

Attachment A

Recommended conditions of consent
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CONDITIONS OF CONSENT

SCHEDULE 1

GENERAL CONDITIONS

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application Number D/2026/409 dated 4 May 2026 and the following drawings prepared by SJB Architecture (NSW) Pty. Ltd.:

Drawing Name	Drawing Number	Date
Cover	DA-0000 Revision 4	20.04.2026
Demolition Plans	DA-0257 Revision 4	20.04.2026
Floor Plan - Level 05	DA-1007 Revision 6	11.06.2026
Floor Plan - Level 06	DA-1008 Revision 6	11.06.2026
Floor Plan - Roof	DA-1009 Revision 4	20.04.2026
Elevations - Sheet 1	DA-1401 Revision 6	11.06.2026
Elevations - Sheet 2	DA-1402 Revision 6	11.06.2026
Elevations - Sheet 3	DA-1403 Revision 6	11.06.2026
Sections - Sheet 1	DA-1501 Revision 4	20.04.2026
Material Board	DA-8703 Revision 6	11.06.2026

and the following drawing prepared by Nelson Thomas Pty Ltd:

Drawing Name	Drawing Number	Date
Landscape Plan	DA001 Revision B	5/6/2026

and as amended by the conditions of this consent.

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

(2) SECTION 7.12 CONTRIBUTIONS PAYABLE - CENTRAL SYDNEY - COST SUMMARY REPORT TO BE SUBMITTED AND CONTRIBUTIONS PAID PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

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 * * Refer to Section 2.3 of the <i>Central Sydney Development Contributions Plan 2020</i> for information on determining the development cost.	Levy
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 any Construction Certificate being issued, the Registered Certifier must be provided with:
 - (i) a copy of Council's Statement of Contributions Owing detailing the contribution amount payable; and
 - (ii) evidence that the levy has been paid in accordance with this condition.
- (b) The applicant must not pay the contribution until it is accompanied by a Statement of Contributions Owing from the City of Sydney Council setting out the amount payable. To obtain this Statement, one of the following must be submitted to the City's Planning Administration team at planningsystemsadmin@cityofsydney.nsw.gov.au:
 - (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 (see report template for definition) and submitted to the City of Sydney together with the Construction Certificate plans. A template 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 *Quantity Surveyor's Detailed Cost Report* must be completed by an AIQS Certified Quantity Surveyor (Australian Institute of Quantity Surveyors) or a RICS Chartered Quantity Surveyor (Royal Institution of Chartered Surveyors). It must be submitted to the City of Sydney together with the Construction Certificate plans. A template of the *Quantity Surveyor's Detailed Cost Report* is available from the City's website at www.cityofsydney.nsw.gov.au.
- (c) The development cost is to be estimated 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.
- (d) The City will consider the documentation submitted under subclause (b) and determine the development cost for contributions purposes having regard to the information submitted and to such other matters as it considers appropriate. The City will issue a Statement of Contributions Owing.
- (e) Payment may be made by EFTPOS (debit card only), cash (up to \$5,000 only), credit card (up to \$300,000 only) or bank cheque made payable to the City of Sydney Council. Payments by direct bank transfer may be made only in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.
- (f) Written evidence that the required payment has been made must be verified by the Registered Certifier prior to the issue of a Construction Certificate.
- (g) If the contribution is not paid within three months from the date of issue of the Statement of Contributions Owing, then the applicant must provide the City with a revised Cost Summary Report / Quantity Surveyor's Detailed Cost Report (as applicable). The City will then issue the applicant with a revised Statement of Contributions Owing. Alternatively, and at the City's discretion, the City may use the Australian Bureau of Statistics Consumer Price Index (Sydney - All Groups) to adjust the contributions payable from the date the original Statement of Contributions was issued to the date a revised Statement of Contributions is issued.

Reason

To ensure Section 7.12 development contributions are paid to assist in funding local infrastructure in Central Sydney.

(3) AFFORDABLE HOUSING CONTRIBUTION – RESIDUAL LAND OR CENTRAL SYDNEY – PAYMENT IN LIEU OF FLOOR SPACE CONTRIBUTION – PRIOR TO CONSTRUCTION CERTIFICATE

- (a) In accordance with the City of Sydney Affordable Housing Program and prior to the issue of any 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) The contribution is \$197,978.66 (indexed at 1 March 2026). This is calculated by establishing the sum of the equivalent monetary contribution \$11,223.28 multiplied by 3% of the total floor area for residential development (588 square metres).
- (c) If the contribution is paid after the indexation period in which the consent is granted, being 1 March 2026 to 28 February 2027, the above contribution will be adjusted according to the Sydney LGA median strata dwelling price ('MDP') using the following formula.
- (d) 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
 - (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 2026 to 28 February 2027.

Contact Council's Planning Assessment Unit for written confirmation of the amount payable, with indexation as necessary, prior to payment at:

planningsystemsadmin@cityofsydney.nsw.gov.au

Reason

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

(4) BUILDING HEIGHT

- (a) The height of the building must not exceed RL 54.39 (AHD) to the top of the roof of the building.
- (b) Prior to an Occupation Certificate being issued, 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.

