

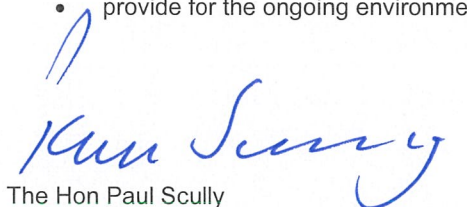
Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As the Minister for Planning and Public Spaces, I grant consent to the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

The conditions imposed under this consent are required to:

- prevent, minimise, or offset adverse environmental impacts
- set standards and performance measures for acceptable environmental performance
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.


The Hon Paul Scully
Minister for Planning and Public Spaces

Sydney

28 May 2016

File: SSD-14378717 [EF21/2071]

SCHEDULE 1

Application Number:	SSD-14378717
Application lodged by:	NSW Land and Housing Corporation (Homes NSW)
Consent Authority:	Minister for Planning and Public Spaces
Site:	6, 12 and 14 Sturt Street and 1, 3 and 5 Polding Place, Telopea (Lots 5-7 in DP 128229)
Development:	Redevelopment of 'Stage 1A' comprising: • site establishment, demolition, excavation and tree removal and protection • construction and operation of 5 residential buildings ranging between 6 and 15 storeys in height (plus plant) • delivery of 423 dwellings comprising 146 social housing dwellings, 99 affordable housing dwellings, and 178 market housing dwellings • construction and operation of two basements • construction of a new arrival plaza and neighbourhood park, public domain and landscaping, and ground, podium and rooftop communal open space areas • construction of new Mews Street including parking and loading spaces • staged Torrens Title subdivision

Right of Appeal

Section 8.7 of the EP&A Act 1979 provides a right of appeal against decisions to the Land and Environment Court, within the timeframe set out in Section 8.10 of that Act.

DEFINITIONS

Interpretation

References in the conditions of this consent to any guideline, protocol, or policy are to such documents in the form they are in as at the date of this consent.

Definitions

Unless otherwise defined in the following definitions table, words and expressions that occur in this development consent have the same meanings as they have in the EP&A Act and EP&A Regulations.

Affordable housing	Has the same meaning as in the <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> or any repealing legislation.
Applicant	The person having the benefit of this consent, or who is carrying out the development.
Australian Standard (AS)	Australian Standard published by Standards Australia Limited and means the standard which applies at the time the relevant work or action is undertaken.
Bulk Excavation Works	Includes all bulk excavation and basement retention system works but excludes demolition works and Enabling Works.
Certifier	A council or person registered as a registered certifier under the <i>Building and Development Certifiers Act 2018</i> .
Consultation	Means undertaking a consultation process with a party under which the Applicant: (a) consults with the relevant party prior to submitting the subject document to the Planning Secretary for information or approval; and (b) provides details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.
Council	City of Parramatta Council.
Department	NSW Department of Planning, Housing and Infrastructure.
Development	The development approved pursuant to this consent.
EIS	The Environmental Impact Statement submitted with the application for consent for the development, including all subsequent additional and amended information provided by the Applicant in support of the application.
Enabling Works	Includes early works, enabling works and site establishment works, including in-ground remediation works (if required), but excludes demolition works.
EPA	NSW Environment Protection Authority.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> .
EP&A Regulations	<i>Environmental Planning and Assessment Regulation 2021</i> and where relevant, other regulations made under the EP&A Act.
Fire Safety Certificate	Has the same meaning as in the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> .
Incident	An occurrence or set of circumstances that causes or threatens to cause Material Harm to the environment, and as a consequence of that harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
Material Harm	Is harm (excluding harm to which Work Health and Safety reporting requirements apply) that: • involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or • results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).
Minister	The NSW Minister with administrative responsibility for administering the EP&A Act, (or delegate), being at the time of grant of this consent, the Minister for Planning and Public Spaces.
NCC	National Construction Code means the current standard which applies at the time the relevant work is undertaken, published by the Australian Building Codes Board.
Operation	The carrying out of approved land uses upon completion of construction.
Planning Secretary	The Planning Secretary under the EP&A Act (or delegate).

Planning Agreement	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act, including any amendments under Section 25C of the EP&A Regulation.
Prescribed Conditions	The conditions prescribed by the EP&A Regulation (Part 4, Division 2) to which the development consent is subject under Section 4.17(11) of the EP&A Act.
Professional Engineer	A Professional Engineer as defined in the <i>Practice Standard for Professional Engineers Requirements for Professional Engineers registered under the Design and Building Practitioners Act 2020</i> .
Public Domain	Public domain refers to areas in which access to and use of is available for members of the public, such as parks, plazas, footpaths and streets. It does not include communal or private open space or areas that would otherwise be access-controlled.
Registered Surveyor	A person who is registered with the Board of Surveying and Spatial Information.
Report	A written report including all required information and details set out in the relevant condition, prepared by a Professional Engineer, consultant, or other expert, and where the condition specifies the type of professional, consultant or other expert, means a suitably qualified professional, consultant or other expert specified.
Sensitive Receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church), children's day care facility, or other similar uses which may be more sensitive to environmental impacts.
Social housing	Means residential premises under a social housing tenancy agreement as defined in the Residential Tenancies Act 2010.

