

Attachment B

Conditions of Consent D/2015/966/I

26 August, 2025

ERSKINEVILLE DEVELOPMENTS PTY LTD

**SECTION 4.55 MODIFICATION APPROVAL FOR 88 MACDONALD STREET, 3 STOVEMAKER LANE, 57A ASHMORE STREET, 57B ASHMORE STREET, 57C ASHMORE STREET, 5080 MACDONALD STREET, 5010 FOUNDRY STREET, 5 STOVEMAKER LANE, 2 STOVEMAKER LANE, AND 155 MITCHELL ROAD, ERSKINEVILLE NSW 2043
APPLICATION NO: D/2015/966/I**

I refer to your application dated 20 February 2025 to amend current consent D/2015/966 as modified.

You are advised that your application for modification has been **approved** under Section 4.55(2) of the Environmental Planning and Assessment Act 1979. A copy of the Notice of Determination of the original development application is attached with the amendments resulting from the modification shown in ***bold italics***.

This approval is limited to only those amendments requested in your Section 4.55 application dated 20 February 2025. Approval is not granted for any other items which may have been amended on the submitted drawings and for which approval has not been specifically sought.

This approved modification will require an amended Construction Certificate which must be obtained from your Certifier (Council or private accredited certifier). Building work must not commence until an amended Construction Certificate has been approved.

The Council officer dealing with this application is **Julia Errington ph. 02 9288 5984, email jerrington@cityofsydney.nsw.gov.au**.

Yours faithfully



NICOLA REEVE
Area Planning Manager

Notes:

Modification of development consent in accordance with Section 4.55 of the Act shall not be construed as the granting of development consent, but reference to a development consent, is a reference to the development consent so modified.

Section 8.9 of the Act confers on an applicant who is dissatisfied with this determination a right of appeal to the Land and Environment Court and the Court may determine the appeal.

For the reasons for imposing conditions, refer to the Notice of Determination for the original development consent.

Modification of a development consent does not remove the need to obtain any other statutory consent necessary under the Environmental Planning and Assessment Act 1979, or any other Act.

The conditions of consent of the development application have been modified with the consent of the applicant.

NOTICE OF DETERMINATION - APPROVAL issued under Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979

Development Application No.	D/2015/966/I
Applicant	ERSKINEVILLE DEVELOPMENTS PTY LTD
Land to be developed	<p>88 Macdonald Street , 3 Stovemaker Lane , 57A Ashmore Street , 57B Ashmore Street , 57C Ashmore Street , 5080 Macdonald Street , 5010 Foundry Street , 5 Stovemaker Lane , 2 Stovemaker Lane , and 155 Mitchell Road , ERSKINEVILLE NSW 2043</p> <p>Lot 3 DP 1262184, Lot 4 DP 1262184, Lot 5 DP 1262184, Lot 7 DP 1262184 (Future 5010 Stovemaker Lane), Lot 8 DP 1262184 (Future 5020 Kooka Walk), Stratum affected Lot 9 DP 1262184, Stratum affected Lot 10 DP 1262184, Lots 1-173 SP 101982, Lot 2 DP 1262184, Lots 1-157 SP 102164, Lot 1 DP 1262184, Lot 20 DP 1290687, Lot 3 DP 1236425, Lot 4 DP 1236425, Lot 6 DP 1262184</p>
Approved development	<p>Stage 1 Concept Plan for a mixed use precinct including residential, commercial and recreation uses, including building envelopes for nine (9) development blocks ranging in height between two (2) and eight (8) storeys and concept design for public domain works including new streets, a 7,446m² park, and new trunk drainage.</p>
Cost of development	\$636,739,189
Determination	<p>The application was determined by the Central Sydney Planning Committee and was granted approval subject to the attached conditions.</p> <p>This Section 4.55 modification application was determined under delegation of Council and was granted approval subject to the attached conditions.</p>
Date of Determination	3 March 2017
Consent is to operate from	18 October 2017
Consent will lapse on	18 October 2022
Date of Section 4.55(2) Modification	26 August 2025

Reasons for conditions

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

Reasons for Approval

- (A) The development as modified is substantially the same as was originally approved and is consistent with the requirements of Section 4.55(2) of the Environmental Planning and Assessment Act, 1979.
- (B) The development has been considered against the reasons given by the Central Sydney Planning Committee for the grant of consent that is to be modified, and the proposal is consistent and acceptable, as per Section 4.55(3) of the Environmental Planning and Assessment Act, 1979.
- (C) The proposed modifications ensure that the detailed design development application is consistent with the concept approval to satisfy Section 4.24 of the Environmental Planning and Assessment Act, 1979.
- (D) The increased height of the building envelopes are in keeping with the desired future character of the area and will not adversely impact the amenity of the surrounding area. These variations are reasonable and justified with regard to the detailed design modification application D/2023/842/C.
- (E) The proposed building envelopes are capable of accommodating a future building design which is capable of exhibiting design excellence in accordance with Clause 6.21C of the Sydney Local Environmental Plan 2012.

Community Consultation

No submissions were received.

Right of Appeal

If you are dissatisfied with this decision, Section 8.9 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environmental Court within 6 months of the date of this notification.

