

FORT STREET PUBLIC SCHOOL (SSD 10340) – RESPONSE TO SUBMISSIONS RESPONSE TO CITY OF SYDNEY RECOMMENDED CONDITIONS

Draft conditions recommended in the original RTS letter dated 7 May 2020 are listed in numerical order below.

Additional draft conditions recommended in the response to RTS letter dated 6 August 2020 are highlighted grey, identified with a preceding “A” and arranged into the appropriate categories, where applicable.

General comment – All references to Construction and Occupation Certificates should be amended to reflect the fact that this is a Crown DA. They should also be worded flexibly to enable for the staging of Crown Certificates.

Recommended Condition No.	Recommended Condition	Response
Recommended Transport Conditions		
1	<p>ASSOCIATED ROADWAY COSTS</p> <p>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 ‘Sydney Streets Technical Specification’ including amendments and ‘Sydney Streets Design Code’.</p>	Noted and accepted.
2	<p>BICYCLE PARKING</p> <p>At least five (5) 10 Class B A bicycle parking for staff use and thirty (30) Class 3 bicycle rails for student/visitor are to be provided within the school grounds. Two (2) showers with</p>	The proposal includes 10 staff bicycle spaces (adjacent to Building F), however due to spatial constraints, they are not within a structure required by Class B. It is requested that the condition be amended to Class A to provide the flexibility to resolve this within the landscape.

Recommended Condition No.	Recommended Condition	Response
	<p>changeroom areas and 10 lockers are to be provided as part of End of Trip facilities.</p> <p>The layout, design and security of bicycle facilities must comply with Australian Standard AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Certifying Authority confirming prior to the Construction Certificate being issued.</p>	<p>As per the Response to Submissions, a single shower is currently provided for staff within Building F. No dedicated lockers are currently provided.</p> <p>However, additional EOT facilities can be provided within Building A (Level 1) to comply with this condition.</p>
3	<p>CHANGES TO KERB SIDE PARKING RESTRICTIONS</p> <p>Any changes to kerb side parking arrangements requires a separate submission to be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit. There is no guarantee kerb side parking will be changed or that any change will remain in place for the duration of the use.</p> <p>The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include changes to all signs and stems from the kerb line of the nearest intersection.</p> <p>All costs associated with the parking proposal will be borne by the developer.</p> <p>Please contact the City's Traffic Engineer to discuss the proposal before making a submission.</p>	<p>Noted and accepted.</p>
4	<p>COST OF SIGNPOSTING</p> <p>All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.</p>	<p>Noted and accepted.</p>

Recommended Condition No.	Recommended Condition	Response
5	<p>ON SITE LOADING AREAS AND OPERATION</p> <p>All loading and unloading operations associated with the site must be carried out within the site, at all times and must not obstruct other properties/units or the public way.</p> <p>Parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including garbage storage.</p>	Noted and accepted.
6	<p>TRAFFIC WORKS</p> <p>Any proposals for alterations to the public road involving traffic and parking arrangements must be designed in accordance with RMS Technical Directives must be referred to and agreed to by <u>in consultation with</u> the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.</p>	It is requested that the condition be amended to require the works to be designed in consultation with Council's Local Pedestrian, Cycling and Traffic Calming Committee, rather than requiring their approval/agreement.
7	<p>GREEN TRAVEL PLAN</p> <p>Prior to the issue of an Occupation Certificate, a Green Travel Plan (GTP) shall be prepared in consultation with Council and the TfNSW Sydney Coordination Office. The GTP shall include:</p> <ul style="list-style-type: none"> (a) Strategies to reduce the proportion of single-occupant car travel and increase the mode share of public transport and active transport for workers and visitors of the development. (b) Clear and time bound targets, actions and measurements and monitoring framework; (c) A Transport Access Guide (TAG); (d) A mechanism for a minimum five yearly review in consultation with Council and TfNSW. 	Noted and accepted.

