

3 June 2013

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File No: R/2013/12  
Your Ref: MP08\_0015 MOD1 & SSD\_5708

Karen Jones  
Director  
Metropolitan & Regional Projects South  
NSW Department of Planning & Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Attention: Daniel Gorgioski  
Email: daniel.gorgioski@planning.nsw.gov.au

Dear Daniel

**RE North Eveleigh Affordable Housing Development (MP08\_0015 MOD 1 & SSD 4949-2011)**

I refer to your correspondence, dated 29 April 2013, advising of the exhibition of the Development Application for a 6-7 storey affordable housing development on the North Eveleigh rail yards site, with the proposal accommodating 88 apartments, 39 basement car parking spaces and ancillary landscaping works.

It is understood that a concurrent Modification Application to the North Eveleigh Concept Plan (MP08\_0015 MOD 1) has been lodged by the Proponent to increase the height of Building D4 (being the subject building on the site) from 6 to 7 storeys and to extend/vary the building footprint.

In general, the City is supportive of the application to redevelop this site, as well as, the provision of much needed affordable housing for the area.

Following a review of exhibition material, a number of issues with the design have been identified by the City's assessment staff. These issues are summarised below for consideration by the Department:

**(1) Modifications to the Concept Plan**

It is noted that the proposed Development Application is not strictly compliant with the building footprints and envelope approved for this building (Building D4) in the North Eveleigh Concept Plan, and proposes a part additional 7<sup>th</sup> storey and variations to the approved building footprint.

Generally, no objection is raised to the modified height as it is considered to be contextually appropriate and maintains transitional building heights that scale up from Wilson Street southwards towards the railway tracks. It is considered that, subject to an appropriate design and materiality, that the additional height can be accommodated on this site without resulting in any additional adverse environmental

or amenity impacts beyond that assessed as acceptable in the original Concept Plan.

Generally, the modifications are considered to be acceptable, however, it is requested that the Department give further consideration to the appropriateness of the following modifications to the building footprint:

- **Building Separation** – It is noted that the proposal seeks to modify the Concept Plan to reduce the separation between the subject development (Building D4) and the future residential apartment building located to the south of the site (identified in the Concept Plan as Building D1).

As approved, these buildings had a separation of 14.8 metres, which is generally consistent with guidelines of SEPP 65 and Residential Flat Design Code (RFDC) for low-rise buildings. As proposed, this separation would reduce to approximately 9 metres, which is a variation from the RFDC guideline of between 3 and 9 metres.

Whilst the City notes that there is no current proposal for the redevelopment of the site to the south, as this site is earmarked for redevelopment under the Concept Plan, it is recommended that the Department give consideration in their assessment to potential privacy and amenity impacts from this reduced separation. In particular, consideration should be given to the appropriateness of the placement of windows and balconies in the southwestern corner of the proposed development (being Apartments 115, 116, 215, 216, 315, 316, 415, 416 & 515) noting that these may preclude the optimal use and design of the northern elevation of Building D1 in the future.

## (2) Residential Amenity

Following a review the architectural plans, it is considered that the proposal results in inconsistencies with SEPP 65 and the RFDC guidelines, and that residential amenity for future occupants could be improved through a resolution of the following issues:

- **Amenity of 1-bedroom apartment Type B** – Concern is raised regarding the internal amenity of this apartment typology, which is located on levels 2 to 5 (inclusive) of the development. As a result of the depth of the external access walkway along the southern elevation of the building, combined with the privacy screen treatment proposed to the southern elevation bedroom windows of these apartments, it is questioned how much natural light these rooms would receive. Consequently, it is considered that these bedrooms would be reliant on borrowed light from the northern elevation living room windows, and this light being transferred through the bathroom (i.e. the primary natural light source is 13 metres away).

It is recommended that the Department give consideration to the appropriateness of this apartment type and whether future residents would receive adequate internal amenity, particularly noting that this typology makes up 27% of all units within the development.

