

Project Approval

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

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 to 3.

These conditions are required to:

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


Deputy Director-General
Development Assessment & Systems Performance
Department of Planning

Sydney

27th November

2010

SCHEDULE 1

Application No.:

MP 09_0007

Proponent:

Moore Theological College

Approval Authority:

Minister for Planning

Land:

Lot 100 DP 106825
Lot 29 DP 1117009
Lot 1 DP 171499
Lot 6 DP 664096
Lot A & B DP 314368
Lot 17 DP 830070
Lot 1 DP 547291

Project:

Stage 1 Resource and Research Building, including:

- construction of a 6 storey Resource and Research Centre at the corner of King Street and Carillon Avenue (Site A), including a library, teaching and administration spaces, and 3 basement levels including an Automatic Storage Retrieval System (ASRS), archive / storage spaces, and plant;
- site preparation works including: demolition of the existing structures on the site; removal of 10 trees; and excavation;
- associated landscaping and public domain works;
- construction of a temporary car park containing 36 spaces on part of Site B to facilitate the staging of the development; and
- provision of 40 bicycle spaces and associated facilities.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
Certifying Authority	Has the same meaning as Part 4A of the EP&A Act.
Construction	Any works, including earth and building works
Council	City of Sydney Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECCW	Department of Environment, Climate Change and Water or its successors
Department	Department of Planning or its successors
Director-General	Director General of the Department of Planning, or nominee
EA	Environmental Assessment titled <i>Moore Theological College Environmental Assessment Report Concept Plan and Project Application</i> , prepared by JBA Urban Planning Consultants Pty Ltd, dated November 2009, including appendices
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning, or nominee
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PPR	Preferred Project Report titled <i>Moore Theological College Preferred Project Report</i> , prepared by JBA Urban Planning Consultants Pty Ltd, dated September 2010, including appendices
Project	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
Proponent	Moore Theological College, or anyone else entitled to act on this Approval
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
Subject Site	Is comprised of the following lots: Lot 100 DP 106825 Lot 29 DP 1117009 Lot 1 DP 171499 Lot 6 DP 664096 Lot A & B DP 314368 Lot 17 DP 830070 Lot 1 DP 547291
Statement of Commitments	The Proponent's Statement of Commitment in Schedule 3

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

Terms of Approval

Development Description

A1. Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

A2. The Proponent shall carry out the project generally in accordance with the:

- (a) EA;
- (b) PPR;
- (c) The following plans:

Architectural (or Design) Drawings prepared by <i>Allen Jack + Cottier</i>			
Drawing No.	Revision	Name of Plan	Date
PA1001	F	SITE PLAN PROPOSED	30/08/2010
PA1100	E	DEMOLITION PLAN	30/08/2010
PA2001	F	BASEMENT 1 PLAN	30/08/2010
PA2002	F	BASEMENT 2 PLAN	30/08/2010
PA2003	E	BASEMENT 3 PLAN	30/08/2010
PA2101	G	LEVEL 1 PLAN GROUND FLOOR	30/08/2010
PA2102	H	LEVEL 2 PLAN	30/08/2010
PA2103	G	LEVEL 3 PLAN	30/08/2010
PA2104	G	LEVEL 4 PLAN	30/08/2010
PA2105	G	LEVEL 5 PLAN	30/08/2010
PA2106	G	LEVEL 6 PLAN	30/08/2010
PA2107	F	LEVEL 7 PLAN	30/08/2010
PA2108	C	LEVEL 8 PLAN	30/08/2010
PA2120	E	GROUND FLOOR PLAN	30/08/2010
PA2800	D	AREA SUMMARY	30/08/2010
PA3100	F	ELEVATIONS	30/08/2010
PA3101	F	ELEVATIONS	30/08/2010
PA3120	C	SECTIONS ELEVATIONS	30/08/2010
PA3200	F	SECTIONS	30/08/2010
PA3201	F	SECTIONS	30/08/2010
PA3202	C	ESD SECTION	30/08/2010
PA3300	C	PHOTOMONTAGE 1	30/08/2010
PA3301	B	PHOTOMONTAGE 2	30/08/2010
PA3302	B	PHOTOMONTAGE 3	30/08/2010
PA4200	A	MATERIALS BOARD	30/08/2010
ES-01	A	MOORE COLLEGE NEW LIBRARY EROSION & SEDIMENT CONTROL PLAN	24.09.09
SW-01	A	STORMWATER SERVICES LEVEL 1 GROUND FLOOR	24.09.09
SW-02	A	STORMWATER SERVICES BASEMENT 1	24.09.09
SW-03	A	STORMWATER SERVICES BASEMENT 2	24.09.09
SW-04	A	STORMWATER SERVICES DETAIL SHEET	24.09.09
ES-01	A	SITE B – CARPARK EROSION & SEDIMENT CONTROL PLAN	14.10.09