(5) FLOOR SPACE RATIO - CENTRAL SYDNEY

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed 6.54:1 calculated in accordance with the Sydney Local Environmental Plan 2012. For the purpose of the calculation of Floor Space Ratio, the Gross Floor Area of the approved development is 2,073 square metres.
- (b) Prior to an 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.

(6) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) The acoustic glazing at level 5 must match the appearance of the existing glazing to ensure the uniformity of the existing facade.
- (b) The louvres required to the Randle Street facade in the document titled 'Design Memo', numbered EN-N26_002, revision number 01, dated 10 June 2026, and prepared by Integrated Group Services, must be depicted on the elevation. They must be designed in such a way as to minimise their visual impact on the existing facade of the building.

The modifications are to be submitted to and approved by Council's Area Coordinator, Planning Assessments, or Area Planning Manager prior to the issue of any Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(7) APPROVED DESIGN ROOFTOP PLANT

All roof-top plant and associated equipment must be located within the approved building envelope.

Reason

To ensure the constructed development complies with the approved height.

(8) REPAIRS AND WORKS FOR MAKING GOOD

All new repairs and works for making good of existing building fabric are to be carried out on a like for like basis and match the existing in terms of materials, colours, finishes, sizes, profile and properties.

Reason

To ensure repairs and works for making good are appropriate.

(9) AIR CONDITIONERS GENERALLY

No air-conditioning equipment is to be visible from the public domain. Equipment and associated wiring must:

- (a) not be located on awnings or attached to the face of the building
- (b) not be located on roofs in such a way that it is visible from any street, footpath or park
- (c) be visually screened if located 1.8 metres above ground level in other locations
- (d) wiring must be fully concealed.

Reason

To ensure the visual impact of air conditioners is minimised.

(10) NO AIR CONDITIONING UNITS TO FACADE OR BALCONIES OF BUILDING

Approval is not granted for the installation of individual air conditioning units to the facade or outdoor terraces of the building.

Reason

To clarify the scope of the consent.

(11) NO OBSTRUCTIONS

All public footways and paths of travel must be free from obstructions. If services are required to be relocated to clear paths of travel, then this must be undertaken at the developer's expense. All obstructions are to be removed prior to the issue of any type of Occupation Certificate.

Reason

To ensure there are no obstructions on public footways and paths of travel.

(12) 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.

(13) 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

(14) SURRENDER OF CONSENT

In accordance with Section 4.17(1)(b) and Section 4.17(5) of the *Environmental Planning and Assessment Act, 1979*, a notice of surrender of the following development consent must be provided to Council in writing by the owner of the land in accordance with Section 67 of the *Environmental Planning and Assessment Regulation, 2021*, prior to the issue of any Construction Certificate:

- (a) Development consent DU/2003/76, as modified by DU/2003/76/A, DU/2003/76/B, DU/2003/76/D and DU/2003/76/E.

Reason

To ensure that a previous development consent is surrendered in accordance with legislation.

(15) BASIX CERTIFICATE – DETAILS TO BE LODGED WITH A CONSTRUCTION CERTIFICATE

A copy of the required completed BASIX certificate accepted as part of this Development Consent with respect to the proposed residential building works, must be lodged with an application for any Construction Certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application.

Note: Any requirement detailed in the accompanying BASIX Certificate must be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with the EP&A Regulation, 2021.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate, which is a prescribed condition under Clause 75 of the EP&A Regulation, 2021.

(16) EXTERNAL WALLS AND CLADDING FLAMMABILITY

The external walls of the building including attachments must comply with the relevant requirements of the *Building Code of Australia*. Prior to the issue of any Construction Certificate and Occupation Certificate the Registered Certifier and the Principal Certifier must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the BCA; and

- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the BCA as proposed and as built.

Reason

To ensure the external walls and cladding comply with relevant requirements.

(17) STRUCTURAL CERTIFICATION FOR DESIGN – BUILDING CODE OF AUSTRALIA (ALL BUILDING CLASSES)

Prior to the issue of any Construction Certificate, structural details and a structural certificate for design by a qualified practising structural engineer and in accordance with Clause A5G3(1)(e) of the *Building Code of Australia* must be submitted to the satisfaction of the Registered Certifier.

Reason

To ensure structural certification is undertaken.

(18) 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 any 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.

(19) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- (a) A Construction Traffic Management Plan (CTMP) must be submitted to and approved by Council's Area Planning Manager or Area Coordinator, Planning Assessments, prior to any Construction Certificate being issued.
- (b) The CTMP must be prepared in accordance with the requirements at:

<https://www.cityofsydney.nsw.gov.au/construction-permits-approvals/prepare-construction-traffic-management-plan>
- (c) The approved CTMP must be complied with during any demolition and/or construction work.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

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

(20) DILAPIDATION REPORT

Subject to the receipt of permission of the affected landowner, dilapidation report/s of adjoining strata lots and buildings are to be prepared by an appropriately qualified practising structural engineer and submitted for the approval of the Registered Certifier prior to the issue of a construction certification.

