

ATTACHMENT C

**CONDITIONS OF CONSENT OF APPROVED
STAGE 1 (D2015/565)**

65 CRAIGEND STREET, DARLINGHURST

City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Telephone +61 2 9265 9333
Fax +61 2 9265 9222
council@cityofsydney.nsw.gov.au
GPO Box 1591 Sydney NSW 2001
cityofsydney.nsw.gov.au



Notice of Determination - Approval issued under Section 80(1)(a) of the
Environmental Planning and Assessment Act 1979

Development Application No.	D/2015/565
Applicant	BMW AUSTRALIA LTD
Land to be developed	65 CRAIGEND STREET , DARLINGHURST NSW 2010 LOT 1 DP 604174, LOT A DP 338267, LOT B DP 338267, LOT C DP 338267, LOT 3 DP 663491, LOT B DP 435870, LOT A DP 435870, LOT 8 DP 550071, LOT 1 DP 251565, LOT 3 DP 251565, LOT 7 DP 4649, LOT 8 DP 4649, LOT 9 DP 4649, LOT 10 DP 4649, LOT C DP 381519
Approved development	Stage 1 DA for redevelopment of the site for use as a vehicular sales and hire premises with above ground car parking within a 5-storey (18m) building envelope.
Cost of development	\$51,126,768
Determination	The application was determined by Central Sydney Planning Committee and was granted consent subject to the conditions in Schedules 1 and 2 and the Terms of Approval in Schedule 3.
Other Approvals	Before commencing <i>building work</i> or <i>subdivision work</i> , a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifying Authority for any <i>subdivision work</i> under the Act. Schedule 3
Consent is to operate from	10 December 2015
Consent will lapse on	10 December 2020

Reasons for conditions

Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

city of villages

Right of appeal

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months after the date on which you receive this notice.

Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined within six (6) months of the date in which you received this notice.

Note: To enable the section 82A review to be considered within the six (6) month time frame prescribed under the Environmental Planning and Assessment Act 1979, it is advisable to lodge the application for review under Section 82A as soon as possible (within 4 months) to facilitate the statutory timeframes.

Section 82A does not apply to complying development, designated development, integrated development or a determination made by Council under Division 4 in respect of Crown applications. For further information please contact **Christopher Ashworth on ph. 9246 7757**.

GRAHAM JAHN AM

Director - City Planning, Development & Transport

CONDITIONS OF CONSENT

SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS/COVENANTS AND CONTRIBUTIONS/USE AND OPERATION

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

(a) Development must be, in accordance with Development Application No. D/2015/565 dated 1 May 2015 and the following drawings:

Drawing Number	Architect	Date
DA03.00 [B]	Bates Smart Architects	04.09.15
DA03.01 [B]	Bates Smart Architects	04.09.15
DA07.00 [B]	Bates Smart Architects	04.09.15
DA07.01 [B]	Bates Smart Architects	04.09.15

and as amended by the conditions of this consent.

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

(2) STAGED DEVELOPMENT APPLICATION

Pursuant to Clause 100 of the Environmental Planning and Assessment Regulation 2000, this Notice of Determination relates to a Stage 1 Development Application for building envelopes and concept uses only.

A subsequent development application (Stage 2) or applications are required for any built form of the development (excluding building work directly related to remediation work on the site).

(3) MATTERS NOT APPROVED

The following items are not approved and do not form part of this consent:

- (a) Any demolition, construction, or excavation;
- (b) The precise quantum of floor space;
- (c) The location of driveways on McLachlan Avenue frontage;
- (d) The indicative layout, including car parking layout; and

- (e) The removal of street trees.

(4) DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS

A competitive design process in accordance with the provisions of Sydney Local Environmental Plan 2012 shall be:

- (a) Conducted in accordance with 'Design Excellence Strategy for 65 Craighend Street, Darlinghurst November 2015' prepared by Urbis on behalf of BMW Australia Ltd.
- (b) Conducted prior to lodgement of a Stage 2 Development Application.