SW-01	A	STORMWATER SERVICES SITE PLAN	14.10.09
Architectural (or Design) Drawings prepared by ASPECT Studios			
Drawing No.	Revision	Name of Plan	Date
29009-PA 02	E	Moore College Resource + Research Centre Project Application – Level 1 Plan	03-08-2010
29009-PA 03	E	Moore College Resource + Research Centre Project Application – Roof Terrace Plan	03-08-2010
29009-PA 04	F	Moore College Resource + Research Centre Project Application – Carpark facility	03-08-2010

- (d) conditions of this approval; and
- (e) Proponent's Statement of Commitments (Schedule 3).

except for any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA.

Inconsistency between plans and documentation

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

Prescribed Conditions

- A4. The Proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

Development Description

- A5. Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1, and development must be carried out consistently with the Statement of Commitments (attached as Appendix 1).

These conditions of approval do not relieve the Proponent of its obligations under the EP&A Act or any other Act.

Removal of Trees

- A6. Only trees numbered 1, 2, 3, 4, 39, 54, 55, 56, 57, 60, 61 and 63 in Drawing No. mtr1.01, rev0.4, in *impact of development on trees – moore theological college, newtown* prepared by Footprint Green Pty Ltd and dated 9 October 2009, are approved for removal.
- A7. The tree numbered 62 in Drawing No. mtr1.01, rev0.4 in *impact of development on trees – moore theological college, newtown* prepared by Footprint Green Pty Ltd and dated 9 October 2009, is approved for transplanting on site.

Compliance with the Building Code of Australia

- A8. Work must be carried out in accordance with the requirements of the Building Code of Australia.

Development Expenses

- A9. It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE(S)

Construction Certificate

- B1. The stamped drawings must be lodged with the Certifying Authority (Council or a private certifier) for a Construction Certificate. The Proponent must supply the Department of Planning with a copy of the Construction Certificate within two days from the date of its issue.

Temporary Car Park

- B2. Prior to the issue of a relevant Construction Certificate, the Proponent must demonstrate that the temporary car park construction will not result in any loss of on street car parking on Carillon Avenue unless agreed to by the Council's traffic committee.

Construction Management Plan

- B3. Prior to the issue of a Construction Certificate, a Construction Management Plan shall be prepared and approved by the Department. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):
- (a) Hours of work, which must be in accordance with the conditions of this approval;
 - (b) Contact details of the site manager and all principle contractors;
 - (c) Traffic management, which is to be developed in consultation with Council and is to include:
 - (i) ingress and egress of vehicles to the site;
 - (ii) management of loading and unloading of materials;
 - (iii) number and frequency of vehicles accessing the site;
 - (iv) the times vehicles are likely to be accessing the site;
 - (v) management of existing vehicular, pedestrian and bicycle movements / routes around the site throughout the various stages of construction;
 - (d) Erosion and sediment control, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom; and must include:
 - (i) The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device.
 - (ii) The procedures to be adopted for the prevention of run-off loose material and litter from the site onto the public way.
 - (e) Noise and vibration management, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implements, and address any other relevant provisions of Australian Standard 2436-1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites;
 - (f) Waste management, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste.
 - (g) Dust control measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

Further Approvals

- B4. The Proponent shall obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project including those from the Commonwealth Department of Transport and Infrastructure relating to approval for the height of the proposed building in relation to building intrusions into the Sydney Airport Height Obstacle Limitation Surface (OLS) prior to a Construction Certificate for any above ground structures (above RL 42.5).

Developer Contributions

- B5. A total monetary contribution of \$91,220 being paid to Council, pursuant to section 94 and section 94B(2) of the *Environmental Planning and Assessment Act 1979*, is payable prior to issuing of a Construction Certificate in respect of the proposed development.

