Attachment A

Recommended conditions of consent

SCHEDULE 1

GENERAL CONDITIONS

(1) STAGED CONSTRUCTION CERTIFICATES

(a) The works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a construction certificate for each stage as follows:

Stage	Works
1	Demolition of existing buildings
2	Bulk excavation and shoring
3	Basement structure to ground level slab
4	Superstructure from ground level to level 5
5	Superstructure from level 6 to roof
6	Basement fitout
7	Ground level to level 5 fitout and façade
8	Level 6 to roof fitout and facade
9	Landscaping, external works and public domain works

(2) APPROVED DEVELOPMENT

(a) Development must be in accordance with the following drawings prepared by BVN:

Drawing Number	**Drawing Name**	**Date**
AR-DA-01A-00-10 Issue 3	Site Plan	11.09.26
AR-DA-10B-00-00 Issue 16	General Arrangement Plan - Level 00	11.09.26
AR-DA-10B-01-00 Issue 15	General Arrangement Plan - Level 01	11.09.26

Drawing Number	Drawing Name	Date
AR-DA-10B-02-00 Issue 15	General Arrangement Plan - Level 02	11.09.26
AR-DA-10B-03-00 Issue 15	General Arrangement Plan - Level 03	11.09.26
AR-DA-10B-04-00 Issue 15	General Arrangement Plan - Level 04	11.09.26
AR-DA-10B-05-00 Issue 15	General Arrangement Plan - Level 05	11.09.26
AR-DA-10B-06-00 Issue 15	General Arrangement Plan - Level 06	11.09.26
AR-DA-10B-07-00 Issue 15	General Arrangement Plan - Level 07	11.09.26
AR-DA-10B-08-00 Issue 15	General Arrangement Plan - Level 08	11.09.26
AR-DA-10B-09-00 Issue 15	General Arrangement Plan - Level 09	11.09.26
AR-DA-10B-10-00 Issue 15	General Arrangement Plan - Level 10	11.09.26
AR-DA-10B-11-00 Issue 15	General Arrangement Plan - Level 11	11.09.26
AR-DA-10B-12-00 Issue 15	General Arrangement Plan - Levels 12, 13, 14 & 15	11.09.26
AR-DA-10B-13-00 Issue 15	General Arrangement Plan - Levels 16, 17, 18 & 19	11.09.26
AR-DA-10B-14-00 Issue 15	General Arrangement Plan - Levels 20, 21, 22 & 23	11.09.26
AR-DA-10B-15-00 Issue 15	General Arrangement Plan - Levels 24, 25, 26 & 27	11.09.26
AR-DA-10B-16-00 Issue 15	General Arrangement Plan - Levels 28, 29, 30 & 31	11.09.26

Drawing Number	Drawing Name	Date
AR-DA-10B-17-00 Issue 15	General Arrangement Plan - Levels 32, 33, 34 & 35	11.09.26
AR-DA-10B-18-00 Issue 15	General Arrangement Plan - Levels 36 & 37 & 38 & Plant Roof	11.09.26
AR-DA-10B-B1-00 Issue 15	General Arrangement Plan - Level B1	11.09.26
AR-DA-10B-B2-00 Issue 15	General Arrangement Plan - Level B2	11.09.26
AR-DA-10B-B3-00 Issue 15	General Arrangement Plan - Level B3	11.09.26
AR-DA-10B-B4-00 Issue 15	General Arrangement Plan - Level B4	11.09.26
AR-DA-10B-B5-00 Issue 10	General Arrangement Plan - Level B5	11.09.26
AR-DA-10B-B6-00 Issue 7	General Arrangement Plan - Level B6	11.09.26
AR-DA-10D-XX-00 Issue 14	Elevations - North & East	11.09.26
AR-DA-10D-XX-01 Issue 13	Elevations - South & West	11.09.26
AR-DA-10D-XX-02 Issue 13	Courtyard Elevations	11.09.26
AR-DA-10E-XX-01 Issue 11	Sections	11.09.26
AR-DA-10Y-00-01 Issue 5	Schedule of Finishes	11.09.26
AR-DA-21B-XX-00 Issue 4	Demolition Plan	11.09.26

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.

(3) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

(a) The following details from the design report prepared by BVN dated 18.09.2026 are to be included as part of the approved plans:

(i) Facade condition drawings (pages 22, 23, 24)

(ii) Splayed glazing detail (page 25)

(iii) Stone detail (page 44)

(b) One car parking space deleted (Refer to Condition 'Allocation of Parking')

(c) Replacement plantings of street trees are to be shown within a public domain plan. If the footpath area is deemed unsuitable for replacement planting, then in-road planting must be considered as an alternative location.

The modifications are to be submitted to and approved by Council's Executive Director City Planning, Development & Transport prior to the issue of the Stage 3 Construction Certificate.

Reason

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

(4) COMPLIANCE WITH SUBMITTED MATERIALS AND SAMPLES BOARD

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, and specifications prepared by BVN Ref: AR-DA-10Y-00-01 Issue 5, Dated 11.09.26.

Reason

To ensure all parties are aware of the approved materials and finishes that apply to the development.

(5) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

(a) The Floor Space Ratio for the use must not exceed 7.7:1; for the residential use must not exceed 7.6; and for the retail use must not exceed 0.1:1 calculated in accordance with Sydney Local Environmental Plan 2012. For the purposes of the calculation of FSR, the Gross Floor Area of the retail component is 407.2sqm, for the residential component is 23577.5sqm, and the total Gross Floor Area is 23984.7sqm.

(b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under 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) BUILDING HEIGHT

(a) The height of the building must not exceed RL 140.8(AHD) to the top of the building and RL 137.0 (AHD) to the parapet 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.

(7) DESIGN QUALITY EXCELLENCE

(a) As the proposal has been awarded bonus floor space or height for achieving design excellence and in order to ensure the design quality excellence of the development is retained to completion:

(i) The design architect(s) comprising BVN is/are 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(s) is/are 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 must be provided to the Council prior to release of the Construction Certificate.

(b) The design architect of the project is not to be changed without prior notice and approval of the Council's Executive Director 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.

(8) REFLECTIVITY

The recommendations of the Reflectivity Report prepared by SLR Consulting titled “Solar Reflectivity Assessment, 26-38 Saunders Street, Pyrmont”, Ref: 610.033669.00001, Rev:R01-v2.0, dated 16 September 2026 are to be implemented in the final design, with details illustrating compliance with this condition to be submitted to the Certifying Authority prior to the issue of the Stage 7 & 8 Construction Certificates.

Reason

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

(9) LAND SUBDIVISION – SEPARATE DA REQUIRED

Any proposal to subdivide the site, including any stratum subdivision of the building/site into its separate components, will require a separate application through the NSW Planning Portal to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 6.15 of the Environmental Planning and Assessment Act 1979.

Reason

To ensure separate development consent is sought for land subdivision.

(10) STRATA SUBDIVISION – DEVELOPMENT CONSENT

Any proposal for strata subdivision will require development consent and therefore the lodgement of a separate development application or complying development application and subsequent approval from Council, or an Registered Strata Certifier, of the Strata Plan – and issue of a Strata Certificate, under the Strata Schemes Development Act 2015.

Reason

To ensure separate development consent is sought for strata subdivision.

(11) AFFORDABLE HOUSING CONTRIBUTION - GREEN SQUARE - EMPLOYMENT LANDS - CENTRAL SYDNEY - RESIDUAL LANDS - ULTIMO PYRMONT - 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 the Stage 1 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 in accordance with this condition.

(b) The contribution is $11,232,146.39 (indexed for the period 1 March 2026 to 28 February 2027). This is calculated by establishing the sum of the equivalent monetary contribution $11,223.28 multiplied by 1% of the total floor area for non-residential development (980sqm) and the equivalent monetary contribution $11,223.28 multiplied by 3% of the total floor area for residential development (33,033sqm).

(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 x MDP2 / 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 applicable at the time of indexation of the equivalent monetary contribution rate, established by averaging the four most recently published NSW Government Rent and Sales Reports for the current period; and

(iii) MDP1 is the Median Strata Dwelling Price in Sydney LGA taken from the NSW Government Rent and Sales Reports used to establish the currently applicable equivalent monetary contribution rate, being 1 March 2026 to 28 February 2027 March.

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.

(12) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of the Stage 3 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)	$1,061,779.90
Transport project component	$1,663,759.65
Total housing and productivity contribution	$2,725,539.55

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.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

Reason

To require contributions towards the provision of regional infrastructure.

(13) SECTION 7.11 CONTRIBUTIONS PAYABLE - CONTRIBUTION TOWARDS PUBLIC AMENITIES – CITY OF SYDNEY DEVELOPMENT CONTRIBUTIONS PLAN 2015 – WEST PRECINCT

Council has identified the development will increase demand for public amenities and facilities. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act, 1979 (as amended), and the City of Sydney Development Contributions Plan 2015 the following monetary contributions are required towards the cost of public amenities.

Contribution Category	Amount
Open Space	$1,400,458.86
Community Facilities	$456,556.42
Traffic and Transport	$3,499.00
Stormwater Drainage	$0.00
Total	$1,860,514.28

The City of Sydney will index the above contribution for inflation at the time of payment using the following formula.

Cpayment = Cconsent x (CPIpayment ÷ CPIconsent)

Where:

Cpayment = Is the contribution at time of payment;

Cconsent = Is the contribution at the time of consent, as shown above;

CPIpayment = Is the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics that applies at the time of payment; and

CPI1consent = Is the Consumer Price Index (All Groups Index) for Sydney at the date the contribution amount above was calculated being – 102.49 for the quarter June 2026.

