

Attachment A

<p>Recommended Modified Conditions of Consent</p>
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CONDITIONS OF CONSENT

SCHEDULE 1 – DEFERRED COMMENCEMENT CONDITIONS (CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

The following deferred commencement conditions must be satisfied prior to the consent becoming operative:

(A) PART A - DEFERRED COMMENCEMENT CONDITIONS

(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

The consent is not to operate until the following condition is satisfied, within **24 months** of the date of this determination:

(1) VOLUNTARY PLANNING AGREEMENT

- (a) That a Planning Agreement in accordance with the draft public benefit offer made by Maville Grand Pty Ltd be exhibited, executed and submitted to Council.
 - (b) The guarantee must be provided to Council in accordance with the Voluntary Planning Agreement; and
 - (c) The Voluntary Planning Agreement, as executed, must be registered on the title of the land; and
 - (d) The payment of the monetary contribution must be provided to Council in accordance with the Voluntary Planning Agreement.
- 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 95(6) of the Environmental Planning and Assessment Act 1979.***
 - 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.
 - 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), and any other additional conditions reasonably arising from consideration of the deferred commencement consent conditions.

(Deferred commencement conditions satisfied and consent made operative 17 October 2017)

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.

(2) STAGE 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, and a subsequent development application (Stage 2) or applications are required for any work on the site.

(3) APPROVED DEVELOPMENT

- (a) Development consent is limited to ~~the a Stage 1~~ concept ~~plan~~ building envelope and indicative land uses within this envelope, in accordance with Development Application No. D/2015/1358 dated 21 September 2015 (as amended) and the following drawings:

Drawing Number	Drawing Name	Date
DA2000-1D	Basement Level Building Envelope Floor Plan	02/09/2016
DA2000-2F	Levels 1 (Street) & 2 Building Envelope Floor Plans	06/09/2016
DA2001-F	Levels 3 & 4 Building Envelope Floor Plans	06/09/2016
DA2002-F	Levels 5 & 6 Building Envelope Floor Plans	06/09/2016
DA2003-F	Levels 7 & 8 Building Envelope Floor Plans	06/09/2016
DA2004-F	Building Envelope Roof Plan	06/09/2016
2004, A	Building Envelope – Above Ground Envelope Plan	01/12/2021
DA3000- C D	Building Envelope Elevations 1 & 2	06/09/2016 01/12/2021

Drawing Number	Drawing Name	Date
DA3001-D	Building Envelope Elevations 3 & 4	06/09/2016 01/12/2021
DA4000-D	Building Envelope Sections 1 & 2	06/09/2016 01/12/2021
DA4001-D	Building Envelope Sections 3 & 4	06/09/2016 01/12/2021

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.

(D/2015/1358/C – amended 20 July 2022)

(4) DESIGN REQUIREMENTS

The following design requirements must be incorporated into any **detailed design development Stage 2** application submitted for assessment:

- (a) The front section of Building A facing Botany Road is to have a minimum of 1 lift core.
- (b) The rear section of Building A is to have a minimum of 1 lift core.
- (c) Building B is to have a minimum of 2 lift cores.
- (d) Building C is to have a minimum 1 lift core;
- (e) ~~**Building C Levels 1 and 2 is to consist of cross through apartments, Levels 3 to 8 is to consist of 2 storey cross through apartments;**~~
- (f) Building C is to have corridor access to the apartments from the south of the building;
- (g) All habitable rooms to the front section of Building A must be capable of receiving natural ventilation to the eastern(quiet) side of the building;
- (h) ~~**Any air path used for natural cross ventilation or natural ventilation that relies on a corridor or circulation space on that air path, must pass through a non-habitable room to provide an acoustic buffer;**~~
- (i) All openings to the south of Building C must incorporate appropriate visual privacy treatment to ensure no sightlines are provided to the building and grounds of Green Square School while allowing daylight to the openings.

(D/2015/1358/C – amended 20 July 2022)

(5) MATTERS NOT APPROVED IN STAGE 1 DEVELOPMENT CONSENT

The following matters are not approved as part of this Stage 1 development consent:

- (a) any works, including demolition, excavation, construction and public domain improvements;
- (b) layout, mix and number of residential units;
- (c) the precise quantum of commercial and residential floor space;
- (d) any additional 10% design excellence floor space allowable under Clause 6.21 of the Sydney Local Environmental Plan 2012;
- (e) the configuration and layout of basement levels and any potential car parking spaces, car share or loading spaces/zones

(6) STAGE 2 TO BE CONTAINED WITHIN APPROVED ENVELOPE

With the exception of lift and stair overruns the detailed Stage 2 design, including services, must be contained within the building footprint and envelope approved as part of this consent ~~and comply with relevant planning controls.~~