The detailed design of the development must exhibit design excellence, as per Clause 6.21 of Sydney Local Environmental Plan 2012.

(5) DESIGN MODIFICATIONS

The competitive design process brief and Stage 2 Development Application must incorporate the following design requirements and modifications:

- (a) An upper level setback of 3m must be provided 11.4m above existing ground level on the Barcom Avenue frontage. This applies only to the building located south of the vehicular access point.
- (b) The location of driveways on McLachlan Avenue frontage are not approved. The Stage 2 design must investigate alternative locations that preserve the existing street trees on McLachlan Avenue.
- (c) In accordance with Condition (3) (e) above, the removal of any street trees is not approved.

(6) STAGE 2 TO BE CONTAINED WITHIN APPROVED ENVELOPE

The detailed design, including services, developed under any future Stage 2 Development Application shall be contained within the building footprint and envelope approved as part of this consent. Any modification of the envelope must be fully justified through the competitive design process and Stage 2 DA process and be compliant with all relevant planning controls.

(7) ALLOCATION OF PARKING

- (a) Details of the proposed parking provisions specifying spaces per servicing bays, showroom customer parking and employee parking is to be provided with the Stage 2 development application. The Stage 2 development application is not to exceed parking provisions as outlined in the following table.

Car Parking Type	Number
Vehicle servicing	331
Office parking	22
Showroom parking	34

Car Parking Type	Number
Total	387

- (b) 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 and AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities.

(8) SUBDIVISION

This approval does not include any subdivision. Any proposal to subdivide the site at a later date will need to be the subject of a separate future application that will be considered on its own merits.

(9) REFLECTIVITY

The Stage 2 Design must ensure that the visible light reflectivity from building materials used on the facade of the building does not exceed 20%. The Stage 2 DA shall be the subject of a reflectivity report that demonstrates compliance with the above.

(10) HERITAGE

The Stage 2 design must relate sympathetically to the fine grain nature of the adjoining conservation area and the heritage item Corinthians (I501), particularly with the facade treatment to Barcom Avenue. Options that incorporate land uses other than car parking adjacent to the Barcom Avenue façade, such as office uses, should be explored. The Stage 2 DA shall be the subject of a heritage report that demonstrates that the above matters have been adequately considered and addressed.

(11) PUBLIC ART

A public art strategy that nominates artists and potential locations must be included as part of the competitive design process and must be lodged as part of the Stage 2 DA.

(12) FLOOR SPACE RATIO - CENTRAL SYDNEY

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed the maximum permissible and shall be calculated in accordance with Clauses 4.4, 4.5, and 6.21 of the Sydney Local Environmental Plan 2012.

(13) BUILDING HEIGHT

The height of the proposed buildings must not exceed the maximum permissible and shall be calculated in accordance with Clauses 4.3 and 6.21 of the Sydney Local *Environmental Plan 2012*.

(14) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The detailed Stage 2 design for the whole development shall incorporate ESD initiatives. The Stage 2 development should strive to achieve the highest possible ESD targets consistent with current world best practice. The Stage 2 DA shall be the subject of a sustainability report that demonstrates compliance with the above.

(15) SIGNAGE STRATEGY

A detailed signage strategy for the whole development shall be submitted with the Stage 2 DA and must be included in the brief for the competitive design process. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs proposed for the development.

(16) SUBSTATIONS

- (a) The location and placement of future sub stations required by Ausgrid are to be identified within any Stage 2 Development Application. Any substations are to be designed and located such that their placement does not deactivate and intrude upon the streetscape and must also be included as part of the brief for the competitive design process.
- (b) The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.
- (c) In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Exterior parts of buildings within 3 metres in any direction from substation ventilation openings, including duct openings and louvered panels, must have a fire rating level (FRL) of not less than 180/180/180 where the substation contains oil-filled equipment. For further details on fire segregation requirements refer to Ausgrid's Network Standard 113.

