

Attachment A

Recommended Conditions of Consent
--

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 to 3.

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2025/1160 dated 20 November 2025 and the following drawings prepared by Architectus Australia Pty Ltd:

Drawing No	Rev.	Drawing Name	Date
DA2-1101S	A	Remediation Plan – Basement Level 3	07.11.25
DA2-1102S	A	Remediation Plan – Basement Level 2	07.11.25
DA2-1103S	A	Remediation Plan – Basement Level 2 - Mezzanine	07.11.25
DA2-1104S	A	Remediation Plan – Basement Level 1	07.11.25
DA2-1105	A	Remediation Plan – Ground Level	07.11.25
DA2-1106	A	Remediation Plan – Mezzanine	07.11.25
DA2-1107	B	Remediation Plan – Level 1	13.02.26
DA2-1108	B	Remediation Plan – Level 2	13.02.26
DA2-1109	B	Remediation Plan – Level 3	13.02.26
DA2-1110	B	Remediation Plan – Level 4	13.02.26
DA2-1111	B	Remediation Plan – Level 5	13.02.26
DA2-1112	B	Remediation Plan – Level 6	13.02.26
DA2-1113	B	Remediation Plan – Level 7	13.02.26
DA2-1114	A	Remediation Plan – Level 8	07.11.25
DA2-1115	A	Remediation Plan – Level 9	07.11.25
DA2-1116	A	Remediation Plan – Level 10	07.11.25
DA2-1117	A	Remediation Plan – Level 11	07.11.25
DA2-1118	A	Remediation Plan – Level 12	07.11.25
DA2-1119	A	Remediation Plan – Level 13	07.11.25
DA2-1120	A	Remediation Plan – Level 14	07.11.25
DA2-1121	A	Remediation Plan – Level 15	07.11.25

Drawing No	Rev.	Drawing Name	Date
DA2-1122	A	Remediation Plan – Level 16	07.11.25
DA2-1123	A	Remediation Plan – Level 17	07.11.25
DA2-1124	A	Remediation Plan – Level 18	07.11.25
DA2-1125	A	Remediation Plan – Level 19	07.11.25
DA2-1126	A	Remediation Plan – Level 20	07.11.25
DA2-1127	A	Remediation Plan – Roof	07.11.25
DA2-1160	A	Remediation – Elevation – East	07.11.25
DA2-1161	A	Remediation – Elevation – West	07.11.25
DA2-1162	A	Remediation – Elevation – North	07.11.25
DA2-1163	B	Remediation – Elevation – South	13.02.26
DA2-2001S	A	General Arrangement Plan – Basement 3	07.11.25
DA2-2002S	A	General Arrangement Plan – Basement 2	07.11.25
DA2-2004S	A	General Arrangement Plan – Basement 1	07.11.25
DA2-2005	B	General Arrangement Plan – Ground Floor	04.02.26
DA2-2006	A	General Arrangement Plan – Mezzanine	07.11.25
DA2-2101	A	General Arrangement Plan – Level 1	07.11.25
DA2-2102	A	General Arrangement Plan – Level 2	07.11.25
DA2-2103	B	General Arrangement Plan – Level 3	13.02.26
DA2-2104	A	General Arrangement Plan – Level 4	07.11.25
DA2-2105	A	General Arrangement Plan – Level 5	07.11.25
DA2-2106	A	General Arrangement Plan – Level 6	07.11.25
DA2-2107	A	General Arrangement Plan – Level 7	07.11.25
DA2-2108	A	General Arrangement Plan – Level 8	07.11.25
DA2-2109	A	General Arrangement Plan – Level 9	07.11.25
DA2-2110	A	General Arrangement Plan – Level 10	07.11.25
DA2-2111	A	General Arrangement Plan – Level 11	07.11.25
DA2-2112	A	General Arrangement Plan – Level 12	07.11.25
DA2-2113	A	General Arrangement Plan – Level 13	07.11.25
DA2-2114	A	General Arrangement Plan – Level 14	07.11.25
DA2-2115	A	General Arrangement Plan – Level 15	07.11.25
DA2-2116	A	General Arrangement Plan – Level 16	07.11.25
DA2-2117	A	General Arrangement Plan – Level 17	07.11.25
DA2-2118	A	General Arrangement Plan – Level 18	07.11.25

Drawing No	Rev.	Drawing Name	Date
DA2-2119	A	General Arrangement Plan – Level 19	07.11.25
DA2-2120	A	General Arrangement Plan – Level 20	07.11.25
DA2-2121	A	General Arrangement Plan – Roof Plant Room	07.11.25
DA2-2122	A	General Arrangement Plan – Lift Machine Room	07.11.25
DA2-2123	A	General Arrangement Plan – Roof Plan	07.11.25
DA2-3001	A	Elevations – East	07.11.25
DA2-3002	B	Elevations – West	13.02.26
DA2-3003	A	Elevations – North	07.11.25
DA2-3004	B	Elevations – South	13.02.26
DA2-3301	A	East-West Section	07.11.25
DA2-3302	B	North-South Section	13.02.26
DA2-4100	B	Facade Details – General Facade Type	07.11.25
DA2-4101	A	Facade Details – Material Palette	07.11.25
DA2-4102	A	Detailed Elevation – Macquarie Street	07.11.25
DA2-4103	A	Detailed Elevation – Phillip Street	07.11.25
DA2-4104	A	Detailed Elevation – Martin Place	07.11.25
DA2-4105	A	Detailed Elevation – Level 20 Pavilion West	07.11.25
DA2-4106	A	Detailed Elevation – Level 20 Pavilion East	07.11.25
DA2-4107	A	Detailed Elevation – Level 20 Pavilion South	07.11.25
DA2-4108	A	Detailed Elevation – Level 20 Pavilion North	07.11.25
DA2-4109	A	Facade Details – Typical Curtain Wall – North, East & South	07.11.25
DA2-4110	A	Facade Details – Typical Curtain Wall – West	07.11.25
DA2-4111	A	Facade Details – Typical Curtain Wall – Level 16 Balcony	07.11.25
DA2-4112	A	Facade Details – Level 18 Plant Room North	07.11.25
DA2-4113	A	Facade Details – Level 18 Plant Room East & West	07.11.25
DA2-4114	A	Facade Details – Typical Level 20 Pavillion	07.11.25
DA2-4115	A	Facade Details – Typical Ground Floor Shopfront	07.11.25
DA2-4116	B	Facade Details – Typical Podium	04.02.26

Drawing No	Rev.	Drawing Name	Date
DA2-4117	A	Facade Details – Typical Curtain Wall – Level 3	07.11.25
DA2-4118	B	Facade Details – Typical Curtain Wall – Level 3 Shopfront	04.02.26
DA2-4119	A	Facade Details – Typical Tower Core – East & West	07.11.25
DA2-4120	A	Facade Details – Typical Tower Core – South	07.11.25
DA1200	A	Proposed Layout (Illustrative)	07.11.25
DA1201	A	General Arrangement Plan	07.11.25
DA4201	A	Planting Plan	07.11.25
DA6101	A	Section and Elevation	07.11.25
DA9001	A	Section and Detail	07.11.25

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the drawings will prevail.

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(2) BUILDING HEIGHT

- (a) The height of the building must not exceed RL 110.7 (AHD) to the parapet of the tower, RL 115.5 (AHD) to the top of the pavilion, and RL 121.5 (AHD) to the top of the tower core.
- (b) Prior to the issue of any Occupation Certificate, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved height.

(3) FLOOR SPACE RATIO - CENTRAL SYDNEY

- (a) The Floor Space Ratio of the proposal must not exceed 12.44:1 calculated in accordance with Sydney Local Environmental Plan 2012. For the purpose of the calculating Floor Space Ratio, the Gross Floor Area of the approved development is 35,228sqm.