The following design advice is provided for consideration:

- Consideration should be given to whether the central portion of this building is achieving its design intent of providing natural ventilated

apartments with good internal amenity. Alternatively, consideration could be given to redesign of the central portion of the building to adopt a more traditional double loaded corridor arrangement, which could still achieve satisfactory amenity and outlook for future residents; or

- Where the external walkways are supported by the Department, consideration should be given to a reduction in depth of the walkways to 1.5 metres. This would allow greater light penetration to any south facing windows; or
  - Where the existing depth of the external walkways is supported, then it is recommended that consideration be given to reducing the number of this type of unit in favour of a more traditional studio layout (such as Type A in the proposed development). Fanlight windows should also be provided to all bedrooms of Unit Type B apartments to allow for cross ventilation without having the sliding bedroom door open.
- **Acoustic Amenity** – It is considered that there is a possible amenity issue that may arise from the location of bedroom windows directly onto the external walkway. This occurs for both the 3-bedroom units on the ground floor and Type B 1 bedroom units on Levels 2 to 5 of the development. This type of configuration results in the conflict between maintaining acoustic privacy to these bedrooms and achieving natural ventilation to these rooms.
  - **Unit size** – It is noted that 33 apartments proposed (or 37.5% of apartments within the development) do not achieve the minimum internal unit areas as recommended by the RFDC. It is not considered that adequate justification has been provided by the Proponent for the extent of variation, particularly noting the amenity concerns outlined above to the internal configuration of several apartment typologies.
  - **Floor to Floor Heights** – The proposed development proposes floor-to-floor heights of 3 metres. The City has experience of recent projects that have been unable to achieve a finished floor-to-ceiling height of 2.7 metres, as is required within the RFDC, where floor-to-floor height of 3 metres were approved. As such, to allow for construction tolerances, it is recommended that any approval given require a minimum floor-to-floor height of 3.05 metres.
  - **Overshadowing** – It is considered that inadequate documentation was submitted with the application to allow an assessment on potential additional overshadowing impacts (resulting from the modified building envelope) to the future residential buildings to the south (namely Buildings C2, D1 and D2) and the ability of these buildings to then achieve the 70% solar access requirements in future applications. It is recommended that the Department request additional solar access analysis to demonstrate that the areas of communal open space and future residential apartment buildings will achieve the requisite amounts of sunlight.

### (3) **Activation of Streetscape**

In its current form, it is considered that the proposal lacks street activation and connectivity along its northern frontage to the new east-west street (being Carriageworks Way). It is considered that with minor design modifications to the

ground floor level apartments that this issue could be easily rectified through the inclusion of individual entries to the Apartments G01 to G04 (inclusive).

The Proponent has provided the justification of security and building management within the Statement of Environmental Effects for the design rationale for not providing individual street entries. However, it is noted from a review of the submitted documentation that this justification is not substantiated by any of the accompanying reports (such as the Crime Prevention through Environmental Design or Social Impact Assessment reports) or advice provided by the NSW Police.

It is recommended that the Department give consideration to the inclusion of individual entries to the aforementioned apartments in any revised design or by way of conditions of consent to ensure an active, lively streetscape in this new development precinct.

#### **(4) Unit mix**

The development proposes the following unit mix:

- 47 x Studio/1 bedroom units (53.4%);
- 36 x 2 bedroom units (40.9%); and
- 5 x 3 bedroom units (5.7%).

It is understood that the predominance of studio and 1 bedroom apartments within the development is based on housing requirements of the existing waiting list of City West Housing. This is detailed in both the Statement of Environmental Effects and Social Impact Assessment submitted with the application.

Whilst the rationale to meet the immediate needs of City West Housing is understood, it is considered that the assessment should consider the long-term housing needs of both existing and future housing/populations. It is recommended that the Department should give consideration to the provision of a greater proportion of 3 bedroom unit typologies to cater for families, with it recommended that the proposal be amended to adopt a unit mix more aligned with the provisions of the Sydney Development Control Plan 2012.

#### **(5) Materials**

Whilst no objection is raised to the proposed colour palette and materials selected when the development is considered in isolation, Council's Heritage Specialist has raised concern regarding the use of face brick due to the proximity of adjacent heritage listed buildings.

It is noted that the Concept Plan recommended the use of light-weight cladding materials to reduce the competition between new infill buildings and the heritage significant buildings on site. It is requested that the Department give consideration to the appropriateness of the materials selected and/or the siting of the face brick components in relation to the adjacent Carriageworks and Clothing Store buildings.

#### **(6) Vehicular Access**

The Concept Plan envisaged vehicular access to the site from its eastern boundary, however, it is understood that land to the east of the site (including the existing car park and access driveway) is outside the boundaries of land currently being development by Urban Growth NSW.

