

(27) TRAFFIC WORKS

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RTA Technical Directives and must be referred to and approved by the Sydney Traffic Committee prior to any work commencing on site.

(28) ASSOCIATED ROADWAY COSTS

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".

(29) COST OF TRAFFIC MANAGEMENT

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

(30) REFLECTIVITY

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

PART C—PRIOR TO CONSTRUCTION CERTIFICATE / COMMENCEMENT OF WORK / HEALTH AND BUILDING

Note: *Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for Construction Certificate.*

(31) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) New services are to be surface mounted rather than chased-in to existing walls to minimise impact on heritage fabric.
- (c) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- (d) The new windows and doors must use timber joinery.
- (e) The face brickwork/sandstone must not be rendered, painted or coated.
- (f) Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.

(32) PHOTOGRAPHIC ARCHIVAL DOCUMENTATION (MAJOR WORKS)**Procedure**

For buildings or structures with heritage significance, the archival documentation, and the number and type of selected enlarged photographs required will be determined by the significance and quality of the building or structure. For a scope of work, refer to Council's Heritage Specialist to determine the particular architectural/design features of the building/site that may need to be recorded.

For buildings or structures with no heritage significance the archival documentation requirements are less comprehensive, and may just be limited to contextual and exterior photographs only. However, this will depend upon the type, complexity and significance of the building, and should be confirmed with the Area Planning Manager, and if necessary Council's Heritage Specialist.

Because significant fabric may remain concealed and only be exposed during construction works, the archival recording is to be undertaken in stages, prior to the removal of any significant building fabric or furnishings from the site, during the removal of fabric on site that exposes significant building fabric or furnishings, and after work has been completed on site, as considered appropriate by the conservation architect commissioned for the project, and submitted as two parts as follows:

- (A) The first submission of the archival recording of significant building fabric or furnishings is to be prior to the removal of any significant building fabric or furnishings from the site, and must be submitted to and approved by Council prior to the commencement of any work on site and prior to a Construction Certificate being issued.
- (B) The second submission of the archival recording is of significant building fabric or furnishings that is exposed during demolition or construction and after work has been completed on site, and must be submitted to Council prior to an Occupation Certificate being issued.

The form of recording is to be a photographic documentation of the site and its context, and the exteriors and interiors of the existing building(s) photographed, where appropriate, using a camera/lens capable of 'perspective correction'. The photographic recording may be in either digital or film-based form, or a combination of both, prepared in accordance with the NSW Heritage Office guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'. One copy of the record is to be submitted to Council to be lodged with Council's Archives.

- (a) For each of the two submissions listed above in (A) and (B), the form of the recording is to be as follows:
 - (i) In A4 format, placed in archival plastic sleeves in an appropriate archival folder.
 - (ii) The Development Application number and the Condition of Consent number must be noted on the front of the folder and in the report.
 - (iii) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
 - (iv) Each negative, slide or digital image is to be cross referenced to a photographic catalogue and photographic base plans.
 - (v) 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 licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.
- (b) A digital based recording is to include:
 - (i) Thumbnail image sheets and a selection of A5 or A4 size images, all labelled and cross-referenced to the catalogue sheets and base plans, and processed on A4 size archival photographic paper using stable archival inks.
 - (ii) CD or DVD containing the report in PDF format and the electronic images saved as JPEG or TIFF files and cross referenced to the catalogue sheets.
- (c) If the option of a film based recording is selected, it is to include 35mm film images submitted as contact sheets with equivalent negatives, a selection of black and white prints 200 x 250mm, and 35mm colour transparencies, all labelled and cross-referenced to the catalogue sheets and base plans.

(33) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

- (a) Should any historical relics be unexpectedly discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Council of NSW should be informed in accordance with section 146 of the *Heritage Act 1977*.
- (b) Should any Aboriginal relics be unexpectedly discovered then all excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

(34) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

- (a) A Waste Management Plan is to be approved by the Certifying Authority prior to a Construction Certificate being issued. The plan must comply with the Council's Policy for Waste Minimisation in New Developments 2005. All requirements of the approved Building Waste Management Plan must be implemented during construction of the development.

UPON COMPLETION OF THE DEVELOPMENT

- (b) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must ensure that waste handling works have been completed in accordance with: the Waste Management Plan; other relevant development consent conditions; and Council's Policy for Waste Minimisation in New Developments 2005.