Recommended Condition No.	Recommended Condition	Response
8	<p>CONSTRUCTION TRAFFIC MANAGEMENT PLAN</p> <p>A Construction Traffic Management Plan taking into account construction associated with the TfNSW (Sydney Coordination Office) must be submitted to and approved by the Department prior to a Construction Certificate being issued.</p>	Noted and accepted.
9	<p>LOADING AND UNLOADING DURING CONSTRUCTION</p> <p>All loading and unloading associated with construction activity must be accommodated on site. If it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work. An approval for a Works Zone may be given for a specific period and/or certain hours of the day to meet the needs of the site for various stages of construction. The approval will be reviewed periodically for adjustments necessitated by the progress of construction activities.</p> <p>Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate approval under Section 68 of the Local Government Act 1993 must be obtained.</p>	Noted and accepted.
10	<p>NO OBSTRUCTION OF PUBLIC WAY</p> <p>The public way, excluding the Sydney Harbour Bridge Cycleway, 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.</p>	As DPIE is aware, the Sydney Harbour Bridge Cycleway will be impacted during construction. To avoid any doubt, it is requested that this condition be amended to acknowledge this.
11	<p>USE OF MOBILE CRANES</p> <p>Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building. For special operations (such as delivery of materials, hoisting of equipment, etc) permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road</p>	Noted and accepted.

Recommended Condition No.	Recommended Condition	Response
	<p>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.</p> <p>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.</p>	
A1	<p>GREEN TRAVEL PLAN</p> <p>Prior to the issue of an Occupation Certificate, a Green Travel Plan (GTP) shall be prepared in consultation with the City of Sydney Council and Transport for NSW Sydney Coordination Office. The GTP should include:</p> <ul style="list-style-type: none"> (a) Strategies to reduce the use of single-occupant car travel (measured as a proportion of mode) and increase the use of public transport, walking and cycling for staff, students and visitors of the school. (b) Clear and time bound targets, actions and measurements, and a monitoring framework (c) A Transport Access Guide (TAG) detailing how staff, students and visitors can access the school, including (but not limited to) student drop off and pick up arrangements, location of public transport options, cycle access, walking access and vehicle parking arrangements. (d) A mechanism for a minimum five yearly review in consultation with City of Sydney Council and Transport for NSW. 	Noted and accepted.
A2	<p>ROAD SAFETY AUDIT</p> <p>A Road Safety Audit (RSA) for the school pick up and drop off area be prepared by a qualified and Transport for NSW accredited road safety auditor and endorsed by Transport for NSW <u>prior to the issue of a Crown Certificate for works to the pick-up and drop-off area. before</u></p>	Noted and accepted, subject to the minor changes shown to ensure appropriate time for the design of the pick-up and drop-off area to be finalised on consultation with the relevant stakeholders.

Recommended Condition No.	Recommended Condition	Response
	the design for the area is finalised.	
A3	<p>TRAFFIC MANAGEMENT PLAN</p> <p>A Traffic Management Plan must be prepared in consultation with the Sydney Coordination Office within Transport for NSW and the City of Sydney Council prior to the issue of an Occupation Certificate. The Plan must include, but is not limited to:</p> <ul style="list-style-type: none"> • Management of deliveries, servicing and waste collection to minimise conflicts. • Management of drop off and pick up. • Management of any conflicts between people walking, people driving and people cycling. • Any other issues as determined necessary for the site. <p>This Traffic Management Plan can be part/s of a School Operational Management Plan.</p>	Noted and accepted.
A4	<p>CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN</p> <p>A Construction Pedestrian Traffic Management Plan must be prepared in consultation with Sydney Coordination Office within Transport for NSW and City of Sydney Council, and endorsed by the Sydney Coordination Office within Transport for NSW prior to a Construction Certificate being issued. The CPTMP must address:</p> <ul style="list-style-type: none"> • Potential construction impacts and management practices in the event of concurrent construction of the school and the Harbour Bridge Cycleway. • Measures to mitigate any potential traffic, public transport, pedestrian and construction vehicle conflicts and impacts. • Any other issues as deemed necessary for the site. 	Noted and accepted.