No objection is raised to basement car park configuration or access from the site from the new western access road, subject to this access road being dedicated as public road. It is noted that these internal access roads are currently being developed by way of a Part 5 approval under the Environmental Planning and Assessment Act, 1979. Where the access road is unable to be dedicated as public road, the City would recommend that the car park and vehicular crossover be reconfigured to provide access from the new east-west road (Carriageworks Way).

#### **(7) Garbage Collection**

The proposed development has provided garbage storage rooms adjacent to the eastern boundary of the ground floor level. The Proponent has indicated that the City would undertake the garbage collection and would move garbage bins from the designated waste room to the awaiting truck via the ramps provided on the southern elevation of the development.

Concern is raised regarding the siting of the proposed garbage and recycling storage rooms, and the need to access these facilities from the eastern boundary of the site. As detailed above, the existing access drive to the east of the site lies outside the precinct under development by Urban Growth NSW and land that is to be dedicated as public road. Therefore, based on the information available, it is not believed that the City can service the site from land that is not within the bounds of the site or that would not be in public ownership.

It is recommended that further discussions are held with the Proponent on an alternate location for garbage storage and collection to address the above issue. It is recommended that the Department give consideration to whether on-site waste collection could be accommodated either at ground or basement level.

#### **(8) Car Parking**

No objection is raised to the amount of car parking provided for future residents of the development, noting the extent of variation sought from the maximum parking provision allowable for this site under the Concept Plan. It is considered that based on the level of car ownership of future tenants, and the high level of service provided to this site by public transportation, that adequate residential parking is provided.

It is noted that the development does not provide any visitor car parking spaces within the basement car park, and instead, justification is provided within the Statement of Environmental Effects that visitors will utilise future on-street parking. Whilst this statement is concurred with, it is envisaged that this future street parking will be restricted/ time-limited. It is therefore recommended that the Department give consideration to requiring some designated visitor spaces within the basement to cater for longer term guests.

#### **(9) Excavation and potential dewatering of the site**

It is unclear from a review of the Statement of Environmental Effects and the Geotechnical Investigation report submitted, to what extent dewatering of the site will be required as a result of the basement level excavation. From a review of the Geotechnical report it appears that the depth of excavation proposed would impact on the water table. It is recommended that this matter be clarified with the applicant and where necessary, appropriate consultations occur and conditions imposed on any consent granted.

**(10) Draft Conditions**

In the event that the Department is of the opinion to approve the proposal in its current form, the City has provided draft conditions of consent for consideration. Please refer to Attachment A to this correspondence.

The City thanks you for the opportunity to provide input at this stage of the proposal. It would appreciate that in the event that any amendments are made to this proposal prior to the determination by the Department, that the City be provided with a further opportunity to comment.

Should you wish to speak with a Council officer about the above, please contact Nicola Reeve, Senior Planner, on 9265 9961 or [nreeve@cityofsydney.nsw.gov.au](mailto:nreeve@cityofsydney.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to be 'GJahn', written in a cursive style.

**Graham Jahn AM**  
**Director**  
City Planning | Development | Transport

## **ATTACHMENT A DRAFT CONDITIONS**

### **(1) FOOTPATH DAMAGE BANK GUARANTEE**

A Footpath Damage Bank Guarantee calculated on the basis of 105 lineal metres of the site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.

The guarantee must be lodged with Council prior to issue of a Construction Certificate.

The Bank Guarantee will be retained in full until the final Occupation Certificate has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. On satisfying the above requirements 90% of the total securities will be released, with the remaining 10% to be retained for the duration of the 12 months Defect Liability Period.

### **(2) ALIGNMENT LEVELS**

- (a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.
- (c) If a Public Domain Plan condition applies to the development the Alignment Levels application must be made concurrently with the submission of a Public Domain Plan.

### **(3) PUBLIC DOMAIN PLAN**

The Public Domain Plan accompanying this Development Application has not been approved by this consent

Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be lodged with Council's Public Domain Section and be approved by Council prior to a Construction Certificate being issued for any new building work (including internal refurbishments) excluding approved preparatory, demolition or shoring work.