- (b) Prior to the issue of any Construction Certificate, Council's written verification must be obtained, confirming that 2,115sqm of heritage floor space was allocated (purchased, transferred and registered by Council as an allocation) to the development in accordance with Clauses 6.11(1) and 6.11(3) of the Sydney Local Environmental Plan 2012.
- (c) Prior to any Occupation Certificate being issued, a Registered Surveyor must provide certification of the total Gross Floor Area in the development, utilising the definition under the Sydney Local Environmental Plan 2012 applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(4) SECTION 7.12 CONTRIBUTIONS PAYABLE

A monetary contribution is payable to the City of Sydney pursuant to Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Central Sydney Development Contributions Plan 2020*.

The Section 7.12 levy is determined by the development cost, as per the following table:

Development cost *	Levy
* Refer to Section 2.3 of the <i>Central Sydney Development Contributions Plan 2020</i> for information on determining the development cost.	
Up to and including \$250,000	NIL
More than \$250,000, up to and including \$500,000	1%
More than \$500,000, up to and including \$1,000,000	2%
More than \$1,000,000	3%

The Section 7.12 levy is payable to the City of Sydney in accordance with the following:

- (a) Prior to the issue of any Construction Certificate, evidence must be provided of Council's written verification of the amount of the contribution as required in (b) below, and that the levy has been paid to the Council in accordance with this condition. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Sydney. Direct debit, personal or company cheques will not be accepted.

- (b) The contribution must not be paid to the City of Sydney until it is accompanied by separate written verification by the City of Sydney of the specific amount payable. In order to obtain such verification, one of the following must be submitted:
 - (i) **For development between \$250,000 and \$3,000,000** – the City of Sydney *Cost Summary Report* must be completed by a suitably qualified person such as the Project Architect or Project Manager and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Cost Summary Report* is available from the City's website at www.cityofsydney.nsw.gov.au; or
 - (ii) **For development more than \$3,000,000** – The City of Sydney *Registered Quantity Surveyor's Detailed Cost Report* must be completed by a Quantity Surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification and submitted to the City of Sydney together with the copies of the plans the subject of the application for the Construction Certificate. An electronic copy of the *Registered Quantity Surveyor's Detailed Cost Report* is available from the City's website at www.cityofsydney.nsw.gov.au.
- (c) The Council will consider the documentation submitted under subclause (b) and determine the cost of the proposed development having regard to the information submitted and to such other matters as it considers appropriate and will notify the Registered Certifier accordingly.
- (d) The development cost is to be determined in accordance with Section 2.3 of the Central Sydney Development Contributions Plan 2020, located in the version in force at the date of the grant of this consent.

Please contact Council's Planning Administration staff at Planningsystemsadmin@cityofsydney.nsw.gov.au to request a written Statement of Contributions Owing, prior to payment.

Reason

To ensure development contributions are paid to support the provision of public facilities, amenities, and services in Central Sydney.

(5) AFFORDABLE HOUSING CONTRIBUTION

- (a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of a Construction Certificate, the applicant must provide evidence that a monetary contribution towards the provision of affordable housing has been paid to the City of Sydney Council.

- (b) Prior to the issue of any Construction Certificate, or the payment of any monetary contribution towards the provision of affordable housing, a calculation of the Total Floor Area, as defined in Section 7.13 of the Sydney Local Environmental Plan 2012, of the existing building to be demolished and the development approved by this development consent must be provided to the satisfaction of Council's Executive Director City Planning Development & Transport. The calculation is to establish the Additional Total Floor Area generated by the approved development.
- (c) The contribution amount will be calculated by establishing the equivalent monetary contribution \$11,646.80 multiplied by 1% of the Additional Total Floor Area for non-residential development.
- (d) If the contribution is paid after the indexation period in which the consent is granted, being 1 March 2025 to 28 February 2026, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.
- (e) Contribution payable at Time of Payment = $C \times \text{MDP2} / \text{MDP1}$, where:
 - (i) C is the original total contribution amount payable to the City of Sydney as shown above;
 - (ii) MDP2 is the Median Strata Dwelling Price in Sydney LGA taken from the most recent NSW Government Rent and Sales Report at the time of indexation of the equivalent monetary contribution rate; and
 - (iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Report used to establish the current equivalent monetary contribution rate, being 1 March 2025 to 28 February 2026.

Contact Council's Planning Assessment Unit at planningsystemsadmin@cityofsydney.nsw.gov.au for written confirmation of the amount payable, with indexation as necessary, prior to payment.

Reason

To ensure development contributions are paid to contribute to the provision of essential affordable rental housing infrastructure.

(6) HOUSING AND PRODUCTIVITY CONTRIBUTION

Prior to the issue of any Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$137,209.41
Transport project component	\$0
Total housing and productivity contribution	\$137,209.41

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

Reason

To require contributions towards the provision of regional infrastructure.

(7) FITOUT AND USE - SEPARATE DA REQUIRED

No consent is granted or implied for the internal fitout of the building, or the specific use and fitout of the ground floor commercial space.

A development consent is required to be obtained for the internal fitout of the building, and the fitout and use of the ground floor commercial space, prior to that fitout or use commencing.

Reason

To require separate consent to be obtained for fitout and use.

(8) SIGNS AND EXTERNAL LIGHTING - SEPARATE DAS REQUIRED

A separate development application for any proposed signs additional to the two (2) emblems of the Reserve Bank of Australia approved as part of this consent (other than exempt or complying signs) must be submitted to and approved by Council prior to the erection or display of any such signs.

A separate development application is required to be lodged and approved for any external floodlighting or illumination of the building.

Reason

To require separate consents to be obtained for any additional signs; and floodlighting and illumination visible from the public domain.

(9) BUILDING IDENTIFICATION SIGNS - TIME LIMITED CONSENT

- (a) The two (2) emblems of the Reserve Bank of Australia and any associated structure(s) must be removed should the Reserve Bank of Australia cease to occupy the building.
- (b) If the emblems are to be replaced, or new signage be installed in their stead, a new development application must be lodged with Council.

Reason

To restrict the time building identification signs are displayed on buildings.

(10) DESIGN QUALITY EXCELLENCE

- (a) To ensure the design quality excellence of the development is retained to completion:
 - (i) The design architect, being Architectus, is to have direct involvement in the design documentation, contract documentation and construction stages of the project including signing off any required certifications at DA, S4.55 applications, Construction Certificate and Occupation Certificate stages;
 - (ii) The design architect is to have full access to the site and is/are to be authorised by the applicant to respond directly to Council where information or clarification is required in resolving design issues throughout the life of the project;
 - (iii) Evidence of the design architect's commission for the above purpose must be provided to the Council prior to issue of any Construction Certificate.
- (b) The design architect of the project is not to be changed without prior notice and approval of Council's Executive Director City Planning Development & Transport .

The Registered Certifier and Principal Certifier must be satisfied that the above matters are complied with prior to the issue of a relevant Construction and Occupation Certificates, in accordance with written confirmation from Council.

Reason

To ensure the development maintains design quality excellence throughout all phases of the development.

(11) DESIGN MODIFICATIONS – ACCESSIBLE RAMP

The design and location of the accessible ramp connecting the new ground floor level lobby to the reception/lift lobby must be modified to provide a more elegant and generous design solution.

The modification must be submitted to and approved by Council's Executive Director City Planning, Development and Transport prior to the issue of any Construction Certificate.

Reason

To require amendments to the approved plans.

(12) MATERIALS AND SAMPLES BOARD

The applicant shall provide a full floor level sized prototype of a section of the typical above podium wall façade to be viewed for approval. This will include samples and specifications of glass types and masonry finishes proposed for the facades. The prototype(s) are to be approved by the Council's Executive Director City Planning Development & Transport prior to the issue of any Construction Certificate. In addition:

- (a) Prior to the issue of any Construction Certificate, a physical material sample board which specifies all proposed materials, finishes and colours, including glazing specifications and any visible rainwater goods and services, keyed to each building elevation must be submitted to and approved by Council's Executive Director City Planning, Development and Transport.
- (b) The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'.
- (c) The glass for 'GL-01 – Low Iron Glazing', as noted in the facade details drawings, is to have a Visible Light Transmission (VLT) of at least 70%, be as non-coloured as possible, and a reflectivity of no more than 15%. This to achieve a high level of transparency to provide visual depth and have a neutrality of colour.
- (d) The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board approved under the above requirements of this condition.