Recommended Condition No.	Recommended Condition	Response
Recommended Heritage Conditions		
12	<p>SCHEDULE OF EXTERNAL MATERIALS, FINISHES AND COLOURS</p> <p>A full schedule of external materials, finishes and colours, keyed to external elevations, and prepared with input from the applicant's heritage consultant are required <u>to be submitted to the Secretary.</u></p> <p>Reason: The drawings as submitted show insufficient detail and the exterior finishes samples is inadequate in itself to gain an understanding of what is being proposed, especially for the new buildings.</p>	<p>The materials selections, their descriptions and areas of allocations shown on the elevations were illustrated to a level of detail consistent with all other SSDAs that FJMT has designed. It is unclear what additional information is required or what Council's reservations are.</p> <p>Notwithstanding, a schedule of materials and finishes can be prepared for submission to the Secretary.</p>
13	<p>USE OF HERITAGE CONSULTANT</p> <p>A heritage consultant experienced in the restoration and renovation works of similar period buildings, is to be commissioned to work with the consultant team throughout the design development (including the detailed design), contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site. and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.</p> <p>Evidence and details of the above commission on the above terms are to be provided to the consent authority prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to the consent authority specifying how the heritage conditions are satisfied prior to occupation.</p>	<p>Noted and accepted.</p> <p>SI NSW is willing to accept this condition, however noting that Council is not the consent authority, requests that the text shown bold strikethrough be deleted.</p>

Recommended Condition No.	Recommended Condition	Response
	Reason: In view of the significance of the site within a highly significant area, a heritage consultant is to be engaged for the entire project.	
14	<p>SCHEDULE OF CONSERVATION WORKS</p> <p>For each of the heritage buildings, Fort Street Public School, Messenger's Cottage and Bureau of Meteorology building, a schedule of conservation works is to be prepared by suitably qualified and experienced heritage consultant experienced with the conservation of such buildings is to be submitted for approval prior to the commencement of works. This schedule should build upon the Concept Design Repair Schedule outlined in the Conservation Management Plan prepared by Curio Projects dated March 2020. These conservation works are to be completed prior to occupation.</p>	Noted and accepted.
15	<p>ARCHIVAL PHOTOGRAPHIC RECORDING</p> <p>A digital photographic recording of all buildings/structures proposed to be altered/demolished before demolition works commence and for the heritage buildings before, during and after completion of the works. The record should be prepared in accordance with Heritage NSW guidelines. Copies to be submitted to the City of Sydney and Heritage NSW.</p>	Noted and accepted.
16	<p>HERITAGE INTERPRETATION PLAN</p> <p>A heritage interpretation plan is to be prepared for the site, to allow for an appropriate and meaningful heritage interpretation initiatives to communicate the heritage significance and history of the site as a way of mitigating the impact to heritage values as posed by the development works. It is to be implemented prior to occupation.</p>	Noted and accepted.

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17	<p>ARCHAEOLOGY</p> <p>A Historical Archaeological Research Design and Excavation Methodology (ARD + EM) is to be prepared prior to the commencement of works to guide the development works. Due to the presence of State significant archaeology at the FSPS site, all historical archaeological works must be supervised by an archaeologist who meets the NSW Heritage Council criteria for Excavation Director for relics and deposits of State significance.</p> <p>The recommendations in relation to Aboriginal archaeological monitoring/investigation on page 66 of the 'Fort Street Public School – Aboriginal Cultural Heritage Assessment Report' prepared by Curio Projects in December 2019 should be made conditions of consent.</p>	Noted and accepted.
Recommended Public Domain Conditions		
18	<p>ASSOCIATED ROADWAY COSTS ASSOCIATED ROADWAY COSTS</p> <p>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 "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".</p>	Noted and accepted.
19	<p>ALIGNMENT LEVELS – MAJOR DEVELOPMENT</p> <p>(a) Proposed building floor levels, basement levels, basement car park entry levels and ground levels shown on the approved Development Application plans are indicative only and have not been approved by this consent.</p> <p>(b) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, alignment levels for the building and</p>	<p>It is requested that this condition be deleted. The proposed development has limited interface with the public domain and this condition has not been imposed on other SI NSW projects in City of Sydney, including the Inner Sydney High School or Ultimo Public School projects.</p> <p>If this condition is retained, it is requested that any requirement to obtain Council's approval be removed from the condition, and that this function be transferred to the Secretary or Certifying Authority.</p>

Recommended Condition No.	Recommended Condition	Response
	<p>site frontages must be submitted to and approved by Council. The submission must be prepared by a Registered Surveyor and designed by a suitably qualified engineer, must be in accordance with the City of Sydney's Public Domain Manual and must be submitted with a completed Levels and Gradients Approval Application form (available on the City's website).</p> <p>(c) These alignment levels, as approved by Council, are to be incorporated into the plans submitted with the application for a Construction Certificate for any civil, drainage and public domain work as applicable under this consent. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work.</p>	
20	<p>PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN</p> <p>Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's Certifying Authority's satisfaction.</p> <p>The recording must include clear images of the building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.</p> <p>The form of the recording is to be as follows:</p> <p>(a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;</p>	<p>Noted and accepted. However, it is requested that the Dilapidation Report be submitted to the Certifying Authority's satisfaction, rather than Council's satisfaction.</p>