The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual. If an Alignment Levels condition applies to the development, the Public Domain Plan submission must be made concurrently with the Alignment Levels application. The works to the public

domain are to be completed in accordance with the approved plan and the Public Domain Manual before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

Note: A Public Domain Works Guarantee deposit will be required for the public domain works, in accordance with the City of Sydney's adopted fees and charges and the Public Domain Manual. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for completion of the obligations under this consent.

Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with Council prior to a Road Opening Permit for works on the public way being issued.

The Bank Guarantee will be retained in full until all Public Domain works are completed and the required certifications, warranties and works-as-executed documentation are submitted and approved by Council in writing. On satisfying the above requirements, 90% of the total securities will be released. The remaining 10% will be retained for the duration of the specified Defects Liability Period.

#### **(4) PUBLIC DOMAIN WORKS - HOLD POINTS AND HANDOVER**

- (a) Prior to a Construction Certificate being issued for a new building work, excluding approved preparatory, demolition and shoring work, a set of hold points for approved public domain and civil construction work is to be determined with and approved by the City's Public Domain section in accordance with the City's Public Domain Manual.
- (b) Completion and handover of the constructed public domain works is to be undertaken in accordance with the City's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period.

#### **(5) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT**

On-site detention, treatment and re-use is encouraged.

- (a) Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the



approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.

- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.
- (e) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.

## **(6) LANDSCAPING OF THE SITE**

- (a) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by Council prior to the issue of a Construction Certificate. The plan must include:
  - (i) Location of existing and proposed structures on the site including existing trees (if applicable) and the proposed podium open space.
  - (ii) Details of earthworks including mounding and retaining walls and planter boxes (if applicable);
  - (iii) Location, numbers and type of plant species;
  - (iv) Details of planting procedure and maintenance;
  - (v) Details of drainage and watering systems and waterproofing details (as applicable);
- (b) Prior to the issue of a Construction Certificate, a maintenance plan is to be submitted to and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during occupation of the property.
- (c) All landscaping in the approved plan is to be completed prior to an Occupation Certificate being issued.

## **(7) 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".

## **(8) REMEDIATION**

- (a) The site is to be remediated and validated in accordance with Remedial Action Plan prepared by AECOM, 2 November 2012, reference 60238089 (Rev 0) **AND** Remedial Action Plan prepared by Consulting Earth Scientists, 23 December 2009, reference CES080412-RWA-04-F (Rev 1).

- (b) A NSW EPA Accredited Site Auditor and City of Sydney Health and Building Unit shall approve any variations to the proposed Remediation Action Plans in writing prior to the commencement of such work.
- (c) Prior to the exportation of waste (including fill or soil) from the site the material should be classified in accordance with the provisions of the 'Protection of the Environment Operations Act 1997 and the NSW EPA Environmental Guidelines Assessment, Classification and Management of Non- Liquid Wastes'. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

#### **(9) SITE AUDIT STATEMENT**

Prior to the execution of works associated with the built form of the development (excluding building work directly related to remediation), a Site Audit Statement from a NSW EPA Accredited Site Auditor is to be submitted to Council clearly indicating that the site is suitable for the proposed use. Conditions on the Site Audit Statement shall form part of the consent.

#### **(10) NOISE USE**

The emission of noise associated with the operation of any mechanical plant and equipment shall comply with the following criteria:

- i) The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence.
- ii) The background noise level shall be measured in the absence of noise emitted from the use in accordance with *Australian Standard AS 1055.1-1997-Description and measurement of environmental noise*.
- iii) The LAeq,15minute noise level shall be adjusted to account for any applicable modifying factors in accordance with Part 4 of the EPA NSW Industrial Noise Policy.
- iv) In this clause, the term "noise level emitted from the use" means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq, 15minute when the use is not in operation.
- v) In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.

#### **(11) 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 (e.g. loading and unloading of goods, transferring of tools etc.) in connection with the proposed development must only be carried out between the hours of 7.30am 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 Building Sites Noise Code* and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

**(12) USE OF INTRUSIVE APPLIANCES - TIME RESTRICTION.**

- (a) The operation of high noise intrusive plant and machinery such as pile-drivers, rock breakers and hydraulic hammers and those which are not listed in Groups B, C, D, E or F of Schedule 1 of the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436-2010 "Guide to Noise Control on Construction, Maintenance and Demolition Sites is restricted to the hours of:
  - 8:00am -12:00pm and 1:00 pm– 4:30pm Mondays to Friday
  - 9am – 1pm on Saturdays
  - No work is permitted on Sundays or Public Holidays
- (b) All reasonable and feasible steps must be undertaken to ensure that the work, including demolition, excavation and building complies with the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436- 2010 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'.
- (c) All reasonable and feasible steps must be taken to ensure that noise levels from activities conducted on site are kept to a minimum including the adoption of less noise intrusive plant and equipment or technologies.