Reason

To require the submission and approval of a façade prototype and materials and samples board following assessment of the development, and to ensure all parties are aware of the approved materials and finishes that apply to the development

(13) REFLECTIVITY

Prior to the issue of any Construction Certificate, the Registered Certifier must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20% except for GL-01 Low Iron Glazing which must not exceed 15%.

Reason

To ensure the development does not result in adverse reflectivity impacts and to protect the amenity of the public domain.

(14) USE OF HERITAGE CONSULTANT

- (a) The nominated heritage consultant, being Samantha Polkinghorne (Director | Heritage) of NBRS must work with the consultant team throughout the design development, 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.
- (b) Throughout the documentation and construction stages of the approved works the experienced heritage consultant is to:
 - (i) Undertake site inspections of not less than fortnightly intervals.
 - (ii) Maintain a diary of site inspections that includes photographs of the works, details of heritage advice and decisions arising out of each inspection and any further physical evidence uncovered during the works.
 - (iii) Compile a final report, including the diary, verifying how the heritage conditions have been satisfied, and the works completed in accordance with the Conservation Management Plan.
- (d) Upon completion of the works, the final report is to be submitted for approval by Council's Area Planning Manager prior to the issue of any Occupation Certificate or the commencement of the use, whichever is earlier.

Reason

To ensure that the implementation of the approved development is carried out in a manner that does not have adverse heritage impacts.

(15) GENERAL HERITAGE

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- (b) The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction. The protection measures are to be specified in the construction management plan.
- (c) All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 2013.
- (d) Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.

Reason

To ensure that the development does not result in adverse heritage impacts.

(16) WORKS TO BE CONSISTENT WITH HERITAGE IMPACT STATEMENT

- (a) All works must be carried out in accordance with the relevant recommendations of, and detailed methodologies supporting, the Heritage Impact Statement prepared by NBRS and dated 14 November 2025 (Council's reference: 2025/693425).
- (b) The recommendations and detailed methodologies must be implemented to the satisfaction of Council's Area Planning Manager prior to the re-occupation of the building.

Reason

To ensure the works are carried out in an appropriate manner that protects the heritage of the site/building.

(17) REINSTATEMENT OF FLAG POLES

Prior to the issue of a Construction Certificate, an investigation to reinstate the original rooftop and level 3 flagpoles must be carried out. Where possible, reinstatement or reconstruction of the flagpoles is to be incorporated into the architectural design, with the resolution of the flag poles and their design details submitted to and approved by Council's Executive Director City Planning Development & Transport.

Reason

To ensure that the development does not result in adverse heritage impacts.

(18) INVESTIGATION TO SALVAGE OF 1960S EXTERNAL CLADDING STONE

Prior to the commencement of substantive demolition work, an investigation and sampling of conditions and possible salvage of the original 1960s external wall cladding materials must be carried out. Marble in a fair condition must be salvaged for the future reuse in the project. The investigation must be carried out by a stone conservation mason and the project heritage consultant, and the report is to be submitted to the satisfaction of Council's Executive Director City Planning Development & Transport.

Reason

To ensure the salvage and reuse of original external cladding

(19) REUSE PLAN OF SALVAGED MATERIALS

A reuse plan for salvaged materials, including marble and timber joinery, must be prepared and submitted to Council for review prior to the issue of any Occupation Certificate or the lodgement of any further development application for internal fitout, whichever is earlier. The reuse plan is to audit all salvaged materials and specify how and where they are to be reused in the internal design.

Reason

To ensure all salvaged materials are reused in the internal design where possible.

(20) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for the Reserve Bank must be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.
- (b) The interpretation plan must detail how information on the history and significance of the Head Office of the Reserve Bank of Australia will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.
- (c) The plan must specify the location, type, making materials and contents of the interpretation device being proposed.
- (d) Prior to the issue of any Occupation Certificate, the approved interpretation plan must be implemented to the satisfaction of Council's Area Planning Manager.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(21) BUILDING WORKS TO COMPLY WITH NATIONAL CONSTRUCTION CODE

Any building works required to ensure compliance with the NCC (previously known as BCA) or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be submitted and approved by Council's Area Planning Manager prior to issue of any Construction Certificate.

Reason

To ensure an appropriate heritage outcome.

(22) VEHICLE ACCESS

All vehicles are to enter and depart the site travelling in a forward direction.

Reason

To maximise pedestrian safety at the site access.

(23) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must have a maximum length of 6.4 metres.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(24) SECURITY GATES

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

Reason

To ensure the public domain is kept free from physical obstructions.

(25) INTERCOM FOR VISITORS

Where a boom gate or barrier control is in place, the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 4m clear of the property boundary, wired to all units. The intercom must comply with *Australian Standard AS 1428.2-1992: Design for access and mobility - Enhance and additional requirements - Building and facilities Sections 22 and 23*.

Reason

To maintain the orderly operation of vehicle parking areas.

(26) SIGNS AT EGRESS

The following signs must be provided and maintained within the site at the point(s) of vehicle egress:

- (a) Compelling drivers to stop before proceeding onto the public way.
- (b) Compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

Reason

To ensure the safety of surrounding pedestrians and cyclists.

(27) VEHICLE FOOTWAY CROSSING

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway, kerb, gutter and road restoration reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of any Occupation Certificate.

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

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with Council requirements.

(28) ASSOCIATED ROADWAY COSTS

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Sydney Streets Technical Specification" including amendments and "Sydney Streets Design Code".

Reason

To ensure all roadway works are designed and constructed in accordance with Council requirements.

(29) COST OF SIGNPOSTING

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

Reason

To ensure all associated roadway works costs are borne by the developer.

(30) MECHANICAL FACILITIES (TURNABLE)

The following details must be submitted to and approved by the Registered Certifier prior to the issue of a Construction Certificate:

- (a) A comprehensive review of the proposed installation by the manufacturer, ensuring its suitability for implementation according to the manufacturer's specifications. This includes, but is not limited to, compliance with the Preliminary Design Principles outlined in Part 2.3.1 and Part 3.5 of AS/NZS 2890.1 2004.
- (b) Implementation of mechanisms to address potential safety concerns, including but not limited to:
 - (i) noise and vibration levels as received by occupiers of the building including references to relevant Standards;
 - (ii) the trip hazard posed by platforms to pedestrians within the car parking areas; and,
 - (iii) the risk of vehicles traversing the platforms despite the activation of the anticollision mechanism (e.g., cars reversing over the platforms while on the paths of travel).

- (c) Management of the use and operation of the turntable, covering:
 - (i) during periods of vehicle queuing;
 - (ii) during any system failure;
 - (iii) consistency with the manufacturer's specifications; and,
 - (iv) any induction training required prior to use.
- (d) Any further information requested by the Registered Certifier.

Reason

To ensure the safety of turntables.

(31) TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.

Reason

To ensure ground surface indicators, handrails and other elements required to provide access into the building/property are appropriately located.

(32) PUBLIC ART

- (a) Prior to the issue of any Construction Certificate, a Preliminary Public Art Plan, prepared in accordance with the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments, must be submitted to and approved by Council's Area Planning Manager.
- (b) Prior to the issue of a Construction Certificate for above ground works, a Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Executive Director City Planning Development & Transport.
- (c) Prior to the issue of any Occupation Certificate, the public artwork must be installed to the City's satisfaction, and a Final Public Art Report submitted to and approved by Council's Executive Director City Planning Development & Transport.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at <http://www.cityofsydney.nsw.gov.au/explore/artsandculture/publicart>. Please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Reason

To ensure public art is installed to the City's satisfaction.

(33) WASTE AND RECYCLING MANAGEMENT - GENERAL

The proposal must comply with the relevant provisions of the Sydney Development Control Plan 2012 and Council's *Guidelines for Waste Management in New Developments 2018*, which requires facilities to promote the safe and efficient storage, separation, collection and handling of waste to maximise resource recovery.