Alternatively, you may request a review under Division 8.2 of the Act within 28 days of the date of this notice (NB Division 8.2 is not applicable to integrated or designated development).



per

GRAHAM JAHN AM

Executive 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 STAGE 1 DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2015/966 dated 9 July 2015 and the following drawings:

Drawing Number	Architect	Date
DA DA01-02 Issue M R S Y Z	Architectus	07/04/2017 13/11/2017 16 January 2020 10 July 2024 11 December 2024
DA01-03 Issue M	Architectus	07/04/2017
DA01-04 Issue L	Architectus	07/04/2017
DA01-05 Issue M R S Y Z	Architectus	07/04/2017 13/11/2017 16 January 2020 10 July 2024 11 December 2024
DA01-06 Issue M T U Y Z	Architectus	07/04/2017 13/11/2017 16 January 2020 10 July 2024 11 December 2024
DA01-07 Issue T V W Y Z	Architectus	10/10/2017 13/11/2017 16 January 2020 10 July 2024 11 December 2024
DA01-10 Issue L	Architectus	07/04/2017
DA01-11 Issue U Y AA AB AE ZA	Architectus	10/10/2017 17/11/2017 15/06/18 16 January 2020 10 July 2024 11 August 2025
Site Locality and Indicative Phasing Plan	AECOM	22/09/2016

and as amended by the conditions of this consent and amended plans provided as required under deferred commencement condition (1).

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

(Amended 30 November 2017 – Mod A)

(Amended 5 December 2018 – Mod B)

(Amended 13 February 2020 – Mod C)

(Amended 15 August 2024 – Mod G)

(Amended 26 August 2025 – Mod I)

(1A) DESIGN MODIFICATIONS

The building envelopes must be modified as follows:

- (c) The podium level on Block I, located at the corner of Kooka Walk and Alpha Street, is to be deleted from the plans.

The modifications are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the preparation of the competitive design process brief for Block E.

(Added 30 November 2017 – Mod A)

(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.

(3) CONSOLIDATION OF LAND

Competitive design processes for Blocks F, G, H, and I are not to commence until the southern parcel of land, being 165-175 Mitchell Road Erskineville (Lot 2 in DP 772101), has been consolidated with the northern parcel of land, being 57 Ashmore Street (otherwise known as 149-163 Mitchell Road) Erskineville (Lot 23 in DP 849857), or the residue of Lot 23 in DP 849857 following subdivision.

(4) DEVELOPMENT SEQUENCE

Development is to be carried out sequentially in accordance with the approved Phasing Plan. For clarity:

- (a) A Construction Certificate for Phase 2 is not to be issued unless development of Phase 1 is substantially commenced;
- (b) A Construction Certificate for Phase 3 is not to be issued unless ~~development of the development application for~~ Phase 2 is ~~substantially commenced~~ approved;

- (c) A Construction Certificate for Phase 4 is not to be issued unless development of Phase 3 is substantially commenced;
- (d) A Construction Certificate for Phase 5 is not to be issued unless development of Phase 4 is substantially commenced;
- (e) A Construction Certificate for Phase 6 is not to be issued unless development of Phase 5 is substantially commenced; and
- (f) A Construction Certificate for Phase 7 is not to be issued unless development of Phase 6 is substantially commenced.

(Amended 5 May 2023 – Mod F)

(5) 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 location of vehicle access points;
- (c) The indicative layouts of buildings; and
- (d) The removal of any trees.

(6) STAGE 2 TO BE CONTAINED WITHIN APPROVED ENVELOPE

- (a) 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, *as modified*.
- (b) Plant and equipment is to be provided in the basement where it cannot be contained within the approved (*as modified*) building envelope.
- (c) 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.

(Amended 30 November 2017 – Mod A)

(7) FLOOR SPACE RATIO

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*.

(8) ALLOCATION OF FLOOR SPACE

- (a) In accordance with Condition 9 above, a maximum GFA of 121,572.5m² is approved at Stage 1, which is to be apportioned to the approved development blocks in accordance with the following table:

Development Block	Approved GFA
Block A	12,945m ²
Block B	12,490m ²
Block C	17,370m ²
Block D	977m ²
Block E	14,066m ²
Block F	24,962.5m ²
Block G	18,941m ²
Block H	11,887.5m ²
Block I	7,933.5m ²

- (b) The approved Design Excellence Strategy sets out the development blocks which comprise each competitive process phase. Notwithstanding the above, development blocks in a competitive process phase may be eligible for additional floorspace in accordance with clause 6.21 of the *Sydney Local Environmental Plan 2012*.
- (c) Each competitive process phase will only be eligible for a maximum of an additional 10% of the floor space apportioned to it. Additional floor space is not transferrable between the competitive process phases. If blocks within a competitive process phase are not able to accommodate the full 10% additional floor space, the remaining balance of additional floor space cannot be transferred to another competitive process phase.

(9) BUILDING HEIGHT

Unless approved by this Stage 1 consent, the height of any future building on the site must not exceed the maximum permissible and shall be calculated in accordance with Clause 4.3 of the *Sydney Local Environmental Plan 2012*.

(10) 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 in accordance with 'Design Excellence Strategy for ~~149-163 Mitchell Road~~ 57 Ashmore Street and 165-175 Mitchell Road, Erskineville' dated ~~8 November 2016~~ 4 August 2022, prepared by Urbis on behalf of ~~Greenland Golden Horse Investment Pty Ltd~~ Coronation Property Co Pty Ltd (Council ref. 2022/454452).
- (b) Conducted prior to the lodgement of a Stage 2 development application for each development block.

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

(Amended 29 August 2022 – Mod D)

(11) DETAILED DESIGN OF BUILDINGS

The relevant competitive design process brief and Stage 2 development applications must incorporate the following design requirements:

- (a) The design of Block B must integrate with the retained area of open space on the corner of Ashmore Street and Mitchell Road;
- (b) The design of Block C must incorporate articulation or other design measures to reduce the impact of the 140m block length fronting Mitchell Road;
- (c) The design of Blocks C and F must give consideration to activating the frontages of Mitchell Road at the corner of Macdonald Street;
- (d) The design of buildings with basement access are to minimise the possibility of light beams from vehicle headlights shining into habitable rooms when exiting car parks;
- (e) The designs of all buildings are to position mailboxes inside secure areas, and mailboxes with non-master key locks are to be installed;
- (f) The designs of all buildings are to ensure no openings to basement levels are located below the PMF level; and
- (g) The design of the northern building on Block E is to incorporate on its western side boundary:
 - (i) A nil setback at ground level;
 - (ii) A minimum setback of 3m on all levels where blank walls are proposed;
 - (iii) A minimum setback of 3m on Levels 1-3 where windows to non-habitable rooms are proposed;
 - (iv) A minimum setback of 6m on Levels 1-3 where windows to habitable rooms or balconies are proposed;
 - (v) A minimum setback of 4.5m on Levels 4-7 where windows to non-habitable rooms are proposed; and
 - (vi) A minimum setback of 9m on Levels 4-7 where windows to habitable rooms or balconies are proposed.

