

Attachment A

Recommended Conditions of Consent
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PART A – DEFERRED COMMENCEMENT CONDITIONS

SCHEDULE 1

(A) The consent is not to operate until the following condition is satisfied:

(1) VOLUNTARY PLANNING AGREEMENT

- (a) The Voluntary Planning Agreement between the COUNCIL OF THE CITY OF SYDNEY and GRAND VILLAGE PTY LTD and GOOD VILLAGE PTY LTD, that delivers public benefits associated with the approved development, shall be exhibited, executed and submitted to Council; and
 - (b) The Voluntary Planning Agreement, as executed, must be registered on the title of the land.
- (B) Evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within **24 months** of the date of determination of this deferred commencement consent failing which, this deferred development consent will lapse pursuant to section 4.53(6) of the Environmental Planning and Assessment Act 1979.
- (C) The consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied.
- (D) Upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent, as detailed in Part B Conditions of Consent (Once the Consent is Operation).

PART B – CONDITIONS OF CONSENT

SCHEDULE 1A

APPROVED DEVELOPMENT/DESIGN MODIFICATIONS

(1) STAGED DEVELOPMENT APPLICATION

Pursuant to Division 4.22 of the Environmental Planning and Assessment Act 1979, this Notice of Determination relates to a concept development application and a subsequent development application is required for any work on the site.

(2) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2019/1082 dated 27 September 2019 and the following drawings prepared by Smith & Tzannes:

Drawing Number	Drawing Name	Date
DA-U-100, A	Basements Envelope Plan	11/02/2020
DA-U-101, C	Ground and Above Envelope Plan	04/08/2020

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.

(3) MATTERS NOT APPROVED

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

- (a) any demolition, excavation and/or construction;
- (b) the layout and number of boarding rooms, communal spaces or non-residential tenancies;
- (c) the depth, extent, number, layout and design of basement levels and/or the configuration of car parking;
- (d) the number of parking spaces for cars, motorbikes, bicycles, car share or loading spaces/zones;
- (e) the precise quantum of floor space; and
- (f) up to 10% design excellence uplift in floor space ratio.

(4) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the Planning Agreement between the Council of the City of Sydney and Grand Village Pty Ltd and Good Village Pty Ltd, entered into in accordance with Deferred Commencement Condition (1) at Part A of this consent, are to be complied with.

(5) DESIGN MODIFICATIONS – ENVELOPE DRAWINGS

The design of the concept envelope must be modified as follows:

- (a) the approved vehicle access in the location of the north-easternmost existing crossover to Bourke Street is to be annotated on the envelope plans;
- (b) existing street trees adjacent to the Bourke Street frontage are to be drawn on the envelope plans;
- (c) all parts of the concept envelope including the basement envelope, that are within 9m of the rear (north-western) boundary, are to be setback 9m from the rear (north-western) boundary, as annotated in red on the stamped approved plans; and
- (d) the area of the site between the rear (north-western) boundary and the rear (north-western) elevation of the concept envelope, modified in accordance with (c) above, is to be notated on all concept envelope drawings as follows: DEEP SOIL.

The modifications are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the commencement of any competitive design process for the site.

(6) ENVELOPE HEIGHT

In accordance with the stamped approved plans the height of the envelope must not exceed:

- (a) RL 37.88 (AHD) to the top of the building at its northern corner;
- (b) RL 39.75 (AHD) to the top of the building at its eastern corner;
- (c) RL 38.14 (AHD) to the top of the building at its southern corner; and
- (d) RL 37.45 (AHD) to the top of the building at its western corner.

(7) FLOOR SPACE RATIO

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio (FSR) of development contained within the site must not exceed the maximum permitted FSR calculated in accordance with Sydney Local Environmental Plan 2012.
- (b) Notwithstanding (a) above, the development contained within the site may be eligible for up to 10% additional floor space pursuant to the provisions of Clause 6.21(7) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the subsequent DA for the

detailed design of the building exhibits design excellence and is the result of a competitive design process.

(8) DISTRIBUTION OF FLOOR SPACE WITHIN ENVELOPES

The approved concept proposal envelope establishes the maximum parameters for the competitive design process and the future built form on the site. The detailed design of the building must not occupy the entirety of the envelope. The maximum permissible floor space of the detailed design must be consistent with the relevant provisions of the Sydney LEP 2012, the Sydney DCP 2012 and the conditions of this consent.