SCHEDULE 2

PART A GENERAL CONDITIONS

ADMINISTRATIVE CONDITIONS

TERMS OF CONSENT

A1. The development must be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with the EIS, amended application, the Applicant's response to submissions, and the Applicant's response to requests for further information; and
- (c) in accordance with the approved plans in the table below, as modified by the conditions of this consent:

Architectural drawings prepared by Plus Architecture			
Drawing Number	Rev	Name of Plan	Date
PLA-AR-DA0001	E	Cover Sheet / Drawing List	20/10/2025
PLA-AR-DA0002	E	Legends / NatHERS Assessment	11/11/2022
PLA-AR-DA0010	G	Existing Plan / Demolition Plan	03/08/2023
PLA-AR-DA0097	L	Basement 02 Plan	20/10/2025
PLA-AR-DA0098	K	Basement 01 Plan	20/10/2025
PLA-AR-DA0099	O	Lower Ground Floor Plan	20/10/2025
PLA-AR-DA0100	N	Upper Ground Floor Plan	20/10/2025
PLA-AR-DA0101	L	Level 01 Floor Plan	20/10/2025
PLA-AR-DA0102	L	Level 02 Floor Plan	20/10/2025
PLA-AR-DA0103	L	Level 03 Floor Plan	20/10/2025
PLA-AR-DA0104	L	Level 04 Floor Plan	20/10/2025
PLA-AR-DA0105	M	Level 05 Floor Plan	20/10/2025
PLA-AR-DA0106	L	Level 06 Floor Plan	20/10/2025
PLA-AR-DA0107	L	Level 07 Floor Plan	20/10/2025
PLA-AR-DA0108	K	Level 08 Floor Plan	20/10/2025
PLA-AR-DA0109	K	Level 09 Floor Plan	20/10/2025
PLA-AR-DA0110	J	Level 10 Floor Plan	20/10/2025
PLA-AR-DA0111	J	Level 11 Floor Plan	20/10/2025
PLA-AR-DA0112	I	Level 12 Floor Plan	20/10/2025
PLA-AR-DA0113	I	Level 13 Floor Plan	20/10/2025
PLA-AR-DA0114	I	Level 14 Floor Plan	20/10/2025

PLA-AR-DA0115	H	Roof Plan	20/10/2025
PLA-AR-DA0201	G	Bldg. A Elevations	20/10/2025
PLA-AR-DA0202	H	Bldg. B North Elevation	20/10/2025
PLA-AR-DA0203	H	Bldg. B South Elevation	20/10/2025
PLA-AR-DA0204	H	Bldg. B East and West Elevations	20/10/2025
PLA-AR-DA0205	H	Bldg. B Internal Elevations	20/10/2025
PLA-AR-DA0206	H	Bldg. C Elevations	20/10/2025
PLA-AR-DA0207	H	Bldg. D Elevations	20/10/2025
PLA-AR-DA0208	H	Bldg. E Elevations	20/10/2025
PLA-AR-DA0250	H	Overall Sections	20/10/2025
PLA-AR-DA0251	H	Overall Sections	20/10/2025
PLA-AR-DA0252	H	Overall Sections	20/10/2025
PLA-AR-DA0253	H	Overall Sections	20/10/2025
PLA-AR-DA0254	H	Overall Sections	20/10/2025
PLA-AR-DA0271	H	Overall North Elevation	20/10/2025
PLA-AR-DA0272	H	Overall West Elevation	20/10/2025
PLA-AR-DA0273	H	Overall West Elevation	20/10/2025
PLA-AR-DA0274	H	Overall East Elevation	20/10/2025
PLA-AR-DA0275	H	Overall South Elevation	20/10/2025
PLA-AR-DA0600	E	External Finishes	20/10/2025
PLA-AR-DA0501	G	DDA Diagrams – Levels UG-03	20/10/2025
PLA-AR-DA0502	F	DDA Diagrams – Levels 04-07	20/10/2025
PLA-AR-DA0511	F	Pre & Post Adaptable Typologies 01	20/10/2025
Landscape plans prepared by Hassell			
Drawing Number	Rev	Name of Plan	Date
HSL_S1A-1_L_0002	L	Drawing Legend	09/03/2026
HSL_S1A-1_L_0003	I	Planting Schedule	09/03/2026
HSL_S1A-1_L_0004	J	Materials Schedule 1	09/03/2026
HSL_S1A-1_L_0005	C	Materials Schedule 2	09/03/2026
HSL_S1A-1_L_0101	M	Site Plan	09/03/2026

HSL_S1A-1_L_1101	K	General Arrangement Tile 1	09/03/2026
HSL_S1A-1_L_1102	L	General Arrangement Tile 2	09/03/2026
HSL_S1A-1_L_1103	M	General Arrangement Tile 3	09/03/2026
HSL_S1A-1_L_1104	M	General Arrangement Tile 4	09/03/2026
HSL_S1A-1_L_3001	J	Sections Sheet 1	09/03/2026
HSL_S1A-1_L_3002	J	Sections Sheet 2	09/03/2026
HSL_S1A-2_L_0002	I	Drawing Legend	09/03/2026
HSL_S1A-2_L_0003	H	Planting Schedule	09/03/2026
HSL_S1A-2_L_0004	J	Materials Schedule	09/03/2026
HSL_S1A-2_L_0101	L	Master Plan Stage 1A - 2	09/03/2026
HSL_S1A-2_L_1103	L	General Arrangement Tile 3	09/03/2026
HSL_S1A-2_L_1104	L	General Arrangement Tile 4	09/03/2026
HSL_S1A-2_L_1105	L	General Arrangement Tile 5	09/03/2026
HSL_S1A-2_L_1801	J	Green Roof Plans	09/03/2026
HSL_S1A-2_L_3011	I	Sections – Rooftop	09/03/2026
HSL_S1A-2_L_3012	D	Sections – Rooftop	09/03/2026
HSL_S1A-2_L_3013	C	Sections – Interfaces	09/03/2026
HSL_S1A-2_L_3014	C	Sections – Planter Box Details	09/03/2026
Civil plans prepared by J. Wyndham Prince			
Drawing Number	Rev	Name of Plan	Date
110500-04-DA1002	22	Index, Legend & General Notes	12/03/2026
110500-04-DA1003	15	Overall Site Layout	22/10/2025
110500-04-DA1004	6	Typical Sections Sheet 1	13/09/2023
110500-04-DA1005	13	Cut & Fill Plan Sheet 1	12/03/2026
110500-04-DA1006	16	Cut & Fill Plan Sheet 2	12/03/2026
110500-04-DA1007	4	Intersection Plan Sheet 1	11/03/2026
110500-04-DA1008	14	Intersection Plan Sheet 2	20/10/2025
110500-04-DA1009	16	Intersection Plan Sheet 3	12/03/2026
110500-04-DA1010	19	Stage 1A Concept Plan	12/03/2026
110500-04-DA1100	6	Long Sections Sheet 1	11/03/2026