The contribution must be paid prior to the issue of the Stage 3 Construction Certificate in relation to this development.

Please contact Council's Planning Administration staff at planningsystemsadmin@cityofsydney.nsw.gov.au to request a letter confirming the indexed contribution amount payable.

Once the letter confirming the indexed contribution is obtained, payment may be made at any of the City's Neighbourhood Service Centres or the One Stop Shop at Town Hall House. Payments may be made by EFTPOS (direct 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. Larger payments to be by direct bank transfer in consultation with the City. Direct debit, personal cheques and company cheques will not be accepted.

Reason

To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

(14) ALLOCATION FOR CAR WASH BAYS

If car wash bays are provided, spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by all tenants.

Reason

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

(15) PARKING ON COMMON PROPERTY AREAS

No part of the common property, apart from the visitor vehicle spaces which are to be used only by visitors to the building, and service vehicle spaces which are to be used only by service vehicles, is to be used for the parking or storage of vehicles or boats. The strata subdivision of the building is to include an appropriate restriction on the use of the land pursuant to Section 88B of the Conveyancing Act 1919, so burdening common property, with the Council being the authority to release, vary or modify the restriction. The terms of the restriction must be to the satisfaction of Council.

Reason

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

(16) ALLOCATION FOR VISITOR PARKING

Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.

All spaces must be clearly marked ‘visitor’ prior to the issue of any occupation certificate or the use commencing, whichever is earlier. All signs must be maintained in good order at all times.

Reason

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

(17) 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.

(18) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the accessible car spaces and any storage spaces must form part of the adaptable strata lot in any future strata subdivision of the building.

Reason

To ensure accessible vehicle parking spaces are allocated to adaptable units.

(19) 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.

(20) 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.

(21) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 10.6m.

Reason

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

(22) 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.

(23) 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.

(24) CHANGES TO KERB SIDE PARKING RESTRICTIONS

A separate submission must be made to the City's Traffic Operations team to approve any changes to kerb side parking arrangements. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use. The proposal may require a submission to the Local Pedestrian, Cycling, Traffic Calming and Transport Forum (LPCTCTF) for advice.

The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include chainages to all signs and stems from the kerb line of the nearest intersection.

All costs associated with the parking proposal will be borne by the developer.

Note: As parking in the LGA is at a premium, it is recommended that the applicant should approach the Area Traffic Engineer to discuss the proposal before making a submission.

Reason

To require separate consent to be obtained for changes to kerb side parking arrangements.

(25) VEHICLE ACCESS

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

Reason

To increase pedestrian safety at the site access.

(26) 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.

(27) PAVING MATERIALS

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

Reason

To ensure appropriate and safe paving materials are used.

(28) GREEN ELECTRICAL PILLARS (PRIVATE SUPPLY)

Prior to lodgement with Ausgrid, the developer must submit the Ausgrid Services Plan to the City of Sydney Public Domain Unit for review and comment. The plan is to clearly identify the location of all proposed electrical assets within the public domain. The plan is to demonstrate a clear path of travel with no obstructions, in accordance with the City's Inclusive and Accessible Public Domain Policy and Guidelines.

Reason

To ensure an appropriate clear path of travel through the public domain.

(29) FOOTPATH AWNINGS

Footpath Awnings which are proposed to be constructed above 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 any Construction Certificate for the building.

Documentation must be submitted to the City's Construction and Building Certification Services Unit with the application demonstrating that the awning height complies with Development Control Plan 2012. Plans are to include dimensions confirming the awning width and setback from the kerb. The setback must consider the canopies of the existing street trees along Saunders Street. Awning gutters are to be concealed from the public domain and plans are to confirm downpipes are located within or recessed into the ground floor frontage of the building.

(30) PUBLIC ART

Public art must be installed to the City's satisfaction prior to the issue of any Occupation Certificate.

(a) The public artwork must be in accordance with "Preliminary Public Art Plan" Revision 2.0 dated October 2026, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments.

(b) 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 prior to the issue of the Stage 4 Construction Certificate for above ground works.

(c) Public artwork must be installed to the City's satisfaction, inspected and approved and the Final Public Art Report submitted and approved by Council's Area Planning Manager prior to the issue of any Occupation Certificate.

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 https://www.cityofsydney.nsw.gov.au/public-art 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.

(31) TREE(S) APPROVED FOR REMOVAL

(a) The tree(s) detailed in Table below are approved for removal. Tree removal must not occur until a Stage 1 Construction Certificate has been issued.

Table 1 – Tree Removal:

Tree Number	Species:	Location
11	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Eastern Boundary

12	*Schinus molle (Peppercorn)*	Street Tree - Eastern Boundary
21	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Western Boundary
24	*Zelkova serrata (Japanese Zelkova)*	Street Tree - Western Boundary
25	*Jacaranda mimosifolia (Jacaranda)*	Street Tree - Western Boundary

(b) Tree removal works must be carried out by a qualified Arborist (minimum AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry.

(c) The removal of any street tree approved by the City of Sydney Urban Forest Team must include complete stump removal and the temporary reinstatement of levels so that no trip or fall hazards exist until suitable replanting occurs. These works must be completed immediately following tree removal.

Reason

To identify the trees that can be removed.

(32) TREE(S) THAT MUST BE RETAINED

(a) The tree(s) detailed in the table below must be retained and protected in accordance with the conditions throughout development works.

(b) Approval is NOT granted for the removal of the tree(s) detailed in the table below, which the City of Sydney has determined to be important landscape elements.

Table 2 – Tree Retention:

Tree Number	**Species**	**Location**
1	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street
2	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street
3	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street
4	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street

Tree Number	Species	Location
5	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street
6	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Saunders Street
7	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - east
8	*Schinus molle* (Peppercorn Tree)	Street Tree - Quarry Master Drive - east
9	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Quarry Master Drive - east
10	*Schinus molle* (Peppercorn Tree)	Street Tree - Quarry Master Drive - east
13	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - east
14	*Schinus molle* (Peppercorn Tree)	Street Tree - Quarry Master Drive - east
15	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - east
16	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - north
17	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - north
18	*Schinus molle* (Peppercorn Tree)	Street Tree - Quarry Master Drive - north
19	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - west
20	*Schinus molle* (Peppercorn Tree)	Street Tree - Quarry Master Drive - west
22	*Koelreuteria paniculata* (Golden Rain Tree)	Street Tree - Quarry Master Drive - west
23	*Jacaranda mimosifolia* (Jacaranda)	Street Tree - Quarry Master Drive - west

Reason

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

(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.

(34) USE - SEPARATE APPROVAL REQUIRED

No consent is granted or implied for the fitout or specific use of ground floor tenancies.

A development consent or Complying Development Certificate (as appropriate) is required to be obtained for the fitout and use individual tenancy prior to that fitout or use commencing.

Reason

To require separate consent to be obtained for a use.

(35) ALL ELECTRIC DEVELOPMENT – RESIDENTIAL ACCOMMODATION

The development must not include indoor fossil fuel gas appliances, such as gas cooktops, ovens, or space heaters within residential areas. Plans demonstrating the above requirement are to be submitted to and approved by the relevant certifier prior to the issue of a Stage 4 Construction Certificate.

Reason

To ensure the development is consistent with the requirements of the Sydney DCP 2012.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

(36) 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 the Stage 7 & 8 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.

(37) APPROVED ACOUSTIC REPORT

The E-LAB Consulting dated 01/05/2026, ref P03295 Revision 004, titled “26-38 Saunders Street, Pyrmont 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.

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

Prior to the issue of the Stage 4 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.

(39) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

A site-specific noise management plan must be submitted to the Council for comment and approval prior to issue of any Construction Certificate. The Plan must be prepared by a suitably qualified acoustic consultant who is a person who possesses the qualifications to join the Australian Acoustic Society, Institution of Engineers Australia (grade of member) or the Association of Australasian Acoustic Consultants (grade of member firm).The plan must include but not be limited to the following:

(a) Identification of noise sensitive receivers near to the site.

(b) A prediction as to the level of noise impact likely to affect the nearest noise sensitive receivers from the use and proposed number of high noise intrusive appliances intended to be operated onsite. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated within the *City of Sydney Construction Hours /Noise Code of Practice 1992* for the typical construction hours of 07.00am to 7.00pm. Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.

(c) A representative background noise measurement ($L_{A90,\ 15\ minute}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.

(d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.

(e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.

(f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.

(g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

(h) What plant and equipment is to be used on site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring property and other less intrusive technologies available.

Reason

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

(40) 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 a Stage 3 Construction Certificate being issued.

Reason

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

(41) 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 the Stage 3 Construction Certificate.

Car Parking Type	Number
Residential spaces	127
Accessible residential spaces	24
Residential visitor spaces	12
Accessible residential visitor spaces	1
Office and business parking	7
Accessible retail parking	1
Car share parking	3
Motorcycle parking	16
Car wash bay	1
Service vehicle spaces	2
Medium Rigid / 10.6m waste loading dock(s)	1

Reason

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

(42) 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
Residential	156	Spaces must be a class 2 bicycle facilities
Residential visitor	16	Spaces must be Class 2/3 bicycle rails
Non-residential	2	Spaces must be Class 2 bicycle facilities
Non-residential visitor	6	Spaces must be Class 3 bicycle rails
End of Trip Facility Type	Number	
Showers with change area	1	
Personal lockers	2	

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.