(17) RIGHT OF CARRIAGEWAY

The proposed development is to be designed so that no part of the proposed buildings encroach within the Right of Carriageway (limited in stratum) that is located on the southern boundary of the site, benefitting the land adjoining to the south of the site. The construction of the proposed building must also not interfere with the rights of those parties in possession of rights to use the Right of Carriageway.

(18) BICYCLE PARKING AND END OF TRIP FACILITIES

Class 3 bicycle parking facilities and end-of-trip facilities are to be provided for employees. Details of the location and quantity of bicycle parking must be included in the Stage 2 Development Application.

The layout, design and security of bicycle facilities must comply with the requirements of *Australian Standard AS 2890.3 (2015) Parking Facilities Part 3: Bicycle Parking Facilities*. The details must be submitted to and approved by the Principle Certifying Authority confirming prior to the Construction Certificate being issued.

(19) VEHICLES ACCESS

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

(20) BARCOM AVENUE ACCESS POINT

The vehicle access point in Barcom Avenue must be designed to ensure vehicles can only enter the site via this point. Provisions must ensure vehicles cannot exit the site to Barcom Avenue.

Physical restrictions are to be installed on-site and/or on the Barcom Avenue roadway to prevent vehicles making a left turn from the site to Barcom Avenue. Details are to be submitted with the Stage 2 Development Application.

Any proposals for alterations to the public road must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

All works are to be completed in accordance with the approved plans prior to the issue of any Occupation Certificate.

All associated costs shall be borne by the developer.

(21) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must not exceed 19 metres.

The Stage 2 Development Application must include swept paths for the largest vehicles to access the site.

(22) ON SITE LOADING AREAS AND OPERATION

The Stage 2 Development Application must ensure all loading and unloading associated with the site can be carried out within the confines of the site at all times and not obstruct other properties or the public road or footpath.

(23) STREET TREE RETENTION

- (a) All existing street trees shall be considered during designing of the new buildings, driveways, footpaths etc for the Stage 2 Development Application.
- (b) The location of any new driveway shall ensure it does not require the removal of any existing street tree. The driveways shall be appropriately setback so as not to adversely impact on any existing street trees both below and above ground.

(24) ARBORICULTURAL IMPACT ASSESSMENT

- (a) An Arboricultural Impact Assessment (AIA) prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 must be submitted with the Stage 2 Development Application.
- (b) The report must reflect current industry practices, with particular reference to the Australian Standard 'Protection of trees on development site' (AS4970-2009) and must include;
 - (i) Identify and include correct botanical and common names of all trees within the proposed development site and must also include trees growing within neighbouring properties (within a 5 metres radius) that are likely to be affected by the development.
 - (ii) An assessment of all trees health, vigour and structural condition;
 - (iii) Provide an assessment detailed in a tree schedule / table for each tree surveyed. The tree assessment should be conducted and recorded in accordance with industry best practice;
 - (iv) Include a suitably scaled plan of the site showing the location of all trees assessed in the report;
 - (v) Identify all trees to be retained and removed during construction and development;
 - (vi) A discussion of all options available, including reasons as to why trees are, or are not being recommended for removal or retention;
 - (vii) Recommendations of any design modifications, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition and construction works, and into the long term;
 - (viii) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site;

- (ix) Details on the trunk protection (method / materials/ duration); and
- (x) Details of any pruning required for construction and development. This must include number of branches and orientation, branch diameter, percentage of live canopy to be removed. This information must also be detailed on either a diagram or photograph of the tree.
- (xi) Information on the Arborist's involvement during the works is also required;
- (xii) Any other works that must be prohibited throughout construction and development on site.

(25) LANDSCAPING

Prior to the preparation of the brief for the competitive design process, a landscape concept statement must be submitted to Council's Director City Planning, Development and Transport for approval. The statement should identify any landscape constraints, and set the aspirations and requirements for the landscape spaces in order to achieve design excellence. It should establish a clear commitment to designing landscape sustainably and in an integrated manner, and demonstrate that the function and aesthetic of both the landscape and buildings have been considered concurrently, in relation to each other, and in relation to the public domain.