Reason

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

(21) MATERIALS AND SAMPLES BOARD

A physical material sample board which specifies all proposed materials, finishes and colours, (including glazing samples with glass specifications VLT, U-Value, shading co-efficient etc., and visible rainwater goods and services) keyed to each building elevation must be submitted to and approved by Council's Area Coordinator, Planning Assessments, or Area Planning Manager prior to any Construction Certificate being issued.

The materials and samples board must not include generic material or colour descriptions or use terminology such as 'or similar'.

Reason

To require the submission of a materials and samples board following assessment of the development.

(22) GREEN ROOFS

- (a) The following documentation, by a qualified landscape architect or landscape designer must be submitted to and approved by Council's Area Coordinator, Planning Assessments, or Area Planning Manager, prior to the issue of any Construction Certificate.
 - (i) a statement or drawing showing how the green roof will be safely accessed for regular maintenance requirements, e.g. safety systems, and if this will be done by the resident or a contractor
 - (ii) details of soil types and depth including any mounding. The minimum soil depths for planting on structure must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers, excluding mulch and drainage layer
 - (iii) engineers report confirming structural capacity of building for proposed roof terrace loads
 - (iv) list of proposed plant species, including supply size

- (b) Prior to the issue of an Occupation Certificate, structural and waterproofing certifications for the green roof are to be submitted to and approved by the Principal Certifying Authority.
- (c) All landscaping in the approved plan must be complete prior to the issue of an Occupation Certificate.

Reason

To ensure that the inaccessible green roof is designed to accommodate suitable landscaping and to ensure that adequate maintenance procedures are put in place.

(23) REFLECTIVITY

Prior to issue of the 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%.

Reason

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

(24) CONTROL OF LIGHT INTO THE ENVIRONMENT

Lighting installed in the open and/or public spaces must comply with AS1158 series-lighting for roads and public spaces. The design and placement must be so that lighting does not create a nuisance or negatively affect the amenity of the surrounding neighbourhood, for that purpose lighting must comply with AS/NZS 4828.

Reason

To ensure external illumination is designed in accordance with the Australian Standards.

(25) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

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

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

Reason

To ensure that appropriate access and facilities are provided.

(26) LETTERBOXES

- (a) Details of the location and design of any letterbox(es) are to be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of a Construction Certificate.
- (b) Letterboxes are to be discreetly located, must not obstruct and/or dominate the public way and must be of a type and specification that minimises opportunities for mail theft.
- (c) Where possible, consideration should be given to locating letterboxes within secure building lobbies.

Note: The applicant is strongly advised to contact Australia Post to discuss how the letterboxes within the lobby will be accessed.

Reason

To ensure letterboxes are located in an appropriate location on the site to prevent mail theft.

(27) APPROVED ACOUSTIC REPORT

The report prepared by Pulse White Noise Acoustics Pty. Ltd. dated 26 May 2026, reference 260060 r3, and titled '17 Randle Street, Surry Hills Noise & Vibration Impact Assessment' 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.

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

Prior to the issue of a relevant 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 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 Certifier outlining any identified non-compliances.

Reason

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

(29) STORMWATER AND DRAINAGE

The drainage system is to be constructed in accordance with the City's standard requirements as detailed in the City of Sydney's Stormwater Drainage Manual. The development is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

Reason

To ensure the drainage system is constructed in accordance with Council's requirements.

(30) FLOOR TO CEILING HEIGHT

Prior to a Construction Certificate being issued, the Registered Certifier must ensure that all living rooms and bedrooms in sole occupancy units must have a minimum finished floor to ceiling height of not less than 2.7 metres.

Reason

To ensure an adequate minimum floor to ceiling height to provide an acceptable level of amenity.

(31) SEPARATE APPLICATION REQUIRED FOR CONSTRUCTION RELATED TEMPORARY STRUCTURES PLACED ON AND/OR ABOVE ROADS

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 prior to the installation of construction related temporary structures on and/or above roads.

The application form titled 'Application for Construction related Temporary Structures and the Code of Practice: Construction related Temporary Structures On and Above Roads' are available on the City's website.

Reason

To satisfy mandatory obligations under the *Roads Act, 1993* and *Local Government Act, 1993*.

(32) DESIGN MODIFICATIONS – IF REQUIRED

Should any minor design changes be required as part of any ongoing further detailed design of the temporary structures, these changes must be approved by Council prior to a Construction Certificate being issued. These changes will only be accepted in circumstances where the hoarding design will not cause any greater impact on the amenity and/or safety of adjoining building occupants and the public.

Note: the issuing of a separate temporary structure permit which approves the final design and ultimately permits the installation of a temporary structure on the road reserve can be taken as confirmation that the minor design changes have been considered and accepted by Council in respect to this condition.

Reason

To ensure the final detailed design drawings of a temporary structure located on public land are considered and approved by Council prior to installation.