(9) COMPETITIVE DESIGN PROCESS

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

- (a) conducted in accordance with the Design Excellence Strategy for Design Excellence Strategy for 1049-1055 Bourke Street, Waterloo prepared by Sutherland & Associates Planning on behalf of Lateral Estate and dated August 2020; and
- (b) conducted prior to the lodgement of a subsequent DA for the detailed design of the building to be contained within the site.

The detailed design of the building must exhibit design excellence, in accordance with Clause 6.21 of *Sydney Local Environmental Plan 2012*.

(10) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Details are to be provided with any subsequent DA for the detailed design of the building to confirm that the building has adopted the following proposed ESD targets specified in the Design Excellence Strategy referred to in the COMPETITIVE DESIGN PROCESS above:

- (a) a BASIX energy score that exceeds the state mandated minimum target by 5 points; and
- (b) roof-top solar PV at approximately 0.5 kWp per dwelling.

The ESD targets are to be carried through the competition phase, design development, construction, to completion of the project.

(11) DETAILED DESIGN OF THE BUILDING

The design brief for the competitive design process and the building design submitted as part of any subsequent DA for the detailed design of the building, must address the following design requirements:

- (a) a maximum street frontage height of 4 storeys and a minimum setback of 3m above the street frontage height to Bourke Street;
- (b) incorporate public art that is commensurate with the nature and scale of the development, giving consideration to locations in addition to the public art opportunity in the residential entry lobby identified in the Preliminary Art Plan submitted as part of the concept DA (D/2019/1082);

- (c) a continuous footpath awning, no greater than 2.5m wide, is to be provided to the building's Bourke Street frontage;
- (d) the following landscape strategy and the relevant requirements of the City's *Landscape code (volume 2): All development except single dwellings*:
 - (i) landscaping is to comprise a mix of locally indigenous tree, shrub and groundcover species with low water needs, as outlined in the City's Landscape Code. Where this is not possible it is preferred that plants native to Australia are used;
 - (ii) urban tree canopy cover to at least 15% of the site area is to be provided within 10 years of the completion of the development;
 - (ii) deep soil area – which is an area of natural ground without structures above or below and excluding pools and non-permeable paved areas - is to be provided in the area identified as DEEP SOIL on the approved concept envelope drawings as modified in accordance with the DESIGN MODIFICATIONS – ENVELOPE DRAWINGS condition above;
 - (iv) screens, fencing and plantings are to be located and designed to minimise and mitigate any impacts on the visual and acoustic privacy of the subject and neighbouring buildings;
- (e) provide minimum floor to floor heights of 4.5m on the ground floor and 3.1m on residential levels above the ground floor, to provide minimum floor to ceiling heights of 2.7m on residential levels above the ground floor;
- (f) the minimum size, design and amenity requirements at section 4.4.1 Boarding houses of the Sydney DCP 2012;
- (g) building facades are to:
 - (i) incorporate a variety of materials and textures;
 - (ii) are to provide a sympathetic response to existing buildings in the area, particularly if they make a positive contribution to the streetscape;
 - (iii) use bricks similar to those utilised in significant buildings in the area of Green Square;
- (h) projections into the 3m setback to Bourke Street to be dedicated to Council, including balconies and bay windows, must not encroach into this public domain setback by more than 450mm and must be a minimum 3.2m above the height of the footpath in accordance with the requirements of Schedule 7 of the Sydney DCP 2012; and
- (i) no more than 50% of car-parking spaces may be provided in parts of the basement where the floor level of the storey immediately above is more than 1 metre above ground level. Such 'above-ground level parking' must be designed in accordance with the requirements of provision 5.2.12 of the Sydney DCP 2012.

(12) PUBLIC ART

- (a) The Preliminary Art Plan prepared by Guppy Associates Art Management and dated 5th September 2019, V1, has not been approved by this consent.
- (b) The Preliminary Art Plan must be modified to specify an increased public art budget commensurate with the nature and scale of the development and is to be submitted as part of any subsequent DA for the detailed design of the building.