(35) WASTE AND RECYCLING MANAGEMENT - MINOR

The proposal must comply with the relevant provisions of Council's *Policy for Waste Minimisation in New Developments 2005* which requires facilities to minimise and manage waste and recycling generated by the proposal.

(36) CONTAMINATED WASTE

The generation, storage, transport, treatment or disposal of industrial, hazardous or Group A liquid waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997 and the NSW Department of Environment and Conservation's (DEC) waste tracking requirements. For further information contact the Department of Environment and Conservation (DEC) on 133 372.

(37) NO DEMOLITION PRIOR TO A CONSTRUCTION CERTIFICATE

Demolition or excavation must not commence until a Construction Certificate has been issued.

(38) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

(39) EROSION AND SEDIMENT CONTROL - MORE THAN 2,500SQM

Prior to the commencement of any works on site, including, but not limited to demolition, excavation or construction work, a Soil and Water Management Plan (SWMP) must be submitted to and be approved by the Principal Certifying Authority.

- (a) The SWMP must identify and respond to all items for Erosion and Sediment Control Plans listed in the condition above, as well as:
- (i) existing site contours;
 - (ii) location and diagrammatic representation of all necessary erosion and sediment control systems or structures used to mitigate or prevent pollution to stormwater;
- (b) Location and engineering details with supporting design calculations for all necessary sediment basins, constructed wetlands, gross pollutant traps, trash racks or biofiltration swales (as relevant).

(40) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

- (a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of the following properties:
- (i) The perimeter wall of the Victoria Barracks;
 - (ii) Nos. 31, and 28-46 Napier Street;
 - (iii) No. 59 Oxford Street;

- (iv) Nos. 1-23 Selwyn Street;
- (v) Nos. 24, and 31-53 Albion Avenue; and
- (vi) No. 39 Greens Road.

are to be prepared by an appropriately qualified structural engineer prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Certifying Authority and the Council prior to the issue of a Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

- (b) A second Dilapidation Report/s, including a photographic survey shall then be submitted at least one month after the completion of demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifying Authority and the Council prior to the issue of an Occupation Certificate.

Any damage to buildings, structures, lawns, trees, sheds, gardens and the like must be fully rectified by the applicant or owner, at no cost to the affected property owner.

Note: Prior to the commencement of the building surveys, the applicant/owner shall advise (in writing) all property owners of buildings to be surveyed of what the survey will entail and of the process for making a claim regarding property damage. A copy of this information shall be submitted to Council.

(41) ASBESTOS REMOVAL

All demolition works involving the removal and disposal of asbestos cement 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 National Occupational Health and Safety Commission (NOHSC): "Code of Practice for the Safe Removal of Asbestos" and the City of Sydney Asbestos Policy.

(42) PROHIBITION OF ASBESTOS RE-USE

No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).

(43) CLASSIFICATION OF WASTE

Prior to the exportation of waste from the site, the waste materials must be classified to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 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.

(44) DISPOSAL OF ASBESTOS

Asbestos to be disposed of must only be transported to waste facilities licensed to accept asbestos. The names and location of these facilities are listed in Part 6 of the City of Sydney's Asbestos Policy.

(45) ASBESTOS REMOVAL SIGNAGE

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.

(46) SIGNAGE LOCATION AND DETAILS

- (a) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.
- (b) The site notice board must include the following:
 - (i) contact person for the site;

(ii) telephone and facsimile numbers and email address; and

(c) site activities and time frames.

(47) SKIPS AND BINS

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

(48) NOTIFICATION OF ASBESTOS REMOVAL

All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email address.

(49) ELECTRICITY SUBSTATION

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation to be installed. The size and location of the substation is to be submitted for approval of Council and Energy Australia, prior to a Construction Certificate being issued or the commencement of the use, whichever is earlier.

(50) SYDNEY WATER CERTIFICATE (QUICK CHECK)

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

(51) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

(52) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

The building must be designed and constructed to provide access and facilities for people with a disability in accordance with the *Building Code of Australia* and the *City of Sydney Access DCP 2004*.

If, in complying with this condition, amendments to the development are required, the design changes must be submitted to and approved by Council prior to a Construction Certificate being issued.

(53) INSTALLATION OF DUAL-FLUSH TOILETS

All toilets installed within the development must be of water efficient dual-flush capacity 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 a Construction Certificate being issued.