Note. The amount of contribution payable under this condition has been calculated on the basis of the 2006 rate. The contribution payable is subject to CPI indexation and recalculated at the CPI rate applicable on the day of payment. The final contribution should be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Any party intending to act on this approval should contact Council's for determination of the indexed amount of contribution on the date of payment.

Public Domain Plan

- B6. 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.

Note: It is recommended that draft plans should be submitted to Council for comment prior to formal submission for approval.

Alignment Levels

- B7. Prior to a relevant Construction Certificate being issued for any above ground works, footpath alignment levels 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.

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.

Street Trees

- B8. The design is to be amended to include the retention of all street trees surrounding the proposed development site. Any amendments to the design must provide adequate setbacks from the street trees in accordance with the distances provided in the arborist report, *Impact of development on trees – moore theological college, newtown* prepared by Footprint Green Pty Ltd and dated 9 October 2009.

Contamination

- B9. Prior to issue of a Construction Certificate for excavation and/or any new building works, a Detailed Stage 2 Environmental Assessment will be required to be carried out in accordance with the recommendations of the Stage 1 Environmental Site Assessment prepared by Environmental Investigation Services, dated May 2009, certifying that the site is suitable (or will be suitable, after remediation) for the proposed use.

Note: Where the Detailed Environmental Site Assessment states the site is suitable for the proposed use it is to be peer reviewed by a NSW DECCW accredited auditor and a Site Audit Statement submitted prior to certifying the site is suitable for the proposed use.

Detailed Design Drawings

- B10. Detailed design drawings and geotechnical reports relating to the excavation of the site and support structures are to be submitted to the RTA for assessment prior to issue of a Construction Certificate.

The Proponent is to contact the RTA's Geotechnical Engineer for the report requirements, which include addressing the following key issues:

- (a) the impact of excavation/rock anchors on the stability of King Street and detailing how the carriageway would be monitored for settlement; and
- (b) the impact of the excavation on the structural stability of King Street.

Note: The Proponent is to meet the full cost of the assessment.

Mechanical Ventilation

- B11. Prior to the relevant Construction Certificate being issued, the Proponent must demonstrate that all mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

Stormwater Plan

- B12. The Proponent is to prepare and submit detailed stormwater and drainage works plan to Sydney Water for endorsement including demonstrating that the design would facilitate safe conveyance of the combined overflows and does not impact the down stream catchment or downstream properties. Evidence of Sydney Water's endorsement shall be forwarded to the Certifying Authority prior to the issue of a relevant Construction Certificate.

Access and Movement

- B13. Prior to issue of the relevant Construction Certificate, an Access and Safety Plan shall be prepared demonstrating how access and use of the site is to be maintained during the construction of the building to ensure the safety of staff, visitors and the public.

Disabled Access

- B14. Prior to issue of a the relevant Construction Certificate, the Proponent must demonstrate Access and facilities for people with disabilities will be provided in accordance with Part D3 of the BCA's Access Policy.

Long Service Levy

- B15. Prior to the issue of a Construction Certificate, evidence of the payment of the long service levy under section 34 of the *Building and Construction Industry Long Service Payment Act 1986* must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy).

Reflectivity

- B16. The light reflectivity from any building materials used on the facades of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a relevant Construction Certificate.

Outdoor Lighting

- B17. All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a relevant Construction Certificate.

Sydney Water – Notice of Requirements

- B18. An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to issue of a Construction Certificate.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

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

PART C – PRIOR TO CONSTRUCTION

Aircraft Safety

- C1. An application for any of the following works must be submitted to the Sydney Airport Corporation Ltd a minimum of 35 days prior to commencement of relevant works in accordance with the Airports (Protection of Airspace) Regulations Statutory Rules 1996 No. 293 detailing:
- (a) Location of any temporary structure or equipment, i.e. construction cranes, planned to be used during construction relative to Mapping Grid of Australia 1994 (MGA94);
 - (b) The swing circle of any temporary structure/equipment used during construction;
 - (c) The maximum height, relative to Australian Height Datum (AHD), of any temporary structure or equipment i.e. construction cranes, intended to be used in the erection of the proposed structure/activity;
 - (d) The period of the proposed operation (i.e. construction cranes) and desired operating hours for any temporary structures.