(33) DETAILED DRAWINGS FOR CONSTRUCTION RELATED TEMPORARY STRUCTURES

Detailed drawings of temporary structures proposed for placement on and/or above roads (including structural design details) in accordance with the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' must be submitted to and approved by Council as part of the separate *Local Government Act, 1993* and *Roads Act, 1993* application.

Reason

To ensure the final detailed design drawings of a construction related temporary structure located on and/or above roads are considered and approved by Council prior to installation.

(34) 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, add visual interest and public art in the streetscape.
- (b) The installation must be printed, installed and maintained in accordance with the City's Code of Practice: Construction related Temporary Structures On and Above Roads. Details of the proposed installation must be submitted to and approved by Council prior to the issue of any Construction Certificate or work commencing.

Note: Refer to Table 1 and Clause 6.1.8 in Part 06 of the City's Code of Practice for further information and requirements.

Reason

To minimise adverse visual impacts on the locality.

(35) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

The Operational Waste Management Plan dated June 2026 accompanying the Development Application has been approved by this consent responsive to architectural drawings referred to in condition (1) of this development consent.

Should the architectural drawings be updated, an updated Operational Waste Management Plan must be submitted to Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of any Construction Certificate.

Reason

To document agreed waste management facilities and arrangements and ensure good waste management outcomes.

(36) WASTE INFRASTRUCTURE – RESIDENTIAL

Prior to the issue of a Construction Certificate, detailed plans, and specifications for the construction of waste management facilities must be submitted for review by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager. The waste management facilities to be provided responsive to Council's controls, policies, and guidelines, including but not limited to:

- (a) Waste and recycling stream(s) storage area(s) to be designed and constructed in accordance with Reference D of *Council's Guidelines for Waste Management in New Developments*. Floors to be waterproofed across all intersections that extend a minimum 1200mm high on the walls.

Reason

To allow for the safe and hygienic storage of waste and recycling and support provision of a safe and efficient waste collection service.

BEFORE BUILDING WORK COMMENCES

(37) OPERATING HOISTING DEVICES OVER A PUBLIC ROAD

If it is proposed to install a operate a hoisting device above a road (typically footways) including swinging, hoisting material/equipment and slewing any part of the device, 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 prior to the installation of such devices.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure appropriate approvals are sought for operating hoisting devices.

(38) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON AND/OR ABOVE A PUBLIC ROAD AND OPERATING HOISTING DEVICES 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 construction related temporary structures (hoardings/scaffolding) on and/or above a public road the structures must comply fully with Council's Code of Practice: Construction related Temporary Structures On and Above Roads; 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 2.8);
 - (iii) bill posters and graffiti being removed within 24 hours of their placement (Clause 2.12.2);
 - (iv) maintaining temporary structures and the public space adjoining the worksite in a clean and tidy condition including repainting and/or repair of graphics (Clauses 2.12.2, 2.12.1(d), 3.8.17(c), and 3.10.2(g));
 - (v) maintaining a watertight deck (Type-B hoardings) to prevent liquids including rainwater, falling onto the footway/roadway surfaces (Clauses 3.5.2(h) and 3.11.3);
 - (vi) approved site sheds and equipment on the decks of a Type-B hoarding being fully screened from the public place (Clause 3.5.2(c));

- (vii) material and equipment not being placed or stored on the deck of Type-B hoardings, unless specifically approved by Council (Clause 3.15.5(a));
- (viii) providing and maintaining operational artificial lighting systems under Type-B hoardings including at high-bay truck entry points (Clause 3.16); and
- (ix) ensuring all required signage, artwork or historic images are provided and fully maintained to the City's requirements (Part 06).

If it is proposed to operate a hoisting device 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: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the necessary approval is obtained for construction related temporary structures and hoisting activities over a public road.

(39) OTHER REQUIRED APPROVALS

Any structure, attachment or activity which is proposed to be undertaken in, on or above a road reserve or the public domain (including a public footway) must have separate approval(s) obtainable through the lodgement of an application under Section 68 of the *Local Government Act, 1993* and/or Section 138/139 of the *Roads Act, 1993* prior to the commencement of work/activities within the road reserve/public domain. Such activities include but not limited to:

- (a) installation of construction-related temporary structures including hoardings/scaffolding which must comply with the Code of Practice; Construction related Temporary Structures On and Above Roads;
- (b) installation and/or alterations to advertising/business signs;
- (c) installation and/or alterations to street awnings;
- (d) crane operation and hoisting activities over roads and which must comply with the Code of Practice: Hoisting and Construction Activities On and Above Roads;
- (e) temporary works (e.g. barricading, road openings, mobile hoisting devices) which must comply with Code of Practice: Hoisting and Construction Activities On and Above Roads;
- (f) works zones (for loading and unloading from the roadway); and
- (g) temporary ground-anchoring and shoring to support a roadway when excavating; and

- (h) any other structure or encroachment including facade elements/architectural features.

Reason

To ensure use of a public place is managed appropriately.

