



ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF DEVELOPMENT APPLICATION NO. 032-06-08

(FILE NO. 0708/095)

**INTERNAL OFFICE REFURBISHMENT/FITOUT AND REPAINTING OF
EXTERNAL WALL PANELS**

**RTA TRANSPORT MANAGEMENT CENTRE
25 GARDEN STREET, EVELEIGH
AUSTRALIAN TECHNOLOGY PARK**

I, the Planning and Urban Design Director of the Redfern-Waterloo Authority as delegate of the Minister for Planning under Instrument of Delegation dated 22 February 2007, pursuant to sections 80 (1)(a) and 80A of the *Environmental Planning & Assessment Act, 1979*, and clause 9A of the *State Environmental Planning Policy (Major Projects) 2005* determine the development application referred to in the attached Schedule 1, by **granting consent** to the application subject to the conditions of consent in the attached Schedule 2.

The reasons for the imposition of conditions are:

1. To confirm the details of the application and plans submitted by the applicant.
2. To comply with the provisions of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.
3. To ensure compliance with relevant planning controls.
4. To ensure that the work is carried out to an acceptable standard and in accordance with the Building Code of Australia.
5. To protect the amenity of the local environment, and adjoining residents, businesses and landowners.

Mohini Nair
Planning and Urban Design Director
Redfern-Waterloo Authority

Sydney,

9th October 2008

SCHEDULE 1**PART A—TABLE**

Application made by:	Roads and Traffic Authority
Application made to:	Minister for Planning
Development Application:	DA 032-06-08
On land comprising:	RTA Transport Management Centre 25 Garden Street, Eveleigh, Australian Technology Park Lot 500 DP 1033739
Local Government Area	City of Sydney
For the carrying out of:	Internal office refurbishment/fit out and painting of external facade panels to match existing
Type of development:	Local Development
S.119 Public inquiry held:	No
Approval Body / Bodies:	Not Integrated
Determination made on:	9 October 2008
Determination:	Development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the formal notification letter accompanying the Determination.
Date consent is liable to lapse	This consent will lapse 5 years from the date of commencement of consent, unless: <ul style="list-style-type: none"> ▪ a shorter period of time is specified by the Regulation, or ▪ a condition is Schedule 2, or ▪ the development has physically commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 032-06-08***Responsibility for other Approvals / Agreements***

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under Sections 96(6) and 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid, for a development application, within 12 months after the date on which the Applicant received this notice.

Appeals—Third Party

A third party right to appeal to this development consent is available under Section 123, subject to Section 101, of the *Environmental Planning and Assessment Act, 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Chief Executive Officer of the Redfern-Waterloo Authority.

Further Information

If you have any queries regarding this matter, please contact the Ms Yolanda Gil, Planning Manager, on 9202 9100.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Applicant means Roads and Traffic Authority or any party acting upon this consent.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

CEO means the Chief Executive Officer of the Redfern-Waterloo Authority.

Council means the City of Sydney.

DA No. 032-06-08 means the Development Application and supporting documentation submitted by the Applicant on 10 June 2008.

Department means the Department of Planning or its successors.

Planning and Urban Design Director means the Planning and Urban Design Director of the Redfern-Waterloo Authority.

Minister means the Minister for Planning.

Regulations mean the *Environmental Planning and Assessment Regulations, 2000* (as amended).

RWA means the Redfern-Waterloo Authority

Subject Site has the same meaning as the land identified in Part A of this schedule.

Advisory Notes – means advisory information relating to the approved development but do not form a part of this consent.

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 032-06-08

PART A—GENERAL CONDITIONS

A1 Development Description

Development consent is granted only to carrying out the development described in detail below:

- (1) Internal office refurbishment and fit out works to the existing control room and associated offices, video/rear projection room and training/ conference room on the ground floor, and SCATS work area, multipurpose room and general offices on the first floor. These works include:
- new ceiling tiles, floor coverings and painting,
 - upgraded lighting,
 - new workstations and office furniture,
 - new audio visual equipment, and
 - maintenance of existing services.
- (2) To repaint façade feature panels to the north, east and west elevations to match the existing colour.

A2 Development in Accordance with Plans

The development shall be in accordance with Development Application number 032-06-08 submitted by the Applicant on 10 June 2008, and in accordance with the following:

Statement of Environmental Effects entitled <i>Statement of Environmental Effects, RTA Transport Management Centre, Eveleigh</i>, dated 27-5-08.			
Statement of Heritage Impact entitled <i>Statement of Heritage Impact, Proposed Refurbishment Works, Transport Management Centre, No.25 Garden Street Eveleigh</i>, dated 28 May 2008.			
Scope of Refurbishment Works entitled <i>RTA Transport Management Centre, Scope of Refurbishment Works, Internal Refurbishment and Facade Repaint</i>, dated 26 May 2008			
Architectural Drawings prepared by <i>Perumal Pedavoli Architects</i>			
Drawing No.	Revision	Name of Plan	Date
2841-AD_00_00	A	Cover Sheet	23 May 2008
2841-AD_01_01	A	Ground Floor Plan	23 May 2008
2841-AD_01_02	B	First Floor Plan	16 June 2008
2841-AD_01_05	A	North and West Elevations	23 May 2008
2841-AD_01_06	A	East and South Elevations	23 May 2008

and as amended by following conditions:

A3 *Works Compliance*

All building works shall be constructed in accordance with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

A4 *Inconsistency between documents*

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

A5 *Lapsing of Consent*

In accordance with Section 95(1) of the Act the development consent shall lapse unless work has physically commenced on the land within five years from the date of the consent or in instances where no work is required, the use has commenced within 5 years from the date of the consent.