(54) INSTALLATION OF WATER EFFICIENT TAPS

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). The details are to be submitted for the approval of the Certifying Authority, prior to a Construction Certificate being issued.

(55) INSTALLATION OF WATER EFFICIENT URINALS

New urinal suites, urinals and urinal flushing control mechanisms must use waterless technology. Where it is submitted that this is not feasible, it must be demonstrated that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS).. 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 Certifying Authority, prior to a Construction Certificate being issued.

(56) INTERNAL LIGHTING SYSTEM

The proposed internal lighting system 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 a Construction Certificate being issued.

(57) DEMOLITION/SITE RECTIFICATION (if cost is under \$50m)

The following conditions apply to the development:

- (a) Demolition or excavation must not commence until a Construction Certificate has been issued for construction of the substantive building.
- (b) Prior to the Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.
- (c) Without limiting the generality of paragraph (b), the Deed must provide for:
 - (i) a bank guarantee to be provided in the sum of \$960,000.00 dollars as security for the costs of such works provided that:
 - a. the maximum liability under the Deed must not exceed \$960,000.00 dollars; and
 - b. the Council may accept a lesser amount as security if substantiated by detailed design and Quantity Surveyor costing for works which meet the objectives of the condition.
 - (ii) Council to be given sufficient contractual rights to be able to ensure that in any of the following events namely:
 - a. demolition of the existing building has commenced but not been completed;
 - b. the existing building has been demolished; or
 - c. the site has been excavated; or
 - d. the erection of the structure has commenced;

that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the consent authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:

 - e. make the building safe and of an appearance acceptable to Council at ground level;
 - f. allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or

- g. for the hole to be covered to allow it to be landscaped and made attractive from any public vantage-point; or
- h. in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenantable stage;

AND to call on such bank guarantee to cover the cost thereof.

- (d) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:
 - (i) require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (ii)e – h to take place on the site; and
 - (ii) in the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.
- (e) The Deed may provide for the release of the Bank Guarantee at such time that the Final Occupation Certificate for the approved development is issued. If the approved development also relates to works to existing buildings, the relevant Final Occupation Certificate is the one that relates to that part of the approved development which involves the demolition and new construction.

(58) FOOTPATH DAMAGE BANK GUARANTEE

Prior to a Construction Certificate being issued the owner of the site must provide a bank guarantee for the sum to be determined based on the City of Sydney's Schedule of Fees and Charges as security for rectification of any damage to the public way.

Note: The bank guarantee required by this condition does not need to be provided if a separate bank guarantee is lodged as part of an approval for a hoarding over the public way. However neither bank guarantee will be released until all development works are complete to the satisfaction of the City, including rectification of damage to the public way. You should contact Council to determine the bank guarantee amount prior to payment.

(59) 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 in a public place and such application is to include:-
 - (i) Architectural, construction and structural details of the design in accordance with the *Policy for the Design and Construction of Hoarding* (September 1997) and the *Guidelines for Temporary Protective Structures* (April 2001).
 - (ii) Structural certification prepared and signed by an appropriately qualified practising structural engineer.

Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of demolition or construction works on site.

Assessment of the impacts of construction and final design upon the City of Sydney's street furniture such as bus shelters, phone booths, bollards and litter bins and JCDecaux street furniture including kiosks, bus shelters, phones, poster bollards, bench seats and litter bins. The applicant is responsible for the cost of removal, storage and reinstallation of any of the above as a result of the erection of the hoarding. In addition, the applicant is responsible for meeting any revenue loss experienced by Council as a result of the removal of street furniture. Costing details will be provided by Council. The applicant must also seek permission from the telecommunications carrier (e.g. Telstra) for the removal of any public telephone.

- (b) Should the hoarding obstruct the operation of Council's CCTV Cameras, the applicant shall relocate or replace the CCTV camera within the hoarding or to an alternative position as determined by Council's Contracts and Asset Management Unit for the duration of the construction of the development. The cost of relocating or replacing the CCTV camera is to be borne by the applicant. Further information and a map of the CCTV cameras is available by contacting Council's CCTV Unit on 9265 9232.

- (c) The hoarding must comply with the Council's policies for hoardings and temporary structures on the public way. Graffiti must be removed from the hoarding within one working day.

(60) 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.