(13) SUBMISSION OF ELECTRONIC CAD MODELS PRIOR TO COMPETITIVE DESIGN PROCESS

- (a) Prior to the commencement of any competitive design process for the site, an accurate 1:1 electronic CAD model of the envelope approved by this consent (and as modified by the DESIGN MODIFICATIONS condition above) must be submitted to and approved by Council's Area Coordinator Planning Assessments/Area Planning Manager.
- (b) The data required to be submitted within the surveyed location must include and identify:
 - (i) building design above and below ground in accordance with the development consent;
 - (ii) all underground services and utilities, underground structures and basements, known archaeological structures and artefacts;
 - (iii) a current two points on the site boundary clearly marked to show their Northing and Easting MGA (Map Grid of Australia) coordinates, which must be based on Established Marks registered in the Department of Lands and Property Information's SCIMS Database with a Horizontal Position Equal to or better than Class C.

The data is to be submitted as a DGN or DWG file on a Compact Disc. All modelling is to be referenced to the Map Grid of Australia (MGA) spatially located in the Initial Data Extraction file.

- (c) The electronic model must be constructed in accordance with the City's 3D CAD electronic model specification. The specification is available online at <http://www.cityofsydney.nsw.gov.au/development/application-guide/application-process/model-requirements> Council's Modelling staff should be consulted prior to creation of the model. The data is to comply with all of the conditions of the Development Consent.

SCHEDULE 1B

TRANSPORT / TRAFFIC REPORT

(14) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

The detailed design of the building must provide access and facilities for people with a disability in accordance with the *Building Code of Australia*.

(15) INFORMATION FOR THE PURPOSE OF CALCULATING SECTION 7.11 AND AFFORDABLE HOUSING CONTRIBUTIONS

Any subsequent DA for the detailed design of the building must include the following information:

- (a) Gross floor area (GFA) schedules and diagrams for the existing and proposed development for the purposes of calculating section 7.11 contributions and credits;
- (b) Total floor area (TFA) schedules and diagrams for the proposed development for the purposes of calculating affordable housing contributions. Note: TFA is defined at clause 7.13 of the Sydney Local Environmental Plan 2012.

(16) LANDSCAPING OF THE SITE

- (a) Any subsequent DA for the detailed design of the building must include a detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer. The plan must include:
 - (i) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features;
 - (ii) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers;
 - (iii) Location, numbers, type and supply of plant species, with reference to the relevant Australian Standard;
 - (iv) Details of planting procedure and maintenance;
 - (v) Details of drainage, waterproofing and watering systems.
- (b) The detailed landscape plan must address the requirements of provisions 3.5.1, 3.5.2, 3.5.3, 4.2.3.5, 4.2.3.6 and 4.4.1.6 of the Sydney DCP 2012 and the relevant guidance provided in the *City of Sydney Landscape Code, Volume 2, All Development Except Single Dwellings*.

(17) ACOUSTIC REPORT

The detailed design of the building is to have regard to all relevant performance parameters (including but not limited to requirements, engineering

assumptions and recommendations) in the Acoustic Report prepared by Acoustic Logic dated 17 September 2019, reference 20190949.1709A/R2/TA.

An Acoustic Impact Assessment must be undertaken by a suitably qualified acoustic consultant and submitted with any subsequent DA for the detailed design of the building in accordance with the provisions of the *Sydney Development Control Plan 2012*.

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

Any subsequent DA for the detailed design of the building must include a site-specific demolition, excavation and construction noise and vibration management plan.

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 exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property.
- (c) A representative background noise measurement ($L_{A90, 15 \text{ minute}}$) should be submitted, assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997.
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum and to ensure that noise from site works complies with the noise criteria contained within City's Construction Noise Code.
- (f) What course of action will be undertaken following receipt of a complaint concerning offensive noise.
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce

noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

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

(19) TRANSPORT REPORTS

Any subsequent DA for the detailed design of the building must include the following information:

- (a) a Transport Impact Study in accordance with provision 3.11.1 and Schedule 7.4 of the Sydney DCP 2012; and
- (b) a Parking and Access Report that addresses the following:
 - (i) the requirements of Schedule 7.5 of the Sydney DCP 2012;
 - (ii) swept path analyses to demonstrate the minimum width of crossovers and driveways necessary to accommodate service vehicles that will need to access the site; and
 - (iii) detailed information as to the bicycle parking and end of trip facilities to be provided to achieve ambitious active transport targets appropriate to the proposed boarding house use and the site's proximity to pedestrian and bicycle paths.