DURING BUILDING WORK

(40) 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, 2025* 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
- (iii) site activities and time frames.

Reason

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

(41) COMPLIANCE WITH NATIONAL CONSTRUCTION CODE

All proposed work must comply with the *National Construction Code (previously known as Building Code of Australia)*.

Reason

Prescribed condition under clause 69 of the EP&A Regulation 2021.

(42) HOURS OF WORK AND NOISE

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 (e.g. 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*.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the surrounding area.

(43) LIGHTING OF SITE OUTSIDE OF STANDARD CONSTRUCTION HOURS

Lighting of the site while any work is undertaken outside of Council's standard hours of construction must ensure that at no time must the intensity, hours of illumination or location of the lighting cause objectionable glare or injury to the amenity of the neighbourhood or Obtrusive Light in accordance with the definition in Australian Standard AS4282-2023 *Control of the obtrusive effects of outdoor lighting*. If in the opinion of Council, injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury to nearby residents.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the surrounding area.

(44) 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 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 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 Code of Practice: Construction related Temporary Structures On and Above Roads.

Reason

Prescribed condition under Clause 70 of the EP&A Regulation 2021.

(45) NOTIFICATION OF EXCAVATION WORKS OR USE OF HIGH NOISE EMISSION APPLIANCES/PLANT

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

Reason

To protect the amenity of the surrounding area.

(46) USE OF HIGH NOISE EMISSION APPLIANCES / PLANT

- (a) The operation of high noise emission appliances, plant and/or machinery such as pile – drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* is restricted to the hours of 9.00am to 5.00pm, Monday to Friday inclusive.
- (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.

(47) COVERING OF LOADS

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

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information and requirements.

Reason

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

(48) VEHICLE CLEANSING

Prior to the commencement of work, suitable measures are to be implemented to ensure that demolition materials, or 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information and requirements.

Reason

To ensure sediment is not tracked onto the roadway.

(49) 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.

Note: Refer also to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the public domain.

(50) 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.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To protect the amenity of the public domain.

(51) 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*.

Note: Refer to the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure mobile cranes are used appropriately.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(52) BASIX

All commitments listed in each relevant BASIX Certificate for the development must be fulfilled prior to any Occupation Certificate being issued.

Reason

To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate, which is a prescribed condition under clause 75 of the EP&A Regulation 2021.

(53) PHYSICAL MODELS

- (a) 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 Coordinator Planning Assessments/Area Planning Manager for the City Model in Town Hall House.

Note:

- (i) The models must be constructed in accordance with the Model Specifications available online at:

<https://www.cityofsydney.nsw.gov.au/design-codes-technical-specifications/requirements-scale-models>

- (ii) Council's modellers must be consulted prior to construction of the model.
- (ii) The models are to comply with all of the conditions of the Development Consent.
- (iii) The models must be amended to reflect any further modifications to the approval (under Section 4.55 of the *Environmental Planning and Assessment Act, 1979*) that affect the external appearance of the building.

Reason

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

(54) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO OCCUPATION CERTIFICATE

- (a) Prior to any Occupation Certificate being issued, an accurate 1:1 electronic CAD model of the completed development must be submitted to and approved by Council's Area Coordinator Planning Assessments/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:
<https://www.cityofsydney.nsw.gov.au/design-codes-technical-specifications/requirements-scale-models>
- (d) 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.

(55) CONSTRUCTION AND INSTALLATION OF VENTILATION SYSTEM

Prior to the issue of an Occupation Certificate, confirmation that the mechanical exhaust system has been constructed and installed in accordance with the approved plans must be prepared by a suitably qualified person and submitted to the Certifier.

Reason

To ensure the premises is added to Council's database to allow for appropriate inspections.

(56) VERIFICATION OF ACOUSTIC REPORT PRIOR TO OCCUPATION CERTIFICATE

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.

(57) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

- (a) Prior to the issue of an Occupation Certificate, Council's review and written approval of the as-built waste infrastructure, facilities, and vehicle access is required. The City Cleansing & Resource Recovery Unit of Council must be satisfied that:
 - (i) All waste management facilities, storage, and collection infrastructure comply with the stamped plans, approved Operational Waste Management Plan and Council's *Guidelines for Waste Management in New Developments*, the Sydney Development Control Plan 212, and the conditions of this development consent.
- (b) Site inspections are to be conducted by Council's City Cleansing & Resource Recovery Unit to review the site on-site waste collection, storage and infrastructure prior to the issue of an Occupation Certificate. The inspections are to be conducted a minimum 6-months prior to projects anticipated construction completion. Prior to the inspection an electronic copy of the latest architectural drawings are to be submitted.
- (c) An updated Operational Waste Management Plan is to be submitted to Council's City Cleansing & Resource Recovery Unit that aligns with the latest version of architectural plans and waste related updates identified during the site inspections. The plan is to be reviewed by Council's City Cleansing & Resource Recovery Unit and approved by Council's Area Planning Manager prior to the issue of an Occupation Certificate.
- (d) The developer is to enter into a formal agreement with the City of Sydney Council for the utilisation of Council's Waste Collection Service. A signed agreement is to be submitted to Council's City Cleansing & Resource Recovery unit prior to the issue of an Occupation Certificate.