(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 Stage 3 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.

(43) CAR SHARE SPACES

(a) A minimum of 3 car parking spaces for the exclusive use of car share scheme vehicles are to be provided. A revised plan showing these spaces must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of the Stage 3 Construction Certificate.

(b) The spaces must be retained as common property of the Owners Corporation of the site and not sold or leased to an individual owner/occupier at any time.

(c) The spaces must be made available to car share operators without a fee or charge.

(d) The spaces must be sign posted for use only by car share vehicles and well lit.

(e) The car share spaces are to be available at the same time that the car park commences operation.

Reason

To ensure car share spaces are provided within the development are maintained as common property.

(44) CONSTRUCTION TRAFFIC MANAGEMENT PLAN

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

(b) The approved plan 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.

(45) CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(a) Before the issue of any Construction Certificate, a construction environmental management plan (CEMP) must be prepared for the site by a suitably qualified environmental consultant and submitted to the Certifier and Council.

(b) The CEMP must consider all potential environmental impacts from the approved works including but not limited to sediment and erosion control, contamination containment, stockpiles, noise and vibration, odours and dust emissions.

(c) All works must be undertaken onsite in accordance with the approved CEMP.

Reason

To ensure that construction is appropriately managed to prevent pollution impacts.

(46) LANDSCAPE OF THE SITE

(a) A detailed landscape design including plans and details drawn to scale, and technical specification, by a registered landscape architect, must be submitted to and approved by Council's Area Coordinator Planning Assessments / Area Planning Manager prior to the issue of the Stage 3 Construction Certificate. These documents must include:

(i) Location of existing and proposed planting on the site including existing and proposed trees, planting in natural ground, and planting on structure.

(ii) Location and details of existing and proposed structures on the site including, but not limited to, paving, walls, services, furniture, shade structures, lighting and other features.

(iii) Furniture around the pool deck must be fixed.

(iv) Details of the ground floor fencing along the eastern elevation ground floor apartments to confirm that they have post footings that do not impact on the tree's access to soils;

(v) Cross sectional details of any planting on structure proposed;

(vi) Details of earthworks and soil depths including finished levels and 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 layers. Small trees must have a minimum of 9 cubic metres of soil volume;

(vii) Planting details, and location, numbers, type and supply size of plant species, with reference to Australian Standards and preference for drought resistant species that contribute to habitat creation and biodiversity.

(viii) Details of drainage, waterproofing and watering systems.

(ix) Landscape maintenance plan. The plan must include any relevant safe work methodology for working at height such as access requirements; location of access gates or hatches; location of safety equipment such as anchor points or static lines and routes for the transport of materials and green waste. This plan is to be complied with during occupation of the property.

(b) Relevant drawings cross referenced in the landscape package, such as architectural details, stormwater and hydraulic plans etc, should also be submitted to demonstrate a fully coordinated design.

(c) All landscaping in the approved plan is to be complete prior to any Occupation Certificate being issued.

Reason

To ensure the development is supported by a good quality, buildable landscape scheme that meets the City's controls.

(47) PUBLIC DOMAIN TREE PLANTING AND MAINTENANCE (PLAN PRIOR TO CC)

(a) A Tree Planting Plan must be submitted and approved by the City of Sydney Public Domain Unit prior to the issuing of a Stage 9 Construction Certificate. The approved Tree Planting Plan must:

(i) Specify the planting of tree species consistent with the City of Sydney Street Tree Master Plan (refer to relevant streets) or other relevant guidance document for park tree planting. Species substitutes will not be accepted.

(ii) Depict the location and construction methodology of the tree in accordance with the City of Sydney Street Tree Master Plan (Technical Guidelines). The tree pit design must include structural

soils or support pavements in accordance with the Street Tree Master Plan (Technical Guidelines).

(iii) Nominate the tree planning delivery method, being a choice of one of the two options:

a. Method 1 – The applicant is to undertake all tree supply, planting, and maintenance requirements to the required standards outlined in the Street Tree Master Plan and to the satisfaction of the City of Sydney Urban Forest Team.

OR

b. Method 2 – The City of Sydney is to supply, plant, and maintain each required street or park tree on the applicant's behalf in return for the payment of a Tree Planting Fee. The fee is consistent with the City of Sydney Schedule of Fees and Charges.

Either of the two options (b) or (c)

(b) If the Applicant's approved Tree Planting Plan nominates tree planting delivery method 1, the following requirements must be met by the Applicant:

(i) Tree(s) must be grown in accordance with the Australian Standard 2303 'Tree stock for landscape use' and meet the requirements of this standard at the time of planting;

(ii) Tree(s) must be supplied in minimum container size of 100 litres at the time of planting;

(iii) Prior to the tree(s) being planted, certification from the tree supplier must be submitted to the City of Sydney Urban Forest Team and Public Domain Officer to certify that the tree(s) have been grown and comply with the requirements of AS2303. Any new tree(s) which do not conform will be rejected by the City of Sydney;

(iv) Tree(s) must be planted by a qualified Horticulturist or Arborist (minimum AQF Level 3);

(v) Tree(s) are required to be inspected and approved by the City of Sydney Urban Forest Team (or their nominated representative) at the following milestones: before planting with planting pits excavated; after planting; and at the end of the maintenance period;

(vi) Tree(s) must be planted in accordance with the approved Tree Planting Plan prior to issuing of any Occupation Certificate;

(vii) Tree(s) must be maintained by a qualified Horticulturist or Arborist (minimum AQF Level 3) for a minimum period of 12 months, commencing from the date the planted trees are inspected and approved under condition (b)(v). Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base,

pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree;

(viii) At the end of the 12 month maintenance period, the Applicant must apply to the City of Sydney for release of the Public Domain Bond triggering the final inspection of the trees under condition (b)(v).

(ix) If the tree(s) fail to thrive and successfully establish during the maintenance period, then the City of Sydney will request payment for a replacement tree(s) and establishment period according to the City of Sydney Schedule of Fees and Charges.

(c) If the Applicant's approved Tree Planting Plan nominates tree planting delivery method 2, the following requirements must be met to the satisfaction of the City of Sydney before any Occupation Certificate is issued;

(i) The tree pits must be created in accordance with the approved Tree Planting Plan;

(ii) The Tree Planting Fee must be paid to the City of Sydney.

Note: The City may undertake the tree planting following the issuing of the Occupation Certificate where all other above conditions have been satisfied.

Reason

To ensure that details of street trees to be planted are approved, the works are carried out in an appropriate manner and the trees are maintained following installation.

(48) TREE MAINTENANCE PLAN AND ANNUAL REPORTING

(a) A Tree Maintenance Plan must be submitted and approved by the City of Sydney Area Planning Manager prior to the issue of a Stage 9 Construction Certificate. The plan must include;

(i) Type of activities and their methodologies;

(ii) Frequency of maintenance;

(iii) Qualifications and skill level required to perform each activity.

(b) The Tree Maintenance Plan must be implemented and complied with immediately following the tree planting, and until the tree(s) reach the required minimum height limit of 6 metres in height and 3 metres canopy width.

(c) The newly planted tree(s) must be appropriately maintained on an on-going basis. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.

(d) If the newly planted tree(s) fail to establish or does not reach a height of 6 metres and canopy width of 3 metres, they must be replaced with tree(s) of comparable qualities and container size of 100 litres.

(e) These conditions will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

Reason

To ensure the ongoing maintenance of trees.

(49) PROVISION OF UPDATED PLANS CLEARLY SHOWING TREES TO BE RETAINED AND THEIR TREE PROTECTION ZONES

(a) Prior to the issue of any Construction Certificate, the applicant must submit updated detailed architectural, building, engineering (structural, stormwater and drainage services), and landscape documentation. These updated plans must clearly show:

(i) The retention of trees as required by these conditions of consent;

(ii) The position of all tree trunks;

(iii) Full diameter and location of tree canopies;

(iv) Structural Root Zones (SRZs) and Tree Protection Zones (TPZs) in accordance with AS 4970–2025;

(v) Any tree protection measures to be implemented during construction.

(b) All updated plans must be submitted to and approved by the City of Sydney Urban Forest Team prior to the issue of the Construction Certificate.

Reason

To ensure the development appropriately protects existing trees, ensuring their structural stability and long-term viability.

(50) SPECIAL CONDITION – CONSTRUCTION ACCESS

Construction access and the location of the works zone must be planned to avoid adversely impacting any tree to be retained. Updated plans and methodology must be submitted and approved by the City's Urban Forest Team prior to the issue of any Construction Certificate. Alternative work zone locations must be provided, and suitable size cranes/machinery/equipment utilised to minimise tree pruning requirements. Only minor pruning works will be approved.

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

Reason

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

(51) SPECIAL CONDITION – TREE BOND

(a) An $300,000.00 unconditional bond for Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 22 and 23 must be submitted and approved by the City of Sydney to ensure the retention and protection of the tree(s) prior to the issuing of any Construction Certificate(s).

(b) The following formula will be used for the retention of all or part of the bond(s):

(i) An initial failure to comply with any tree protection condition – 20% of the bond for each tree.

(ii) A second of continuing failure to comply with any tree protection condition – 40% of the bond for each tree.

(iii) If after 40% of the bond is retained, further failure to comply with the tree protection conditions occur, the City of Sydney may instigate legal proceedings for the cessation of all works on the site.