Reason

To ensure that waste and recycling is appropriately managed throughout all phases of the development.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(34) DEMOLITION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

- (a) All relevant performance parameters, including but not limited to requirements, engineering assumptions and recommendations such as the management controls in Section 5 and noise and vibration monitoring in Sections 5.2.2 of the Construction Noise and Vibration Management Plan – DA2, reference 20250936.11/0502A/R1/SN, dated 5 February 2026 and prepared by Acoustic Logic (council's reference 2026/060580) must be implemented.
- (b) Prior to the issue of any Construction Certificate or the commencement of any noise and vibration generating works approved by this consent, whichever is earlier, a final Demolition and Construction Noise and Vibration Management Plan must be prepared by a Suitably Qualified Acoustic Consultant* (see definition below) in accordance with the requirements of (a) above, and be submitted to and approved by Council's Executive Director City Planning, Development and Transport.

Note: *Suitably Qualified Acoustic Consultant* means a consultant who possesses the qualifications to join the Australian Acoustical Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustical Consultants (grade of member firm).

- (c) All works conducted on site which form part of this development must be carried out in accordance with the Demolition and Construction Management Plan approved under (b) above.
- (d) Where all identified control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the applicable criteria, including those stated in the Construction Hours/Noise Code 1992, and are giving rise to sustained complaints then the contractor must provide regular, appropriate and sustained periods of respite in consultation with Council's Health and Building unit. Such periods must be set and agreed to by Council's Health and Building Unit. Approval to vary the authorised noise and vibration levels must be received in writing by the proponent from Council prior to activities being undertaken that exceed sanctioned emission levels.

Reason

To ensure an adequate construction noise and vibration management plan is prepared to appropriate management construction impacts.

(35) DILAPIDATION REPORT

- (a) In conjunction with Condition (26)(b) of development consent D/2025/406, further dilapidation report/s including a photographic survey of 225-227 Macquarie Street Sydney (and any other properties identified by the qualified structural engineer engaged to undertake the report) are to be prepared by an appropriately qualified structural engineer within one month after the completion of demolition works, and a copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, the Registered Certifier and the Council.
- (b) A final Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of the installation of the external cladding. A copy of the final dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate or the re-occupation of the building, whichever is earlier.
- (a) Any damage to buildings, structures, lawns, trees, sheds, gardens and the like, associated with works carried out under this development consent and development consent D/2025/406, must be fully rectified by the applicant or owner, at no cost to the affected property owner.

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

Reason

To ensure that dilapidation reports are prepared and to identify damage to adjoining/nearby properties resulting from building work on the development site.

(36) APPROVED ACOUSTIC REPORT

The Stage 2 DA Noise and Vibration Impact Assessment, reference 20250580.1/1211A/R2/PF, dated 13 November 2025 and prepared by Acoustic Logic is approved.

Where there is a conflict between the Approved Acoustic Report and this development consent, this consent prevails.

Reason

To specify an acoustic report for reference in other noise control conditions.

(37) COMPLIANCE WITH THE ACOUSTIC REPORT PRIOR TO CONSTRUCTION CERTIFICATE

Prior to the issue of a Construction Certificate, the Certifier must ensure the following:

- (a) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.
- (b) The consultant is required to review the relevant building plans, specifications, and associated documentation, and must:
 - (i) Verify that the construction plans, drawings, and construction methodology for the development are consistent with the Approved Acoustic Report referenced in Condition (36) and comply with all relevant conditions and documentation of this consent.
 - (ii) Resolve any non-compliances through amended construction plans, drawings, and construction methodology as necessary.
 - (iii) Ensure that all requirements under this clause are completed to the written satisfaction of the Certifier.
- (c) Following completion of the above tasks, the consultant must provide written notification to the Registered Certifier outlining any identified non-compliances.

Reason

To ensure detailed construction and fit out plans comply with the relevant standards in the approved acoustic report.

(38) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to the issue of a Construction Certificate.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(39) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Office and business parking	4
Accessible office and business parking	1
Service vehicle spaces (Australian Standard B99 size van/ute/car)	1
Small Rigid Vehicle loading dock(s) (Provide a minimum height clearance of 3.2m, including any associated access path and turntable)	1
Total:	7

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(40) BICYCLE PARKING AND END OF TRIP FACILITIES

- (a) The minimum number of bicycle parking spaces and end of trip facilities to be provided within the site boundary for the development must comply with the table below.

Bicycle Parking Type	Number	Requirements
Staff/employee/customer	253	Spaces must be Class 2 bicycle facilities
End of Trip Facility Type	Number	
Showers with change area	26	
Personal lockers	260	

All bicycle parking spaces and end of trip facility must be provided on private land. The public domain cannot be used to satisfy this condition.

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

- (b) The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. The details must be submitted to and approved by the Registered Certifier confirming prior to and form part of the Construction Certificate being issued.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(41) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A further Construction Traffic Management Plan must be submitted to and approved by Council for the scope of this consent prior to the issue of a Construction Certificate.
- (b) The approved plan must be complied with during any demolition and/or construction work.

Reason

To ensure that the impacts of construction traffic is appropriately managed.

(42) DESIGN FOR ENVIRONMENTAL PERFORMANCE

- (a) Prior to the issue of any Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the Design for Environmental Performance Report prepared by Henry Andresen dated 12 March 2025 (council reference 2025/760224) are incorporated into the relevant construction plans and accompanying documentation
 - (i) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement
 - (ii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design
 - (iii) Section 6 – On site Renewable Energy Generation and Storage
 - (iv) Section 7 – Design for Resilience to Climate Change
 - (v) Section 8 – Designing for mains potable water savings and water efficiency
 - (vi) Section 9 – Storm water quality
 - (vii) Section 10 – City Greening
 - (viii) Section 11 – Promoting Active Transport and Reducing Transport Emissions
 - (ix) Section 12 – Materials, Embodied Carbon and Circularity
 - (x) Section 13 – Waste Management and Resource Recovery
 - (xi) Section 14 – Third Party Certification and Design, Construction or Technology Innovations
- (c) Changes to any commitments listed in the approved Design for Environmental Performance Report must be submitted to and approved by Council's Area Planning Manager prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(43) ENERGY PERFORMANCE – NABERS

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 5.5 star +25% in operation for the whole building. This is to be demonstrated by:

- (a) Entering into a Commitment Agreement with the NABERS National Administrator, to deliver this star rating for the base building. A copy of the signed Commitment Agreement contract is required; and
- (b) Providing a copy of the Estimator's report and Independent Design Review report to the NABERS National Administration and submitting the same reporting with the Construction Certificate application. The reporting must demonstrate the developments capacity to meet the NABERS star rating and the overperformance requirement mandated by the City.

The required documents specified above are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Note: Definitions referred to above are as follows:

- (i) Commitment Agreement means an agreement that is set out in accordance with the NABERS National Administrator. The NABERS Commitment Agreement, which is signed between a NABERS authorised signatory and the applicant/building owner/building manager, is a commitment to design, build and commission the premises to achieve an agreed star rating.
- (ii) Star rating refers to the benchmarking system applied by the NABERS National Administrator for measuring the energy efficiency of a building.
- (iii) Base building means central services and common areas of a building, as defined under NABERS.
- (iv) Whole building refers to the base building and tenant occupied spaces, as defined under NABERS.
- (v) Estimate report refers to the report created by the Estimator which sets out a realistic estimate of the operational performance of the project determined.
 - a. In accordance with the NABERS Handbook; and
 - b. Without reference, calculation or consideration to GreenPower or other offsite renewable energy.
- (vi) Independent Design Review report is a report prepared in respect to the Independent Design Review by the Reviewer.

Reason

To ensure the building achieves the stated energy use performance rating and to reduce greenhouse gas emissions.

(44) NO ON-SITE FOSSIL FUELS

Any energy use associated with the whole building operations must be supplied by electricity. Natural gas services and supply for the whole building energy use purposes are prohibited.

Fuels used for emergency power back-up generation are allowed.