A6 *Prescribed Conditions*

The Applicant shall comply with the prescribed conditions of development consent under clause 98 and 98A of the Regulation.

PART B—PRIOR TO COMMENCEMENT OF WORKS

B1 Energy Star Rating of Appliances

All classes of appliances that are available with an energy label or a Minimum Energy Performance Standard to be installed within the premises are to have an energy star rating of 3 stars or more. The Applicant shall submit to the RWA a statement demonstrating compliance with the requirement of this condition.

B2 Installation of Water Efficient Taps

All taps installed must be water efficient with minimum “AAA” water rating.

B3 Mechanical Ventilation

Any mechanical ventilation systems installed shall be in accordance with Part F4.5 of the BCA and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems of Building*, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environmental protection.

B4 Statement of Compliance with Australian Standards

The demolition work shall comply with the provisions of *Australian Standard AS 2601: 2001 The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be certified prior to the commencement of works.

B5 Access and Facilities for Persons with Disabilities

The new works must be designed and constructed to provide access for people with a disability in accordance with the *City of Sydney Access Development Control Plan 2004*.

B6 Structural Details

Prior to the commencement of works, any structural drawings prepared and signed by a suitably qualified practising Structural Engineer must be certified by or on the behalf of the Applicant to comply with:

- (1) the relevant clauses of the BCA,
- (2) the relevant development consent,
- (3) drawings and specifications, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

B7 Construction Management Plan

Prior to the commencement of any works on the site, a Construction Management Plan shall be prepared. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) traffic management,
- (4) noise and vibration management, and

(5) dust control measures.

The Applicant shall submit a copy of the plan to the RWA and Council.

Where the Applicant proposes to vary the hours of work indicated in Condition C3, the Applicant must forward the Construction Management Plan to the RWA for approval.

B8 Construction Waste Management Plan

Prior to the commencement of works, the Applicant shall prepare a Construction Waste Management Plan prepared by a suitably qualified person. The Applicant shall submit a copy of the plan to the RWA and Council.

B9 Contact Telephone Number

Prior to the commencement of the works, the Applicant shall forward to the RWA and Council a 24 hour telephone number and must ensure the number is continually attended by a person with authority over the building works for the duration of the construction period.

B10 Barricade Permit

Where construction/building works require the use of a public place including a road or footpath, approval under section 68 of the *Local Government Act 1993* for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

Where construction/building works require the use of a public place on the ATP site, approval for the barricade must be obtained from ATP Precinct Management Ltd prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work must be provided.

B10 Compliance Report

Prior to the commencement of works, the Applicant or party acting upon this consent, shall submit to RWA a report addressing compliance with all relevant conditions with this consent as required "Prior to the commencement of works" on the subject site.

PART C—DURING CONSTRUCTION

C1 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the RWA or Council.

C2 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, certifier and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30 point type size.
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period.
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice.
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing or building and is to state the areas where unauthorised entry is not permitted.

C3 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive,
- (2) between 8:00 am and 1:00 pm, Saturdays, and
- (3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities,
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm,
- (3) the work is approved by RWA through the Construction Management Plan (prior to construction commencing),
- (4) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

C4 Construction Noise

All work, including demolition, excavation and building work must comply with the *Australian Standard 2426 Guide to Noise Control on Construction, Maintenance and Demolition Sites*.

C5 Storage and Handling of Materials

Materials generated or utilised during the demolition, construction and operation of the development should be adequately stored and handled to prevent water pollution (as defined under the *Protection of the Environment Operations Act*) and odour emissions.

C6 *No Obstruction of Public Way*

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like.

PART D— PRIOR TO OCCUPATION OR COMMENCEMENT OF USE***D1 Fire Safety Certificate***

A Fire Safety Certificate shall be furnished to the Certifying Authority for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the building. A copy of the Fire Safety Certificate must be submitted to the RWA and Council.

D2 Annual Fire Safety Statement

An Annual Fire Safety Statement must be provided to the NSW Fire Brigade and RWA commencing within 12 months after the date on which the consent authority initial Fire Safety Certificate is received.

D3 Road and Property Damage

The cost of repairing any damage caused to RWA, Council or any other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Applicant prior to occupation or commencement of use.

PART E—POST OCCUPATION

E1 Noise Control – Mechanical Plant

Noise associated with mechanical plant must not give rise to any one or more of the following:

- (a) Transmission of “*offensive noise*” as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy.
- (b) An indoor LAeq sound pressure level contribution in any place of different occupancy greater than 3 dB(A) above the L90 background level in any octave band from 31.5 Hz to 9 kHz centre frequencies inclusive between the hours of 7 am to midnight and 0 dB(A) above the L90 background level in any octave band from 31.5 Hz to 9 KHz centre frequencies inclusive between the hours of midnight to 7 am the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this subclause does not apply to any such frequencies.

ADVISORY NOTES**AN1 Structural Capability for Existing Structures**

The structural capabilities of an existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN2 Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (1) Architectural, construction and structural details of the design in accordance with the relevant Council's Policy.
- (2) Structural certification prepared and signed by a suitably qualified practising structural engineer.

The Applicant shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification prior to the commencement of works on the subject site.

AN3 Hours of Operation

The current hours of operation (24 hours, 7 days a week) will continue as per approval given in a previous consent.