(D/2015/1358/C – amended 20 July 2022)

(7) BUILDING HEIGHT

With the exception of lift ***and stair*** overruns, the maximum height of the buildings must not exceed the following:

- (a) The height of the front portion of Building A must not exceed RL ~~32.300~~ ***34.00*** (AHD) ~~to the top of the roof;~~
- (b) The height of the rear portion of Building A must not exceed: ~~RL 35.400~~ ***RL 36.400*** (AHD) ~~to the top of the roof;~~
 - (i) ***RL 36.400 (AHD) to the top of the 1m Planter Zone;***
 - (ii) ***RL 38.150 (AHD) to the top of the Stair/Pergola Zone;***
 - (iii) ***RL 35.250 (AHD) to the section of envelope indicated by arrow numbered 2.1.***
- (c) The height of Building B must not exceed: ~~RL 36.000 (AHD) to the top of the roof;~~
 - (i) ***RL 36.400 (AHD) to the top of the 1m Planter Zone;***
 - (ii) ***RL 38.150 (AHD) to the top of the Stair/Pergola Zone;***
 - (iii) ***RL 35.250 (AHD) to the portion of envelope indicated by arrow numbered 2.1;***

- (iv) **RL 36.200 (AHD) to the top of the 0.8 Planter Zone;**
- (v) **RL 33.100 (AHD) to the south-eastern corner of the roof.**
- (d) The height of Building C must not exceed RL 37.000 (AHD) ~~to the top of the roof.~~

(D/2015/1358/C – amended 20 July 2022)

(8) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio of the proposal must not exceed 2:1 calculated in accordance with Clauses 4.4, 4.5 and 6.14 of the Sydney Local Environmental Plan 2012 (as amended).
- (b) Notwithstanding clause (a) above, the maximum floor space ratio may be increased up to 2.2:1 only if the consent authority is satisfied that the resulting Stage 2 development exhibits design excellence and is the result of a competitive design process which satisfies the requirements of any relevant local environmental plan and/or development control plan.

(9) DESIGN EXCELLENCE AND COMPETITIVE DESIGN PROCESS

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

- (a) conducted prior to lodgement of a Stage 2 Development Application
- (b) ~~a design excellence strategy is to be prepared in accordance with the requirements of the Sydney Development Control Plan 2012 and is to be approved by the Director of City Planning, Development and Transport prior to the commencement of the design competition.~~

Undertaken in accordance with the design excellence strategy titled 'Design Excellence Strategy 219-231 Botany Road, Waterloo' dated 16 September 2016 prepared by Urbis on behalf of Maville Grand Pty Ltd, and as amended by the design excellence strategy titled 'Design Excellence Strategy 219-231 Botany Road, Waterloo' dated August 2017 prepared by Urbis on behalf of Maville Grand Pty Ltd.

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

(D/2015/1358/A – amended 17 January 2018)

(10) STAGE 2 DEVELOPMENT APPLICATION TO COMPLY WITH RELEVANT PLANNING CONTROLS

The Stage 2 development must be designed to comply with "State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development" (as amended), the Apartment Design Guide (ADG), and the provisions of the Sydney

Local Environmental Plan 2012 (Sydney LEP 2012) and Sydney Development Control Plan 2012 (Sydney DCP 2012).

In particular, attention is drawn to the following:

- (a) The building separation distances specified within the ADG relating to visual privacy;
- (b) The minimum floor to floor and floor ceiling heights within the ADG and Sydney DCP 2012 for both residential and commercial uses;
- (c) The apartment and room depths specified within the ADG to ensure adequate natural ventilation, natural cross ventilation, solar access and daylight access;
- (d) The ADG specification for at least 70% of apartments within a development to receive a minimum of 2 hours of direct solar access between 9.00am and 3.00pm on 21 June;
- (e) The ADG specification for at least 60% of apartments within a development to be naturally cross ventilated;
- (f) The ADG specifications relating to residential storage size volumes and characteristics;
- (g) Provisions relating to car parking and bicycle parking contained within Sydney LEP 2012 and Sydney DCP 2012;
- (h) The dwelling mix requirements of Section 4.2.3.12 of the Sydney DCP 2012;
- (i) The adaptable dwelling mix requirements of Section 3.12.2 of the Sydney DCP 2012;
- (j) The requirements of the ADG and Sydney DCP 2012 regarding the on-site provision of an area or areas of communal open space and deep soil.