Reason

To reduce local air pollution and greenhouse gas emissions associated with the use of on-site fossil fuels in the normal operation of the building.

(45) NABERS WATER RATING

The design of the building and its services must achieve a National Australian Built Environment Rating System (NABERS) Water rating of 3 Stars in operation. This is to be demonstrated by:

- (a) Submitting a signed NABERS Agreement to Rate for the required star rating; and
- (b) Providing a Water Use Assessment Report prepared by a suitably qualified person, demonstrating the building is capable of achieving a NABERS water rating of 3 Stars. The Water Use Assessment Report should include calculations in line with the Green Building Council of Australia's (GBCA) Water Use calculator, or other equivalent methodology.

The report and NABERS Agreement to Rate are to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To ensure that the building complies with the 3 Star NABERS water rating required under the Sustainable Buildings SEPP.

(46) EMBODIED EMISSIONS REPORTING

Prior to the issue of a Construction Certificate, as per requirements under the State Environmental Planning Policy (Sustainable Buildings) 2022, embodied emissions reporting is to be updated to reflect finalised material specifications and increased design detail. If the NABERS Embodied Emissions Tool is active prior to submission of construction certificate documentation, then reporting is to be provided through the tool.

Reason

To ensure quantification of embodied emissions from the development.

(47) DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to the commencement of demolition works under this consent or the issue of any Construction Certificate, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared as described in the Public Domain Manual and submitted for approval by Council's Public Domain Unit. The City's *Public Domain Manual* is available for download from the City's website at <https://www.cityofsydney.nsw.gov.au/>

The submission is to 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.

Reason

To establish and document the condition of the public domain for comparison as building work progresses and is completed.

(48) PUBLIC DOMAIN DAMAGE BOND

- (a) A Public Domain Damage Deposit must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The bond must be provided as security for repairing any damage to the public domain in the vicinity of the site.
- (b) The City's Public Domain Unit must be contacted to determine the bond amount prior to lodgement. The Bond must be lodged with the City prior to the issue of any Construction Certificate or the commencement of works, whichever is earlier.
- (c) Subject to the approval of the City's Public Domain Unit, the Public Domain Damage Bond lodged under development consent D/2025/406 may be relied upon to satisfy (a) and (b) above.
- (d) The bond in this condition will be released in full when the Final Occupation Certificate has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. If rectification works are required the City will release 90% of the total Bond, with the remaining 10% balance to be held for the duration of a 6 months Defect Liability Period.

Reason

To allow for the appropriate management and rectification of damage to the public domain.

(49) PROTECTION OF STONE KERBS

- (a) The existing stone kerbs on the Macquarie Street and Phillip Street frontages of the site are to be retained and properly protected during demolition, excavation and construction works.

- (b) To avoid damage to stone kerbs during excavation and construction works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (i.e. those that are in good condition as agreed by Council officers) must be re-installed in accordance with the City of Sydney's standard details and specifications after the construction works have been completed. A temporary concrete kerb will need to be constructed to retain the footpath until the stone kerbs can be reinstalled.
- (c) Note the following:
 - (i) all costs associated with the works are to be borne by the developer.
 - (ii) Damaged kerbs are to be replaced to match existing to Council's satisfaction or as otherwise advised by Council officers.
 - (iii) Where new vehicle crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.
 - (iv) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers.
 - (v) Council approval is required before kerbs are removed.
 - (vi) Council approval is required prior to the cutting of existing stone kerbs for stormwater kerb outlets.
 - (vii) Stone kerbs and gutters may be bonded in accordance with the City of Sydney's adopted Schedule of Fees and Charges. If so, this will be included with the Public Domain Damage Bond.

Reason

To ensure the protection of stone kerbs.

(50) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – ALTERATIONS AND ADDITIONS

A qualified practising registered structural engineer must provide structural certification to the Registered Certifier verifying that the existing structure can adequately support the proposed new loads and the structural design complies with the Structural Provisions of the *Building Code of Australia* prior to a Construction Certificate being issued. The proposed additional loads and/or alterations must not cause a decrease in the existing structural performance of the building including its performance under earthquake actions (AS1170.4).

Reason

To ensure the existing structure can support the new loads.

(51) MECHANICAL VENTILATION

- (a) The premises must be ventilated in accordance with the *Building Code of Australia* and *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with *AS1668.1 and AS1668.2 - The Use of Ventilation and Air-conditioning in Buildings - Mechanical Ventilation in Buildings*, the *Building Code of Australia* and relevant Australian Standards must be prepared and certified in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.
- (c) Prior to issue of any Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A5.2(1)(e) of the *Building Code of Australia*, must be submitted to the Principal Certifier.

Reason

To ensure the ventilation complies with relevant standards.

(52) DEMOLITION/SITE RECTIFICATION (IF COST IS OVER \$50M)

The following conditions apply to the development:

- (a) Demolition or excavation must not commence until a Construction Certificate has been issued for construction of the substantive building.
- (b) Prior to the Construction Certificate being issued, documentary evidence must be provided to Council that the owner of the site has entered into a Deed with Council, the cost of preparation and execution of such Deed (including stamp duty and registration fees) to be borne by the applicant, which contains such conditions as the Council reasonably requires to ensure the matters set out in this condition are adequately provided for.
- (c) Without limiting the generality of paragraph (b), the Deed must provide for:
 - (i) A bank guarantee to be provided in the sum of \$707,750 dollars as security for the costs of such works provided that:
 - a. the maximum liability under the Deed must not exceed \$707,750 dollars; and
 - b. the Council may accept a lesser amount as security if substantiated by detailed design and Quantity Surveyor costing for works which meet the objectives of the condition.
 - (ii) Council to be given sufficient contractual rights to be able to ensure that in any of the following events namely:
 - a. demolition of the existing building has commenced but not been completed;

- b. the existing building has been demolished; or
 - c. the site has been excavated; or
 - d. the erection of the structure has commenced.
- (iii) that it, or any person authorised by it, may enter the site and carry out such works at the cost of the applicant (or such other person as the Consent Authority may approve) as may be then appropriate in the circumstances in each of the abovementioned events, to:
- a. make the building safe and of an appearance acceptable to Council at ground level;
 - b. allow the ground level to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - c. for the hole to be covered to allow it to be landscaped and of an appearance acceptable to Council from any public vantage point; or
 - d. in the event that the new building is constructed beyond the ground floor, to allow any hoardings to be removed and the ground floor development to be completed to a tenantable stage.

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

- (d) If the site is commenced to be developed and there is suspension in activity for 6 months (or suspensions of activity which in the aggregate exceed 6 months), resulting in a building site which has an appearance not acceptable to Council, then the Council will have the readily enforceable rights to:
- (i) require certain works including but not limited to those works necessary to achieve the results referred to in sub-clause (c) (iii) to take place on the site; and
 - (ii) in the event of default, have the right to enter and carry out these works and to call upon security in the nature of a bank guarantee to cover the cost of the works.
- (e) The Deed may, if the Director City Planning is satisfied, provide for an adjustment of the guarantee amount during the course of construction to reflect that, as the development progresses, the likelihood and nature of the appropriate site rectification works may change. The stages of reduction will be:
- (i) Stage 1 – Completion of the site excavation and all construction works necessary to complete all parts of the Development to street level, including sealing of the slab at that level.
 - (ii) Stage 2 – Completion of all construction works necessary to complete the structure of the Development to the roof level.

- (iii) Stage 3 – Issue of the Occupation Certificate.
- (f) If a claim for an adjustment is made, the Deed must also provide that any such claim is to be supported by the following:
 - (i) Certification (from the principal certifier) that the relevant stage is complete;
 - (ii) Detailed schedule of completed works carried out in the relevant stage;
 - (iii) Quantity Surveyors costing of the likely site rectification works required at each remaining stage.

Reason

To allow for the appropriate management of sites where development (demolition/excavation/construction) has commenced and there is a suspension in activity resulting in a building site which has an unacceptable appearance.