(iv) Death of tree(s) due to non-compliance with the tree protection conditions – Total 100% of the bond and possible legal action by the City of Sydney.

(c) The unconditional bond will be retained by the City of Sydney for a minimum period of 12 months from the date of the issue of the Occupation Certificate. An Arboricultural Report prepared by a qualified Arborist (minimum AQF Level 5) must be submitted to the City of Sydney at the expiry of each bond period and prior to the bond being refunded. If the report indicates that the tree(s) require remedial works, the bond may be held until the satisfactory completion of the remedial work by the City of Sydney Urban Forest Team has been undertaken and the trees return to good health.

Reason

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

(52) SPECIAL CONDITION – UPDATED ARBORICULTURAL IMPACT ASSESSMENT REPORT (AIA)

The Arboricultural Impact Assessment Report (AIA) must be updated, submitted and approved by City of Sydney Tree Team prior to the issue of any Construction Certificate. The updated report must show:

(a) Reassess the impacts to Trees 7, 8, 12, 14, 18, 20, and 21 as it is indicated within the Tree Impact Plan - Appendix 3 from the AIA report by TMS dated 17 September 2026 that the NRZ of these trees will be within the development site and thus impacted by the construction.

(b) Assess the impacts to Trees 1 - 6 regarding the proposed awning on the southern boundary adjacent Quarry Master Drive.

(c) A qualified Arborist (minimum AQF Level 5) must assess the design prior to the updated plans being submitted to the City of Sydney.

Reason

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

(53) DESIGN FOR ENVIRONMENTAL PERFORMANCE

(b) Prior to the issue of the Stage 3 Construction Certificate, the Registered Certifier must be satisfied that those matters listed in the following sections of the approved Design for Environmental Performance report prepared by Prachi Jatia dated Friday, May 29, 2026 (Council Ref: 2026/318878) are incorporated into the relevant construction plans and accompanying documentation:

(i) Section 3 – BASIX

A copy of the required completed BASIX certificate(s) accepted as part of this consent/as amended above must be lodged with an application for the first Construction Certificate and the items nominated as part of the subject BASIX certificate(s) 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 Division 1 of Part 6 of the EP&A Regulation, 2021.

(ii) Section 4 – Energy Efficiency and Greenhouse Gas Emissions Abatement

(iii) Section 5 – Passive Design for Thermal Performance – Building Envelope Design

(iv) Section 6 – On site Renewable Energy Generation and Storage

(v) Section 7 – Design for Resilience to Climate Change

(vi) Section 8 – Designing for mains potable water savings and water efficiency

(vii) Section 9 – Storm water quality

(viii) Section 10 – City Greening

(ix) Section 11 – Promoting Active Transport and Reducing Transport Emissions

(x) Section 12 – Materials, Embodied Carbon and Circularity

(xi) Section 13 – Waste Management and Resource Recovery

(xii) Section 14 – Third Party Certification and Design, Construction or Technology Innovations

(c) Changes to any commitments as listed in the approved Design for Environmental Performance report must be submitted to and approved by

Council's Area Planning Manager/Coordinator prior to the issue of any relevant Construction Certificate.

Reason

To ensure the environmental performance of the development.

(54) PUBLIC DOMAIN DAMAGE BOND

(a) A Public Domain Damage Deposit calculated on the basis of 605 square metres of asphalt site frontage 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 an approval for demolition being granted or any Construction Certificate being issued, whichever is earlier.

(c) The bond in this condition will be released in full when the Public Domain Works Security Bond is lodged with the City.

Reason

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

(55) PROTECTION OF STONE KERBS

(a) The existing stone kerbs on the Saunders Street and Quarry Master Drive 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.

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

Reason

To ensure the protection of stone kerbs.

(56) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

(a) A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or

(b) A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

Council's Principal Surveyor may request further information and/or add conditions to any Surveyor-General's Approval at their discretion.

Note: Refer to Clause 4.7 in the City's 'Code of Practice: Hoisting and Construction Activities On and Above Roads' for further information.

Reason

To ensure the preservation of existing survey infrastructure.

(57) PUBLIC DOMAIN CONCEPT PLAN

A public domain concept plan, showing all the site frontages and extending a minimum of 5m past the boundary and to the road centreline, must be prepared in accordance with the City's *Public Domain Manual* and *Sydney Streets* Code. It must be submitted to and approved by the City's Public Domain Unit prior to the issue of a Stage 3 Construction Certificate for the development other than for demolition or excavation.

Note: A detailed Public Domain Plan will be required prior to construction (refer to Public Domain Plan Detailed Documentation for Construction condition).

Reason

To ensure public domain works comply with Council's requirements.

(58) PUBLIC DOMAIN LEVELS AND GRADIENTS - MAJOR

Prior to the issue of the Stage 3 Construction Certificate, a Public Domain Levels and Gradients submission for the building and site frontages must be submitted to and approved by the City's Public Domain Unit. The submission must be prepared in accordance with the City's *Public Domain Manual* and submitted with a completed Application for *Public Domain Levels and Gradients*. Information on how to complete the submission can be downloaded from the City's website at https://www.cityofsydney.nsw.gov.au/public-domain-works/get-approval-levels-gradients

Any requirements to comply with Disability Discrimination Act and City of Sydney Interim Floodplain Management Policy at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

Note: Public Domain Levels and Gradient plans are to be included with the Public Domain Plan – Detailed Documentation for Construction condition submission.

Reason

To ensure public domain levels and gradients comply with Council's requirements.

(59) STORMWATER DRAINAGE DESIGN

Prior to issue of the Stage 3 Construction Certificate a detailed stormwater management plan including a detailed stormwater management report, prepared by suitable qualified and experienced Civil Engineer (NER) must be submitted to and approved by the City's Public Domain Unit.

The plan must be submitted with an Application for Approval of Stormwater Drainage, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges.

The submission must include:

(i) Council's Sydney Streets Technical Specifications, Part A4 Drainage Design;

(ii) Council's Sydney Streets Technical Specifications, Standard Drawings;

(iii) Council's Sydney Streets Technical Specifications, Part B10: Stormwater Drainage Construction;

(iv) Council's Stormwater Drainage Manual; and

(v) All relevant Australian Standards.

This information is available for download from the City's website at

https://www.cityofsydney.nsw.gov.au/public-domain-works/get-approval-connect-city-stormwater-system

Note: A Deed of Agreement (Stormwater Deed) for all proposed connections to the City's drainage system, and a Positive Covenant for all OSD systems may be required prior to issue of any Occupation Certificate.

Reason

To ensure stormwater drainage design complies with Council's requirements.

(60) STORMWATER ON-SITE DETENTION

The requirements of Sydney Water with regard to the on-site detention (OSD) of stormwater must be ascertained and complied with. Evidence of the approval must be submitted to Council prior to issue of a Stage 3 Construction Certificate.

Reason

To ensure the requirements of Sydney Water are complied with.

(61) STORMWATER QUALITY ASSESSMENT

The development must comply with MUSIC Link Report- Pyrmont Point, dated 28 April 2026, prepared by Van Der Meer Consulting approved with this development application.

Prior to issue of the Stage 3 Construction Certificate a design certification report prepared by a suitably qualified practitioner engineer (NER) demonstrating compliance with approved music link targets and parameters must be submitted to and approved by the City's Public Domain Unit.

The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC link reports.

Reason

To ensure appropriate stormwater quality on the site.

(62) DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition and preparatory works being granted or the issue of any Construction Certificate, whichever is earlier, a photographic

recording of the public domain site frontages including the CCTV of the adjacent City's drainage network (per the Sydney Streets Technical Specifications - 4.6.3 CCTV Footage requirements. The Public Domain Team must be contacted prior to any CCTV to determine the scope and provide pipelines numbers. Temporary Works Application is required to access the pits), 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/design-codes-technical-specifications/public-domain-manual

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.

(63) TEMPORARY DEWATERING DURING CONSTRUCTION

Prior to discharging any water collected during excavation and construction into the City's stormwater drainage system, approval must be sought from the City's Public Domain Unit. A dewatering management plan must be submitted with an *Application for Temporary Dewatering* available to download on the City's website.

Other options for dewatering include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason

To ensure dewatering is managed appropriately.

(64) DILAPIDATION REPORT – MAJOR EXCAVATION/DEMOLITION

(a) Subject to the receipt of permission of the affected landowner, dilapidation report/s, including a photographic survey of 2-10, 14 and 14A Quarry Master Drive, 1-33 and 122 Saunder Street, Pyrmont (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 prior to commencement of demolition/excavation works. A copy of the dilapidation report/s together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Registered Certifier and the Council prior to the issue of any Construction Certificate.

UPON COMPLETION OF EXCAVATION/DEMOLITION

(b) A second Dilapidation Report/s, including a photographic survey must then be submitted at least one month after the completion of

demolition/excavation works. A copy of the second dilapidation report/s, together with the accompanying photographs must be given to the above property owners, and a copy lodged with the Principal Certifier and the Council prior to the issue of any Occupation Certificate.

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

Note: Prior to the commencement of the building surveys, the applicant/owner 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.

(65) FUTURE FOOD USE – MECHANICAL VENTILATION PROVISION

Prior to the issue of a Construction Certificate for Stage 4, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future. Systems must be designed in accordance with AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings, and AS1668.1 – The Use of Mechanical Ventilation and Air-Conditioning in Buildings – Fire and Smoke Control in Multi-compartment Buildings.