(61) PUBLIC DOMAIN PLAN

Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council's Public Domain Section and approved by Council prior to a Construction Certificate being issued for any new building work excluding approved preparatory, demolition or shoring work. It is recommended that draft plans should be submitted for comment prior to formal submission for approval.

The Public Domain Plan must be prepared in accordance with the City of Sydney'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 before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

Note: A security deposit will be required for the public domain works, in accordance with the City of Sydney's adopted fees and charges. You should contact Council to determine deposit amount prior to payment.

(62) ALIGNMENT LEVELS

- (a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. This submission must be accompanied by a plan prepared by a Registered Surveyor showing the existing location, size and levels (AHD) of all service covers, trees, poles and street furniture, kerb, gutter and alignment levels of 10m cross sections, alignment levels at proposed and existing vehicular and/or pedestrian entrances within the footway adjacent to and extending 20 metres past either side of the site.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.

(63) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

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

- (a) Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the 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.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.

(64) CONSTRUCTION AND FITOUT OF FOOD PREMISES

- (a) Details 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 to the satisfaction of the Certifying Authority prior to a Construction Certificate being issued.
- (b) The construction, fitout and finishes of the food premises must comply 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.
- (c) Provision must be made for the installation of adequate mechanical exhaust for any future premises where food is to be prepared.
- (d) The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the *Building Code of Australia*.
- (e) Cooking must not commence until an air handling system, in accordance with the BCA is installed and operational.
- (f) The floor of the food premises must be finished in an approved non absorbent material, evenly laid, or graded and drained to a trapped floor waste.
- (g) The floor must be coved at the intersection with the walls.
- (h) The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.
- (i) Ceilings within the food preparation and storage areas shall be free of gaps and open joints and shall be finished with an impervious sealed material. Drop in panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.
- (j) Hand wash basin/s, with hot and cold running water, hand wash soap and hand drying facilities must be provided in all food preparation and bar areas and must be no further than 5m from a place where a food handler is handling food. All taps to handwash basins must be hands free. (For example: sensor taps, knee operated taps or foot pedal taps). Liquid soap and paper towel dispensers or other hand drying facilities must be located next to and in close proximity the hand wash basin.
- (k) A double bowl sink or two compartment tub and a dish washing machine must be provided in the food preparation area.
- (l) A separate and dedicated food preparation sink is to be provided within the food premises.
- (m) A cleaners' sink for the purpose of cleaning floor mops and other cleaning equipment must be provided within the premises, preferably in the garbage room or cleaners cupboard.
- (n) The appliances used to store potentially hazardous food must have a capacity to keep food hotter than 60°C or colder than 5°C and be provided with a thermometer, accurate to 1°C and which can be easily read from outside the appliance.
- (o) All food is to be transported, stored and displayed in a manner that protects the food from likely contamination in accordance with the provisions of Standard 3.2.2 of the *Food Standards Code* under the *Food Act 2003*.
- (p) All unpackaged ready to eat food for self service must be provided and maintained with protective barriers and have separate serving utensils, in accordance with Standard 3.2.2 of the *Food Standards Code* under the *Food Act 2003*.
- (q) 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.
- (r) Clothing lockers or change rooms for male and female staff must be provided in the premises in a separate location to the food handling and storage areas.

- (s) To ensure the adequate storage and collection of waste from the occupation or the use of the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 – Design, Construction and Fitout of Food Premises, and must be:
- (i) Provided with a hose tap connected to the water supply;
 - (ii) Paved with impervious floor materials;
 - (iii) Coved at the intersection of the floor and walls;
 - (iv) Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water);
 - (v) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive order as defined by the Protection of the Environment Operations Act 1997;
 - (vi) Fitted with appropriate interventions to meet fire safety standards in accordance with the Building Code of Australia.

Detailed plans and specifications for the construction of the waste storage area are to be submitted to the Certifying Authority with the Construction Certificate.