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	<p>(b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;</p> <p>(c) Each image is to be numbered and cross referenced to a site location plan;</p> <p>(d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;</p> <p>(e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.</p> <p>Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an Occupation Certificate is issued for the development, whichever is earlier.</p>	
21	<p>PRESERVATION OF SURVEY MARKS</p> <p>All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.</p>	<p>Noted and accepted. SI NSW is willing to accept this condition, however noting that Council is not the consent authority, requests that the survey be submitted to the Certifying Authority, rather than Council.</p>

Recommended Condition No.	Recommended Condition	Response
	<p>Prior to the issue of a Construction Certificate, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council <u>the Certifying Authority</u>.</p> <p>At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Senior Surveyor to arrange for the recovery of the mark.</p> <p>A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).</p>	
22	<p>PROTECTION OF SURVEY INFRASTRUCTURE</p> <p>Prior to the commencement of any work on site, a statement prepared by a Surveyor registered under the Surveying and Spatial Information Act 2002 must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Reservation of Survey Infrastructure. Any Permanent Marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the NSW Land Registry Services.</p> <p>Reason: To ensure that the survey control infrastructure and cadastral framework are preserved for the public benefit and in accordance with the Surveying and Spatial Information Act 2002.</p>	<p>It is requested that this condition be deleted. This condition is considered onerous, and has not been imposed on other SI NSW projects in City of Sydney, including the Inner Sydney High School or Ultimo Public School projects.</p>
23	<p>PUBLIC DOMAIN PLAN</p> <p>A detailed Public Domain Plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with Council's Public Domain Section and be approved by Council prior to a Construction</p>	<p>It is requested that this condition be replaced with a condition similar to the one imposed on the Inner Sydney High School (B37) as follows.</p> <p><i>Prior to the commencement of any footpath or public domain works, a Public Domain Plan must be prepared by a suitably qualified professional, in consultation with Council with regard to</i></p>

Recommended Condition No.	Recommended Condition	Response
	<p>Certificate being issued for public domain work or above ground building work, whichever is later.</p> <p>(a) The Public Domain Plan must document all works required to ensure that the public domain complies with the City of Sydney's Public Domain Manual, Sydney Streets Code and Sydney Streets Technical Specification, including requirements for road pavement, footway pavement, kerb and gutter, drainage, vehicle crossovers, signage and other public domain elements. If an Alignment Levels condition applies to the development, the Public Domain Plan submission must incorporate the approved Alignment Levels. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work.</p> <p>(b) The works to the public domain are to be completed in accordance with the approved Public Domain Plan and Alignment Levels plans and the Public Domain Manual before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.</p>	<p><i>Council's Public Domain Manual, Sydney Streets Design Code and Sydney Streets Technical Specification, including the following details, as relevant:</i></p> <ul style="list-style-type: none"> <i>b) boundary treatments;</i> <i>c) footpath details;</i> <i>d) road pavement, traffic measures, vehicle crossovers, pedestrian ramps</i> <i>e) kerb and gutter;</i> <i>f) plant schedule;</i> <i>g) lighting;</i> <i>h) soil depth of planters;</i> <i>i) signage and other public domain elements;</i> <i>j) detailed plans and elevations, colours and materials of fencing and gates; and</i> <i>k) details of any stormwater treatment/diversion/infiltration features.</i> <p><i>The Public Domain Plan must be submitted to the Secretary for approval prior to the commencement of any footpath or public domain works.</i></p>
24	<p>PUBLIC DOMAIN WORKS BOND</p> <p>Public Domain Works Deposit will be required as security for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Deposit must be submitted as an unconditional bank guarantee or insurance bond as per the Council's Performance Bond Policy in favour of Council as security for completion of the obligations under this consent (Guarantee).</p>	<p>Noted and accepted.</p>