Reason

To ensure that mechanical ventilation system(s) are provided for future food premises.

(66) UTILITY SERVICES

To ensure that utility authorities are advised of the development:

(a) Prior to the issue of any Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation, if necessary, to determine the position and level of services.

(b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Reason

To ensure that utility authorities are advised of the development and their approval is obtained in connection with the relocation and/or adjustment of services affected by the development.

(67) 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.

(68) MINIMISE IMPACT OF POOL ON NEIGHBOURING PROPERTIES

(a) To minimise the impact of the pool on adjoining properties and to ensure the safety of the pool/spa area, the design and construction of the swimming pool/spa and associated equipment and fencing must comply with the following requirements:

(i) The *Swimming Pools Act 1992* and Regulations.

(ii) The swimming pool must have safety barriers installed in accordance with the requirements of AS 1926.1 - 2007 - 'Safety barriers for swimming pools' and AS 1926.2 - 2007 'Location of safety barriers for swimming pools'.

(iii) Australian Standards 1926.3 - Water Recirculation and Filtration; and

(iv) *Protection of the Environment Operations Act 1997*

Reason

To minimise the impact of the pool on adjoining properties and to ensure the safety of the pool/ spa area.

(69) SWIMMING POOL - WASTE AND OVERFLOW WATERS

Swimming pool waste and overflow waters must be collected and directed to the sewer in accordance with the requirements of Sydney Water, and details are to

be submitted with the application for the relevant Construction Certificate to the satisfaction of the Registered Certifier.

Reason

To ensure waste and overflow waters are managed appropriately.

(70) WASTE AND RECYCLING MANAGEMENT – COMMERCIAL

The Operational Waste Management Plan Elephants Foot dated 14 October 2026 (Ref 2026/589988) accompanying the Development Application has been approved by this consent responsive to architectural plans dated 11 September 2026. Should the architectural plans be updated, an updated Operational Waste Management Plan is to 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.

(71) WASTE AND RECYCLING MANAGEMENT – RESIDENTIAL

The Operational Waste Management Plan prepared by Elephants Foot dated 14 October 2026 (Ref 2026/589988) accompanying the Development Application has been approved by this consent responsive to architectural plans dated 11 September 2026. Should the architectural plans 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.

(72) WASTE INFRASTRUCTURE – RESIDENTIAL

Prior to the issue of the stage 3 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.

(b) Waste chute system to be designed in accordance with Section B and Reference E of the City of Sydney Guidelines for Waste Management in New Developments.

Reason

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

(73) WASTE INFRASTRUCTURE – COMMERCIAL

(a) Prior to the issue of the Stage 3 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 are to be responsive to Council's controls, policies, and guidelines, including but not limited to:

(i) 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 of 1200mm high on the walls.

Reason

To allow for the safe and hygienic storage and collection of waste and recycling from the use of the building.

BEFORE BUILDING WORK COMMENCES

(74) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

(a) Prior to the commencement of demolition and/or excavation work the following details must be submitted to and be approved by the Principal Certifier:

(i) Plans and elevations showing distances of the subject building from the location of adjoining and common/party walls, and (where applicable) the proposed method of facade retention.

(ii) A Demolition Work Method Statement prepared by a licensed demolisher who is registered with SafeWork NSW. (The demolition by induced collapse, the use of explosives or on-site burning is not permitted.)

(iii) An Excavation Work Method Statement prepared by an appropriately qualified person.

(iv) A Waste and Recycling Management Plan – Demolition and Construction for the demolition and or excavation of the proposed development. The plan is to include details of materials that will be excavated and their proposed destination or reuse.

(v) Plans and elevations showing the location, construction and installation of temporary site fencing and any construction related

temporary structures placed on and/or above roads used in connection with the development.

Note: Construction related temporary structures, including hoardings and scaffolding, proposed for erection on and/or above City-owned and controlled land (footways and roadways), and other activities, must comply with Council's Code of Practice: Construction related Temporary Structures On and Above Roads and the Code of Practice: Hoisting and Construction Activities On and Above Roads including obtaining all required approvals from Council under the provisions of the Local Government Act 1993 and the Roads Act 1993 prior to installation.

(b) Such statements must, where applicable, be in compliance with AS2601-2001 Demolition of Structures, the *Work, Health and Safety Act 2011* and Regulation; Council's *Guidelines for Waste Management in New Developments 2018*, the *Waste Avoidance and Resource Recovery Act 2001*, and all other relevant acts and regulations and must include provisions for:

(i) A Materials Handling Statement for the removal of refuse from the site in accordance with the *Waste Avoidance and Resource Recovery Act 2001*.

(ii) The name and address of the company/contractor undertaking demolition/excavation works.

(iii) The name and address of the company/contractor undertaking off site remediation/disposal of excavated materials.

(iv) The name and address of the transport contractor.

(v) The type and quantity of material to be removed from site.

(vi) Location and method of waste disposal and recycling.

(vii) Proposed truck routes, in accordance with this development consent.

(viii) Procedures to be adopted for the prevention of loose or contaminated material, spoil, dust and litter from being deposited onto the public way from trucks and associated equipment and the proposed method of cleaning surrounding roadways from such deposits. (Note: With regard to demolition of buildings, dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site).

(ix) Measures to control noise emissions from the site.

(x) Measures to suppress odours.

(xi) Enclosing and making the site safe.

(xii) Induction training for on-site personnel.

(xiii) Written confirmation that an appropriately qualified Occupation Hygiene Consultant has inspected the building/site for asbestos, contamination and other hazardous materials, in accordance with the procedures acceptable to SafeWork NSW.

(xiv) An Asbestos and Hazardous Materials Clearance Certificate by a person approved by the SafeWork NSW.

(xv) Disconnection of utilities.

(xvi) Fire Fighting. (Fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed).

(xvii) Access and egress. (Demolition and excavation activity must not cause damage to or adversely affect the safe access and egress of the subject building or any adjacent buildings).

(xviii) Waterproofing of any exposed surfaces of adjoining buildings.

(xix) Control of water pollution and leachate and cleaning of vehicles tyres (proposals must be in accordance with the *Protection of the Environmental Operations Act 1997*).

(xx) Working hours, in accordance with this development consent.

(xxi) Any SafeWork NSW requirements.

(c) The approved work method statements and a waste management plan as required by this condition must be implemented in full during the period of construction.

(d) All waste records from the recycling and/or disposal of any demolition and construction waste generated from the works must be retained on site. These records must be available for sighting on request by an authorised Council officer.

Reason

To ensure that impacts arising from demolition, excavation and construction are appropriately managed.

(75) RUN-OFF, EROSION AND SEDIMENT CONTROL

(a) Before the commencement of any works, all sediment and erosion controls must be implemented and maintained in accordance with the document titled Managing Urban Stormwater Soils & Construction Volume 1 (Landcom, 2004).

(b) Sediment control structures must be maintained throughout remediation works to prevent runoff of any potentially contaminated water or soil to the surrounding environment.

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

Reason

To ensure that construction is appropriately managed to prevent pollution impacts.

(76) TREE PROTECTION ZONES (FOR STREET TREES)

(a) Tree Protection Zone(s) (TPZs) must be established in accordance with Australian Standard 4970 'Protection of trees on development sites' before the commencement of and until completion of the development works.

(b) The TPZ's are to be established in the location and manner outlined in the approved Arboricultural Impact Assessment (AIA), Tree Protection Specifications and/or Tree Protection Plan prepared by TMS dated 17 September 2026.

(c) Tree trunk and major branch protection must be installed prior to the issuing of any Construction Certificate and maintained for the duration of all construction work, and must include:

(i) Tree trunk(s) and/or major branches to a height of 2 metres protected by wrapped thick underlay carpet or similar padding material to limit damage.

(ii) Timber planks (50mm x 100mm) 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 carpet underlay or padding material and timber planks must not be fixed to the tree in any instance, or in any fashion.

(iii) Young street trees protected by the installation of 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.

(iv) Tree trunk and major branch protection must remain in place for the duration of the development works and be removed at the completion of the development works.

(d) Materials or goods, including 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 or any street trees.

(e) Temporary signs or any other items must not be fixed or attached to any street tree.

(f) Where installed, 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 exposed tree roots.

(g) Existing sections of kerbs adjacent to any street tree must not be removed without approval from the City of Sydney Tree Team.

(h) Any trenching works for services / hydraulics / drainage etc must not be undertaken within any Tree Protection Zone (TPZ). Alternative installation methods for services, such as directional boring/drilling, or redirection of services shall be employed.

(i) Any damage sustained to street tree(s) as a result of any construction activities (including demolition), must be immediately reported to the City of Sydney Urban Forest Team 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.

(j) Compliance with this condition must be addressed in the Tree Protection Compliance Certificate prepared by a qualified Arborist (minimum AQF Level 5).

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

Reason

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

(77) PUBLIC DOMAIN WORK – CONSTRUCTION APPROVAL UNDER SECTION 138 ROADS ACT 1993

Prior to the construction of any public domain works, approval under Section 138 / 139 of the Roads Act 1993 must be issued by the City's Public Domain Unit.

Reason

To ensure relevant approvals for public domain work are obtained.

(78) APPLICATION FOR HOARDINGS AND SCAFFOLDING INSTALLED ON AND/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 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 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 1: '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 2025*).

Note 2: 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.

DURING BUILDING WORK

(79) 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; and

(iii) site activities and time frames.