(20) FLOOD PLANNING LEVELS

The development shall be constructed to comply with the recommended flood planning levels indicated in Table 3 of the report "1049-1055 Bourke Street, Waterloo – flood level summary" prepared by Cardno dated 27th September 2019, with the exception that the access ramp to the basement carpark shall be at the estimated Probable Maximum flood level of 18.4m AHD (not 18.2m AHD as indicated in the table).

Details demonstrating that the development will comply with the recommended flood planning levels must be submitted with any subsequent DA for the detailed design of the building.

(21) LAND REMEDIATION

- (a) Any subsequent DA for the detailed design of the building must include:
 - (i) reports and documentation to address the requirements of State Environmental Planning Policy No 55—Remediation of Land; and
 - (ii) are to address the remediation of transfer land as specified in the terms of the planning agreement between the Council of the City of Sydney and Grand Village Pty Ltd and Good Village Pty Ltd, entered in accordance with deferred commencement condition (1) at Part A of this consent.

- (b) The relevant reports and documentation may include but are not limited to the following, which may be revised to satisfy (a) above:
 - (i) Remedial Action Plan, Environmental Investigations Australia dated 7 August 2020, Reference E22924.E06. Rev3;
 - (ii) Letter of Interim Advice no 4, Tim Chambers, Phreatic Consulting dated 25 August 2020; and
 - (iii) Detailed Environmental Site Investigation Environmental Investigations Australia dated 29 May 2020 Reference: E22924.E02.Rev2.

(22) LAND DEDICATION – NO LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN

Any transfer land that is to be dedicated to the City as part of the associated Voluntary Planning Agreement must not be encumbered by an Environmental Management Plan or Long-Term Environmental Management Plan.

(23) PLAN OF MANAGEMENT

Any subsequent DA for the detailed design of the building must include a Plan of Management for the operation of the boarding house use and which addresses the requirements of provision 4.4.1.7 of the Sydney DCP 2012.

(24) SAFETY AND SECURITY MEASURES

In correspondence dated 16 December 2019, local police command provided the following recommendations as to safety and security measures to be incorporated into the detailed design of the building:

- (a) CCTV should be installed and operational at entry / exit points of basement car park, retail stores, entrance of residential units and internal mail room. Further CCTV should be positioned throughout basement carpark, retail stores internally, mailbox room internally and lift / stairs leading to residential units.
- (b) Internal mail room should consist of swipe access only.
- (c) Adequate lighting should be positioned covering premise and surrounding areas of building to create visibility at night and to reduce opportunity for hidden areas.
- (d) Clear signage on the building number and building name, should be clearly displayed, with light shining on signs at night to allow clear visibility for Police.
- (e) Clear signage throughout car park and external premise, covering the following subjects. 'CCTV surveillance in use at all times', 'Lock your vehicle and take valuables' and 'Trespassers will be prosecuted'.

(25) WASTE AND RECYCLING MANAGEMENT

- (a) The Waste Management Plan, Rev. B, prepared by Elephants Foot and dated 26/09/2019 submitted as part of the concept DA is insufficient and is not approved by this development consent.

- (b) Any subsequent DA for the detailed design of the building including a Waste Management Plan to be submitted as part of that application must address the requirements contained in section 3.14 and provision 4.2.6 of the Sydney DCP 2012 and the Council's Guidelines for Waste Management in New Developments 2018.

SCHEDULE 1C

(26) DETAIL SURVEY – DETAILED DESIGN DA

The detail survey submitted with any subsequent DA for the detailed design of the building must comply with the City's survey specifications. It should be based upon a boundary survey, redefining the subject boundaries, with a note to this effect by the registered surveyor. The name and ID number of the registered surveyor that prepares the survey should also be shown.

(27) ENCROACHMENTS – PUBLIC WAY

No portion of proposed buildings, including gates and doors during opening and closing operations, except for encroachments that may be permitted and in accordance with the requirements of Schedule 7 of the Sydney DCP 2012, shall encroach upon Council's footpath area.