- (e) The assigned strata manager for the development and direct contact details are to be provided to Council's City Cleansing & Resource Recovery Unit prior to the issue of an Occupation Certificate.

Reason

To ensure that facilities and arrangements are in place to enable the provision of a safe and efficient waste collection service responsive to Council's policies and contractual service provisions.

(58) STRATA PLAN TO BE SUBMITTED

Prior to the issue of any Occupation Certificate, a Strata Subdivision of Lot 3 and common property in SP 71953 shall be registered at NSWLRS. The registered strata plan shall be provided to the Council and PCA prior to the issue of any Occupation Certificate.

Reason

To ensure the site is authorised for occupation and common property amended.

OCCUPATION AND ONGOING USE

(59) 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.

(60) ENCROACHMENTS – NEIGHBOURING PROPERTIES

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

Reason

To protect neighbouring properties.

(61) ENCROACHMENTS – PUBLIC WAY

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

Reason

To protect the public way.

(62) 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.

(63) 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.

(64) SCHEDULED COLLECTIONS – SINGLE UNIT DWELLINGS

Residential waste storage and collection arrangements must be conducted in accordance with the City's Local Approvals Policy *Managing Waste in Public Spaces* which requires waste bins to be stored on site at all times and only presented on the street during scheduled collection times. Bins must be placed in a single row along kerbside on Randle Street prior to collection.

Reason

To support the safe and efficient scheduled residential waste collection service and minimise the impacts on public amenity and safety.

STRATA SUBDIVISION

BEFORE ISSUE OF A STRATA CERTIFICATE

(65) STRATA SUBDIVISION – APPROVAL OF STRATA PLAN REQUIRED

A separate application must be made to Council or a Registered Strata Certifier to obtain approval of the Strata Plan and issue of a Strata Certificate under the *Strata Schemes Development Act 2015*.

Reason

To ensure separate approval is obtained for approval of the Strata Plan.

(66) OWNERS CORPORATION CERTIFICATION

- (a) Prior to the issue of a Strata Certificate, and in accordance with the provisions of Section 54 and 55 or 58 and 59 of the Strata Schemes Development Act 2015, the Strata Plan Administration Sheet is to show, or be accompanied by, appropriate certification that the Owners Corporation has consented to the subject subdivision.
- (b) The final Strata Plan Administration sheets must contain endorsed Approved Form 10, Approved Form 11 and Approved Form 12, where applicable.

Reason

To ensure that the Owners Corporation has consented to the subject subdivision of common property.

(67) ADDITIONAL EASEMENTS

Any additional easements or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision must be created over appropriate lots in the subdivision, pursuant to Section 88B of the Conveyancing Act 1919 and to Council's satisfaction.

Reason

To ensure the orderly operation of the strata scheme.

(68) USE OF COMMON AREAS AND FACILITIES

Any common areas or common facilities must be available for the use all occupants of the building and must be designated as common property on any strata subdivision of the site, with no exclusive use rights.

Reason

To ensure designated areas within the strata scheme are maintained as common property.

(69) HEIGHT LIMITATIONS

Appropriate height limitations are to be nominated on the final Plan of Strata Subdivision for those parts of lots in the Strata Plan that are not roofed or covered. The rooftop lot is not to be unlimited in height.

Reason

To ensure the orderly establishment of the strata scheme.

(70) STREET ADDRESS – PRIOR TO STRATA CERTIFICATE

In accordance with Clause 61 of the *Surveying and Spatial Information Regulation 2024*, the street address for the lot must be shown on the Administration Sheet for the strata plan. An application must be made to Council's Spatial Services Unit prior to the lodgement of any strata certificate application, to obtain the correct street address for the lot. The street address allocated by Council must be provided to the registered surveyor for inclusion in a schedule on the Administration Sheet.

Reason

To ensure compliance with the provisions of the *Surveying & Spatial Information Regulation 2024*.

(71) RESTRICTION ON THE USE OF LAND - RESIDENTIAL DEVELOPMENT

A restriction on the use of land must be created pursuant to Section 88B of the Conveyancing Act, 1919 with the strata plan, in the following terms burdening the residential strata lots and to the satisfaction of Council:

- (a) The residential apartment lots (Levels 5 & 6) must be used as permanent residential accommodation only and not for the purpose of a boarding house or hostel, hotel or motel accommodation, serviced apartments, tourist and visitor accommodation or the like, other than in accordance with the *Sydney Local Environmental Plan 2012*.
- (b) No change of use of those strata lots from "residential" as defined in *Sydney Local Environmental Plan 2012* is permissible. The restriction is to be registered on title prior to any Strata Certificate being issued or the use commencing, whichever is earlier.
- (c) If a unit contains tenants, it must be subject to a residential tenancy agreement for a term of at least three months.
- (d) No person can advertise or organise the use of residential apartments approved under this consent for short term accommodation or share accommodation.