Reason

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

(80) HOURS OF WORK AND NOISE – OUTSIDE CBD

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

(a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.

(b) All work, including demolition, excavation and building work must comply with the City of Sydney 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.

(81) COMPLIANCE WITH DEMOLITION, EXCAVATION & CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

(a) All works conducted on site which form part of this development must be carried out in accordance with the submitted Demolition, Excavation and Construction Management Plan prepared by Toohey Miller (Ref: 2026/294772).

(b) Where all such control measures have been implemented and the resultant noise and/ or vibration levels at any sensitive receiver still exceed the council's applicable criteria 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. 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. (Use where respite periods not specified under the approved DEC NMP)

Such periods must be set and agreed to by Council's Health and Building Unit.

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

Reason

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

(82) USE OF INTRUSIVE APPLIANCES – NOT APPROVED

This development consent does not extend to the use of appliances which emit noise of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or 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".

A separate Section 4.55 application must be submitted to the Council for the use of any equipment of a highly intrusive nature (such as pile - drivers and hydraulic hammers) or 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*.

Reason

To ensure the acoustic amenity of surrounding developments is maintained.

(83) NOTIFICATION – NEW CONTAMINATION EVIDENCE

(a) Council and the Certifier (AND/OR ACCREDITED SITE AUDITOR IF REQUIRED) must be notified immediately of any new information which arising during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination.

(b) Once identified, remediation, demolition or construction work must immediately cease.

(c) A certified environmental consultant must be appointed to undertake an assessment of the potential contaminants and works required to make the site safe from potential human health and environmental harm.

(d) If the duty to report contamination to the NSW EPA under Section 60 of the Contaminated Land Management Act 1997 is triggered, the NSW EPA and Council must be notified immediately.

Reason

To ensure that any new contamination evidence or unexpected finds is reported and the site is appropriately remediated.

(84) IMPORTED FILL MATERIALS

(a) All fill material imported to the site must be certified and validated by a certified environmental consultant. It should be accompanied by documentation from the consultant that confirms its classification and suitability for the intended use. The fill must also be compatible with the existing soil characteristics to support site drainage.

(b) Imported fill must be limited to the following:

  (i) Virgin excavated natural material (VENM), classified in accordance with the Protection of the Environment Operations Act 1997.

  (ii) Excavated natural material (ENM), certified in accordance with the Protection of the Environment Operations (Waste) Regulation 2014.

  (iii) Waste-derived materials subject to a Resource Recovery Exemption under Clauses 91 and 92 of the Protection of the Environment Operations (Waste) Regulation 2014 and recognised by the NSW EPA as “fit for purpose” for the proposed development.

(c) Any waste-derived material received under a resource recovery exemption must be accompanied by documentation from the NSW EPA confirming compliance with the exemption conditions. This documentation must be provided to the Certifier and Council:

  (i) Upon request.

  (ii) Before the commencement of works under the Protection of the Environment Operations Act.

(iii) Before the issue of a construction certificate or occupation certificate or

(iv) As part of the validation report for the remediation, as applicable.

(d) All imported fill must be accompanied by certification from the supplier confirming the material is not contaminated, based on analysis of the source site's history and/or sampling and analysis must be conducted in accordance with the NSW EPA (2022) Sampling Design Guidelines.

(e) Any existing soils proposed for reuse onsite must be analysed and classified by a suitably qualified and experienced environmental consultant. This assessment must follow the relevant NSW EPA guidelines and the National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013), to confirm suitability for the proposed land use. The results must be included in the validation report for the remediation

Reason

To ensure that imported fill is not contaminated.

(85) CLASSIFICATION OF WASTE

(a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed.

(b) The classification, and the volume of material removed, and the receival facility's details must be reported to the Certifier or Council (where a Certifier is not required).

Reason

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

(86) DISCHARGE OF CONTAMINATED GROUNDWATER

(a) Contaminated groundwater must not be discharged into the City's stormwater drainage system.

(b) Options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by an EPA NSW licensed liquid waste contractor and disposed of by transporter to an appropriate licensed waste treatment/processing facility.

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 discharge of ground water is appropriately managed.

(87) STOCKPILES

(a) Soil or other materials must not be stockpiled on footpaths or nature strips without prior written approval from Council.

(b) All stockpiles must be managed to prevent contamination of the underlying soil.

(c) Potentially contaminated soil must be stockpiled on a hardstand surface or over polyethylene sheeting.

(d) Stockpiles must:

(i) Be bunded to prevent runoff of potentially contaminated materials.

(ii) Be stabilised through compaction and contouring to minimise wind exposure and allow access for water trucks.

(iii) Not exceed the height of perimeter fencing to assist in controlling dust and odour emissions.

(iv) Be clearly labelled with a unique identification number and include records of the soil's volume and origin to enable tracking from excavation to final disposal or reuse.

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

Reason

To ensure that stockpiles of soil or other materials are appropriately managed.

(88) SITE SUPERVISION AND REPORTING

(a) A qualified Arborist (minimum AQF Level 5) must oversee various stages of work within the Tree Protection Zone(s) (TPZs) of any tree listed for retention.

(b) The Arborist must undertake inspections every 2 months through the development works.

(c) The Arborist must certify compliance with each key milestone detailed below:

(i) Installation of tree protection measures (i.e. tree protection fencing, trunk and branch protection, ground protection, tree protection signage) prior to the commencement of the development works;

(ii) Demolition of ground surface materials (pavers, concrete, grass etc.) or inground structures within the TPZs of any tree to be retained;

(iii) Excavation and trenching within the TPZs;

(iv) Construction of building structure, awnings and boundary fencing within the TPZ of any tree to be retained;

(v) Landscape works within the TPZs;

(vi) Other times as specified in the Arboricultural Impact Assessment Report, Tree Protection Specifications (TPS) and Tree Protection Plan (TPP) or these conditions.

(d) A Tree Protection Compliance Report, which includes photographic evidence and provides details on the health and structure of tree(s), must be submitted within one week following each scheduled inspection and key milestone listed above. The report is to be submitted to, and acknowledged, by the City of Sydney Urban Forest Team. The Tree Protection Compliance Report must include:

(i) Confirmation that the tree protection measures have been installed in accordance with these conditions;

(ii) Details of any additional tree protection recommendations and subsequent implementation to ensure the tree(s) remain in a healthy condition;

(iii) Details of works undertaken on any tree to be retained or any works within the TPZs.

Reason

To ensure the protection and ongoing health of trees on the site.

(89) TREE PRUNING APPROVED

(a) The trees detailed in the table below are approved for pruning.

Table 43– Tree Pruning

Tree No.	**Species**	**Pruning Specification & Limitations**
1	*Koelreuteria paniculata* (Golden Rain Tree)	Pruning to be conducted as outlined within Section 3 Pruning Specification of the Arboricultural Impact Assessment Report by TMS dated 7 September 2026.
8	*Schinus molle (Peppercorn Tree)*	
10	*Schinus molle (Peppercorn Tree)*	
13	*Jacaranda mimosifolia (Jacaranda)*	

(b) All pruning must be carried out by an arborist (minimum AQF Level 3) in accordance with Australian Standard AS4373 'Pruning of Amenity Trees' and the SafeWork's Code of Practice – Amenity Tree Industry.

(c) All hoarding and scaffolding must be built around the branches as detailed in the Pruning Specification prepared by TMS dated 7 September 2026.

(d) Any pruning works carried out under this condition must not adversely impact tree health, structure or form.

Reason

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

(90) PROTECTION OF NATIVE WILDLIFE IN TREES

(a) In the event that wildlife is found during the course of tree removal works, work must stop until a trained wildlife handler attends the site or the animal relocates itself. In regards to tree pruning, works may only proceed if the animals will not come into direct harm.

(b) In the event that the tree(s) have nesting birds or native animals, works must be delayed until after the nesting period has been completed, unless in the event of an emergency.

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

Reason

To ensure that wildlife is adequately protected during tree removal / pruning works.

(91) PUBLIC DOMAIN WORKS SECURITY BOND

A Public Domain Works Security Bond will be required for the public domain works and for repairing damage that may be caused to the public domain in the vicinity of the site, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual.

The 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 an approval being issued for the approval of the Public Domain Plan.

The bond will be retained in full until all public domain works, including rectification of damage to the public domain, are completed to City's standards and approval and the required works-as-executed documentation are approved. On satisfying the above requirements, and the issue of the Public Domain Works Letter of Completion Operational Acceptance by the City, 90% of the bond will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

Reason

To ensure public domain works are completed and any damage to the public domain is rectified.

(92) DRAINAGE AND SERVICE PIT LIDS

All existing or proposed drainage and service pit lids throughout the public domain must be to City of Sydney specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed where specified by Council's Public Domain Officer. Private pits are not permitted within the public domain. All details of pit lids must be shown on the public domain plan and must be approved by the City's Public Domain Unit prior to the issue of an approval for public domain works.

Reason

To ensure drainage and service pit lids within the public domain are appropriately designed and installed.

(93) PUBLIC DOMAIN PLAN DETAILED DOCUMENTATION FOR CONSTRUCTION

A detailed public domain plan and all relevant documentation must be submitted to and approved by City's Public Domain Unit prior to the construction of any public domain works. This Plan must document all works required to ensure that the public domain upgrade work complies with the City's specifications and requirements, as outlined in documents such as City of Sydney's *Public Domain Manual*, *Sydney Streets Code, Sydney Street Tree Masterplan, Sydney Lights: Public Domain Design Code and Sydney Streets Technical Specification*. The documentation must be *checked, accurate, and comply with specified requirement*s. Plans must be based on an accurate survey prepared, signed and dated by a registered surveyor, to scale and fully coordinated across all disciplines and submissions. The supplied documentation must be for Construction issue and will be approved under Section 138 of the Roads Act.