(53) INSTALLATION OF ARTWORK AND IMAGES ON SCAFFOLDING (DEMOLITION / CONSTRUCTION WRAPS)

- (a) Where scaffolding is to be installed to undertake the proposed development an approved artwork / historic image installation must be provided on the scaffolding system to screen the development from the public place, minimise adverse visual impacts on the locality and add visual and public art in the streetscape.
- (b) The artwork installation must be printed, installed and maintained in accordance with Council's *Guidelines for Hoardings and Scaffolding*. Details of the proposed installation must be submitted to and approved by Council prior to the issue of a construction certificate or work commencing.

Note: The scaffolding system on which a required artwork wrap is to be installed must be designed to safely and adequately accommodate and support the wrap mesh material on which the artwork is printed/displayed. This includes designing the scaffold to address potential increased wind loads that may be encountered in the locality.

Reason

To minimise adverse visual impacts on the locality.

DURING BUILDING WORK

(54) TREES THAT MUST BE RETAINED

The existing trees detailed in the table below are determined to be prominent landscape elements, and must be retained and protected in accordance with the conditions throughout construction and development.

Tree No.	Species	Location
1-3	<i>Platanus x acerifolia</i> (London Plane)	Street Tree – Martin Place
4-8		Street Tree – Macquarie Street

Reason

To identify the trees that cannot be removed, must be retained and protected.

(55) ANY ADDITIONAL TREE PRUNING

- (a) Any pruning beyond, or in addition to, the extent of pruning approved under development consent D/2025/406 would require separate consent to be obtained from Council's Tree Management Officer, including tree roots greater than 40mm diameter.
- (b) Construction access and the location of the works zone on Macquarie Street must be planned to avoid significant adverse impact on any trees to be retained. Alternative works zone location may be required, and suitably size cranes/machinery/equipment utilised to minimise tree pruning. Only minor pruning works will be approved.
- (c) Any approved pruning must be carried out by an arborist with a minimum AQF Level 3 qualification in arboriculture, and in accordance with AS4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice – Amenity Tree Industry.

Reason

To ensure that pruning works are carried out in an appropriate manner.

(56) STREET TREE PROTECTION

All street trees located directly outside the site must be retained and protected in accordance with the AS4970 Protection of Trees on Development Sites. All street trees must be protected during the construction works as follows:

- (a) Tree trunk and major branch protection must be undertaken prior to the commencement of any works (including demolition). The protection must be installed and certified by an arborist with a minimum AQF Level 5 qualification in arboriculture and must include:
 - (i) An adequate clearance, minimum 250mm, must be provided between the structure and tree branches, and trucks at all times.

- (ii) Tree trunk/s and/or major branches to a height of two metres must be protected by wrapped thick underlay carpet or similar padding material to limit damage, and
 - (iii) Timber planks (50mm x 100mm or similar) must be placed around tree trunk/s. The timber planks must be spaced at 100mm intervals and must be fixed against the trunk with tie wire, or strapping. The thick underlay carpet or similar padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.
 - (iv) Tree trunk and major branch protection is to remain in place for the duration of construction and development works and must be removed at the completion of the project.
- (b) Temporary signs, or any other items, shall not be fixed or attached to any street tree.
- (c) All hoarding support columns are to be placed a minimum of 300mm from the edge of the existing tree pits/setts, so that no sinking or damage occurs to the existing tree pits. Supporting columns must not be placed on any tree roots that are exposed.
- (d) Young street trees must be protected by installing three (3) wooden stakes around the edge of the tree pits or a minimum of 1 metre from the base of the trunk. Hessian must be wrapped around the stakes. If existing stakes or a metal tree guard are already in place, these suffice as tree protection.
- (e) Materials or goods, including site sheds, must not be stored or placed:
 - (i) around or under the tree canopy; or
 - (ii) within two (2) metres of tree trunks or branches of any street trees.
- (f) Any excavation within any area known to or suspected of having tree roots greater than 30mm diameter must be undertaken by hand.
- (g) Any trenching works for services, hydraulics, drainage etc. must not be undertaken within 5 metres of the trunk of any street tree. Alternate installation methods for services such as directional boring/drilling or redirection of services must be employed where roots greater than 30mm diameter are encountered during installation of any services.
- (h) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the Council's Tree Management Officer.
- (i) Any damage sustained to street tree/s as a result of the erection of any construction activities (including demolition) must be immediately reported to the Council's Tree Management Officer on 9265 9333. Any damage to street trees as a result of any construction activities may result in prosecution under the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.

Reason

To ensure the protection and ongoing health of the street trees.

(57) HOURS OF WORK AND NOISE – CBD

The hours of construction and work on the development must be as follows:

- (a) All work, including demolition, excavation and building work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 7.00pm on Mondays to Fridays, inclusive, and 7.00am and 5.00pm on Saturdays, and no work must be carried out on Sundays or public holidays.
- (b) All work, including demolition, excavation and building work must comply with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
- (c) Notwithstanding the above, the use of a crane 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 outside of above hours can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Note: Works may be undertaken outside of hours, where it is required to avoid the loss of life, damage to property, to prevent environmental harm and/or to avoid structural damage to the building. Written approval must be given by the Construction Regulation Team, prior to works proceeding.

The *City of Sydney Code of Practice for Construction Hours/Noise 1992* allows extended working hours subject to the approval of an application in accordance with the Code and under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Reason

To protect the amenity of the surrounding area.

(58) SITE NOTICE OF PROJECTS DETAILS AND APPROVALS

A site notice is to be prominently displayed at the boundary to each frontage of the site for the purposes of informing the public of appropriate project details and relevant approvals. The notice(s) is to satisfy all of the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the construction period;
- (c) A copy of the first page of the development approval, building approval (including any modifications to those approvals) and any civic works approvals is to be posted alongside the notice in weatherproof casing;

- (d) The approved hours of work, the Principal Certifier including contact address and certification details, the name of the site manager, the responsible managing company, its address and 24 hour contact phone number for any enquiries, including construction/noise complaint, and the estimated date of completion of the project are to be displayed on the site notice;
- (e) The notice(s) is to be mounted at eye level on the perimeter hoardings and is also to state that unauthorised entry to the site is not permitted.
- (f) All notices and signs must be displayed in locations as specified in the City's Guidelines for Hoardings and Scaffolding.

Reason

(Prescribed condition EP&A Regulation, clauses 98A (2) and (3)).

(59) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT

- (a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours between 8.00am and 12.00 midday, and between 2.00pm and 6.00pm.
- (b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

Reason

To protect the amenity of the surrounding area.

(60) NOTIFICATION OF USE OF HIGH NOISE EMISSION APPLIANCES/PLANT

The immediately adjoining neighbours must be given a minimum of 48 hours notice that the use of high noise emission appliances / plant are about to commence.

Reason

To protect the amenity of the surrounding area.

(61) IMPLEMENTATION OF HERITAGE MITIGATION MEASURES

The mitigation measures No.1 to No.11 specified in Appendix B: Mitigation Measures in the Heritage Impact Statement by NBRS dated 14 November 2025 must be implemented during the project. The project heritage consultant is to document how these measures are satisfactorily taken in the heritage consultant's final report.

Reason

To ensure an acceptable heritage outcome.

(62) REMEDIATION

The site is to be remediated and validated in accordance with the recommendations set out within the Consolidated Asbestos Report, revision 5, project reference PRJ001018, dated 17 November 2025 and prepared by Property Risk Australia (council's reference: 2025/693395).

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifier.

Note: Certification from a certified Occupational Hygienist (Australia Institute of Occupational Hygienists) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations of the above-referenced Consolidated Asbestos Report and that the site is safe for future occupation in accordance with the approved use will be required prior to the re-occupation of the building.

Reason

To ensure that the site is appropriately remediated.

(63) ASBESTOS REMOVAL WORKS

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Safework NSW, holding either a Friable (Class A) or a Non-Friable (Class B) Asbestos Removal Licence which ever applies.

A copy of the relevant licence must be made available to any authorised Council officer on request within 24 hours.