The above criteria must be satisfied, unless it can be adequately demonstrated that Objective 3F-1 of the ADG has been met despite non-compliance with this criteria.

(12) DETAILED DESIGN OF CHILDCARE CENTRES

The relevant competitive design process brief and/or Stage 2 development applications must demonstrate the following:

- (a) Compliance with the Education and Care Services National Regulations;
- (b) That 33% of places will be allocated to children aged 0-2 years;
- (c) That clear lines of site between playrooms, children's bathrooms, cot rooms and outdoor play areas are provided;

- (d) That cot rooms off playrooms designated for children aged 0-2 years are provided;
- (e) The access into the child care centre is secure; and
- (f) That outdoor play areas have access to natural light and natural ventilation.

(13) STAGE 2 DESIGN REQUIREMENTS FOR WASTE AREAS AND COLLECTION

- (a) The future Stage 2 DAs shall incorporate the following design requirements in relation to waste storage and collection areas:
 - (i) The nominated waste and recycling storage areas must be constructed to meet the relevant conditions required by the City's Waste Minimisation in New Developments Policy 2005.
 - (ii) A minimum 8m² in dedicated space(s) for residential bulky waste storage must be provided for developments up to 80 units, and then 1m² for every ten units after that. The space(s) should be separated by a caged area (or similar) if to be included within a nominated waste holding room for storage or collection bins.
 - (iii) Residential and commercial waste and recycling receptacles and bulky waste must be stored on the property at all times and must not be placed on the kerbside for collection.
 - (iv) Commercial waste and recycling receptacles must be stored in a separated area from residential waste and recycling receptacles and commercial tenants must not have access to residential bins or waste rooms.
 - (v) Doorways to bin collection area(s) and any goods lift(s) must fit the size of bins proposed for use in the WMP. Dimensions of standard bins available for use are:
 - a. 1,100 litres – 1240mm long x 1070mm wide
 - b. 660 litres – 1260mm long x 780mm wide
 - c. 240 litres – 730mm long x 550mm wide
 - (vi) Clearance height for access by collection vehicles must be no less than 4m at any point for the vehicle to enter the site to service bins.
 - (vii) Collection vehicles are to enter and exit in a forward direction (use of vehicle turntables are acceptable).
 - (viii) The maximum travel distance between the storage point and collection point for all waste and recycling bins and bulky waste shall be no more than 10 meters.
 - (ix) Unimpeded access must be provided to facilitate collection from the waste and recycling storage location(s) at all times.

- (x) Unimpeded access shall be provided for collection vehicles to set down within 10 meters of waste storage area(s) between 6am and 6pm on collection day(s).
- (xi) The applicant must contact Council's Waste Services unit for information on the installation of a compatible (GAR) key system to allow for the City's staff to collect residential waste and recycling receptacles and bulky waste from inside the properties.
- (xii) Commercial tenancies must have a commercial waste contract in place prior to the commencement of business trading.
- (xiii) Waste and recycling containers will not be supplied until construction in developments is completed unless otherwise organised with waste services.
- (xiv) The development must have a residential rating or applied for a residential rating prior to a City of Sydney waste service commencing.
- (xv) Commercial and residential waste service collections and waste storage arrangements must be conducted in accordance with the City's Waste Policy – Local Approvals Policy for Managing Waste in Public Places (2013).

(14) STORMWATER

Each Stage 2 development application must be supported by the following:

- (a) Local Drainage Management Plan; and
- (b) Stormwater Quality Assessment.

(15) GREEN TRAVEL PLANS

Each Stage 2 development application must be supported by a site specific Green Travel Plan.

(16) PLACING ELECTRICAL WIRES UNDERGROUND

The existing overhead electrical wires located on the site frontages in Ashmore Street and Coulson Street road reserves are to be placed underground at the cost of the developer.

Note: Approval by Ausgrid must be sought for placing wires underground.

(17) RETENTION OF HILL'S WEEPING FIG TREES

The Stage 2 development application for Block B must include:

- (a) A detailed survey which includes the location of each Hills Weeping Fig, existing structures, retaining walls and levels. The survey must include accurate tree heights, canopy spread and crown shapes.
- (b) The survey must be overlayed onto the Architectural Plans for Block B.

- (c) Cross Section Plans must be provided showing the location of trees and proximity of the canopy to the buildings within Block B;
- (d) The design of the buildings for Block B must be appropriately setback from the Hills Weeping Figs to allow a minimum distance of 2 metres from the edge of the existing canopies.
- (e) The Arboricultural Impact Assessment which involves the assessment of the Hills Weeping Fig trees adjacent to Block B must include in addition to the information above, the following additional information:
 - (i) A 'Pruning Schedule' (size of branches, location, and extent of pruning) must be provided for the Hills Weeping Figs. This must also take into account additional pruning required for hoardings, scaffolding and building construction works. Pruning must not exceed more than 15% of the total live canopy area.
 - (ii) A 'Methodology Statement' outlining tree protection requirements during construction of the building' (tree protection from cranes, piling, rigging, hoardings, scaffolding, etc.) - that describes the construction method for new buildings and contains recommendations on how to minimise any impacts on the Hill's Weeping Figs. This must be site specific and not generic tree protection specifications.