(11) ACOUSTIC REPORT

The Stage 2 Development Application is to be accompanied by an acoustic report prepared by a suitably qualified acoustic consultant* which demonstrates that the development will be capable of achieving adequate levels of acoustic amenity for future occupants. The acoustic report must consider the following:

- (a) Council's Standard Condition "Noise – General";
- (b) Clause 102 (Impact of road noise or vibration on non-road development of State Environmental Planning Policy (Infrastructure) 2007;
- (c) Control 4.2.3.111 (Acoustic Privacy) of the Sydney DCP 2012.

*Note: "Suitably qualified acoustic consultant" means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Association of Australian

(12) ACID SULPHATE SOILS MANAGEMENT PLAN

A Detailed Acid Sulphate Soils Management Plan is to be submitted with the Stage 2 Development Application.

(13) ACCESS AND FACILITIES FOR PERSONS WITH DISABILITIES

The buildings proposed in the Stage 2 Development Application must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia.

(14) BASIX CERTIFICATE

With respect to the proposed residential building works, a BASIX Certificate which demonstrates compliance with the requirements of State Environmental Planning Policy (Building Sustainable Index: BASIX) 2004 must be submitted with the Stage 2 Development Application.

(15) TRANSPORT IMPACT STUDY

A transport impact study is required to be submitted as a part of Stage 2 DA to address the following issues:

- (a) Analysis of the existing queue lengths in Botany Road- Mandible Street on peak hours of any working (Monday to Friday) and weekend day (Saturday).
- (b) Analysis of the queue lengths in Botany Road- Mandible Street on peak hours of any working (Monday to Friday) and weekend day (Saturday) including the additional traffic generated by the site. Intersection performance and level of service with the proposed development is need to be analysed and reported.
- (c) Further analysis of the likelihood of the motorist exiting the site on each green phase (pedestrian crossing, pedestrian/cyclist on shared path needs to be considered).
- (d) A transport assessment of the site (i.e. accessibility by sustainable transport modes to essential facilities such as supermarkets/chemists/newsagent, schools, employment centres, leisure/sports facilities, etc.) and supported by means to promote sustainable transport such as on-site car share provision, easily accessible bike parking and the like.

(16) SAFETY AUDIT

As part of the Stage 2 development application, a safety audit report needs to be submitted as a part of Stage 2 DA to address the following issues:

- (a) Analysis of the pedestrian-Cyclist and vehicle conflict on-site, vehicle crossover and footpath adjacent to the site with the remedial measures/recommendations to ensure safety is required. A pedestrian and cyclist count data along the shared path adjacent to the site should be provided to support the analysis/recommendation.

- (b) As recommended by traffic letter, a road safety audit must be conducted and submitted to the council. Road safety audit must be conducted on peak hours of any working (Monday to Friday) day and weekend day (Saturday).

(17) TRAFFIC WORKS

Any proposal for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any works commencing on site.

(18) ON-SITE WASTE COLLECTION

As part of the Stage 2 development application, information is to be provided to ensure that waste collection is accommodated on-site. In this regard:

- (a) The waste collection must meet the conditions of DCP12 Section 3.11.13, namely that vehicle access for collection and loading will provide for:
 - (i) a 9.25m Council garbage truck and a small rigid delivery vehicle;
 - (ii) minimum vertical clearance of 4.0 metres for residential development or else 3.8m clear of all ducts, pipes and other services, depending on the gradient of the access and the type of collection vehicle;
 - (iii) collection vehicles to be able to enter and exit the premises in a forward direction. Where a vehicle turntable is necessary to meet this requirement, it is to have a capacity of 30 tonnes;
 - (iv) maximum grades of 1:20 for the first 6m from the street, then a maximum of 1:8 with a transition of 1:12 for 4m at the lower end;
 - (v) a minimum driveway width of 3.6m; and
 - (vi) a minimum turning circle radius of 10.5m.
- (b) A swept path analysis must be submitted to and approved by the council as a part of Stage 2 application. The swept path needs to show that the 9.25m council waste vehicle can enter and exit the site in a forward direction in a left-in left out arrangement.

(19) BICYCLE PARKING AND FACILITIES

Details of the location, quantity and class of bicycle parking must be included in the Stage 2 Development Application.

Resident bicycle parking can be in the form of class A or B facilities, and preferably a combination of both.

Staff bicycle parking is to be provided at ground floor level and is to be in close proximity to end-of-trip facilities.

All visitor bicycle parking must be provided at ground floor level in an easily accessible and visible location. Visitor bicycle parking is not to be provided in the car parking area.

(20) SERVICE VEHICLE SIZE LIMIT

The Stage 2 application must include swept paths of the largest vehicle to access the proposed loading area(s). These will be used to determine a condition for the largest vehicle permitted to service or access the site.

(21) LOADING WITHIN SITE

The Stage 2 development application is to demonstrate that all loading and unloading operations associated with servicing the site can be carried out within the confines of the site at all times, and must not obstruct other properties/units or the public way.