Recommended Condition No.	Recommended Condition	Response
	<p>Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with Council prior to a Construction Certificate being issued.</p> <p>The Guarantee will be retained in full until all Public Domain works, including rectification of damage to the public domain, are completed to City of Sydney standards and approval and the required certifications, warranties and works-as- executed documentation are submitted and approved by Council in writing. On satisfying the above requirements, 90% of the security will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.</p>	
25	<p>PUBLIC DOMAIN WORKS – HOLD POINTS AND HANDOVER</p> <p>(a) Prior to a Construction Certificate being issued for public domain work, including civil, drainage and subsurface works, a set of hold points for approved public domain, civil and drainage work is to be determined with and approved by the City's Public Domain section in accordance with the City of Sydney's Public Domain Manual and Sydney Streets Technical Specification.</p> <p>(b) Prior to a Certificate of Completion being issued for public domain works and before the issue of any Occupation Certificate for the development or before the use commences, whichever is earlier, electronic works-as-executed (as- built) plans and documentation, certified by a suitably qualified, independent professional must be submitted to and accepted by Council for all public domain works. Completion and handover of the constructed public domain works must be undertaken in accordance with the City of Sydney's Public Domain Manual and Sydney Streets Technical Specification, including requirements for as-built documentation, certification, warranties and the defects liability period.</p>	<p>It is requested that this condition be deleted. This condition is considered onerous, and has not been imposed on other SI NSW projects in City of Sydney, including the Inner Sydney High School or Ultimo Public School projects.</p>

Recommended Condition No.	Recommended Condition	Response
26	<p>STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT</p> <p>(a) Prior to an approval or Construction Certificate being issued for excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work a detailed drainage engineering design, calculations and design for the stormwater overland flow path for the development must be:</p> <ul style="list-style-type: none"> i. prepared by a suitably qualified hydraulic or civil engineer to show the proposed method of collection and disposal of stormwater; and ii. prepared in accordance with the City of Sydney's Stormwater Drainage Manual, technical specifications, standards and policies, as amended from time to time; and iii. submitted to and be approved by the City of Sydney and a copy of the City's letter of approval must be provided to the Principal Certifying Authority. <p>(b) For approval of a connection into the City of Sydney's drainage system an "Application for Approval of Stormwater Drainage Connections" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges.</p> <ul style="list-style-type: none"> i. The application must be approved by the City of Sydney prior to an approval or Construction Certificate being issued for excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work. ii. All proposed connections to the City's underground 	<p>It is requested that this condition be replaced with a condition similar to the one imposed on the Ultimo Public School or Inner Sydney High School projects, as follows.</p> <p><i>Prior to the commencement of building works, final drainage design plans of the stormwater drainage management system must be prepared by a suitably qualified engineer generally in accordance with the stormwater drainage drawings prepared by Bonacci (as listed under Condition xx). The drainage design plans must be submitted to the Certifying Authority prior to the commencement of building works.</i></p>

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	<p>drainage system require the owner to enter into a Deed of Agreement with the City of Sydney and obtain registration on Title of a Positive Covenant prior to an Occupation Certificate being issued, including an Interim Occupation Certificate.</p> <p>On-site Detention</p> <p>(c) The requirements of Sydney Water regarding the on-site detention of stormwater must be ascertained and complied with.</p> <p>i. Evidence of the approval by Sydney Water of the detailed design of the on-site detention must be submitted to and be accepted by the City of Sydney and a copy of the City's letter of acceptance must be provided to the Principal Certifying Authority prior to a Construction Certificate being issued, excluding for any approved preparatory, demolition or excavation works.</p> <p>ii. Prior to the issue of an Occupation Certificate, including an Interim Occupation Certificate, a Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.</p> <p>Stormwater Quality Assessment</p> <p>(d) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), but excluding approved preparatory or demolition work, a stormwater quality assessment must be undertaken and must be approved by City of Sydney and a copy of the City's letter of approval must be provided to the Principal Certifying Authority.</p> <p>A stormwater quality assessment must be undertaken by a suitably qualified drainage engineer to demonstrate how</p>	