The Public Domain Manual and all other relevant documents are available for download from Council's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

The Public Domain Plan documentation must be submitted with an Application for Public Domain Plan Assessment and include the approved Public Domain Levels and Gradients documentation. If the proposed detailed design of the public domain requires changes to any previously approved levels, details must be submitted for approval with the public domain plan and additional fees may apply.

Reason

To ensure the public domain complies with Council's requirements.

(94) HOLD POINTS

Prior to an approval being issued for the construction of public domain and / or planning agreement works, including civil, drainage and subsurface works, a set of hold points will be provided by the City's Public Domain Unit in accordance with the City's Public Domain Manual and Sydney Streets Technical Specification. The list of hold point inspections will be included in the Public Domain works approval letter.

These hold point inspections must be adhered to during construction works. Prior to the issue of any Occupation Certificate, confirmation from the City's Public Domain Unit, that hold point inspections have been completed and works have been accepted by the City must be provided to the Principal Certifier.

Reason

To ensure hold points are adhered to during construction works.

(95) STORMWATER DRAINAGE CONNECTION

For approval of a connection into the City of Sydney's drainage system detailed stormwater construction plans (approved by the City prior to any Construction Certificate) must be submitted to the City's Public Domain Unit, together with the Public Domain Plan Detailed Documentation for Construction for review and approval of stormwater drainage connection.

Reason

To ensure approval of connection into the Council's drainage system is sought.

(96) PUBLIC DOMAIN LIGHTING RETICULATION DESIGN

Prior to the issue of any relevant approval for the construction of public domain works, a detailed Public Domain Lighting Reticulation Plan for pedestrian and street lighting in the public domain must be submitted to and approved by the City's Public Domain Unit in accordance with the City of Sydney's *Sydney Lights: Public Domain Design Code, Sydney Streets Code, Sydney Streets Technical Specification* and *Public Domain Manual*.

The Public Domain Manual and all other relevant documents are available for download from Council's website at https://www.cityofsydney.nsw.gov.au/development/public-domain-works/da-associated-works.

This public domain lighting documentation shall include pole footing locations and structural details, location and details of underground electrical reticulation including connections and conduits, pit cabling and certifications as described in the City's *Public Domain Manual.* The public domain lighting is to be superimposed on the public domain plan to show any conflicts between lighting and the proposed landscape design.

The submission must include an ASP Level 3 electrical design for Ausgrid approval and identify the exact location of any above ground electrical infrastructure including service pillars. The design shall consider and mitigate impacts associated with the electrical assets within the footpath, including

clearance, accessibility, and urban design outcomes, in accordance with the City's Inclusive and Accessible Public Domain Policy and Guidelines.

Reason

To ensure the public domain lighting documentation complies with Council requirements.

(97) 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.

(98) 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.

(99) ACCESS DRIVEWAYS TO BE CONSTRUCTED

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

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

Reason

To allow adequate vehicular access to the site.

(100) 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.

(101) SURVEY SETOUT

Prior to the commencement of construction all footings, walls and floor slabs adjacent to a boundary must be set out by a registered surveyor.

The building shall be sufficiently set back to ensure that no component of the building (such as the roof, guttering, or downpipes) encroach upon or overhang the boundaries of the site.

The registered surveyor shall provide a survey and report to the Principal Certifier indicating the position of the footings, walls and floor slabs in relation to the boundaries of the allotment.

Reason

To ensure the development does not encroach onto neighbouring properties.

(102) 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 or subdivision/strata certificate being issued.

Reason

To ensure the requirements of Sydney Water are met.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

(103) 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.

(104) PHYSICAL MODEL AND ELECTRONIC CAD MODEL

Prior to the issue of any Occupation Certificate, an accurate physical scale model and an accurate electronic CAD model of the completed development, reflecting the development as constructed, must be submitted to and approved by City's Area Planning Manager or Area Coordinator, Planning Assessments. The model must comply with the Council's 'model requirements for proposed developments' available at:

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

Reason

To ensure the provision of an accurate physical representation of the completed development.

(105) 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.

(106) RESTRICTION ON RESIDENTIAL DEVELOPMENT

The following restriction applies to buildings approved for residential use:

(a) The accommodation portion of the building (levels 00 to 38 inclusive) 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 any other use.

(b) A Restriction on the Use of Land is to be registered on the title of the development site in the above terms and restricting any change of use of those levels from residential accommodation as defined in the Sydney Local Environmental Plan 2012. The restriction is to be registered on title prior to any type of Occupation Certificate being issued or the use commencing, whichever is earlier. The covenant restriction must contain terms reasonably required by Council and will be drafted by Council's solicitor, at the cost of the applicant, in accordance with the City's Fees and Charges, or included with a Section 88B Instrument for the future strata plan and burdening all residential strata lots where no subdivision will occur.

(c) If a lot 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.

Reason

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

(107) RESTRICTION ON USE OF CAR SPACES AND STORAGE SPACES

(a) The on-site car parking spaces and storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the subject building.

(b) Prior to any Occupation Certificate being issued or the use commencing, whichever is earlier, a documentary Restriction on the Use of Land, is to be registered on the Title of the development site pursuant to Section 88E of the *Conveyancing Act 1919*, to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

(c) If the building is to be strata subdivided, all car parking spaces and storage spaces, exclusive of service and visitor car spaces, must be allocated to a

residential or commercial lot (as the case may be), consistent with planning controls, within the Strata Scheme.

(d) If the building is to be strata subdivided, a Restriction on the Use of Land must be created burdening all lots containing car parking spaces and storage spaces in the Strata Scheme, pursuant to section 88B of the *Conveyancing Act 1919,* to the effect of (a) above. The Restriction is to be created to the benefit of Council, at no cost to and to the satisfaction of Council.

Reason

To ensure the on-site car parking spaces and storage spaces, exclusive of service and visitor car spaces, are not to be used other than by an occupant, tenant or resident of the building.

(108) TERMINATION OF CURRENT STRATA SCHEME

Prior to the issue of an Occupation Certificate, a separate application is to be made to Council to obtain permission for the termination of the existing Strata Scheme over the property at 26-38 Saunders Street, and the endorsement of the "Termination of Strata Scheme" Form (15ST) by Council under Section 142 of the *Strata Schemes Development Act 2015*.

Reason

To ensure the future consolidation of the site is managed appropriately.

(109) 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 type of Occupation Certificate. Encroachments upon public roads must, if supported, be approved by Council's Area Planning Manager prior to the issue of any type of Occupation Certificate.

Reason

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

(110) EASEMENT FOR PUBLIC ACCESS – THROUGH SITE LINK

(a) Prior to the issue of an Occupation Certificate for the development, a documentary Easement for Public Access, nominally 2.5m to 4m wide and

limited in stratum if so desired, is to be created and registered on the Title of the development site. The Easement is to be defined over a strip of land, extending from the eastern alignment of Quarry Master Drive, generally in an east-west direction, to the south-western alignment of Quarry Master Drive, and further shown on the "General Arrangement – Plan – Level 00" numbered AR-DA-10B-00-00, Issue 16 and prepared by BVN Architects. The Easement is to be created appurtenant to Council in terms granting unrestricted rights for public pedestrian access, without vehicles, exclusive of wheelchairs for the disabled, to Council's satisfaction.

(b) Prior to the issue of an Occupation Certificate for the development, a documentary Positive Covenant is to be created and registered on the Title of the development site, appurtenant to Council. The Positive Covenant is to be created in terms indemnifying Council against any claims and damages arising from the use of the Easement for Public Access and is to require the maintenance of a $20,000,000 public indemnity insurance policy and is to require the maintenance, upkeep, lighting and repair of the Easement for Public Access in accordance with Council's requirements and to the satisfaction of Council.

Reason

To formalise access arrangement to the through-site link.

(111) PUBLIC DOMAIN WORKS COMPLETION

The Public Domain works are to be constructed in accordance with the Public Domain Works Approval letter, stamped plans for Public Domain Levels and Gradients, Stormwater, Public Domain Lighting, the City's *Public Domain Manual,* Stormwater *Drainage Manual, Sydney Lights Design Code* and *Sydney Streets Technical Specification.*

The public domain work must be inspected and a Public Domain Work Letter of Completion Operational Acceptance must be issued by Council's Public Domain Officer prior to the issue of any Occupation Certificate or before the commencement of use, whichever is earlier.

Reason

To ensure the public domain works are completed in accordance with the approved documents and Council's requirements.

(112) PUBLIC DOMAIN COMPLETION – WORK AS EXECUTED DOCUMENTATION

Prior to a Public Domain Works Letter of Completion Operational Acceptance being issued for public domain works, works-as-executed (As-Built) plans and documentation, must be submitted to and accepted by the City of Sydney for all public domain works, including where required Stormwater, Public Domain Lighting and road construction. These works must be certified by a suitably qualified, independent professional. Details of the documentation required for approval will be advised by the City's Public Domain Unit.

Reason

To ensure Council receives works-as-executed documentation for public domain works.

(113) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

(a) The Owner is required to enter into a Deed of Agreement (Stormwater Deed) with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.