(18) LAND CONTAMINATION

No development works are to be undertaken on the site until such time as a stage 2 development application has been submitted to and approved by the Consent Authority.

Note: The stage 2 application must include documentation that demonstrates the requirements of State Environmental Planning Policy No 55 are addressed.

To address the requirements of SEPP No 55 the hierarchy of assessment may include but not be limited to the following:

- (a) Detailed Environmental Site Assessment (DESA) (Also known as Stage 2)
- (b) Remediation Action Plan (RAP)
- (c) Review by NSW EPA Site Auditor
- (d) Site Validation Report
- (e) Site Audit Statement (SAS)

(19) STRUCTURAL, GEOTECHNICAL AND CONSTRUCTION REVIEW

The Stage 2 development application for Block B must be accompanied by the following reports:

- (a) A structural assessment of the proposal prepared by an appropriately qualified structural engineer, including details on the protection of the structural integrity of the adjoining heritage item at 1A Ashmore Street.

- (b) A geotechnical assessment of the proposal prepared by an appropriately qualified geotechnical engineer, including any excavation for footings and walls and details on the protection of the ground conditions of the adjoining heritage item at 1A Ashmore Street.
- (c) A construction review of the proposal and any alternative construction methods for the proposal prepared by an appropriately qualified person.

Note: Excavation will not be permitted if it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land or it will occur under or forward of the front facade of the building.

(20) LANDSCAPING

- (a) Prior to the preparation of the brief for each competitive design process, a Landscape Concept Plan must be submitted to Council's Director City Planning, Development and Transport for approval. The Plan should identify any landscape constraints, and set the aspirations and requirements for the landscape spaces, including rooftops, 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 the building have been considered concurrently in relation to each other.
- (b) The Landscape Concept Plan for Block B must demonstrate how the level changes between the future building and the retained area of open space on the Corner of Ashmore Street and Mitchell Road will be managed, and how the retained trees will be adequately protected, conserved, and integrated into the design.

(21) COMMUNAL OPEN SPACE

All Stage 2 development applications involving the development of a residential flat building or mixed use building are required to provide an area equal to 25% of the development block site area as communal open space.

(21A) COMMUNAL OPEN SPACE AND GREEN ROOFS

The requirement to consider and give preference to providing communal open space and green roofs on the rooftops of mixed use and residential buildings must be included in the competition brief for each of the competitive design processes.

(22) TREE INFORMATION REQUIRED FOR STAGE 2 APPLICATIONS

- (a) An Arboricultural Impact Assessment (AIA) prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture must be submitted with each individual 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 any tree within a 5 metres radius of the site that are likely to be affected by the development;
- (ii) An assessment of all trees health, vigour and structural condition.
- (iii) Identify all trees to be retained and removed during construction and development;
- (iv) Include a suitably scaled plan of the site showing the location and numbers of all trees assessed in the report including tree recommended for removal and retention, Structural Root Zones and Tree Protection Zones for all trees recommended for retention;
- (v) A discussion of all options available, including reasons as to why trees are, or are not being recommended for removal or retention;
- (vi) 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 & construction works, and into the long term.
- (vii) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site,
- (viii) Details on the trunk protection (method / materials/ duration); and
- (ix) 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.
- (x) Information on the Arborist's involvement during the works is also required.
- (xi) Any other works that must be prohibited throughout construction and development on site.

(23) ECOLOGICAL ASSESSMENT REPORTS

The Stage 2 development applications for Blocks A and D must be accompanied by an Ecological Assessment Report to assess the impacts of those proposals on flora and fauna in the vicinity of Coppersmith Lane.

(24) SUBDIVISION AND DEDICATION OF ROADS

Any future subdivision and road dedication shall be strictly in accordance with the plan prepared by the City of Sydney Survey Section, titled "Proposed Lot Layout of 'Ashmore Estate', Erskineville, reference S5-16-1255 Revision D dated 03/03/16, other than minor departures due to redefinition of the external site boundaries, and the exclusion of Lot 1 in DP 535528 being the substation site near the corner of Ashmore Street and Mitchell Road.

(25) LAND SUBDIVISION – SEPARATE DA REQUIRED

Any proposal to subdivide the site, including any stratum subdivision of the buildings, will be required to form part of the relevant Stage 2 application, or require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision Certificate under Section 109J of the *Environmental Planning and Assessment Act 1979*.

(26) DESIGN AND CONSTRUCTION OF ROADS

In relation to any future Stage 2 development application:

- (a) Detailed engineering, road, drainage and infrastructure works, design and construction plans for the construction of the proposed roads are to be submitted to Council and approval gained prior to the issue of any Construction Certificate for the proposed ~~Subdivision Works~~ *public domain works set out in the Voluntary Planning Agreement for that particular Phase*. The design and documentation is to include any requirements and approvals from external parties such as public utility service authorities and is to be in accordance with Council's "*Development Specifications for Civil Works Design and Construction*" and is to be in accordance with any approved flood analysis and assessment report for the site and is to be consistent with Water Sensitive Urban Design principles.
- (b) The submission to Council is to provide plans and specifications sufficient to describe in detail the design, scope and extent of all proposed road, drainage and infrastructure works for the construction of the road extensions prepared and certified by a Professional Engineer, and is to include:
 - (i) Details of existing and final site contours, levels and volumes of proposed earthworks providing confirmation that the site contours and levels will not adversely impact upon the flow of floodwater on the site,
 - (ii) Geometric design and pavement design of the road extensions including formation widths, batter slopes, longitudinal sections, cross-sections, materials, specifications and thicknesses of pavement and surfacing,
 - (iii) Proposed contours and levels, showing existing and proposed adjacent levels at abutment to threshold of adjacent properties, proposed buildings, existing roads and existing parks including level and batter slopes. Details of the interpolation of the design levels demonstrating that the road will marry in with their thresholds with the existing roads.
 - (iv) Kerb and gutter design and specifications and any necessary works and matching into existing formations including a minimum 500mm existing road pavement restoration,
 - (v) Geometric and hydraulic design of all stormwater drainage structures and systems including drainage swales and temporary

downstream drainage, if required, and specifications and materials and details of connections into Council's public stormwater system,