(26) DETAILED ENVIRONMENTAL SITE INVESTIGATION REQUIRED

After the completion of demolition of the existing buildings and prior to the works associated with construction of the new building forms as part of a subsequent stage 2 Development Application for this proposal, a Detailed Environmental Site Investigation (DESI) is to be carried out by a suitably qualified and competent environmental consultant and submitted to the City Area Planning Manager for further review in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites, Contaminated land Management Act 1997 and SEPP 55 Remediation of Land⁷ confirming that the site is suitable (or will be suitable, after remediation) for the proposed use.

Where the DESI states that the site requires remediation, a Remediation Action Plan (RAP) is to be prepared by a suitably qualified and competent environmental consultant in accordance with the NSW Government Office of Environment and Heritage, Guidelines for Consultants Reporting on Contaminated Sites and the Contaminated land Management Act 1997 and submitted to the City Area Planning Manager for approval.

Note: Where the DESI concludes that the site is suitable for the proposed use it is to be peer reviewed by a NSW EPA Accredited Site Auditor and a Section A Site Audit Statement submitted to the City Area Planning Manager certifying that the site is suitable for the proposed use.

The DESI and RAP must be peer reviewed by a NSW EPA Accredited Site Auditor and include a Section B Site Audit Statement or a letter of Interim advice from the Site Auditor certifying that the RAP is practical and the site will be suitable after remediation for the proposed use.

(27) 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 Section A Site Audit Statement (SAS) is to be obtained from a NSW EPA Accredited Site Auditor and is to be submitted to the Area Planning Manager. The SAS must confirm that the site has been remediated and clearly state that site is suitable for the proposed use. Conditions on the Site Audit Statement shall form part of the consent.

- (a) Where the SAS is subject to conditions that require ongoing review by the Auditor or Council these should be reviewed and approved by Council before the SAS is issued. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, a S96 application pursuant to the *Environmental Planning & Assessment Act 1979* shall be submitted to ensure that they form part of the consent conditions.
- (b) An Occupation Certificate must not be issued by the PCA unless a Site Audit Statement has been submitted to the City and approved in accordance with this condition.

(28) UNDERGROUND STORAGE TANK REMOVAL

If the removal of underground storage tanks is to be carried out, the work shall be undertaken in accordance with NSW WorkCover requirements which includes writing to the Chief Inspector of Dangerous Goods and complying with any conditions imposed. The tank removal shall be conducted in accordance with the *Australian Institute of Petroleum's Code of Practice, The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994)* and *AS4976-2008 The removal and disposal of underground petroleum storage tanks*. In the event of conflict between the Code of Practice and NSW WorkCover requirements, the latter shall prevail.

(29) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

- (a) Concept 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 Council with the Stage 2 Development Application.
- (b) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of Sydney Water requirements to the on-site detention must be submitted to Council with the Stage 2 Development Application.
- (c) A concept stormwater quality assessment must be undertaken and submitted to Council with the Stage 2 Development Application.
- (d) The stormwater quality assessment must:
 - (i) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design;
 - (ii) use modelling from an industry-standard water quality model; and

- (iii) demonstrate what water sensitive urban design and other drainage measures will be used to ensure that the development will achieve the following post-development pollutant loads:
 - a. reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
 - b. reduce the baseline annual pollutant load for total suspended solids by 85%;
 - c. reduce the baseline annual pollutant load for total phosphorous by 65%;
 - d. reduce the baseline annual pollutant load for total nitrogen by 45%.

SYDNEY TRAINS CONDITIONS

(30) SERVICES SEARCH

Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with the Rai/Corp as to whether these services are to be relocated or incorporated within the development site.