SCHEDULE 1D

SYDNEY TRAINS CONDITIONS

- A1.** *Due to the proximity of the works proposed in the Concept Plan to the existing Rail Corridor and its assets, prior to lodgement of any future development applications the applicant is requested to consult with Sydney Trains prior to the lodgement of the application.*
- A2.** *The lodgement of a Stage 2 Development Application is to be accompanied with the documentation provided below for review and endorsement by Sydney Trains. This documentation must comply with all relevant standards and all the requirements provided in the Transport Asset Standards Authority (ASA) standard “External Development” (this can be accessed at www.asa.transport.nsw.gov.au):*
- a. As part of the lodgement of any future application, the Applicant shall prepare and submit with the application for concurrence by Sydney Trains the following items:*
 - i. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.*
 - ii. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.*
 - iii. Cross sectional drawings showing the rail corridor (easements, tunnel, and first and second reserve boxes), sub soil profile, proposed excavation and structural design of sub ground support adjacent to the rail corridor. All horizontal and RL measurements are to be verified by a Registered Surveyor.*
 - iv. Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.*
 - v. An FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.*
 - vi. If required by Sydney Trains, a Tunnel Monitoring Plan (including instrumentation and the monitoring regime during excavation and construction phases).*
- A3.** *No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed into RailCorp/Sydney Trains property or easements.*

SCHEDULE 1E – SYDNEY WATER CONDITIONS

1. Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

2. Building Plan Approval

The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Tap in™ online self-service replaces our Quick Check Agents as of 30 November 2015.

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at: <https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tapin/index.htm>

3. Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

4. Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

- Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
- Conduct a site assessment to confirm the hazard rating of the property and its services.

Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: <http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

5. Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <http://www.sydneywater.com.au/Water4Life/InYourBusiness/RWTCalculator.cfm>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.

- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

6. Contingency Plan Recommendations

Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15 meters head at the main tap. This is equivalent to 146.5kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at:

<http://www.sydneywater.com.au/OurSystemsandOperations/TradeWaste/> or
contact Business Customer Services on 1300 985 227 or
businesscustomers@sydneywater.com.au.

SCHEDULE 2

PRESCRIBED CONDITIONS

The prescribed conditions in accordance with Division 8A of the *Environmental Planning and Assessment Regulation 2000* apply:

- Clause 98 Compliance with *Building Code of Australia* and insurance requirements under the *Home Building Act 1989*
- Clause 98A Erection of signs
- Clause 98B Notification of *Home Building Act 1989* requirements
- Clause 98C Conditions relating to entertainment venues
- Clause 98D Conditions relating to maximum capacity signage
- 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 as advised by *Water NSW* are as follows:

Reference Number: IDAS1122440

Issue date of GTA: 11 February 2020

Type of Approval: Water Supply Work

Description: 80mm submersible pump

Location of work/activity: 1049 BOURKE STREET WATERLOO 2017

DA Number: D/2019/1082

LGA: City of Sydney Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources

The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

Condition Number	Details
	Dewatering
GT0062-00001	Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application.
GT0063-00001	An authorisation under the relevant water legislation, such as a Water Access Licence (WAL), shall be obtained for the take of groundwater as part of the activity. For avoidance of doubt, these terms do not represent any authorisation for the take of groundwater, nor do they constitute the grant, or the indication of an intention to grant, any required WAL.
GT0064-00001	An authorisation under the relevant water legislation, such as an Approval, is also required for the works involved in extracting the groundwater. For avoidance of doubt, these terms do not represent any authorisation for the construction or installation of such works.
GT0066-00001	The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high-

Condition Number	Details
GT0067-00001	<p>water table elevations to prevent potential future inundation.</p> <p>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 water table might naturally rise in the location immediately prior to the construction of the structure; and b. any elevated water table 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 part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.</p>
GT0068-00001	<p>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 dissolved in groundwater and shall not themselves cause pollution of the groundwater.</p>
GT0069-0001	<p>The Applicant is bound by the above terms and any other terms and conditions of the subsequent authorisation(s) required for the extraction of groundwater and the associated works under the relevant water legislation.</p>
GT0070-00001	<p>Measurement and monitoring arrangements to the satisfaction of WaterNSW are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.</p>
GT0071-00001	<p>Following cessation of the dewatering operations and prior to the surrender of any associated authorisation, the applicant shall submit to WaterNSW the completion report which shall include: a. detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and b. The location and construction of groundwater extraction works that are decommissioned c. a water table map depicting the aquifers settled groundwater condition and a comparison to the baseline conditions; and d. a detailed interpreted hydrogeological report identifying all actual resource and third-party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.</p>

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with D/2019/1082 as provided by Council:

- EI Australia – Lateral Estate Pty Ltd – Geotechnical Desktop Study – 1049 – 1055 Bourke Street, Waterloo, pp. 7 – 10.