110500-04-DA1101	6	Long Sections Sheet 2	11/03/2026
110500-04-DA1400	14	Catchment Plan Sheet 1	12/03/2026
110500-04-DA1401	19	Catchment Plan Sheet 2	12/03/2026
110500-04-DA1402	7	OSD Basin Typical Details Sheet 1	20/07/2023
110500-04-DA1403	2	OSD Basin Typical Details Sheet 2	20/10/2025
110500-04-DA1500	7	Signage & Line Marking Plan Mews Street	12/03/2026
110500-04-DA1600	16	Soil and Water Management Plan	12/03/2026
110500-04-DA1601	3	Soil and Water Management Notes	04/03/2022
Subdivision plans prepared by LTS			
Drawing Number	Rev	Name of Plan	Date
-	A	Plan of Subdivision of Lots 5, 6 & 7 in DP 128229	22/09/2025
-	A	Plan of Subdivision of Lot 15 In DP (Formerly Lots 5, 6 & 7 in DP 128229), sheets x 6	10/10/2025

Note: Development which is 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or another environmental planning instrument may be carried out without development consent.

- A2. To the extent of any inconsistency:
- (a) the more recent document in **Condition A1(b)** prevails over an earlier document in that section; and
 - (b) the conditions of consent prevail over a document listed in **Condition A1(c)**.
- A3. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities that employees, contractors (and their sub-contractors) carry out in respect of the development.

LIMITS ON CONSENT

- A4. This consent will lapse two years from the date the consent is published on the NSW Planning Portal unless the works associated with the development have physically commenced.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

- A5. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consent MP09_0170 dated 29/08/2010 for the Telopea Urban Renewal Concept Plan in accordance with the EP&A Regulation.

Note: this requirement does not extend to the surrender of crown, construction or occupation certificates for existing and proposed building works under the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 September 2018. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

- A6. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under **Condition A5**, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

INDEPENDENT AUDIT

- A7. Independent Audits of the development must be conducted and carried out in accordance with the Department's *Independent Audit Post Approval Requirements (2020)* or the latest version in force as approved by the Planning Secretary and published on the Department's website at the time the audit commences.

ROADWORKS

- A8. All costs associated with the construction of roads and treatments including signage, lighting and landscaping is to be paid by the Applicant and at no cost to Council, unless otherwise determined by the Planning Agreement (**Condition A13**).

RESIDENTIAL FLAT BUILDINGS AND RESIDENTIAL STRUCTURES TO BE WHOLLY CLEAR OF THE RE1 ZONE

- A9. All residential flat buildings and residential structures must be located on that part of the site mapped as being R4 High Density Residential zone and must be wholly outside of and clear of parts of the site identified as RE1 Public Recreation, pursuant to the Parramatta Local Environment Plan 2011.

INFRASTRUCTURE CONTRIBUTIONS

PLANNING AGREEMENT – COUNCIL

- A10. A Planning Agreement between the Applicant (or its nominated entity) and City of Parramatta Council must be prepared in accordance with the commitments contained in the letter of offer titled “Telopea Voluntary Planning Agreement – Letter of Offer” and dated 7 November 2025 prepared by Homes NSW. Any Planning Agreement prepared must be in accordance with Division 7.1 of Part 7 of the EP&A Act.
- A11. The Planning Agreement must be exhibited and executed prior to the issue of the first Construction Certificate, Subdivision Works Certificate, or Crown Building Works certificate, other than for demolition or enabling works, or within another timeframe agreed by the Planning Secretary. The Applicant must submit a copy of the executed Planning Agreement to the Planning Secretary.
- A12. The Applicant is to provide evidence to Council and the Planning Secretary that the planning agreement has been registered in accordance with the Real Property Act 1900 (NSW) in the relevant folios of the Register of the Land in accordance with section 7.6 of the EP&A Act, in accordance with the timing specified in the executed Planning Agreement or, if no timing is specified, prior to the first Occupation Certificate for a building.
- A13. The Applicant must comply with the provisions of the Planning Agreement entered into with Council under Subdivision 2 of Division 7.1 of Part 7 of the EP&A Act.
- A14. Any land dedicated to the Council as part of the Planning Agreement must not be encumbered by an Environmental Management Plan or Long Term Environmental Management Plan.

PLANNING AGREEMENT – STATE

- A15. The Applicant must comply with the provisions of Planning Agreement entered into with the NSW Government (reference SVP2023-110, dated 9 August 2024) under Subdivision 2 of Division 7.1 of Part 7 of the EP&A Act.

LIGHT RAIL

- A16. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Transport for NSW (TfNSW) or their contractor/operator in relation to the carrying out of the development works in relation to the light rail corridor and must respond or provide documentation as soon as practicable to any queries raised in relation to the works.
- A17. All reasonable costs associated with TfNSW or their contractor/operator’s review of plans, designs, or legal documents associated with the development and associated works must be borne by the Applicant or relevant party.
- A18. TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor or the owner or occupier of the part of the site to which access is sought.
- A19. During all stages of the Development, no form of pollution or contamination should enter the light rail corridor as a result of the Development’s activities. Any form of pollution or contamination that occurs in the corridor as a consequence of the Development remains the full responsibility of the Applicant.
- A20. Where a condition of consent requires TfNSW or their contractor/operator’s endorsement or approval, the Certifier must not issue a Construction/Crown Building Works/Subdivision Works certificate until written confirmation has been received from TfNSW or their contractor/operator that the particular condition has been complied with.
- A21. Any conditions or other requirements imposed by TfNSW or their contractor/operator as part of the approval/endorsement of any documents provided by the Applicant in accordance with these conditions of consent, must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).

A22. The development must not impact light rail operations without the prior written agreement of TfNSW.