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	<p>the development will be designed to ensure that the flow of post-development pollutants from the site due to stormwater will be reduced. The water quality assessment must be submitted to and be approved by the City of Sydney and a copy of the City's letter of approval must be provided to the Principal Certifying Authority prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work.</p> <p>Prior to the issue of an Occupation Certificate, maintenance schedules of the proposed water sensitive urban design and drainage measures must be submitted to and be approved by the Principal Certifying Authority and a copy provided to the City of Sydney.</p> <p>Completion / Works-as-Executed Documentation</p> <p>(e) Prior to a Certificate of Completion being issued by the City of Sydney for stormwater drainage works:</p> <ul style="list-style-type: none"> i. All works for the disposal of stormwater and drainage are to be implemented in accordance with the approved plans, City of Sydney technical specifications, Standards and policies, approval letters and the requirements of this consent. ii. a Works-As-Executed survey, prepared, signed and dated by a Registered Surveyor, must be submitted to and be accepted by the City of Sydney. The plan must be overlaid on a copy of the approved stormwater drainage plans issued with the Construction Certificate, with variations to locations, dimensions, levels and storage volumes clearly marked. iii. Electronic works-as-executed (as-built) details, certifications, warranties, inspection reports (including 	

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	<p>Closed Circuit Television reports) and associated documentation for the completed work must be prepared and certified by a suitably qualified hydraulic engineer, in accordance with the requirements of the City of Sydney's technical specifications, the Public Domain Manual, the Stormwater Drainage Manual, the conditions of this consent and all letters of approval issued by the City of Sydney for works in the public domain, and must be submitted to and be accepted by the City of Sydney.</p> <p>(f) Prior to the issue of the first Occupation Certificate, including an Interim Occupation Certificate, or before the use commences (whichever is earlier):</p> <p>i. A copy of the City's Certificate of Completion for all stormwater and drainage work undertaken in the public domain must be provided to the Principal Certifying Authority;</p> <p>ii. A Works-As-Executed survey, must be prepared, signed, dated and certified by a Registered Surveyor and must be submitted to and be accepted by the Principal Certifying Authority. The Works-as-Executed plan must be overlaid on a copy of the approved stormwater drainage plans issued with the Construction Certificate, with variations to locations, dimensions, levels and storage volumes clearly marked;</p> <p>iii. a Hydraulic Compliance Certificate and Calculation Sheet must be prepared by a suitably qualified hydraulic engineer (minimum NER), showing approved versus installed hydraulic calculations, and must be submitted to and be accepted by the Principal Certifying Authority;</p> <p>iv. evidence of Sydney Water's acceptance of the Works-As-Executed documentation, certification and Hydraulic Compliance Certificate and Calculation</p>	

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	<p>Sheet must be provided to the Principal Certifying Authority;</p> <p>v. The Principal Certifying Authority must submit a copy of the Works-As-Executed plans, certifications, Hydraulic Compliance Certificate and Calculation Sheet to the City of Sydney.</p>	
27	<p>DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS</p> <p>All works to the City's public domain, including rectification of identified defects, are subject to a 6-month defects liability period from the date of final completion. The date of final completion will be nominated by Council on the Certificate of Practical Completion for public domain works.</p>	Noted and accepted.
28	<p>PROTECTION OF STONE KERBS</p> <p>(a) The existing stone kerbs on the Upper Fort Street frontage of the site are to be retained and properly protected during excavation and construction works.</p> <p>(b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of an Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council.</p> <p>(c) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.</p> <p>(d) Where new crossings or temporary crossings are to be</p>	Noted and accepted.

Recommended Condition No.	Recommended Condition	Response
	<p>constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.</p> <p>(e) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers. All unused stone kerbs are to be salvaged and returned to the City's store.</p> <p>(f) Council approval is required before kerbs are removed.</p> <p>(g) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.</p>	
29	<p>PUBLIC DOMAIN DAMAGE DEPOSIT</p> <p>(a) A Public Domain Damage Deposit calculated on the basis of 80 Square metres of concrete site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Public Domain Damage Deposit must be submitted as an unconditional bank guarantee or insurance bond as per the Council's Performance Bond Policy in favour of Council as security for repairing any damage to the public domain in the vicinity of the site (Guarantee).</p> <p>(b) The Guarantee must be lodged with Council <u>prior to commencement of works</u> prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier.</p> <p>The Guarantee in this condition will be retained in full until the Public Domain Works Deposit Guarantee required by this consent is lodged with Council. Upon lodgement of the Public Domain Works Deposit Guarantee, the Guarantee in this condition will be released.</p>	Noted and accepted, subject to the minor changes shown.