- (t) Cool room(s), refrigerated chambers and strong-rooms are to be constructed in accordance with G 1.2 of the *Building Code of Australia*.
- (i) The floor of the coolroom shall be graded to the door and a floor trapped waste outlet shall be located outside the coolroom as near as possible to the door opening.
 - (ii) All proposed shelving in the coolroom shall be free-standing, constructed of galvanised steel angle section or other approved material with the lowest shelf at least 150mm clear of the floor.
 - (iii) The floor of the coolroom shall be constructed of impermeable concrete or coated, topped or otherwise finished with an impervious material to a smooth even surface and coved at the intersections with the walls to a minimum radius of 25mm.
 - (iv) A door which can be opened at all times from inside without a key.
 - (v) An approved audible alarm device shall be located outside the coolroom(s) but controllable only from within the coolroom(s) and be able to achieve a sound pressure level outside the chamber or coolroom(s) of 90 d B (A) when measured 3 metres from the sounding device.
- (u) All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls, floors or plinths.
- (v) All openings in walls, floors and ceilings, through which service pipes pass, must be vermin proof.
- (w) Where fittings are butt joined together they must be sealed to eliminate any cavities or crevices. Alternatively, a clear space of at least 75mm is to be provided between fittings.
- (x) The following requirements apply to clearances and supports of equipment:
- (i) All stoves, refrigerators, cupboards and similar fittings must have metal legs made of non corrosive metal or moulded plastic at a minimum height of 150mm above the floor. If placed flush on solid plinths the solid plinth is to be a minimum of 75 mm high.
 - (ii) All shelving must be fixed 25mm clear of the walls on solid metal brackets.
- (y) The following requirements apply to food conveyors:
- (i) The area (well) at the bottom of the food lift must be designed to allow access for cleaning.

- (ii) The outside wall surface of the lift shaft must be finished to match the surrounding wall surface and covered to a minimum radius of 25 mm at the intersection with the floor.
- (iii) The internal surfaces of the food lift must be a smooth cement finish and coved at all angles.
- (z) A grease trap (if required by Sydney Water) must not be installed in any kitchen, food preparation or food storage area. The grease trap room must have a piped connection to the boundary so that it can be emptied. Note: Sydney Water Authority also have requirements for grease arrestors that you need to comply with.

Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website www.standards.com.au.

Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email info@foodstandards.gov.au or by visiting the website www.foodstandards.gov.au.

(65) FINAL INSPECTION (FOOD PREMISES)

A final site inspection relating to the works carried out on the premises shall be arranged by the applicant and shall be undertaken by Council. The time for the inspection shall be arranged with Council at least 48 hours prior to the applicants' suggested appointment time.

(66) FOOD PREMISES DATA BASE

Prior to an Occupation Certificate being issued, Council's Environmental Health Unit must be notified that the premises is being used for the preparation, manufacture or storage of food for sale so that the premises can be registered on Council's food premises database.

(67) 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.

(68) MECHANICAL VENTILATION

- (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1-1998 and AS1668.2-1991.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1-1998 and AS1668.2-1991, 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.

(69) PAVING MATERIALS

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

(70) CONTINUED PERFORMANCE OF MECHANICAL VENTILATION

The required operation and performance of any mechanical ventilation, air pressurisation or other smoke control system must not be impaired by the proposed partitioning layout.

(71) CAR PARK VENTILATION

The car park must be ventilated in accordance with the *Building Code of Australia* and, where necessary, Australian Standard AS1668, Parts 1 and 2. Ventilation must be controlled by carbon dioxide monitoring sensors to ensure compliance with occupant health requirements while reducing energy consumption.

(72) STRUCTURAL CERTIFICATION FOR DESIGN - BCA (ALL BUILDING CLASSES)

Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Clause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of the Certifying Authority. A copy of the certificate must be submitted to Council if Council is not the certifying authority.

(73) BCA - NEW BUILDINGS WORKS - CLASS 2-9 BUILDINGS

Pursuant to Clause 98 of the Environmental Planning and Assessment Regulation 2000, the proposed building work must comply with the Building Code of Australia (BCA).

(74) ANNUAL FIRE SAFETY STATEMENT FORM

An **annual Fire Safety Statement** must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued or the use commencing, whichever is earlier. A copy must also be submitted to Council if Council is not the Principal Certifying Authority.

(75) FIRE SAFETY CERTIFICATE TO BE SUBMITTED

A Fire Safety Certificate must be submitted to the Principal Certifying Authority for all of the items listed in the Fire Safety Schedule prior to an Occupation Certificate being issued. A copy of the Fire Safety Certificate must be submitted to Council if it is not the Principal Certifying Authority.

(76) CERTIFICATION OF GEOTECHNICAL INSPECTION

Prior to the issue of a Construction Certificate, a **Geotechnical Inspection Certificate** in accordance with Clause A2.2(a)(iii) of the Building Code of Australia prepared by an appropriately qualified person must be submitted to the satisfaction of the Certifying Authority and a copy submitted to Council (if it is not the Principal Certifying Authority).