(b) A Positive Covenant must be registered on the property title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection. The positive covenant will contain terms reasonably required by the City and will be drafted by the City's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges.

Reason

To protect underground drainage system.

(114) SURVEY INFRASTRUCTURE – PRE-SUBDIVISION CERTIFICATE WORKS

(a) Pursuant to Section 38 of the Surveying and Spatial Information Act 2002, if it is likely that any new survey mark will be disturbed by associated works (for example, footpath or kerb and gutter construction), a surveyor may defer the placement of those marks.

(b) Prior to any the issue of any Subdivision Certificate, documentary evidence in accordance with Section B11 – *Survey Infrastructure of the Technical Specification* must be prepared by a Registered Surveyor and submitted to and approved by the City. This evidence must include:

(i) A copy of any Surveyor-General's Approval for Deferment of Survey Marks granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the draft deposited plan) or

(ii) A certificate of Practical Completion obtained from the City's Public Domain team, together with a letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all survey marks shown on their Deposited Plan remain at the date of practical completion.

Reason

To allow for deferment of survey marks.

(115) SURVEY INFRASTRUCTURE – RESTORATION

(a) Prior to any Occupation Certificate being issued for the development, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include:

(i) Certification that all requirements requested under the Surveyor-General's Approval for Survey Mark Removal or by the City's Principal Surveyor under condition "Survey Infrastructure – Identification and Recovery" have been complied with;

(ii) Certification that all requirements requested under any Surveyor-General's Approval for Deferment of Survey Marks from condition "Survey Infrastructure – Pre Subdivision Certificate works" have been complied with and;

(iii) Time-stamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.

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

Reason

To ensure all requirements for survey mark removal are complied with.

(116) WASTE AND RECYCLING COLLECTION CONTRACT - COMMERCIAL

Prior to the issue of an 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.

(117) 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 City of Sydney's DCP, and the developments Conditions of Consent.

(ii) All waste rooms, corridors, doors, and gates to be accessed by Councils collection contractor(s) are to be fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council's City Cleansing & Resource Recovery Unit.

(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 loading bay 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 plans 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 Councils 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.

(118) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

Prior to the issue of an Occupation Certificate, the Principal Certifier is to ensure all waste management, collection, loading and supporting infrastructure is provided in accordance with the stamped plans, approved Operational Waste Management Plan 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.

(119) SITE SUPERVISION AND REPORTING

(a) A final Tree Protection Compliance Certificate, prepared by a qualified Arborist (AQF Level 5) demonstrating that all Tree Protection Compliance Reports have been submitted at each scheduled inspection and key milestone listed above must be submitted and approved by the City of

Sydney Area Planning Manager prior to the issue of any Occupation Certificate.

Reason

To ensure the protection and ongoing health of trees on the site.

(120) SPECIAL CONDITION - REPLACEMENT STREET TREES

(a) The City of Sydney will regularly inspect the trees during the development works. In the event that the City of Sydney Urban Forest Team deems the street tree(s) are not viable for retention due to excessive pruning or damage, the Applicant will be responsible for the removal and replacement of the trees as detailed below:

(i) Tree removal and stump grinding undertaken by a qualified arborist (minimum AQF3).

(ii) Tree replacement including 20 new tree(s) planted in Quarry Master Drive and Saunders Street.

(iii) Tree species consistent with the City of Sydney Street Tree Master Plan (refer to relevant street). Species substitutes will not be accepted.

(iv) Tree pits located and constructed in accordance with the City of Sydney Street Tree Master Plan (Technical Guidelines) or other relevant guidance document. The tree pit design must include structural soils to support pavements in accordance with the Street Tree Master Plan (Technical Guidelines).

(b) The Applicant must nominate tree planting delivery method, being a choice of one of two options:

(i) Method 1 – The Applicant is to undertake all tree supply, planting, and maintenance requirements to the required standards and to the satisfaction of the City of Sydney Urban Forest Team.

OR

(ii) Method 2 - The City of Sydney to supply, plant, and maintain each required tree on the Applicant's behalf in return for the payment of a Tree Planting fee. The fee is consistent with the City of Sydney Schedule of Fees and Charges.

Either of the two options (c) or (d):

(c) If the Applicant nominates to undertake all tree supply, planting, and maintenance requirements, the following requirements must be met by the Applicant:

(i) Tree(s) must be planted prior to issuing of any Occupation Certificate.

(ii) Tree(s) supplied in minimum container size of 200 litres at the time of planting.

(iii) Tree(s) grown in accordance with the Australian Standard 2303 'Tree stock for landscape use' and meet the requirements of this standard at the time of planting.

(iv) Prior to the tree(s) being planted, certification from the tree supplier submitted to the City of Sydney Urban Forest Team and Public Domain Officer that the tree(s) have been grown and comply with the requirements of AS2303. Any new tree(s) which do not conform will be rejected by the City of Sydney.

(v) Tree(s) planted by a qualified Horticulturist or Arborist (minimum AQF Level 3).

(vi) Tree(s) inspected and approved by the City of Sydney Urban Forest Team (or their representative) at the following milestones: before planting with planting pits excavated; after planting; and at the end of the maintenance period.

(vii) Tree(s) maintained by a qualified Horticulturist or Arborist (minimum AQF Level 3) for a minimum period of 12 months, commencing from the date of planting. Maintenance includes, but is not limited to, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.

(viii) At the end of the 12 month maintenance period, written acceptance of the tree(s) obtained from the City of Sydney before release of the Public Domain Bond.

(ix) If the tree(s) fail to thrive and successfully establish during the maintenance period, then the City of Sydney will request payment for a replacement tree(s) and establishment period according to the City of Sydney Schedule of Fees and Charges.

(d) If the Applicant nominates tree planting delivery method 2, the following requirements must be met to the satisfaction of the City of Sydney before the Occupation Certificate is issued.

(i) The tree pits must be created as outlined in condition (a) (iv) above.

(ii) The relevant fee/s must be paid for the tree planting, as outlined in condition (b) (ii) above, noting that the City of Sydney may undertake the tree planting following the issuing of the Occupation Certificate where all other above conditions have been satisfied.

OCCUPATION AND ONGOING USE

(121) USE OF COMMON AREAS AND FACILITIES

The communal open space at ground level and on the podium roof level must be available for the use all residents 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 residential development are maintained as common property.

(122) THROUGH-SITE LINK

The pedestrian through-site link between Quarry Master Drive and Saunders Street is to be open for access to the public between the hours of 7.00am to 10.00pm Monday to Sunday or for other times as provided in writing by the City's Area Planning Manager.

Reason

To ensure that the pedestrian network is provided in accordance with the Council's DCP.

(123) NOISE – STRUCTURE BORNE IMPACT ON SEPARATE PREMISES

The cumulative structure borne noise impact level from the use must comply with Requirement 5, *NOISE – STRUCTURE BORNE IMPACT ON SEPARATE PREMISES,* as specified in the City of Sydney – Environmental Noise Technical Requirements, dated October 2025.

Reason

To protect the acoustic amenity of surrounding properties.

(124) 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.

(125) 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.

(126) 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.

(127) 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 Coordinator Planning Assessments / Area Planning Manager prior to issue of an 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.

(128) DEFECTS LIABILITY PERIOD – PUBLIC DOMAIN WORKS

All works to the City's public domain, including rectification of identified defects, are subject to a 6 month defects liability period from the date of Completion. The date of Completion will be nominated by Council on the Public Domain Works – Letter of Completion Operational Acceptance.

Reason

To ensure all works to the City's public domain are protected under a liability period.

(129) 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.

(130) 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) 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.

(c) 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.

(131) SCHEDULED COLLECTIONS - RESIDENTIAL

(a) Scheduled collections and waste management arrangements of Council's residential waste stream(s) is to be conducted in accordance with the stamped plans, approved Operational Waste Management Plan, the developments Conditions of Consent and the City's Local Approvals Policy Managing Waste in Public Spaces.

(b) Council's Domestic Waste Charge is applied to all residential rate accommodation properties in accordance with section 496 of the *Local Government Act 1993.* Residential accommodation is defined in accordance with the *Sydney Local Environmental Plan 2012* dictionary.

(c) Unobstructed access to be provided for Councils standard waste collection vehicles to access the waste and recycling storage area(s), loadings bays and supporting infrastructure between the hours 6am and 6pm on collection day(s) to support the provision of a safe and efficient waste collection service to the site.

Reason

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

(132) ONGOING WASTE MANAGEMENT – RESIDENTIAL

(a) The ongoing use of development 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 stream(s) materials emanating from the premises must be stored in the designated waste storage area(s) integrated within the built form and must not be stored outside the premises (including any public place) at any time.

(c) The property manager is responsible for lodging requests for damaged/broken bins, managing the rotation of bins, ensuring the full allocation of relevant bins are available for scheduled collections, management of odour and the routine cleaning and maintenance of all waste storage areas.

(d) 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.

(e) The property manager is responsible for the installation and maintenance of all education signage for the respective waste stream(s) as requested by the City of Sydney Council responsive to the approved Operational Waste Management plan.

(f) Commercial waste and recycling stream(s) and supporting infrastructure to be stored in a separate lockable, enclosed, and walled area free from the residential waste and recycling stream(s) rooms. The residential rooms to have relevant locks to inhibit commercial tenants access to Councils residential waste streams.

Reason

To support the safe and efficient scheduled Council waste collection service and ensure the impacts of waste management on the public domain and public health are minimised.

(133) 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.