- (vi) Details of design and specifications for footpaths, retaining walls, pedestrian and bicycle facilities, street lights, traffic and pedestrian signage, landscaping and associated verge works,
 - (vii) Details of structures and conduits for the provision and installation of any public utility services and any adjustment to existing services required,
 - (viii) Details of structures, procedures and measures adopted to address erosion and sediment control during the earthworks and construction process,
 - (ix) Details of traffic management and site management procedures during the construction process,
 - (x) Specifications showing assumptions, calculations and testing.
- (c) The certification is to include confirmation from a Professional Engineer that the design complies with Council's Development Specifications for Civil Works Design and Construction and that the development will be flood compatible by enabling the floor levels of buildings to provide a minimum of 500mm freeboard above the 1 in 100 year flood level and a minimum of 300mm for publicly accessible areas.
- (d) The documentation is to be fully coordinated with the approved Public Domain and Landscape plans for the development, and submitted concurrently to Council's Public Domain Section for review and Council's acceptance of completed Subdivision Work and issue of the final Compliance Certificate as the Principal Certifying Authority will be subject to certification and compliance with the approved drawings, the Development Specifications for Civil Works Design and Construction, applicable standards and the submission of certified Works as Executed drawings.

(Amended 30 November 2017 – Mod A)

(27) TEMPORARY TURNING AREAS

- (a) Any road which is constructed and dedicated as a dead end street, as a result of the staged delivery of the site, must provide a temporary vehicle turning area.
- (b) Details of the vehicle turning must be submitted with the detailed design of the affected road.
- (c) All temporary turning areas must be designed to accommodate a Council waste collection vehicle as a minimum.
- (d) The vehicle turning area must remain until the relevant subsequent stages are complete and the turning area is no longer required.

(28) VEHICLES ACCESS POINTS

Indicative vehicle access points to buildings are not approved as part of this consent. Vehicle access points generally in accordance with Part 5.5 of Sydney DCP 2012 are to be submitted with Stage 2 development applications. Vehicle access points are to be minimised with basement consolidations where possible, subject to any stratum subdivision preferences, and no vehicle access points are to be located on MacDonald Street or Kooka Walk.

The sites must be configured to ensure all vehicles can enter and depart the sites in a forward direction.

(29) BICYCLE PARKING

Bicycle parking for use by residents is to be a combination of A and B security level as specified in Table 1.1 of AS 2890 Part 3 (2015) – Bicycle Parking and located in upper level basements. Bicycle parking for use by residential visitors and customers of non-residential uses is to be provided at street level and adjacent to pedestrian entries. Bicycle parking for use by staff of non-residential uses is to be security level B and separate to bicycle parking for residents.

The details of the location, quantity and type of bicycle parking is to be included in the Stage 2 development applications. The layout and design of bicycle parking facilities must comply with the requirements of AS 2890.3:2015 Parking Facilities Part 3: Bicycle Parking Facilities.

(30) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of off-street parking facilities is to comply with Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities.

(31) MECHANICAL PARKING FACILITIES

A proposal for any mechanical parking facilities is to be accompanied by a report outlining the following:

- (a) Provision in accordance with the manufacturer's specifications and relevant Australian Standards for off-street car parking;
- (b) Management of use and operation of the stacker/s including during periods of vehicle queuing and during any system failure, and
- (c) Noise and vibration levels as received by occupiers of the building including references to relevant standards.

(32) CAR SHARE

- (a) Car share spaces must be provided in accordance with the Sydney DCP requirements for car share allocation and shall be made available to members of the public as well as residents and available at all times.
- (b) To enable the assessment of car share spaces across the site, all Stage 2 development applications must provide details on:

- (i) the number of apartments approved to date;
 - (ii) the minimum number of car share spaces the approved number of units would require;
 - (iii) the expected total number of units within the whole development site;
 - (iv) the expected total number of car share spaces to be provided; and
 - (v) the number of car share spaces approved to date (including on and off street).
- (c) Car share spaces are to be located together in the most convenient locations within the basements and are to be used exclusively for car share.

(33) COST OF SIGNPOSTING

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

(34) INTERSECTION UPGRADE WORKS – MITCHELL ROAD/MADDOX STREET /MACDONALD STREET

- (a) The intersection of Mitchell Road, Maddox Street and future MacDonald Street is to be upgraded with the installation of traffic signals. The following is to be submitted to and approved by the NSW Roads and Maritime Services and the Director City Planning, Development and Transport, prior to the issue of a Construction Certificate *for Phase 4 (Block E)*:
- (i) Detailed design drawings consisting of a road design plan, illustrating road design dimensions (e.g. lane widths, median widths, swept paths etc.), including provisions for pedestrians and cyclists. Investigation of the intersection upgrade is to determine whether dedicated right or left turn lanes in both directions on Mitchell Rd could be included to provide a dedicated through lane to minimise delays to buses. Plans shall be to scale.
 - (ii) The removal of any on-street parking spaces required as a result of the proposed intersection upgrade will require community consultation with affected residents and/or businesses and shall be undertaken by the applicant to the satisfaction of the NSW Roads and Maritime Services.
 - (iii) The upgraded facility must be provided prior to the issue of an Occupation Certificate.
- (b) All costs associated with the upgrade of the intersection are to be borne by the developer.