- (b) Five days prior to the commencement of licensed asbestos removal, Safework NSW must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification must identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All work must be carried out in accordance with the *Work Health and Safety Regulation 2017* and the NSW Government and SafeWork NSW document entitled *How to manage and control asbestos in the work place: Code of Practice (Safework NSW)* December 2011 and the *City of Sydney Managing Asbestos Policy* dated 21 October 2013 and associated guidelines.

- (d) The asbestos removalist must use signs and barricades to clearly indicate the area where the asbestos removal work is being performed. Signs must be placed in positions so that people are aware of where the asbestos removal work area is and should remain in place until removal is completed and clearance to reoccupy has been granted. Responsibilities for the security and safety of the asbestos removal site and removal must be specified in the asbestos removal control plan (where required). This includes inaccessible areas that are likely to contain asbestos.
- (e) Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs must be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs must be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs must be in accordance with AS 1319 -1994 *Safety Signs for the Occupational Environment* for size, illumination, location and maintenance.
- (f) Asbestos waste must only be transported and disposed of at an EPA licensed waste facility.
- (g) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (h) No asbestos laden skips or bins are to be left in any public place without the written approval of Council.
- (i) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

Reason

To ensure that the handling and removal of asbestos from the site is appropriately managed.

(64) CLASSIFICATION OF WASTE

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the *Environment Operations Act 1997* and the *NSW EPA Waste Classification Guidelines, Part1: Classifying Waste (November 2014)*. The classification of the material is essential to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for a particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

Reason

To ensure that waste from site is classified and disposed of appropriately.

(65) HAZARDOUS AND INDUSTRIAL WASTE

Hazardous waste arising from the demolition activities must be removed and/or transported in accordance with the requirements of the NSW Work Cover Authority pursuant to the provisions of the following:

- (a) Protection of the Environment Operations Act 1997
- (b) Protection of the Environment Operations (Waste) Regulation 2005
- (c) Waste Avoidance and Resource Recovery Act 2001
- (d) Work Health and Safety Act 2011
- (e) Work Health and Safety Regulation 2017.

Reason

To ensure hazardous waste is managed appropriately.

(66) COVERING OF LOADS

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

Reason

To ensure loads are managed appropriately and do not impact local amenity.

(67) EROSION AND SEDIMENT CONTROL

A Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) must be prepared to the satisfaction of the Principal Certifier and be implemented in full during the construction period.

During the construction period:

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

Reason

To ensure no substance other than rainwater enters the stormwater system and waterways.

(68) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

Reason

To ensure sediment is not tracked onto the roadway.

(69) NO OBSTRUCTION OF PUBLIC WAY

Unless otherwise approved by Council, the public way must not be obstructed by any materials, vehicles, waste receptacles, skip-bins or the like. Non-compliance with this requirement may result in the issue of a notice by Council to stop all work on the site.

Reason

To protect the amenity of the public domain.

(70) USE OF MOBILE CRANES

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.

- (c) The use of a crane 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 outside of approved hours of construction can occur, subject to a separate application being submitted to and approved by Council under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993.

Reason

To ensure mobile cranes are used appropriately.

(71) LOADING AND UNLOADING DURING CONSTRUCTION

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site, where possible.
- (b) 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.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) Where hoisting activity over the public place is proposed to be undertaken including hoisting from a Works Zone, a separate application under Section 68 of the Local Government Act 1993 and Sections 138/139 of the Roads Act 1993 must be submitted to and approved by Council.

Reason

To protect the amenity of the public domain.

(72) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES INCLUDING BUILDING MAINTENANCE UNITS OVER A PUBLIC ROAD

- (a) Where a hoarding and/or scaffolding (temporary structures) are proposed to be installed on or above a road reservation (footway and/or roadway), a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be submitted to and approved by Council for such structures.
- (b) Where an approval (Permit) is granted allowing the placement of temporary structures on or above a public road the structures must comply fully with Council's *Hoarding and Scaffolding Policy; Guidelines for Hoardings and Scaffolding*; and the conditions of approval (Permit) granted including:

- (i) maintaining a current and valid approval for the full duration that the temporary structure/s is in place;
- (ii) maintaining temporary structure/s in a structurally sound and stable condition for the full duration of installation (Clause 2.11.1);
- (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.11.2);
- (iv) maintaining temporary structures and the public place adjoining the work site in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.11.1, 2.11.4, 2.14.1 and 3.9.3);
- (v) maintaining a watertight deck (Type B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.9.1 and 3.9.4);
- (vi) approved site sheds on the decks of a Type B hoarding being fully screened from the public place (Clause 3.9.5);
- (vii) material and equipment not being placed or stored on the deck of Type B hoardings, unless specifically approved by Council (Clause 3.9.4);
- (viii) providing and maintaining operational artificial lighting systems under Type B hoardings including at high-bay truck entry points (Clause 3.9.9); and
- (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Clauses 3.4, 3.9.3, 3.9.6, 3.9.8, 3.10.1 and 4.2).

If it is proposed to operate a hoisting device including a building maintenance unit above a public road which swings, hoists material/equipment and/or slews/wind vanes any part of the device over the public road, a separate application under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993* must be made to Council to obtain approval.

Note: 'Building maintenance unit' means a power-operated suspended platform and associated equipment on a building specifically designed to provide permanent access to the faces of the building for maintenance (*Work Health and Safety Regulation 2017*).

Reason

To ensure the necessary approval is obtained for temporary structures over a public road.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(73) VERIFICATION OF ACOUSTIC REPORT

Prior to the issue of any Occupation Certificate, the Certifier must ensure the following:

- (a) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.
- (b) The consultant must inspect and review the completed development and ensure that:
 - (i) The final building work is assessed for compliance with the relevant acoustic Construction Certificate(s), the approved acoustic report, and all applicable noise-related Conditions and documentation of this consent.
 - (ii) Any non-compliances identified under (i) above are documented in writing, with specific reference to the relevant acoustic criteria, and must include a scope of work necessary to rectify the issues and achieve compliance.
 - (iii) All requirements under this clause are completed to the written satisfaction of the Certifier.
- (c) Following completion of item (b), the consultant must notify the Certifier in writing of any identified non-compliances.

Reason

To ensure the development complies with construction and fit out plans and the relevant standards in the approved acoustic report.

(74) SURVEY CERTIFICATE PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

Prior to the issue of any type of Occupation Certificate for the building, a Final Identification Survey prepared and signed by a Surveyor registered under the Surveying & Spatial Information Act 2002 must be submitted at the completion of the building work certifying the location of the building and showing offsets in relation to the boundaries of the allotment.

Any encroachments of the building including gutters and downpipes over the side boundaries or rear lane that are not approved in the DA must be removed, or where approved, appropriate easements under Section 88B of the Conveyancing Act 1919, with terms to the satisfaction of Council, must be lodged with the office of NSW Land Registry Services, and evidence of lodgement provided to the Principal Certifier prior to the issue of any Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

Reason

To ensure that either the building does not encroach, or that any encroachments are formalised on title.

(75) HISTORIC MARKER

A plaque of high-quality material (e.g. bronze or stainless steel) describing the history of the site and building must be installed on the facade of the building prior to any Occupation Certificate being issued. The design, location and wording must be submitted for the approval of Council's Urban Design and Heritage Manager prior to manufacture and installation. The marker is to be incorporated into the heritage interpretation plan if a plan is required by this consent.

Reason

To ensure that the heritage of the site is appropriately interpreted and incorporated into the development.

(76) UPDATED CONSERVATION MANAGEMENT PLAN

The Conservation Management Plan (CMP) must be reviewed and updated after the reconstruction work of the building. The updated CMP is to include any new findings, document the completed building and reassess levels of significance of the building fabric and features. It should also include a maintenance plan for retained and reused heritage fabric and artworks.

A copy of updated CMP must be submitted to Council's Area Planning Manager prior to issue of any Occupation Certificate.

Reason

To ensure the continued protection of the heritage significance of the heritage item and to guide the future maintenance of heritage fabric.