Note: Any requests for agreement are to include the proposed duration, location, scope of works, and other information as sought by TfNSW to assess the impact to the operational asset.

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE / CROWN BUILDING WORKS CERTIFICATE / SUBDIVISION WORKS CERTIFICATE

Note: Any reference to a Construction Certificate throughout this consent is to be taken to also be a reference to a Crown Building Works certificate or Subdivision Works Certificate, and reciprocally.

PRE-CONSTRUCTION REQUIREMENTS

SITE STABILITY

- B1. Prior to the issue of the first Construction Certificate (other than for demolition and enabling works) for each building and basement (whether together or separately), the Applicant must submit to the Certifier a Report from a Professional Engineer, which includes the following:
- (a) geotechnical details which confirm the suitability and stability of the site for the development;
 - (b) design and construction requirements to be implemented to ensure the stability and adequacy of the development and adjacent land;
 - (c) details of the proposed methods of excavation and support for the adjoining land (including any public place) and buildings;
 - (d) details to demonstrate that the proposed methods of support and construction are suitable for the site and will not result in any damage to the adjoining premises, buildings or any public place, as a result of the works and any associated vibration;
 - (e) details of how adequate support will be provided for the adjoining land and buildings located upon the adjoining land at all times throughout building work; and
 - (f) details of written approvals that have been obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place).

STRUCTURAL DETAILS

- B2. Prior to the issue of the first Construction Certificate for the construction of each building and basement (whether together or separately), the Applicant must submit to the Certifier detailed structural drawings and a Report demonstrating that structural drawings comply with:
- (a) relevant clauses of the NCC; and
 - (b) this development consent.

FLOODING AND OVERLAND FLOW PROTECTION

- B3. Prior to the issue of the first Construction Certificate (other than for demolition and enabling works), the Applicant must prepare an Addendum Flood Impact Assessment prepared by a suitably qualified Engineer (who is included in the National Professional Engineers Register, administered by the Institution of Engineers Australia) in accordance with the NSW Flood Risk Management Manual and supporting guidelines, and existing Council and Government studies and guidance. The Addendum must provide modelling of overland flow and stormwater drainage and the potential impacts of climate change for the full range of events and identify how management and mitigation measures have been incorporated in the detailed construction plans.
- B4. The Addendum Flood Impact Assessment must be provided to Council for review and comment and to TfNSW addressing any impacts on the light rail corridor. Evidence of consultation with TfNSW and Council and how the Applicant has addressed feedback must be provided to the Planning Secretary for approval prior to the issue of the first Construction Certificate (other than for demolition and enabling works).

STORMWATER MANAGEMENT SYSTEM

- B5. Prior to the issue of the first Construction Certificate (other than for demolition and enabling work), a detailed Stormwater Management Plan must be prepared by a suitably qualified and experienced professional(s) and include the following:
- (a) details and a DRAINS model confirming the catchment areas and pipe system/s required to accommodate the additional stormwater and wastewater from the development and any reuse and detention facilities, and nominated discharge points;
 - (b) a MUSIC link report and all stormwater quality improvement devices' structural integrity, treatment train, and their treatment properties demonstrating compliance with Council's water quality standards;
 - (c) details confirming compliance with Council's technical specifications, water authority requirements, and all relevant Australian Standards;
 - (d) a Safety in Design report;
 - (e) be subject to all relevant inspections as nominated by the Certifier; and
 - (f) be subject to all relevant inspections and handover requirements as nominated by Council.
- The drawings and specifications must be reviewed and approved by Council.

Note: Council updates its design standards from time to time. It is the obligation of the Certifier to ensure all applicable standards are addressed. Fees and charges may apply.

SYDNEY WATER ASSETS

- B6. Prior to the issue of the first Construction Certificate, the plans approved under this consent must be submitted to the Sydney Water Tap in™ online service, to determine whether the development will affect Sydney Water's wastewater and water mains, stormwater drains and/or easements, and if any further requirements need to be met. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

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

- B7. Evidence of a Sydney Water permit or consent if required to discharge wastewater to the sewer must be submitted to the Certifier prior to the issue of the relevant Construction Certificate. Where a permit or consent may not be required from Sydney Water, certification must be provided verifying that any discharges to the sewer meet specific standards imposed by Sydney Water.

GROUNDWATER

- B8. If the development would intercept groundwater and involve dewatering that would not meet an activity or volume exemption under the Water Management Act 2000 (WMA Act), the Applicant must obtain an approval pursuant to section 90(2) of the WMA Act for the proposed works intercepting the groundwater table and for the extraction of groundwater from the aquifer (Water Supply Work approval). An authorisation under the relevant water legislation, such as a Water Access License (WAL), must be obtained for the take of groundwater as part of the activity prior to the issue of each relevant Construction Certificate.

If a Water Access Licence/s is required, details demonstrating compliance must also be submitted to the Planning Secretary prior to any water take occurring.

INFRASTRUCTURE RESTORATION ADMINISTRATION FEE

- B9. Prior to the issue of the first Construction Certificate, the Applicant must pay an infrastructure restoration administration fee to Council. The fee must be in accordance with Council's adopted fees and charges at the time of payment.

Note: Council is to advise on the amount and method of payment.