(Amended 30 November 2017 – Mod A)

(35) ~~INTERSECTION UPGRADE WORKS – ASHMORE STREET / MITCHELL ROAD~~

- ~~(a) Upgrade of the Ashmore Street and Mitchell Road intersection is to be investigated to minimise delays to through traffic, including buses, on Mitchell Road. Concept designs including dedicated right or left turn lanes in both directions on Mitchell Road are to be submitted to and approved by the Director City Planning, Development and Transport prior to the issue of a Construction Certificate for development Blocks B and/or C.~~
- ~~(b) The upgraded facility must be provided and fully operational prior to the issue of an Occupation Certificate for development Blocks B and/or C.~~
- ~~(c) All costs associated with the upgrade of the intersection are to be borne by the developer.~~

(Deleted 30 November 2017 – Mod A)

(36) SERVICE VEHICLE SIZE AND TURNING PATHS

- (a) The Stage 2 development applications should specify anticipated vehicle sizes accessing the sites and include swept path analysis for each intersection and building loading dock to be accessed.
- (b) The swept paths must account for the largest design vehicle accessing the street or building. These will be used to determine a condition for the largest vehicle permitted to service the site.

(37) LOADING MANAGEMENT PLAN

A management plan accounting for loading associated with the supermarket and all other non-residential uses is to be prepared and submitted with the relevant Stage 2 development applications.

The plan is to outline how the loading dock will be managed and used by all non-residential tenants to ensure all vehicles can be received on site, all loading and unloading including waste management will take place on site and to ensure vehicles are not waiting to enter the site in surrounding public streets.

The management plan is to be prepared for distribution, once approved, to all relevant tenants and external users of the loading area.

(38) VEHICLES ASSOCIATED WITH CHILDCARE CENTRE

The relevant Stage 2 development application is to include an assessment of potential options, including full provision onsite, for drop-off and pick-up vehicle movements associated with the proposed childcare facilities.

(39) WASTE FACILITIES

All Stage 2 development applications are to provide details of the location, construction and servicing of the waste collection facilities for the proposed buildings. The design of the facilities is to be in accordance with Council's "Policy for Waste Minimisation in New Developments."

(40) STORMWATER AND DRAINAGE

All Stage 2 development applications are 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.

(41) REFLECTIVITY

The Stage 2 development applications must contain sufficient information to demonstrate that the visible light reflectivity from building materials used on the facade of any building greater than three storeys does not exceed 20%. The relevant Stage 2 development applications shall be the subject of a reflectivity report that demonstrates compliance with the above.

(42) PUBLIC ART

~~The requirement to prepare a Public Art Strategy that nominates artists and potential locations must be included in the competition brief for each of the competitive design processes. The Public Art Strategy associated with the winning scheme must be lodged with the relevant future Stage 2 development applications.~~

~~Each Public Art Strategy is to make reference to the industrial history and development of the site, and of Erskineville.~~

A single Public Art Strategy that addresses the whole site for the benefit of the community is required to be developed, and submitted to and approved by Council's Director, City Planning, Development and Transport prior to the issue of a Construction Certificate for above ground works for Phase 1 (Blocks B and C). The Strategy should contain an analysis of the precinct including the contemporary social context; pre and post-colonial history; and the development of the site and Erskineville more broadly. It should nominate a methodology for the selection of artists, potential locations and opportunities for artworks delivered under the Voluntary Planning Agreement and as required by Public Art Conditions of Consent applied to Detailed Design Development Consents, and an indicative budget for public art.

The Strategy must be included in the competition briefs for each of the competitive design processes.

(Amended 30 November 2017 – Mod A)

(43) HERITAGE INTERPRETATION PLAN

- (a) An interpretation plan for the overall site must be submitted with the first Stage 2 development application. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian. It must:
 - (i) include a concise developmental history of the overall site including its occupancy by Metters Ltd;
 - (ii) make specific reference to the industrial history of the site including its occupancy by Metters Ltd;

- (iii) detail how information on the history and significance of the site will be provided and make recommendations regarding public accessibility, signage and lighting (public art and the display of selected artefacts are some of the means that can be used);
 - (iv) specify the location, type, making materials and contents of the interpretation device being proposed and the staging of the interpretation.
- (b) Prior to an occupation certificate being issued for each Stage 2 development application, the approved interpretation plan for the relevant stage must be implemented to the satisfaction of Council's Director City Planning, Development and Transport.

(44) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

A detailed ESD report shall be submitted to and approved by Council's Director City Planning, Development and Transport prior to the preparation of the brief for the first competitive design process. The ESD Report must incorporate ESD initiatives over and above BASIX requirements that will obligate all Stage 2 development applications to incorporate the specified ESD initiatives.

(45) SIGNAGE STRATEGY

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

(46) CHANGES TO KERB SIDE PARKING ARRANGEMENTS

- (a) A separate submission must be made to the Local Pedestrian, Cycling and Traffic Calming Committee via the City Infrastructure and Traffic Operations Unit seeking the City's approval for any changes to kerb side parking arrangements associated with any Stage 2 DA. There is no guarantee kerb side parking will be changed, or that any change will remain in place for the duration of the development use.
- (b) The submission must include two plans. One showing the existing kerb side parking restriction signs and stems, the second showing the proposed kerb side parking restriction signs and stems. Both plans must include changes to all signs and stems from the kerb line of the nearest intersection.
- (c) All costs associated with the parking proposal will be borne by the developer.

Note: The applicant should contact Council's Area Traffic Engineer to discuss any proposal before making a submission.

(47) ON SITE LOADING AREAS AND OPERATION

The Stage 2 development applications 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.