Notice to be Given Prior to Commencement / Excavation

- C2. The Certifying Authority and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.
- C3. The Certifying Authority is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the Certifying Authority via the notice under Section 81A of the *Environmental Planning and Assessment Act 1979*.

Construction Works Zone

- C4. If a construction works zone is required where loading and unloading is not possible on site, approval is required from the relevant Roads Authority. The Proponent shall obtain approval from the relevant Roads Authority prior to commencement of works. An approval for the works zones may be given for a specific period and certain hours of the day 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.

Footpath Damage Bank Guarantee

- C5. Prior to commencement of the new building works the Proponent 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.

The Proponent is to advise Council in writing and/or photographs of any signs of existing damage to the Council roadway, footway, or verge prior to the commencement of any building/demolition works.

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.

Barricade Permit

- C6. Where construction/building works require the use of a public place including a road or footpath, approval for a 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.

Road Occupancy Licence

- C7. A road occupancy licence is to be obtained from the RTA prior to the commencement of works for any works that may impact on traffic flows on King Street during construction activities.

Road/Asset Opening Permit

- C8. A Road / Asset Opening Permit must be obtained from Council or the RTA prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

Vehicle Cleansing

- C9. 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.

Utility Services

- C10. Prior to the commencement of work, the Proponent is to negotiate with the utility authorities (e.g. Energy Australia, Sydney Water Corporation Limited 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.

- C11. Any necessary alterations to public utility installations being at the Developer/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

Contact Telephone Number

- C12. The Proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to Council and the Department prior to commencement of works.

Haulage Routes

- C13. The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage. Unacceptable deterioration or failures within public roads attributable to these operations is to be restored to the requirements of, and at no cost to the road authorities.

Heritage – Archival recording

- C14. Archival recording shall be undertaken for 3-11 King Street prior to any demolition or partial demolition of these properties.

Dilapidation Report

- C15. A dilapidation survey of Council's assets and adjoining property including photographs and written record must be prepared and submitted to Council and adjoining properties prior to the commencement of works. Failure to identify any damage to Council's assets and the adjoining properties will render the Proponent liable for the costs associated with any necessary repairs.
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PART D – DURING CONSTRUCTION

Hours of Work

D1. The hours of excavation and work on the development must be as follows:

- (a) All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools) in connection with the approved development must only be carried out between the hours of:
 - 7.00am and 6.00pm on Mondays to Fridays
 - 8.00am and 1.00pm on Saturdays
 - No work must be carried out on Sundays or public holidays.
- (b) Works may be undertaken outside these hours where:
 - the delivery of materials is required outside these hours by the Police or other authorities
 - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm
 - the work is approved by the Director General or his nominee.

Site Notice

D2. A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to:

- (a) Details of the Builder, Certifying Authority and Structural Engineer for all stages of the project;
- (b) The approved hours of work;
- (c) the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (d) To state that unauthorised entry to the site is not permitted.

Protection of Trees – Street Trees

D3. All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction of any stage of the project, shall be replaced, to the satisfaction of Council.

Ecologically Sustainable Development

D4. The project shall implement all construction and design measures outlined in the *S9045 Moore College Masterplan – ESD Strategies* report prepared by Cundall, dated October 2009.

Noise Control

- D5. All work, including excavation and construction work must comply with the Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
- D6. Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of the *Protection of the Environment Operations Act 1997* must be satisfied at all times.

Standards and Codes

D7. All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

Work Cover Requirements

D8. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

D9. The following hoarding requirements shall be complied with:

- (a) To ensure an appropriate presentation of the site to the public domain during the construction period, temporary artwork shall be provided along any hoarding/fencing proposed to be erected around the subject site.
- (b) The temporary artworks shall inform the general public about the proposed works being undertaken by the Proponent, the site's history and heritage significance.
- (c) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (d) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.

Swept Path of Vehicles

D10. The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS.

No Obstruction of Public Way

- D11. The public way (outside of the work area) 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 the relevant Authority to stop all work on site.

Disposal of Seepage and Stormwater

- D12. Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

Erosion and Sediment Control

- D13. Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The Proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Dust Control Measures

- D14. Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The Proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Pedestrian Access During Construction

- D15. Pedestrian access along Carillon Street, King Street and Little Queen Street is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

Setting Out of Structures

- D16. The new building shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

Directional Signage

- D17. Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.