INSPECTIONS

- B10. Prior to the relevant Construction Certificate being issued for public domain work including civil, drainage and subsurface works (excluding demolition and enabling work), the Applicant must provide a schedule of public domain inspections for Council review and approval for approved public domain, civil and drainage work including but not limited to:
- (a) Commencement of public domain works including tree protection measures installed and set out of tree pits.
 - (b) Subgrade inspections following excavation for footings, drainage and all pavements, structural soil cell, sub-surface drainage and irrigation system as required;
 - (c) Installation of required underground conduits;
 - (d) Formwork inspection for all footpaths and footpath crossing (Councils Inspection Officer Ph: 9806 8250);
 - (e) Commencement of works including survey marks, sub-grade preparation and set out of kerb alignments as applicable;
 - (f) Completion of concrete blinding layer before any paver to be laid;
 - (g) Set out/location of furniture installation;
 - (h) Completion of (raised) planting beds prior to backfill with soil, demonstrating required sub-drainage layer and connection installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
 - (i) Completion of concrete and unit paving and furniture installation. Manufacturer's warranty and maintenance information for all proprietary products must be provided to Council's Inspection Officer;
 - (j) Completion of paving sealant application and tactile indicator installation as per agreed specification;
 - (k) Delivery of street trees to site;
 - (l) Installation of street trees including required sub-drainage layer installed as specified. Council's City Arborist and Tree Operations team should be notified 7 days prior to installation to enable inspection at the time of installation;
 - (m) Trees must be installed within 24 hours of delivery;

- (n) the contractor must provide to Council officers certification that the trees have been grown in accordance with the AS 2303:2018 and the heights, calliper and branch clearances also comply with AS 2303:2018 to prove the quality of the tree stock;
- (o) Defects inspection following completion of all public domain works. Identified defects at this inspection will be recorded and notified to the Applicant in writing; and
- (p) Additional daily inspections by Council Officers may occur to view progressive paving set out and construction depending on the project size and type.

Note: The Applicant must contact relevant Council staff for each inspection. At least 48 hours notice must be given for all inspections, except tree inspections which require a 7 day notice.

- B11. Prior to the issue of the first Construction Certificate for demolition and enabling works in the public domain, the Applicant must submit a schedule of tree protection measure inspections for the trees being retained in the public domain for Council review and approval.

DETAILED DESIGN

DESIGN EXCELLENCE AND INTEGRITY

- B12. To ensure that the development is consistent with assessed and approved design excellence requirements, the Applicant must:
- (a) commission Plus Architecture and Hassell (or another architectural design team approved by the Planning Secretary in writing) to advise the preparation of architectural and landscape design documentation, contract documentation, and construction stages of the development; and
 - (b) prior to the issue of the first Construction Certificate (other than for demolition or enabling works), provide the Certifier with evidence that this architectural design team has been so commissioned
 - (c) the architectural design team is not to be changed without prior written notice and approval of the Planning Secretary.

DESIGN AMENDMENT

- B13. Prior to the issue of the first Construction Certificate for the construction of the driveway/entrance to the basement carpark and loading dock shared by Buildings D and E, the following must be submitted to and approved by the Planning Secretary:
- (a) acoustic and vibration modelling and a lighting assessment prepared by suitably qualified engineers addressing the potential impact of the operation of the carpark and loading dock on 11-15 Manson Street, Telopea
 - (b) reasonable and feasible options to mitigate any identified impact including, but not limited to, installing screening, advanced landscape planting, amending the design of the driveway, the selection of roller doors/plant, and operational measures
 - (c) evidence of reasonable attempts to consult with the owners of the 11-15 Manson Street, Telopea dwellings that interface with the Stage 1A site boundary.
- B14. Prior to the issue of the first Construction Certificate for the construction of the on-street loading bay adjacent to Building A, the Applicant must submit updated landscaping plans to the Planning Secretary detailing planting along the site boundary to screen the loading bay.

MATERIALS AND FINISHES

- B15. Prior to the issue of the first Construction Certificate for the construction of the façade or the external materials and finishes (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the satisfaction of the Planning Secretary details of the final materials and finishes including:
- (a) final specifications of colour, material and, where relevant, manufacturer; and
 - (b) specifications and a digital sample board for all external finishes, colours and glazing including annotated drawings and computer-generated imagery of their application.
- B16. Prior to the issue of the first Construction Certificate for the construction of the façade or the external materials and finishes (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the satisfaction of the Certifier a Report demonstrating that the external treatments, materials, and finishes of that building do not cause adverse or excessive glare.

DESIGN VERIFICATION

- B17. Design Verification issued by a registered architect must be provided to the Certifier before the issue of each relevant Construction Certificate for residential buildings detailing the construction drawings and specifications are consistent with the design principles in Schedule 9 of State Environmental Planning Policy (Housing) 2021.

GROSS FLOOR AREA AND HEIGHT

- B18. The Gross Floor Area (GFA) and height of each building must be in accordance with the approved development application at **Condition A1**. Details confirming compliance must be submitted to the Certifier prior to the issue of each relevant Construction Certificate.

ACCESSIBLE AND ADAPTABLE UNITS

- B19. Prior to the issue of the first Construction Certificate for the construction of Buildings D and E (whether together or separately), the Applicant must submit to the Certifier a Report demonstrating that any adaptable dwellings specified in the approved plans or supporting documentation comply with the applicable Australian Standards.
- B20. Prior to the issue of the first Construction Certificate for the construction of Buildings A, B and C (whether together or separately), the Applicant must submit to the Certifier a Report demonstrating that 15% of apartments in each building achieve Gold level Liveable Housing Design Standard 2022.

PRIVATE AND COMMUNAL LANDSCAPING

- B21. Prior to the issue of the first Construction Certificate for the construction of each building (whether together or separately), the Applicant must submit to the Certifier landscape plans (to scale) and technical specification by a registered Landscape Architect detailing all communal and private landscaped areas relevant to that building, including:
- (a) designs generally consistent with the Landscape Plans in **Condition A1(c)**
 - (b) the location and details of paving, walls, services, furniture, shade structures, lighting and other features in communal or private open space areas
 - (c) the location of existing and proposed planting including existing and proposed trees, planting in natural ground, and planting on structure
 - (d) details including the location, numbers, type and supply size of all plant species including any propagated species in accordance with **Condition B23**
 - (e) any salvaged tree hollows, tree trunks, or root balls integrated into the design in accordance with **Condition B23**
 - (f) details of earthwork and soil depths demonstrating the finished levels and any mounding meet the minimum specifications in Table 5, Section 4P of the NSW Apartment Design Guide
 - (g) details of drainage, waterproofing, and watering systems and the location and details of existing and proposed fixings and other structural elements that may interrupt waterproofing, including cross sectional details of all components
 - (h) details of drainage and irrigation systems, including overflow provisions and water retention cells in the drainage layer
 - (i) details of any Connecting with Country initiatives
 - (j) a supporting statement prepared by a suitably qualified practicing structural engineer confirming the structural capacity of the building for planting on structures and compliance with the relevant requirements of the National Construction Code (NCC)
 - (k) a landscape maintenance plan to be complied with during occupation including a methodology for safe working at height for any planting on structures, access requirements, the location of any anchor points or gates, and how materials and green waste would be transported.