(48) ~~ALIGNMENT LEVELS – MAJOR DEVELOPMENT~~

- ~~(a) Proposed building floor levels, basement levels, basement car park entry levels and ground levels shown on the approved development application plans are indicative only and have not been approved by this consent.~~
- ~~(b) Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, alignment levels for the building and site frontages must be submitted to and approved by Council. The submission must be prepared by a Registered Surveyor, must be in accordance with the City of Sydney's Public Domain Manual and must be submitted with a completed Alignment Levels checklist (available in the Public Domain Manual) and Footpath Levels and Gradients Approval Application form (available on the City's website).~~
- ~~(c) These alignment levels, as approved by Council, are to be incorporated into the plans submitted with the application for a Construction Certificate for any civil, drainage and public domain work as applicable under this consent. If the proposed detailed design of the public domain requires changes to any previously approved Alignment Levels, then an amended Alignment Levels submission must be submitted to and approved by Council to reflect these changes prior to a Construction Certificate being issued for public domain work.~~

(Deleted 30 November 2017 – Mod A)

(49) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the building facade adjoining the footpath, the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- (c) Each image is to be numbered and cross referenced to a site location plan;

- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must immediately be made safe and functional by the applicant. Damage must be fully rectified by the applicant in accordance with the City's standards prior to a Certificate of Completion being issued for Public Domain Works or before an Occupation Certificate is issued for the development, whichever is earlier.

(50) ROAD NETWORK AND GEOMETRIC ROAD DESIGN

- (a) Preparation of the detailed design and construction documentation for the proposed public road system shall include all necessary liaison with and requirements of all relevant public utility authorities, Roads and Maritime Services, Council, the Local Pedestrian Cycling and Traffic Calming Committee and its nominated consultants in order to achieve design approvals and construction compliance. Written evidence of approval from relevant authorities must be submitted to Council with the road design submission.
- (b) The design and construction of all road works *associated with each Phase as per the Voluntary Planning Agreement* shall be undertaken in accordance with City of Sydney's *Sydney Streets Technical Specification and the Public Domain Manual*. Detailed plans, construction details and specifications for the works shall be prepared and submitted to Council for approval prior to issue of a Construction Certificate *for public domain works*, excluding for approved preparatory or demolition work, or before issue of an approval under Section 138 of the Roads Act 1993 for the road and drainage, infrastructure work. The detailed plans and supporting documentation shall include as a minimum the following information;
 - (i) General subdivision plan with contour details, clearly indicating the extent of work;
 - (ii) Road cross sections showing road and footway widths, existing levels, design levels, cross fall grade pavement configuration, batter slopes, engineered retaining walls, kerb returns, kerb and gutter, vehicle crossovers, pedestrian ramps the location of public utility services and 900mm minimum road restoration to match smoothly into the existing road levels;
 - (iii) Plan drawing and longitudinal section showing gutter invert, kerb and boundary alignments with design grades of the existing and proposed future public road network including public utility services;

- (iv) Road design and drainage plans showing the following:
- a. road pavement structure and design;
 - b. kerb, gutter and building alignment;
 - c. traffic calming management structures / measures including consistency with the Ashmore Infrastructure Concept Design (2016);
 - d. traffic, pedestrian and parking signage;
 - e. details of intersections with existing roads including line-marking, pavement marking, sign-posting, swept paths for the largest expected vehicle;
 - f. on-road bicycle route infrastructure and facilities;
 - g. Drainage plans and schedule of drainage elements, showing the following:
 - i. The proposed location of all subsoil drains and sub-pavement drains, including the nominal width and depth of trenches, pipe diameters and materials, longitudinal design grades, and the locations of outlets and cleanouts;
 - ii. The location of public utility services;
 - iii. Details and specifications for the construction of all components of the system in accordance with the City of Sydney's Sydney Streets Technical Specification;
 - iv. All assumptions and/or calculations made in the determination of the need or otherwise for subsurface drainage, including requirements of broader stormwater catchment analysis to undertaken beyond the site boundary;
 - v. Drainage details and longitudinal sections with hydraulic grade lines for the design storm and other standard features such as flow rates, pipe class, pipe grade and velocity;
 - vi. Adjustments/upgrades to utility services as required;
 - vii. Standard engineering and structural details plan;
 - viii. Erosion and sedimentation control plans;
 - ix. A design certification report for the road works prepared by an appropriately qualified civil engineer certifying that the design complies with the City of Sydney's policies, standards and specifications and those of all other relevant authorities as applicable. All design documentation shall be completed in accordance with

the relevant standards and specifications as adopted by Council from time to time. All engineering plans and calculations shall be checked, signed and certified by a suitably qualified practicing professional engineer.

- (c) The road and drainage works are to be completed in accordance with the approved plans and the City of Sydney's *Public Domain Manual* before any Occupation Certificate is issued in respect of the development or before the use commences, whichever is earlier.

(Amended 30 November 2017 – Mod A)

(51) SYDNEY WATER REQUIREMENTS

- (a) Each subsequent stage 2 development application must be referred to Sydney Water.
- (b) Each subsequent stage of the development must comply with the City of Sydney and Sydney Water stormwater strategy for the Ashmore Precinct and must meet Sydney Water's guidelines for building over and adjacent to our stormwater assets.
- (c) All new buildings and permanent structures are to be 1m away from the outside face of the stormwater channel. Permanent structures include, but are not limited to basement car parking, hanging balconies, roof eaves, hanging stairs, stormwater pits, stormwater pipes, etc. This clearance would apply for unlimited depth and height.
- (d) The developer is to prepare concept water and wastewater sizing and location plans. The plans should indicate the proposed service connection location for the future buildings within the development area. Initial sizing of water and wastewater extensions should be based on the Water and Sewerage Codes of Australia.
- (e) Depending on the complexity of servicing options due to local conditions, a Water Service Coordinator may advise that it is necessary to engage a range of service providers to complete the concept servicing documentation.