Recommended Condition No.	Recommended Condition	Response
Recommended Design Modifications and Landscape / Tree Management Conditions		
A5	<p>DESIGN MODIFICATIONS</p> <p>The design must be modified as follows:</p> <p>(a) The “Green Colonnade” be altered to enable retention of Tree 7</p> <p>(b) The timber decks must be amended to retain Tree 2 and Tree 16</p>	<p>The potential loss of these existing trees has been given careful and thorough consideration by the project team. However, Trees 7, 2 and 16 are unable to be retained for the following reasons:</p> <ul style="list-style-type: none"> • Tree 7 – Tree 7 cannot be retained. The Green Colonnade cannot be altered as it is an important east-west pedestrian link and entry path within the school that is configured for high frequency pedestrian traffic. The retention of Tree 7 would result in a tree obstructing this entry path, limiting access and posing a risk to the safe and efficient movement of students through the school. Moreover, the canopy of Tree 7 is 7m in diameter, which falls within the colonnade area and new buildings. Retention of Tree 7 would also require an alteration of the colonnade ground surface to a permeable surface which is not appropriate for high foot traffic. Therefore, given the impracticalities of retaining Tree 7 and its lack of landscape or environmental significance, Tree 7 is proposed for removal. • Tree 2 – Tree 2 cannot be retained as its removal allows inground site services to be housed in its current vicinity. If Tree 2 were to be retained, the area available for inground services would be further constrained, resulting in potential impacts on Tree 1. Moreover, retention of Tree 2 would result in a considerable reduction in the amount of seating able to be provided in the amphitheatre, limiting the functionatlity of this space. As such, Tree 2 is proposed for removal. • Tree 16 – Tree 16 is in close proximity to Building F and the building will encroach in to the TPZ, affecting the tree’s viability. It overhangs the Cahill Expressway, presenting a safety risk for children as well as road users. The form of Tree 16 does not lend itself to radial bars or spikes to discourage children from climbing on the tree and is therefore a climbing risk for children. While there are challenges with Tree 16, it may be viable to retain the tree but significant pruning and sculpting of the tree would need to occur to keep it off the fence. A photograph of Tree 16 (furthest tree to the left) taken from the west is shown below.

Recommended Condition No.	Recommended Condition	Response
		<p>The applicant's preference is for the removal of Tree 16, but a post approval condition to provide further justification as to the above is accepted.</p> <p>Overall, the proposed development will result in a net increase in trees on the site. The proposal seeks to remove 20 trees, however 59 new trees and shrubs will be planted to off-set the proposed tree removal.</p> 
A6	<p>TREE SELECTION AND MANAGEMENT</p> <p>(a) A detailed Tree Risk assessment for Tree 1 which may including internal diagnostic testing must be supplied to Council for assessment and comment.</p> <p>(b) All <i>Banksia integrifolia</i> scheduled for planting must be amended to a similar sized native tree. The container size for this new species must be amended to a minimum of 100ltrs at time of planting.</p>	Noted and accepted.

Recommended Condition No.	Recommended Condition	Response
	<p>(c) All trees <u>must</u> be grown to Australian Standard 2303:2015 'Tree stock for landscape use'</p> <p>(d) The trees must be planted by a qualified Horticulturalist or Arborist of Level 2 under the Australian Qualifications Framework (AQF).</p> <p>(e) The replacement plantings must be planted in such a manner as to promote good health during the establishment period, and must be maintained, as far as practicable to ensure tree growth into maturity.</p>	
A7	<p>PROTECTION OF TREES DURING CONSRUCTION</p> <p>(a) All tree proposed for retention must be protected at all times during demolition and construction, in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.</p> <p>(b) A Tree Protection Plan detailing the methods of protection must be submitted to by Council prior to the issue of the Construction Certificate for comment <u>the Certifying Authority</u>. All approved protection measures must be maintained for the duration of construction and development works.</p>	Noted and accepted. SI NSW is willing to accept this condition, however noting that Council is not the consent authority, requests that the survey be submitted to the Certifying Authority, rather than Council.
A8	<p>COMPLIANCE WITH ARBORICULTURAL IMPACT ASSESSMENT</p> <p>(a) All recommendations, Tree Protection, and Methodology Statements contained in the approved Arboricultural Impact Assessment & Methodology Statement must be implemented during the demolition, construction and use of the development.</p>	Noted and accepted.
A9	<p>TREE PROTECTION PLANS</p> <p>All detailed architectural, building, engineering (structural, stormwater and drainage services) and landscape documentation submitted for the Construction Certificate shall clearly show on all drawings the retention of trees as required by these conditions of consent, the position of their trunks, full diameter of their canopies, Structural Root Zones (SRZs) and Tree Protection Zones (TPZs).</p>	Noted and accepted.
A10	<p>LANDSCAPING OF THE SITE</p> <p>(a) A detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape</p>	Noted and accepted in principle, subject to the suggested changes.