Reason

To ensure the residential accommodation portion of the site is used for permanent residential purposes.

SCHEDULE 2

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>.

SCHEDULE 3

AUSGRID CONDITIONS

The conditions of consent relating to Section 2.48 of the State Environmental Planning Policy (Transport and Infrastructure) 2021, as advised by Ausgrid, are as follows:

Ausgrid Underground Cables are in the vicinity of the development.

Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.

It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA)

In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:

SafeWork Australia – Excavation Code of Practice.

Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables.

The following points should also be taken into consideration.

Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed.

Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing.

Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

New Driveways - Proximity to Existing Poles

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

New or modified connection

To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; <https://www.ausgrid.com.au/Connections/Get-connected>

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by

visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

Should you require further information please contact Ausgrid via email to Development@ausgrid.com.au

SCHEDULE 4

TRANSPORT FOR NEW SOUTH WALES CONDITIONS

The conditions of consent relating to Section 2.98 of the State Environmental Planning Policy (Transport and Infrastructure) 2021, as advised by Transport for New South Wales, are as follows:

Protection of Sydney Light Rail Infrastructure and Operation

General

- The applicant must comply with all Altrac Light Rail Partnership (Altrac) or any subsequent operator of Sydney Light Rail (Sydney Light Rail Operator) policies, rules and procedures when working in and about the Sydney Light Rail corridor;
- The applicant must comply with the requirements of ASA standards T HR CI 12090 ST Airspace and External Developments version 1.0 and Development Near Rail Corridors and Busy Roads- Interim Guidelines;
- The applicant shall submit a Work Access Permit to the Sydney Light Rail operator for approval for any works that will require access to the SLR Corridor, closedown or possession of the Light Rail Corridor. The Work Access Permit will need to be applied for all proposed works at least 10 working days prior to the commencement of works by following the link <https://www.transdevsydney.com.au/workaccesspermits/>
- The Applicant shall submit a Road Occupancy Licence (ROL) application to the Transport Management Centre (TMC) for its approval when the applicant is planning to occupy space on Chalmers Street and Randle Street that affects traffic and transport operation along Chalmers Street and Randle Street. An ROL will need to be applied for all proposed works at least 10 working days prior to the commencement of works by following the link <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
- The applicant shall provide safe and unimpeded access for Sydney Light Rail patrons traversing to and from the Sydney Light Rail stops at all times;

Prior to the Issue of the Construction Certificate

Review and Endorsement of Documents

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the following documentation shall be provided for the review and endorsement of TfNSW:

- Details of craneage including Craneage Swing (Radius) Plans and Craneage Collapse Plans;
- Demolition plans; and
- Construction methodology and construction program.

Pre-construction Work Dilapidation Report

A pre-construction work Dilapidation Report of the Sydney Light Rail and its assets shall be prepared by a qualified structural engineer. The dilapidation survey shall be undertaken via a joint site inspection by the representatives of the Sydney Light Rail Operator, TfNSW and the applicant. These dilapidation surveys will establish the extent of existing damage and enable any deterioration during construction to be observed.

Acoustic Assessment

Prior to the issue of the relevant Construction Certificate, the final acoustic assessment is to be submitted to PCA demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.

Reflectivity Report

Prior to the issue of the relevant Construction Certificate, the applicant shall design lighting, signs and surfaces with reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor limiting glare and reflectivity to the satisfaction of Altrac, TfNSW and the Sydney Light Rail Operator.

Balconies and Windows

Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (e.g., roof terraces and external fire escapes) that are within 20 metres of, and face, the light rail corridor, the development must have mitigation measures (e.g., awning windows, louvres, enclosed balconies, window restrictors etc) installed to prevent throwing of objects onto the rail corridor or as otherwise agreed by TfNSW as per Technical Direction TD 00015:2023. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

Insurance Requirements

Prior to the issue of the relevant Construction Certificate, the applicant must hold current public liability insurance cover for a sum acceptable to TfNSW. TfNSW's standard public liability insurance requirement for this type of development adjacent to a rail corridor is minimum of \$250M. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The applicant is to contact TfNSW to obtain the level of insurance required for this particular proposal. Prior to issuing the relevant Construction Certificate the PCA must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.