(31) ELECTROLYSIS RISK

Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

(32) CRANES AND AERIAL OPERATIONS

Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

RMS CONDITIONS

(33) DESIGN DRAWINGS AND DOCUMENTS TO BE SUBMITTED TO RMS

The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8849 2114
Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days' notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

(34) DEMOLITION AND CONSTRUCTION VEHICLES

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Craigend Street.

(35) ROAD OCCUPANCY LICENSE

A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Craigend Street during construction activities.

(36) STORMWATER DRAINAGE

Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to:

Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

(37) CAR PARKING LAYOUT

The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance

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requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 - 2002 for heavy vehicle usage.

SCHEDULE 2

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.

Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*

Clause 98A Erection of signs

Clause 98E Conditions relating to shoring and adequacy of adjoining property

Refer to the NSW State legislation for full text of the clauses under Division 8A of the *Environmental Planning and Assessment Regulation 2000*. This can be accessed at: <http://www.legislation.nsw.gov.au>.

SCHEDULE 3

TERMS OF APPROVAL

The Terms of Approval for Integrated Development as advised by NSW Office of Water are as follows:

General

1. An authorisation must be obtained for the take of groundwater from the site unless subsequently identified otherwise by DPI Water.
2. A copy of a valid development consent for the project must be provided to DPI Water on application for the authorisation.
3. A copy of the written permission from the relevant controlling authority for the proposed method of disposal of pumped water must be provided to DPI Water on application for the authorisation.
4. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be present beneath the site, and shall not themselves cause pollution of groundwater.
5. The take of groundwater must be carried out so as not to compromise any aspects of groundwater-related management plans applicable to the site (e.g. acid sulfate soils management plan, remediation action plan).

During UST removal

6. Regular monitoring of discharge volumes using a method compliant with the *NSW Water Extraction Monitoring Policy* must be undertaken for the period over which the groundwater take is occurring.
7. Multiple measurements of discharge volumes must be made whilst groundwater take is occurring at a monitoring schedule appropriate to the likely duration of the activity.
8. Regular monitoring of pumped or discharged water quality must be undertaken for the period over which the groundwater take is occurring.
9. Repeated sampling and analysis of pumped or discharged water quality must be undertaken whilst groundwater take is occurring at a monitoring schedule appropriate to the likely duration of the activity.

Reinstatement of the UST excavation

10. Any clean backfill imported to the site (e.g. virgin excavated natural material or excavated natural material) must be of similar particle size and hydraulic properties to the material excavated for the removal of the UST to restore groundwater flows to a similar condition to that existing before the activity commenced.

Reporting following UST removal

11. Records of the volumes and quality of all water pumped or discharged must be kept and provided to DPI Water after the groundwater take from the site has ceased.

12. A completion report must be provided to DPI Water that includes the total volume of groundwater take, the duration over which it occurred, and the residual quality of groundwater beneath the site to be submitted in an electronic format consistent with common word processing and spreadsheet software and without editing restrictions.

During building construction

13. The design and construction of the building must prevent any take of groundwater after construction by making any below-ground levels that may be impacted by any watertable watertight for the anticipated life of the building and sufficiently extensive to incorporate adequate provision for unforeseen high watertable elevations to prevent potential future inundation.
14. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
 - (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the watertable might naturally rise in the location immediately prior to the construction of the structure;
 - (b) any elevated watertable is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and
 - (c) where the habitable structure is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.

Following building construction

15. Measurement and recording of discharge volumes arising from any unexpected or exempt ongoing take of groundwater at the site must be undertaken on a monthly basis for the life of the completed building using a method compliant with the *NSW Water Extraction Monitoring Policy*.
16. Such records must be maintained by the occupier for the life of the building, and provided to DPI Water on request, to demonstrate the take of groundwater remains negligible and any relevant exemption continues to apply.
17. If any groundwater take from the site exceeds an annual volume that has been determined by DPI Water to be significant for that location the occupier must apply for and obtain an authorisation for that amount in accordance with the requirements of the *NSW Aquifer Interference Policy*.