Particular attention is to be paid to:

- (a) wheelchair accessible paths of travel
- (b) safe road crossing areas including signalised and other designated crossings
- (c) key landmarks
- (d) access to transport nodes including public transport
- (e) the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

Traffic Movement

- D18. The following traffic movement requirements shall be complied with
- (a) All loading and unloading associated with works must occur on site.
 - (b) All vehicles must enter and leave the site in a forward direction.
 - (c) The cost of all traffic management works shall be borne by the Proponent.
 - (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
 - (e) Gates shall be closed between vehicle movements.
 - (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
 - (g) The Contractor shall make provision for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

Approved Plans to be On-site

- D19. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, or Council.

Work on Site to Cease

- D20. If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the *NSW Heritage Act 1977*.

- D21. Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately. Work may only be resumed following written consent being obtained from the Department of Environment, Climate Change and Water.

Excavation Inspection

- D22. During excavation works, the site is to be inspected by an experienced environmental personnel to assess any possible land contamination issues derived from unexpected conditions or subsurface facilities that may be discovered.

Excavated Material

- D23. Any excavated material to be removed from the site must be assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.

Imported Fill

- D24. Any imported fill onto the site being validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.
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PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE(S) / PRIOR TO OPERATIONS

Work Place Travel Plan and Travel Access Guide

- E1. Prior to occupation of the building, a work place travel plan and travel access guide is to be prepared to encourage the use of non-car transport modes by students, employees and visitors to the site.

Public Domain Plan

- E2. The works to the public domain are to be completed in accordance with the approved Public Domain Plan before a relevant Occupation Certificate is issued in respect of any development which is adjacent to Council property 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.

Street Tree Planting

- E3. A Landscape Plan indicating the location of the street trees to be planted in association with the development must be submitted to Council for approval and trees planted by a qualified Arborist or Horticulturist (AQF Level 3) in accordance with the approval prior to the issuing of the relevant Occupation Certificate.

Sydney Water

- E4. A Compliance Certificate issued under Part 6, Division 9, Section 73 of the *Sydney Water Act 1994* shall be obtained prior to occupation of the relevant part of the building.

Noise Control

- E5. Prior to the issue of a relevant Occupation Certificate for the building a statement of compliance is required to be submitted to the Certifying Authority for approval confirming that the building meets the requirements of AS/NZ 2107:2000 'Acoustics – Recommended design sound levels and reverberation times for building interiors'.
- E6. Prior to the issue of a relevant Occupation Certificate a statement from an accredited acoustic consultant certifying that the recommendations detailed in the report prepared by Acoustic Studio and dated September 2009 are suitably incorporated, and the noise criteria in the subject report have been met shall be submitted to the satisfaction of the Certifying Authority.
- E7. Prior to the issue of a relevant Occupation Certificate for the building a report is to be prepared by a qualified acoustic engineer and submitted to the Certifying Authority confirming that the installation and performance of the mechanical systems complies with:
- (a) the Acoustic Amenity Report for Concept Plan prepared by Acoustic Studio, dated September 2009;
 - (b) the Building Code of Australia;
 - (c) Australian Standard AS1668 and other relevant codes;
 - (d) the project approval and any relevant modifications; and
 - (e) any dispensation granted by the New South Wales Fire Brigade.

Fire Safety Certificate

- E8. A Fire Safety Certificate shall be furnished to the Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of the relevant Occupation Certificate for the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and Council.

Structural Inspection Certificate

- E9. A Structural Inspection Certificate or a Compliance Certificate for any structural work is to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Occupation Certificate.

Road Damage

- E10. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent prior to the issue of the relevant Occupation Certificate for the building.

Waste Management

- E11. Prior the issue of the relevant Occupation Certificate being issued, the Certifying Authority must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant Council policy.

PART F – DURING OPERATIONS

Ecologically Sustainable Development

- F1. The project shall achieve as a minimum a 4 star Green Star design rating and shall implement all operational and design measures outlined in *S9045 Moore College Masterplan – ESD Strategies* report prepared by Cundall, dated October 2009.

Street Tree Maintenance

- F2. All street trees planted in accordance with the approved Landscape Plan for street trees must be maintained by a qualified Horticulturist or Arborist (AQF Level 2 or 3) for a minimum period of twelve (12) months commencing on the planting date. Maintenance includes, without limitation, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.