Recommended Condition No.	Recommended Condition	Response
	<p>architect, must be submitted to and approved by Council prior to the issue of a Construction Certificate. These documents must include:</p> <ul style="list-style-type: none"> (i) Location of existing and proposed planting on the site including existing and proposed trees, and planting in natural ground, on structure and in pots. (ii) Location and details of green colonnade, timber decking to Tree 1, seating types, play equipment, fences, gates and raised planters located at grade. (iii) Location and details of existing and proposed structures on the site including, but not limited to, paved areas, walls, services, furniture, shade structures, lighting and other features (iv) Details of earthworks and soil depths including finished levels and any mounding. The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layers <u>where achievable subject to the cap and contain remediation strategy outlined in the Remediation Action Plan.</u> (v) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity. (vi) All new trees to be minimum 200L pot size. (vii) Landscape maintenance plan. This plan is to be complied with during occupation of the property. (viii) Details of drainage, waterproofing and watering systems <p><i><u>ADVISORY NOTES TO ACCOMPANY CONDITION: If staged construction is proposed, the landscape plan must be tied to the first construction certificate that approved structures.</u></i></p>	

Recommended Condition No.	Recommended Condition	Response
A11	<p data-bbox="349 236 701 264">ACCESSIBLE GREEN ROOFS</p> <p data-bbox="349 301 1133 475">(a) A detailed accessible green roof and play area design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council prior to the issue of a Construction Certificate the Certifying Authority prior to the issue of the relevant Crown Certificate. These documents must include:</p> <ul style="list-style-type: none"> <li data-bbox="398 528 1133 612">(i) A statement that includes details of proposed use of the accessible green roof terraces and play areas, accessibility, and any noise and privacy treatments. <li data-bbox="398 644 1133 818">(ii) Location and details of existing and proposed services, walls, balustrades, hard surfaces, raised planters, furniture, play equipment, storage areas, water points for compost areas, screens and shade structures, fixings and other structural elements that may interrupt waterproofing, including cross-sectional details of all components. <li data-bbox="398 850 1133 911">(iii) Engineers report confirming structural capacity of existing Heritage Building M for proposed roof terrace loads. <li data-bbox="398 943 1133 1003">(iv) Wind study (if applicable) confirming suitability of the roof for intended use. <li data-bbox="398 1035 1077 1064">(v) Details of soil types and depth including any mounding. <li data-bbox="398 1096 1133 1157">(vi) Details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer. <li data-bbox="398 1189 1133 1305">(vii) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity. <li data-bbox="398 1337 1133 1426">(viii) All new trees to be minimum 200L pot size <u>subject to structural loading analysis or where not on rooftop play areas</u>. 	Noted and accepted in principle, subject to the suggested changes.

Recommended Condition No.	Recommended Condition	Response
	<p>(ix) Green roof maintenance plan. This plan is to be complied with during occupation of the property.</p> <p>(x) Maintenance methodology for safe working at height including access requirements, location of any anchor points, gates, and transport of materials such as green waste removal</p> <p>(b) Prior to the issue of a Construction Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.</p> <p>(c) All landscaping in the approved plan must be complete prior to the issue of an Occupation Certificate.</p> <p><i>ADVISORY NOTES TO ACCOMPANY CONDITION: This condition applies to accessible roof terraces and communal open spaces on structure.</i></p>	
Recommended Waste Management Conditions		
A12	<p>WASTE AND RECYCLING MANAGEMENT – MINOR</p> <p>The proposal must comply with the relevant provisions of Council's <i>Guidelines for Waste Management in New Developments 2018</i> which requires facilities to minimise and manage waste and recycling generated by the proposal.</p>	Noted and accepted.
A13	<p>WASTE AND RECYCLING COLLECTION – CONTRACT</p> <p>Prior to any Occupation Certificate being issued and/or commencement of the use, whichever is earlier, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste.</p>	Noted and accepted

Recommended Condition No.	Recommended Condition	Response
	No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time.	