TREE REPLACEMENT

- B22. The detailed plans for landscaped areas required under this consent must detail that where trees are to be removed in accordance with the consent, they are replaced at a minimum ratio of:
- (a) Category AA trees are replaced at a minimum ratio of 10 trees for every 1 removed; and
 - (b) Category A trees replaced at a minimum ratio of 5 trees for every 1 removed.

BIODIVERSITY MANAGEMENT PLAN

- B23. Prior to the issue of the first Construction Certificate or commencement of work that would involve removing or trimming trees or vegetation, a Biodiversity Management Plan must be submitted to the Planning Secretary for information, including:
- (a) evidence a qualified and experienced ecologist has been engaged
 - (b) evidence a pre-clearing survey has been completed to delineate, map, and mark any habitat-bearing trees and shrubs to be retained/removed and other fauna habitat features, and determine the presence of any resident native fauna using nests, dreys, hollows and the like
 - (c) details of any native fauna found during pre-clearing surveys including in tree hollows that were captured and relocated to appropriate nearby habitat

- (d) evidence that any hollows found were covered once checked for native fauna to ensure the hollows are not reoccupied prior to removing trees
- (e) how tree hollows, tree trunks (greater than 25-30 centimetres in diameter and 2-3 metres in length), and root balls removed from native vegetation may be reused to enhance habitat such as:
 - (i) salvaging and re-locating to appropriate locations through the public domain or landscaped areas
 - (ii) consulting with local community restoration/rehabilitation groups, Landcare groups, and relevant public authorities, councils, and Greater Sydney Local Land Services, to determine if removed trees could be reused as habitat enhancement and rehabilitation work at alternative locations
- (f) the number, size, type and location of tree hollows to be removed and the size, type, number and proposed location of replacement nest boxes and/or compensatory artificial hollows based on the results of the pre-clearing survey. The size of the nesting box/artificial hollow is to reflect the size and dimension of the hollow removed
- (g) details of seed collection processes and the propagation of these seeds by a suitably qualified bush regenerator to be used in the on-site plantings.

ACCESS AND LEVELS

- B24. Prior to the issue of each relevant Construction Certificate, the Certifier must be satisfied that all levels and gradients comply with Disability Discrimination Act 1992 and National Construction Code. Any requirements to comply with Disability Discrimination Act 1992 and flood planning levels at the entrance to a building or publicly accessible space must be resolved inside the private property site boundary.
- B25. Prior to the issue of each relevant Construction Certificate(s), the Certifier must be satisfied that:
- (a) Any access doors to enclosures housing building services and facilities, such as hydrant and sprinkler booster assemblies or the like, do not open over the footway/roadway.
 - (b) The surface of any material used or proposed to be used for the paving of trafficable areas including colonnades, plazas, arcades and the like that are used by the public must comply with AS/NZS 4586:2013 (including amendments) "Slip resistance classification of new pedestrian surface materials".
 - (c) All tactile ground surface indicators, handrails and other elements required to provide access into the building / property must be located entirely within the private property boundary.
 - (d) Drainage and service pit lids are heel guard and bicycle safe, finish flush with the adjacent pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Pit lids must be in accordance with the Council's technical guidelines and specifications. Details of drainage and service pit lids must be submitted and approved by Council prior to issue of the relevant Construction Certificate.

ACOUSTIC AND VIBRATION COMPLIANCE

- B26. Prior to the issue of the first Construction Certificate for each building (whether together or separately), the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with parameters and engineering assumptions contained in the Noise Impact Assessment, prepared by White Noise Acoustics, revision 3, dated 5 February 2022.
- B27. The buildings must be designed and constructed so that the road traffic noise levels and the rail noise and vibration levels inside the buildings comply with the criteria specified in Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008). Details demonstrating compliance with this requirement are to be submitted to the Certifier prior to the issuing of each relevant Construction Certificate.
- B28. Prior to the issue of each Construction Certificate concerning mechanical plant and services, the Applicant must submit to the Certifier details of noise mitigation measures for all mechanical plant (as detailed on the relevant Construction Certificate drawings) and certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the SSD Noise and Vibration Impact Assessment, Noise Policy for Industry, and other guidelines applicable to the development. External plant must be adequately enclosed and screened to minimise disturbance and visual impacts.

PARKING

- B29. Prior to the issue of the first Construction Certificate for the construction of each basement (whether together or separately), the Applicant must submit to the Certifier a Report demonstrating that the development achieves the following traffic flow and parking requirements:
- (a) all vehicles must enter and leave the subject site in a forward direction;
 - (b) all vehicles must be wholly contained on site before being required to stop;
 - (c) parking associated with the development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) must be in accordance with the applicable Australian Standards;
 - (d) appropriate pedestrian advisory signs must be provided at the egress from parking areas;

- (e) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority;
- (f) the swept path of the longest vehicle entering and exiting the site (including Council's standard garbage truck) and the manoeuvrability through the site must be in accordance with AUSTROADS;
- (g) the layout, design and security of bicycle facilities must be in accordance with the applicable Australian Standards
- (h) columns, garage doors, fire safety measures and the like must not compromise appropriate manoeuvring and compliance with the Australian Standards
- (i) the Report must provide the number and type of parking spaces specified in the Architectural Plans in **Condition A1(c)**
- (j) the design and operation of electric vehicles (EV) charging spaces/EV-ready spaces must be in accordance with:
 - (i) the position statement on 'Electrical Vehicles (EV) and EV charging equipment in the built environment' published by the Australasian Fire and Emergency Service Authorities Council, and the position statement summary from Fire and Rescue NSW, for the selection and installation of electrical vehicle parking spaces
 - (ii) certification from an electrical engineer confirming appropriate spatial allowances have been made for cables trays and EV Distribution Board(s), and that the system(s) are capable of supplying not less than 50% of EV connections at full power at any one time during off-peak period.