At the end of the twelve (12) month maintenance period, written approval must be obtained from Council before hand-over of any street tree to Council.

Note: If a street tree has been replaced due to maintenance deficiencies during the twelve (12) month maintenance period, the twelve (12) month maintenance period will start again from the date that the street tree is replaced.

Annual Fire Safety Certificate

- F3. 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. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Noise Control – Operational

- F4. The use of the premises shall not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

Noise Control – Plant and Machinery

- F5. Noise associated with the operation of any plant, machinery or other equipment on the site, 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 residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
 - (c) Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Loading and Unloading

- F6. All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.
- F7. All truck movements must enter and exit the site in a forward direction and from Carillon Avenue.

Unobstructed Driveways and Parking Areas

- F8. All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.
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ADVISORY NOTES

Use of Mobile Cranes

- AN1. The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the Proponent shall ensure the following matters are complied with:
- (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:
 - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions
 - at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
 - (b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

Disability Discrimination Act

- AN2. This application is to comply with the *Disability Discrimination Act 1992*. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Temporary Structures

- AN3. A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

Structural Capability for Existing Structures

- AN4. The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

- AN5. The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

PROPOSERS STATEMENT OF COMMITMENTS

6.1 Transport and Accessibility

Given the College's close proximity to major transit hubs and the existing high number of pedestrian movements in and around the Campus, Construction Traffic Management Plans will incorporate and be framed around the following principles:

- Truck parking areas, construction zones, crane usage and truck routes are to be identified.
- Pedestrian movements along footpaths are to be maintained at all times on major roads surrounding the site including Carillon Avenue and King Street.
- Trucks are to enter and leave the site in a forward direction unless accredited flag persons are in place to control traffic and pedestrians.
- Building contractors are to maintain strict traffic management procedures including using traffic wardens to ensure the safety of road users and pedestrians.
- All vehicles carrying materials to or from the site are to have their loads covered with tarpaulins or similar covers.
- Openings in construction fencing at construction access driveways are to be managed and controlled by qualified site personnel.
- Pedestrian warning signs and flashing lights are to be erected adjacent to all construction access driveways.
- Access to King Street will be removed and replaced with kerb and guttering to match existing in accordance with RTA requirements.
- MTC will submit detailed design drawings and geotechnical reports relating to excavation of site and support structures to RTA for assessment.
- A Road Occupancy Licence will be obtained from the RTA for any road works that impact King Street
- Construction Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control to be prepared prior to issue of a CC.
- All works/regulatory signposting associated with proposed development to be at no cost to the RTA.

6.2 Temporary Car Park

MTC will cease to use the temporary car park on Site B following the full completion and occupation of the Site B or Site A car park, whichever is completed first.

6.3 Construction Management

Following the engagement of building contractor MTC will prepare a Construction Management Plan to address noise and vibration, construction traffic, erosion and sediment controls, dust suppression, and waste management. The plan will include the principles set out in this report to minimise construction impacts at different stages of the Construction process.

MTC commits to undertake the following actions during the construction and demolition process to minimise any adverse impacts:

- Recommendations in the Traffic Management Plan for Demolition and Construction Works will be adopted including engaging a traffic controller to manage all vehicle movements to the site and providing relevant signage to alert pedestrians, public and private transport operators of the works.
- Noise and vibration associated with construction work will be monitored throughout the demolition and construction period and additional controls implemented if appropriate.
- Up to 90% of waste generated during works will be recycled.

Hours of construction will be limited to 7.00am to 6.00pm Monday to Friday, and 7.00am to 3.00pm on Saturdays. There will be no work on Sundays and public holidays.

6.4 Geotechnical

MTC will undertake all the recommendations outlined in Appendix L of the exhibited Geotechnical Investigation.

6.5 Structural Engineering

MTC will undertake the following recommendations to monitor the performance of the existing foundations during construction of the Project Application:

- Precise leveling of all columns will be undertaken to confirm that settlement caused by the additional loading is within design expectations.
- Settlement monitoring will be commenced prior to the redevelopment works to provide a datum. Ongoing monitoring will be carried out throughout the construction phases of the project.
- Further bore testing will be carried out adjacent to critical piles, and piling records reviewed, to confirm the individual increased load capacities of the piles.