(77) GEOTECHNICAL REPORT AND CERTIFICATION

Prior to commencement of any foundation or bulk excavation, a Geotechnical Report must be submitted to the satisfaction of the Principal Certifying Authority and a copy of the report must be submitted to Council (if it is not the Principal Certifying Authority).

(78) PROTECTION OF STREET TREES DURING CONSTRUCTION

All street trees adjacent to the site **MUST** be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order. Details of the methods of protection must be submitted to and be approved by Council prior to the issue of the Construction Certificate and such approval should be forwarded to the Principal Certifying Authority. All approved protection measures must be maintained for the duration of construction and any tree on the footpath which is damaged or removed during construction must be replaced.

PART D—DURING CONSTRUCTION / PRIOR TO OCCUPATION CERTIFICATE**(79) OCCUPATION CERTIFICATE TO BE SUBMITTED**

An Occupation Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

(80) 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 and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Building Sites Noise Code* and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

(81) 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.

(82) NOTIFICATION OF EXCAVATION WORKS

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

(83) SYDNEY WATER CERTIFICATE

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

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

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifying Authority prior to an Occupation Certificate or subdivision/strata certificate being issued.

(84) 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.

(85) CONNECTION TO SEWERS OF SYDNEY WATER CORPORATION

Waste water arising from the use must be directed to the sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The pre-treatment of wastewater may be a requirement of the Corporation prior to discharge to the sewer. Details of the Corporation's requirements should be obtained prior to the commencement of construction work.

(86) 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.

(87) 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.

(88) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction must be accommodated on site.
- (b) A Works Zone is 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.
- (c) The structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.
- (d) 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.
- (e) 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.

(89) 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.

(90) CONSERVATION MANAGEMENT PLAN

A Conservation Management Plan for Block C North and Block A, (the former Albion Avenue Public School), as required by the Development Control Plan for the site, is to be prepared in accordance with the NSW Heritage Branch Guidelines, by a suitably qualified and experienced heritage practitioner and submitted to Council's satisfaction prior to the issue of an Occupation Certificate.

(91) USE OF MOBILE CRANES

The following requirements apply:

- (a) 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.
- (b) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (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.

(92) CONSTRUCTION LIAISON COMMITTEE

- (a) Prior to the commencement of **ANY WORK**, a Construction Liaison Committee is to be established by the developer, to ensure that demolition and construction related impacts (including construction noise and vibration, loading, issues associated with construction workers and vehicles, traffic issues, management of the construction site) from the site can be dealt with expeditiously and co-operatively.

The committee is to comprise nominated representatives of **all adjacent properties and all properties opposite the subject site.**

- (b) The committee shall meet prior to the commencement of works on the site and at monthly intervals or as considered appropriate by the Committee throughout the construction process. Details of the consultation with the adjoining sites must be submitted to and approved by Council prior to the commencement of work.
- (c) The meetings are to be recorded/minuted and such records/minutes are to be provided to Council within 7 days of the meeting(s). The following plans are to be tabled at a meeting of the Construction Liaison Committee prior to being provided to Council:
 - (i) Geotechnical Report
 - (ii) Demolition Report
 - (iii) Demolition and Traffic Management Plan
 - (iv) Construction Management Plan
 - (v) Construction Program (A rough forward estimate of the construction timetable shall be tabled and discussed at the first meeting)
 - (vi) Construction Traffic Management Plan
 - (vii) Dilapidation Reports
 - (viii) Reports on Noise and Vibration
 - (ix) Plans to apply for temporary road or footpath closure or use of mobile cranes
 - (x) Complaints register
- (d) Prior to the commencement of work, the Site Manager is to provide the members of the construction liaison committee and Council, with 24 hour contact details (including location of site office and 24 hour phone number), to

ensure that any matters which arise during the construction period are addressed immediately. The site manager shall be available during normal business hours to provide information to the public about activities on site and to bring any complaints to the attention of the applicant.

- (e) The Site Manager is to inform, by way of writing, on a regular monthly basis (including at the Construction Liaison Committee) of the construction program, construction progress and impending work.
- (f) A register of all complaints received shall be kept by the applicant through out the duration of the project, and the register is to be made available to Council on request.