(77) WASTE AND RECYCLING COLLECTION CONTRACT

Prior to the issue of any Occupation Certificate or commencement of the use, whichever is earlier, the building owner/tenant is to enter into a contract with a licensed waste service provider for the removal of all waste and recycling stream(s). A copy of the commercial waste and recycling contract and invoices are to be made available upon request by an authorised Council officer at any time.

Reason

To ensure arrangements are in place to manage commercial waste without reliance on public place or residential waste bins.

(78) WASTE AND RECYCLING MANAGEMENT

- (a) The Reserve Bank of Australia, Sydney – Waste Management Plan, version 1, dated 6 November 2025 and prepared by MRA Consulting (council's reference 2025/693482) has been approved.

- (b) Prior to the issue of any Occupation Certificate, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, the Waste Management Plan referenced in (a) above, and specifications approved at the Construction Certificate.

Reason

To ensure all on-site infrastructure has been provided to support scheduled collections responsive to the Council endorsed OWMP and requirements of the Guidelines for waste management in new developments 2018.

(79) SYDNEY WATER CERTIFICATE

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

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

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

The Section 73 Certificate must be submitted to Council or the Principal Certifier prior to any Occupation Certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

(80) ELECTRONIC CAD MODELS

- (a) Prior to the issue of any Occupation Certificate, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council’s Area Planning Manager for the electronic Visualisation City Model.
- (b) The data required to be submitted within the surveyed location must include and identify:
 - (i) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;

- (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

Reason

To ensure the provision of an appropriate electronic model of the development.

(81) PHYSICAL MODELS

Prior to the issue of any Occupation Certificate, an accurate 1:500 scale model of the development as constructed must be submitted to and approved by Council's Area Planning Manager for the City Model in Town Hall House.

Note:

- (a) The models must be constructed in accordance with the Model Specifications available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's modellers must be consulted prior to construction of the model.
- (b) The models are to comply with all of the conditions of the Development Consent.
- (c) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act*) that affect the external appearance of the building.

Reason

To ensure the provision of an appropriate physical model of the development.

OCCUPATION AND ONGOING USE

(82) OCCUPATION CERTIFICATE TO BE SUBMITTED

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

Reason

To ensure the site is authorised for occupation.

(83) NABERS CERTIFIED WATER RATING

Within 24 months from the day on which an Occupation Certificate is issued a NABERS Water rating application for the development is to be prepared by a NABERS Accredited Assessor and lodged with the NABERS National Administrator.

Once certified, a copy of the NABERS certificate and report are to be submitted to Council's Area Planning Manager.

Reason

To ensure that the development meets the requirements of the State Environmental Planning Policy (Sustainable Buildings) 2022.

(84) NABERS ENERGY PERFORMANCE CERTIFICATION

The building and its services must achieve a National Australian Built Environment Rating System (NABERS) Energy rating of 5.5 star + 25% in operation for the whole building. Within 24 months from the day on which an occupation certificate is issued, a NABERS Energy rating application for the development is to be prepared by a NABERS Accredited Assessor and lodged with the NABERS National Administrator. Once certified, a copy of the NABERS certificate and report are to be submitted to Council.

The NABERS report must demonstrate the following:

- (a) The rated annual energy use and associated emissions achieve both the NABERS star band requirement and the agreed City overperformance requirement of +25%;
- (b) If the development will not achieve the energy use standards – the difference between the rated annual electricity use and the energy use standards, calculated for the first 5 years of operation.

Reason

To reduce greenhouse gas emissions and impact on the electricity grid associated with the development in operation and increase the development's resilience to disruption from extreme weather events.

(85) ENCROACHMENTS – NEIGHBOURING PROPERTIES

No portion of the proposed structure shall encroach onto the adjoining properties.

Reason

To protect neighbouring properties.

(86) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, but except any sun shading devices on the podium shall encroach upon Council's footpath area.

Reason

To protect the public way.

(87) ON SITE LOADING AREAS AND OPERATION

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

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(88) LOADING DOCK MANAGEMENT PLAN

A Loading Dock Management Plan is to be prepared for distribution to relevant tenants outlining how the loading dock will be managed and used by all relevant tenants. The Plan must include, but is not limited to, management of deliveries to ensure vehicles are not waiting on public streets to enter the site.

The plan is to be prepared and submitted to and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

Once approved, this management plan is to be provided to all relevant tenants and external users of the loading area.

Reason

To ensure that the loading dock is appropriately managed.

(89) COMMERCIAL AND INDUSTRIAL DEVELOPMENT NOISE

During ongoing use of the premises, the cumulative emission of noise from commercial and industrial activities must comply with Requirement 4 – NOISE FROM COMMERCIAL AND INDUSTRIAL ACTIVITIES, as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties

(90) MANAGING NOISE

The premises must be operated and managed in accordance with the approved acoustic report for this consent.

All physical aspects of the building's structure must be installed to meet performance parameters in accordance with this condition, and requirements of this consent, must be maintained and correctly used at all times. Where there is a conflict with the approved acoustic report and a requirement of this development consent, this consent prevails.

Reason

To protect the amenity of the local area.

(91) SCHEDULED COLLECTIONS – COMMERCIAL

- (a) Commercial waste collection arrangement(s) are to be conducted in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, the developments Conditions of Consent and Local Approvals Policy for *Managing Waste in Public Places*.
- (b) In accordance with the approved waste management plan, waste and recycling stream(s) bins must not be placed on the street for collection. Waste collection will occur within the site at all times. Unimpeded access must be provided to the waste and recycling stream(s) storage area(s) at all times.
- (c) Unobstructed access is to be provided for waste collection vehicles to set down within 10m of the waste storage and collection area(s) during zone collection times on collection days.
- (d) The collection of waste and recycling stream(s) is to only occur during designated zone collection times outlined within the Local Approvals Policy for *Managing Waste in Public Places* to minimise impacts to residential amenity.

Reason

To minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

(92) ONGOING WASTE MANAGEMENT – COMMERCIAL

- (a) The ongoing use of development/tenancy must be in accordance with the approved Operational Waste Management Plan, Council's *Guidelines for Waste Management in New Developments*, the City of Sydney's DCP, and the developments Conditions of Consent.
- (b) All general waste and recycling materials emanating from the premises must be stored in the designated waste storage area(s), must not be stored outside the premises (including the public domain) at any time.
- (c) All waste and recycling stream(s) storage area(s) are to only be used for the purposes of storing waste and recycling from the premises in accordance with the original consent and approved Operational Waste Management Plan and not be converted to a different use.
- (d) Scheduled collections and waste management arrangements of the development/tenancy is the responsibility of the business owner or property manager and are to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan and this consent. These arrangements include:
 - (i) arranging an adequate number of bins and the servicing regime matched to the needs of the premises.
 - (ii) actively managing waste streams and supporting infrastructure to ensure bins are not overflowing, damaged or leaking and lids are fully closed at all times.
 - (iii) routine cleaning and maintenance of waste storage area(s) to inhibit the permeation of odour and prevent litter and pests.
 - (iv) the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney.
- (e) Contracts (or agreements) with cleaners, building managers and tenants must clearly outline the waste management and collection arrangements, identifying clear roles and responsibilities outlined within the approved Operational Waste Management Plan.

Reason

To promote good waste management arrangements and minimise the impacts on amenity and safety caused by the presentation and collection of commercial waste.

SCHEDULE 2

SYDNEY TRAINS CONDITIONS

(93) HYGIENIST REPORT

Prior to the issue of a Construction Certificate, the Applicant shall provide a hygienist report confirming asbestos will be contained on site, air quality levels will have no impact on Sydney Trains customers accessing the station and Sydney Trains' staff and patrons will not be exposed. The report is to be prepared by a suitably qualified expert. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason

To ensure asbestos removal works has no impact on train customers.

(94) GEOTECHNICAL AND STRUCTURAL ENGINEERING REPORT

Prior to the issue of a Construction Certificate, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineer stating that the proposed works are to have no negative impact on the rail corridor and station box. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason

To ensure no impact on the rail corridor and station box.

Note: Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Central Interface, and they can be contacted via email on Central_Interface@transport.nsw.gov.au.

SCHEDULE 3

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>