(22) NO APPROVAL FOR TREE REMOVAL

No approval is granted for removal of any trees with this application. An arborist report should be provided with the Stage 2 application specifying the retention, removal and required pruning of selected trees.

(23) SITE LANDSCAPING

Detailed landscape plans are to be submitted with any Stage 2 development application and are to show compliance with Sydney DCP 2012 and ADG deep soil and communal open space requirements.

(24) WASTE FACILITIES

Any Stage 2 Development Application is to provide details of the location, construction and servicing (including access by Council's waste collection vehicles) of the waste collection facilities for the proposed building. The design of the facilities is to be in accordance with Council's *"Policy for Waste Minimisation in New Developments."*

(25) STORMWATER AND DRAINAGE

Any Stage 2 Development Application is to provide details of the drainage system for the development which is to be designed and constructed in accordance with Council's standard requirements as detailed in Council's 'Stormwater Drainage Connection Information' document dated July 2006. This information is available on Council's website - www.cityofsydney.nsw.gov.au.

(26) SET BACK OF WORKS IN BOTANY ROAD

Any Stage 2 Development Application is to provide for all new building work to be set back from the current alignment of Botany Road by 2.4 metres.

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 for Integrated Development as advised by *[name of authority]* Water NSW are as follows:

General

- ~~1. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.~~
- ~~2. 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 watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.~~
- ~~3. 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 structure is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.~~~~
- ~~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 dissolved in groundwater, and shall not themselves cause pollution of the groundwater.~~
- ~~5. DPI Water requires documentation (referred to as 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted to DPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.~~

Prior to excavation

- ~~6. The following shall be included in the initial report:~~

- ~~(a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.~~
- ~~(b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.~~
- ~~(c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.~~
- ~~(d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [DPI Water prefers that monitoring be undertaken on a continuous basis using automatic loggers in boreholes.]~~
- ~~7. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.~~
- ~~8. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.~~
- ~~9. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.~~
- ~~10. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability predicted by slug-testing, pump-testing or other means).~~
- ~~11. A copy of a valid consent for the development shall be provided in the initial report.~~

- ~~12. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the Protection of the Environment Operations Act 1997 and any requirements of the relevant controlling authority.~~
- ~~13. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.~~

During Excavation

- ~~14. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.~~
- ~~15. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.~~
- ~~16. Measurement and monitoring arrangements to the satisfaction of DPI Water 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.~~
- ~~17. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.~~
- ~~18. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.~~
- ~~19. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.~~
- ~~20. Access to groundwater management works used in the activity is to be provided to permit inspection when required by DPI Water under appropriate safety procedures.~~

Following excavation

- ~~21. Following completion of the dewatering operations, the applicant shall submit to DPI Water, Parramatta Office, 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) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and~~
- ~~(c) 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.~~

~~22. The completion report is to be assessed by DPI Water prior to any certifying agency's approval for occupation or use of the completed construction.~~

Reference Number: S961135420

Issue date of GTA: 18 May 2021

Type of Approval: Water Supply Work

Description: 80mm submersible pump

Location of work/activity: 219-231 Botany Road, Waterloo NSW 2017

DA Number: D/2015/1358/C

LGA: City of Sydney Council

Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011

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
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Dewatering

GT0115-0001	Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.
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GT0116-00001	Before any construction certificate is issued for any excavation under the development consent, the applicant must:
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- 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act**

1912, for any water supply works required by the development; and

2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note;

3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval 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 Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity.

4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

**GT0121-00001 Construction phase monitoring bore requirements
GTA:**

a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW.

b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application.

c) The monitoring bores must be installed and maintained as required by the water supply work approval.

d) The monitoring bores must be protected from construction damage.

GT0122-00001 Construction Phase Monitoring programme and content:

a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW):

**i. Pre-application measurement requirements:
The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in**

the six months prior to the submission of the approval to WaterNSW.

ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;

iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;

iv. QA: Include details of quality assurance and control

v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.

b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)

GT0123-00001 (a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.

(b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW):

1) All results from the Approved Monitoring Programme; and

***2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website
www.watems.com.au/customer-service/water-licensing/dewatering***

GT0150-00001 The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. Advisory note: Any application to increase the extraction limit should include the

following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site – Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual

GT0151-00001 Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

GT0152-00001 This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

SCHEDULE

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/2015/1358/C as provided by Council:

- **JK Report**
- **To**
- **Maville Bay Ply Ltd**
- **on**
- **Geotechnical Investigation**
- **For**
- **Prospective Residential Development**
- **At**
- **219 to 231 Botany Road, Waterloo, NSW**

(D/2015/1358/C – amended 20 July 2022)