**(14) HAZARDOUS AND INDUSTRIAL WASTE**

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

- (a) Protection of the Environment Operations Act 1997.
- (b) Protection of the Environment Operations (Waste) Regulation 2005.
- (c) Waste Avoidance and Recovery Act 2001.

- (d) Work Health and Safety Act 2011
- (e) Work Health and Safety Regulation 2011

**(15) DEMOLITION, EXCAVATION AND CONSTRUCTION NOISE MANAGEMENT PLAN**

A site specific construction noise management plan shall be submitted to the Council for comment and approval prior to Construction Certificate.

The Plan must be prepared by a suitably qualified person who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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 exceedances 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 (LA90, 15min) 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.
- (i) Construction duration and times
- (j) Dust control and management
- (k) Contact details of Site Manager

**(16) AIR CONDITIONERS IN RESIDENTIAL BUILDINGS**

The air conditioner/s must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2008 and shall not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
  - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
  - (ii) before 7.00am and after 10.00pm on any other day; or
- (b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those *specified* in (i) and (ii) above, which exceeds the background ( $L_{A90, 15\text{minutes}}$ ) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

**(17) WASTE AND RECYCLING MANAGEMENT - RESIDENTIAL**

- (a) A Waste Management Plan is to be submitted to and approved by Council prior to a Construction Certificate being issued. The plan must comply with the Council's Policy for Waste Minimisation in New Developments 2005. All requirements of the approved Waste Management Plan must be implemented during construction of the development.
- (b) The building must incorporate designated areas or separate garbage rooms constructed in accordance with Council's Policy for Waste Minimisation in New Developments 2005, to facilitate the separation of commercial waste and recycling from residential waste and recycling.

**UPON COMPLETION OF THE DEVELOPMENT**

- (c) Prior to an Occupation Certificate being issued or the use commencing, whichever is earlier, the Principal Certifying Authority must obtain Council's approval of the waste and recycling management facilities provided in the development and ensure arrangements are in place for domestic waste collection by Council.

**(18) 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.

**(19) 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 unit(s) and car spaces must be assigned to the units in any future strata subdivision of the building.

**(20) ACCESSIBLE PARKING SPACE**

The design, layout, signage, line marking, lighting and physical controls of all off-street accessible parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.6 - 2009 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.

**(21) BICYCLE PARKING**

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:

- a) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers, and
- b) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

**(22) CAR PARKING SPACES AND DIMENSIONS**

A maximum of ## off-street car parking spaces must be provided. 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 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.

**(23) INTERCOM FOR VISITORS**

Where a boomgate 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 6m clear of the property boundary, wired to all units (prior to an Occupation Certificate being issued or the use commencing, whichever is earlier).

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.

**(24) LOCATION OF ACCESSIBLE CAR PARKING SPACES**

Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located to be close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

**(25) PROHIBITION ON PARTICIPATION IN RESIDENT PARKING PERMIT SCHEME APPLICATION OF CITY OF SYDNEY PERMIT PARKING POLICY – INELIGIBILITY FOR RESIDENT PARKING PERMITS**

All owners, tenants and occupiers of this building are not eligible to participate in any existing or proposed Council on-street resident parking schemes.

**(26) 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.

**(27) SIGNAGE TO INDICATE NON PARTICIPATION IN RESIDENT PARKING PERMIT SCHEME**

Signs reading 'all owners, tenants and occupiers of this building are advised that they are not eligible to obtain an on-street resident parking permit from Council' must be located in prominent places such as at display apartments and on all directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to an Occupation Certificate being issued and must be maintained in good order at all times.

**(28) SIGNS AT EGRESS**

The following signs must be provided and maintained within the site at the point(s) of vehicular 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.

**(29) VEHICLE FOOTWAY CROSSING**

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

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

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

### **(30) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

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

### **(31) 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.

### **(32) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- a) All loading and unloading associated with construction activity must be accommodated on site.
- b) If, during excavation, 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) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

### **(33) 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) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.