WASTE MANAGEMENT

- B30. Prior to the issue of the Construction Certificate for the fit-out of each basement (whether together or separately), the Certifier must be satisfied that Council has reviewed detailed plans and specifications for all waste storage and management facilities, and that Council's feedback has been addressed, for the following:
- (a) the type and quantity of waste generated by the buildings being serviced by that basement
 - (b) the detailed design and capacity of waste storage facilities and equipment including for bulky waste, food organics, and garden material
 - (c) confirmation that storage facilities and equipment are a sufficient size to accommodate all waste in accordance with Council's waste management guidelines, including separate waste bins for recyclable waste and Food Organics Garden Organics (FOGO)
 - (d) detailed design of waste storage areas including:
 - (i) that the floor is graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface and waterproofed at all intersections
 - (ii) walls being cement rendered to a smooth, even surface and coved at all intersections
 - (iii) cold water being provided in the room and the outlet located above floor level to avoid damage
 - (iv) ventilated in accordance with the requirements of the Building Code of Australia.
 - (e) the procedures and arrangements for on-going waste management including collection, storage and removal of waste and recycling of materials and the appointment of a caretaker responsible for the management of all waste facilities
 - (f) details of the wheel in/wheel out service between waste collection areas or confirmation there is sufficient circulation space for a bin-tug, trailer or tractor to transfer waste safely between each of the dedicated waste storage rooms and the combined waste storage room
 - (g) access and traffic arrangements for Council's waste disposal vehicles
 - (h) confirmation that all waste rooms, corridors, doors, and gates to be accessed by Council's collection vehicles/contractor(s) are fitted and accessible via Council's master key system. Specifications of locks, barrels, and supporting infrastructure are to be submitted to Council.
- B31. Prior to the issue of the first Construction Certificate for the construction of the on-street loading dock adjacent to Building A, the Certifier must be satisfied that Council has reviewed the design of the loading space and confirmed there is sufficient space for Building A's waste bins as well as Council's largest standard waste truck to safely enter and exit the on-street loading dock.
- B32. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the NSW EPA's *Better Practice Guide for Resource Recovery in Residential Developments* (2019). Details are to be submitted to the satisfaction of the Certifier before the issue of the relevant Construction Certificate.
- B33. A roller shutter door provided at the driveway entry and exit for each basement must be operated via remote control. If an intercom is installed, it must be provided at the centre of the driveway entry (not attached to the wall) to the carpark in accordance with Australian Standard 2890.1 – 2004. Details are to be submitted to the satisfaction of the Certifier before the issue of the relevant Construction Certificate.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- B34. Prior to the issue of the first Construction Certificate for each building and basement (whether together or separately), the Applicant must submit to the Certifier a Report demonstrating that the design of the development has incorporated the Crime Prevention Through Environmental Design Assessment (CPTED) management and mitigation measures included in the CPTED Report prepared by Urbis dated 8 July 2021.

WIND MITIGATION MEASURES

- B35. Prior to the issue of the first structural Construction Certificate for the construction of each building and the public domain (whether together or separately), the Applicant must submit a Report to the Certifier demonstrating that the design of the development has incorporated the wind mitigation measures contained within the Telopea Stage 1A Qualitative Wind Assessment prepared by SLR and dated 29 May 2023.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- B36. Prior to the issue of the first Construction Certificate for the construction of each building above the ground floor slab and each relevant Construction Certificate thereafter, the Applicant must submit to the Certifier a Report demonstrating the development incorporates all design and construction measures, or equivalent, as identified in the Sustainability Strategy prepared by E-Lab Consulting dated 4 September 2025, Revision 2.
- B37. Prior to the issue of the first Construction Certificate for the construction of each building (whether together or separately) and each relevant Construction Certificate thereafter, BASIX Nos. 1818026M_04 Certificate and NatHERS Certificate 6EE8MCT0FQ must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans.

COUNCIL PUBLIC DOMAIN AND ROADS

CIVIL DESIGN PLANS – STURT STREET/SHORTLAND STREET

- B38. Prior to the issue of the first Construction Certificate for the construction of Building B or works to Council's roadway or footpath (whichever occurs first), the Applicant must provide the Certifier with written evidence that Council's Development and Traffic Services Unit (DTSU) Manager has approved updated civil design plans for upgraded streets to confirm vertical alignments and the extent of works including, but not limited to, the following (or unless otherwise agreed with Council):
- (a) Regular civil cross sections at 20 metre centres for the full road reservation (i.e. property boundary to property boundary) showing existing and proposed ground lines
 - (b) Confirmation of compliant footpath and verge crossfalls (1-2.5%)
 - (c) No impact to existing trees being retained (including trees located beyond the road reservation opposite the development site)
 - (d) Resolved new Sturt Street kerb alignment interface to the existing kerbs in Wade Street
 - (e) Compliant kerb ramps connecting all pedestrian paths (existing and proposed) across all intersections impacted by the development
 - (f) Public footpath reinstatement on Sturt Street verge opposite the development site.

*Note: Council's design standards can be obtained from Council or at the following website:
<https://www.cityofparramatta.nsw.gov.au/files/assets/public/v/1/development/standard-drawings-index.pdf>*

- B39. Prior to the issue of the first Construction Certificate for the construction of Building B or works to Council's roadway or footpath (whichever occurs first), the Applicant must submit to the Certifier written evidence that Council's Development and Traffic Services Unit (DTSU) Manager has approved updated public domain construction plans prepared in accordance with the Parramatta Public Domain Guidelines and coordinated with the civil design plans (**Condition B38**), addressing (or unless otherwise agreed with Council):
- (a) The extent of public domain rectification and upgrade of the Sturt Street verge opposite the development site between back of new kerb and property boundary line
 - (b) Street trees approved by Council
 - (c) Street lighting that achieves the relevant authority's standards for handover to the relevant service provider
 - (d) Paving types and delineation between the footpath and station/arrival plaza

Note: Council updates its design standards for time to time. It is the obligation of the Certifier to ensure all applicable standards are addressed.