Note: Amplification of the main may be required to connect with Sydney Water's trunk assets as planning for the Ashmore precinct advances and maximum capacity is reached with increased densification.

(52) AUSGRID REQUIREMENTS

- (a) The developer is required to make a formal submission to Ausgrid by means of a duly completed Preliminary Enquiry and / or Connection Application form, to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development (eg. whether a substation is required on site).
- (b) The developer is to ensure that the proposed works do not contravene Ausgrid's technical standards and statutory requirements, in regards to the safe and reliable operation and maintenance of Ausgrid's network.

(53) TRANSGRID REQUIREMENTS

- (a) All works are to be planned and carried out in accordance with both the - NSW WorkCover 'Work near Underground Assets' Guide. Further, TransGrid's 'Requirements for Working in the Vicinity of TransGrid Underground Cables' document should be adhered to.
- (b) TransGrid's access to our underground cable network must be maintained at all times, including during the construction period.
- (c) TransGrid requires a set of works as executed plans pertaining to the future Stage 2 development applications to which Clause 44 of the *State Environmental Planning Policy (Infrastructure) 2007* applies, following the issue of a relevant Occupation Certificate.
- (d) TransGrid requests formal notification of any application, and subsequent modifications to applications, for Stage 2 development applications to which Clause 44 of the *State Environmental Planning Policy (Infrastructure) 2007* applies.

(54) RMS REQUIREMENTS

In accordance with Section 87 of the *Roads Act, 1993* approval for a traffic control light requires the consent of Roads and Maritime Services (RMS). Therefore, RMS will require concept plans of the proposed traffic signals at Mitchell Road/Maddox Street intersection for review prior to any development consent or approval being granted *for Phase 4 (Block E)*.

(Amended 30 November 2017 – Mod A)

(55) TRANSPORT FOR NSW REQUIREMENTS

Intersection upgrade designs for the Mitchell Rd/Maddox St intersection and Mitchell Rd/Ashmore St intersection are to be submitted to Transport for NSW for review.

SCHEDULE 2

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

SCHEDULE 3

TERMS OF APPROVAL

OTHER INTEGRATED DEVELOPMENT APPROVALS

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

1. A detailed baseline assessment of the groundwater conditions (i.e. measured daily water levels, flow direction, hydraulic gradient, groundwater quality, contamination status, presence of dependent ecosystems and identification of receiving environments) across the entire concept plan area and in accordance with the requirements of the NSW Aquifer Interference Policy is to be provided to DPI Water by the concept plan applicant six months after consent being granted for the development of the estate.
2. An authorisation must be obtained from DPI Water for any proposed building development within the concept plan area incorporating below-ground areas that intercept groundwater (i.e. water below the surface of the ground) – such an authorisation is subject to conditions and is only valid for the period of construction or twelve months, whichever is the lesser.
3. Detailed measurement, monitoring, management and reporting terms of approval in accordance with the NSW Aquifer Interference Policy shall be applied by DPI Water to development applications for proposed buildings within the concept plan area.
4. Development applications for proposed buildings are to include clear statements of the estimated volume of groundwater take required for the construction period, the calculations used to derive the estimate, and the duration over which dewatering is expected to occur – all calculations are to be based on site-specific measurements of the hydraulic characteristics of subsurface lithologies.
5. Any proposed discharge of dewatering flows to receiving infrastructure (i.e. stormwater or sewer) must be demonstrated to be permissible with written approval from the controlling authority being provided to DPI Water at the time of application for an authorisation – the proposed return (i.e. injection or recharge) of water to the subsurface will require a separate authorisation to be obtained from DPI Water and treatment of the water will be required.
6. The take of groundwater from any building development in the concept plan area is not permitted following the completion of construction or during subsequent occupation – below-ground areas of individual developments are to be made watertight for the anticipated life of each building.
7. Sufficient permanent engineered drainage shall be provided beneath and around the outside of each of the watertight below-ground areas of each building to ensure that natural groundwater flow is not impeded and that artificial mounding of the water table does not occur at any time during the life of the building.
8. Before the issue of an Occupation Certificate for each individual building a works-as-completed report shall be provided to DPI Water by the applicant that records the total metered volume of groundwater taken, the actual period over which

dewatering occurred, the quality and contamination status of all water discharged and the measured impacts on the surrounding environment.

9. A detailed assessment of the groundwater conditions (i.e. measured daily water levels, flow direction, hydraulic gradient, groundwater quality, contamination status, presence of dependent ecosystems, identification of receiving environments and cumulative impacts of all aquifer interference activities) across the entire concept plan area is to be provided to DPI Water by the concept plan applicant six months after the finalisation of all development within the estate.

Prior to commencement of each staged individual development

10. 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 necessary to complete construction.
11. 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 water table elevations to prevent potential future inundation.
12. 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.
13. 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.
14. Documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. 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 in a format consistent with electronic retrieval without editing

restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation of each staged individual development

15. The following shall be included in the initial report:

- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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. [Note that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]

16. 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.

17. 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.

18. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.

19. 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 determined by slug-testing, pump-testing or other means).
20. A copy of a valid consent for the development shall be provided in the initial report.
21. 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.
22. 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 of each staged individual development

23. 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.
24. 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.
25. Measurement and monitoring arrangements to the satisfaction of the approval body 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.
26. 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.
27. 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.
28. 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.

29. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the approval body under appropriate safety procedures.

Following excavation of each staged individual development

30. Following cessation of the dewatering operations, the applicant shall submit the completion report which shall include:
- (h) 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
 - (i) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - (j) 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.
31. The completion report is to be assessed by the approval body prior to any certifying agency's approval for occupation or use of the completed construction.