

ATTACHMENT C

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**RESOLUTION OF COUNCIL OF
12 MAY 2008**

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ITEM 10.9

REVIEW OF STANDARD DEVELOPMENT APPLICATION CONDITIONS

(S043361)

At the meeting of Council, it was moved by Councillor McInerney, seconded by Councillor Harris –

It is resolved that:

(A) Council endorse the amendments to the City of Sydney: Standard Development Application Conditions, contained in Attachments A, B, C and D to the subject report, subject to the incorporation of the following amendments:

(i) the addition of the following conditions:

SCHEDULE A

DESIGN QUALITY EXCELLENCE

(a) ***In order to ensure the design quality excellence of the development is retained:***

(i) ***The design architect is to have direct involvement in the design documentation, contract documentation and construction stages of the project;***

(ii) ***The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;***

(iii) ***Evidence of the design architect's commission is to 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.*

SCHEDULE B

SANDSTONE RECYCLING (FOR LARGE SCALE DEVELOPMENTS INVOLVING EXCAVATION TO A DEPTH OF AT LEAST ONE BASEMENT LEVEL)

A suitably qualified expert must prepare a report which confirms the existence of sandstone or otherwise on the site and analyses the quality of the material, including contamination, to confirm whether or not it is of a quality suitable for reuse in other construction.

Subject to confirmation that the rock is of suitable quality, an Excavation Work Method Statement must be prepared which outlines the method for the removal of all sandstone material in a useable form and size.

Prior to a Construction Certificate being issued, the excavation methodology, including details of any required storage of material off site, must be submitted to and approved by Council.

Note: If the quantity of sandstone material exceeds the needs of the site, or if the approved development does not provide for the use of any sandstone, or if the material is Yellow Block sandstone required for conservation of buildings, the material must be stored in an appropriate location for later reuse. Storage may be able to be facilitated by the Council or the NSW Department of Commerce. Please contact the Manager Centenary Stonework Program at the NSW Department of Commerce on 9372 8526 for further enquiries with regard to storage.

- (ii) the amendment of existing conditions to read as follows:

SCHEDULE A

(119) 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 not longer required.

All disused or redundant vehicle crossings and laybacks must be removed and 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 or Certificate of Completion.

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

SCHEDULE B

(73) ELECTRICITY SUBSTATION

If required, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area **or in any area visible from the public domain**, to enable an electricity substation to be installed. The size and location of the substation is to be submitted for approval of Council and Energy Australia, prior to a Construction Certificate being issued.

(98) FOOTPATH DAMAGE BANK GUARANTEE

Prior to a Construction Certificate being issued the owner of the site must provide a bank guarantee for the sum to be determined based on the City of Sydney's Schedule of Fees and Charges as security for rectification of any damage to the public way.

Note: The bank guarantee required by this condition does not need to be provided if a separate bank guarantee is lodged as part of an approval for a hoarding over the public way. **However, neither bank guarantee will be released until all development works are complete to the satisfaction of the City, including rectification of damage to the public way.**

(107) PUBLIC DOMAIN PLAN

Three copies of a detailed Public Domain Plan must be prepared by an architect, urban designer or landscape architect and must be approved by Council (to be lodged with the Public Domain Section) prior to a Construction Certificate being issued for the **new building work, excluding approved preparatory, demolition and shoring work** ~~above ground building work~~. It is recommended that draft plans should be submitted for comment prior to formal submission for approval.

The Public Domain Plan must be prepared in accordance with the City of Sydney's Public Domain Manual. 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.

Note: a security deposit will be required for the public domain works, in accordance with the City of Sydney's adopted standard fees and charges.

- (B) the revised standard conditions be publicly exhibited for a period of 28 days and Council seek review and input on the Standard Development Application Conditions from relevant industry bodies, including, but not limited to:

- (i) the New South Wales Urban Taskforce;
 - (ii) the Property Council of Australia;
 - (iii) the Planning Institute of Australia;
 - (iv) the Australian Conservation Foundation;
 - (v) the Total Environment Centre; and
 - (vi) the Royal Australian Institute of Architects;
- (C) the findings of the exhibition and review be represented to the Planning Development and Transport Committee, including any recommendation of subsequent changes to Standard Development Conditions; and
- (D) a further review of the Standard Conditions be undertaken 12 months thereafter.

Carried unanimously.