Works Deed / Agreements

Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, if required by TfNSW, Works Deed (s) between the applicant, TfNSW and/or Altrac and the Sydney Light Rail Operator must be agreed and executed by the parties. These agreements may deal with matters including, but not limited to, the following:

- Sydney Light Rail Operational requirements;

- Sydney Light Rail access requirements;
- Altrac and Sydney Light Rail Operator policies, rules and procedures compliance requirements;
- Indemnities and releases;
- Security of costs;
- Insurance requirements and conditions;
- TfNSW, Altrac and the Sydney Light Rail Operator's recovery of costs from the applicant for costs incurred by these parties in relation to the development (e.g. review of designs and reports, legal, shutdown /power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;
- Interface coordination between the Sydney Light Rail Operator and the subject development construction works, including safety interface;
 - Interface Assess Deed Poll and Safety Interface Agreement between the applicant and the Sydney Light Rail Operator must be agreed and executed by the parties. This agreement may deal with matters including, but not limited to, the following:
 - Pre and post construction dilapidation reports;
 - The need for track possessions;
 - Review of the machinery to be used during excavation/ground penetration / construction works;
 - The need for track monitoring;
 - Design and installation of lights, signs and reflective material;
 - Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements SWMS);
 - Endorsement of plans regarding proposed craneage and other aerial operations;
 - Erection of scaffolding/hoarding;
 - Light Rail Operator's rules and procedures; and
 - Alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the applicant.
- Altrac and the Sydney Light Rail Operator's reviews and impact assessment of the applicant's proposal, engineering design and construction works methodology on Sydney Light Rail Operations and assets;

- Attendance and participation in the construction works risk assessment of construction activities to be performed in, above, about, and/or below the Sydney Light Rail Corridor;
- Arrangements for shutdowns and Sydney Light Rail restricted operations related costs attributed to the applicant; and
- Sydney Light Rail site works access approval and access permit to work.

Construction Pedestrian and Traffic Management

Prior to the issue of any construction certificate, the applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW and submit a copy of the final plan to TfNSW for endorsement via development.CTMP.CJP@transport.nsw.gov.au. The CPTMP needs to specify matters including, but not limited to, the following:

Site information and building construction plan

- A description of the development;
- Proposed Construction program and construction methodology;
- Construction hours;
- A detailed plan of any proposed hoarding and/or scaffolding;
- Details of crane arrangements including location of any crane(s);
- Location(s) where it is proposed to park construction vehicle;
- Location of any proposed work zone(s);

Access and movement

- Pedestrian, cyclists and traffic management measures;
- Haulage routes;
- Material handling plan;
- Predicted number of construction vehicle movements and detail of vehicle types;

Impacts

- Identify any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- Cumulative construction impacts of projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the surrounding road network;

Mitigation

- Measures to minimise movement delays. i.e. Vehicle movements are to be minimised during peak network demand periods;
- Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads;
- Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP;
- Measures to avoid construction worker vehicle movements;

Ongoing activities

- Details of the monitoring regime for maintaining the simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site;
- Consultation strategy for liaison with surrounding stakeholders, including other developments under construction; and
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and the Transport Management Centre and Transport for NSW (via development.CTMP.CJP@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

During Construction

- Construction vehicles shall not be stopped or parked adjacent to the site on Randle Street and Chalmers Street at any time without prior approval of TfNSW;
- Access to 30-38 Chalmers Street shall not be restricted without prior written approval from TfNSW, as this access is required to facilitate Light Rail maintenance activities;
- Safe Work Method Statement describes the specific hazards identified for the high risk construction work to be undertaken and the control measures shall be in place so the work is carried out safely including machinery to be used/operated especially tower cranes/mobile cranes with associated safety measures to be taken;
- No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation;
- During all stages of the development extreme care shall be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the applicant;

- Rainwater from the roof must not be projected and/or falling into the rail corridor/assets and must be piped down the face of the building which faces the rail corridor. Given the site's location next to the rail property, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from TfNSW and the Sydney Light Rail Operator (or the delegated authority); and
- No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the Sydney Light Rail Operator and TfNSW and a physical barrier such as a hoarding or structure provides separation. To obtain approval the applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.

Prior to the Issue of the Occupation Certificate

Post - construction Dilapidation Report

Prior to the Issue of the Occupation Certificate, a post-construction dilapidation survey shall be undertaken via a joint inspection with representatives from TfNSW, Altrac, the Sydney Light Rail Operator and the applicant. The dilapidation survey will be undertaken on the rail infrastructure and property in the vicinity of the project. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report to TfNSW and the Sydney Light Rail Operator will be required unless otherwise notified by TfNSW. The applicant needs to undertake rectification of any damage to the satisfaction of TfNSW and the Sydney Light Rail Operator and if applicable the local council.

Reflectivity Report

Prior to the Issue of the Occupation Certificate, the applicant shall demonstrate that lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor were installed limiting glare and reflectivity to the satisfaction of TfNSW, Altrac and the Sydney Light Rail Operator.

SCHEDULE 5

SYDNEY WATER CONDITIONS

The conditions of consent relating to Section 71 of the *Sydney Water Act, 1994*, as advised by Sydney Water, are as follows:

Prior to the issue of an Occupation/Subdivision Certificate:

Section 73 Compliance Certificate

A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. The compliance certificate also identifies any applicable Infrastructure Contribution charges. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

Prior to the issue of a Construction Certificate/Complying Development Certificate:

Building Plan Approval (including Tree Planting Guidelines)

The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to [Sydney Water Tap in®](#) to apply.

Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.

Tree Planting

Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.

For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.

For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's [Technical guidelines – Building over and adjacent to pipe assets](#).