All locations, sizes, species and soil volumes of street trees must not be substituted from what is approved by Council.

ROAD IMPROVEMENTS – PLANNING AGREEMENT

- B40. Prior to the issue of the first Construction Certificate for roadworks, detailed engineering plans and details must be submitted to the Council's Local Traffic Committee and be approved by Council. These are to include, but not be limited to (or unless otherwise agreed with Council):
- (a) upgrades to Sturt Street, including the provision of on-street parking bays and a shared path
 - (b) a round-about at the intersection of Sturt Street and Manson Street
 - (c) all signs and line-marking to be installed on the road network
 - (d) any vehicular crossing/footpath crossings
 - (e) civil engineering drawings including plans, longitudinal sections, and cross sections
 - (f) swept path assessments of intersections demonstrating kerb returns and vehicle movements are in accordance with Council's requirements
 - (g) proposed vehicular crossing/footpath crossing including scraping assessment
 - (h) standards of existing street lighting and any upgrades to ensure it complies with the relevant Australian Standards and relevant electricity distributor's network standard
 - (i) pavement design including details of the proposed pavement structure and an assessment of the Austroads' Pavement Design Guide, background data (such as traffic surveys and studies, geotechnical investigation, field and laboratory testing and the like), and any assumptions and calculations in the design process and nominated construction specifications
 - (j) a project quality plan of construction specifications and quality systems, including work method statements for typical work activities, a description for how the specifications and quality system will be applied, what testing is required, and which records will be prepared and submitted to Council at various stages of construction. It must identify all inspections by Council's officers, hold and witness points during the construction in accordance with **Condition B10**.

Note: For any roads with concrete pavement under asphalt wearing course, the Applicant must provide of the interface between two different pavement types.

Council's design standards can be obtained from Council or at the following website:

<https://www.cityofparramatta.nsw.gov.au/files/assets/public/v/1/development/standard-drawings-index.pdf>

ON-STREET PARKING AND LOADING SIGNAGE

- B41. Prior to the issue of the first Construction Certificate for the construction of the internal road (Mews Street), the Applicant must provide the Certifier with written evidence that Council's Traffic and Transport Manager has approved the specifications and installation of signage limiting the duration of on-street parking and restricting the duration and use of the on-street loading dock for authorised activities.

PUBLIC DOMAIN PLANS – STATION/ARRIVAL PLAZA AND NEIGHBOURHOOD PARK

- B42. Prior to issue of the first Construction Certificate for the construction of the station/arrival plaza and the neighbourhood park (whether together or separately), the Applicant must submit to the Certifier written evidence that Council's Development and Traffic Services Unit (DTSU) Manager has approved updated public domain construction plans prepared in accordance with the Parramatta Public Domain Guidelines and addressing, but not limited to, the following (or unless otherwise agreed with Council):
- (a) Detailed materials, finishes and fittings that reflect Council's typical design standards and are available 'off-the-shelf' from local suppliers
 - (b) Provision of playground, fitness equipment, cycle racks, and safety surfacing compliant with the relevant Australian Standards
 - (c) Consideration of active recreation spaces such as half-courts or the like
 - (d) Specification of furniture using highly durable materials (e.g. metal or fiberglass reinforced plastic) and minimising the use of timber
 - (e) Appropriate grades and infrastructure clearances to enable ongoing landscape maintenance activities
 - (f) Identifying any Connecting with County initiatives
 - (g) Confirmation that turf areas use Council's nominated species
 - (h) Consolidation of garden beds, pathways, and the like to maximise usable turf areas, including removing small or narrow garden beds between pathways, play areas, BBQs and seating areas
 - (i) Confirmation turf areas have a maximum 1:6 slope and are a minimum 2 m wide between hard edges or infrastructure
 - (j) Details of the proposed tree species, quantities, supply stocks including any propagated species in accordance with **Condition B23**

- (k) Details of the location of new tree planting achieving the following:
 - (i) A minimum 2 m from any stormwater pipes or pits
 - (ii) A minimum 1.2 m (small tree) to 1.5 m (medium/large tree) from the edge of all hard infrastructure (paths, lighting retaining walls, play areas, furniture) to prevent future conflicts
 - (iii) Minimum spacing to ensure adequate growth:
 - 3-4 m for small trees (5-9 m mature height)
 - 5-6 m for medium trees (10-14 m mature height)
 - 8-12 m for large trees (+15 m mature height)
 - (iv) Or as otherwise approved by Council's arborist
- (l) Calculations demonstrating tree pit and soil volumes comply with Council's Public Domain Guidelines, and incorporate a drainage layer and pipe connecting to the nearest stormwater pit. Soil volume calculations are to be based on a maximum depth of 1.0 m for the station/arrival plaza and a maximum depth of 1.2 m for the neighbourhood park, excluding any drainage layers
- (m) Use of matrix style pavement support around trees where necessary to provide adequate uncompacted soil volume is available to trees
- (n) Confirmation there are no encroachments to the structural root zones for existing retained trees in accordance with the relevant Australian Standards
- (o) Provision of direct pedestrian/cycle access is provided between Sturt Street and the Active Transport Link (shared path) directly north of Building E, including removing the path around the courts and the 1:14 ramps to Winter Street and extending the western pathway in the neighbourhood park to connect to the station/arrival plaza
- (p) Details of any proposed fencelines and barriers, including removing the barrier between the station/arrival plaza and the Active Transport Link
- (q) Specification of edge treatments between areas including steel edging between turf and garden beds and concrete edging between soft fall rubber and garden beds or turf
- (r) Location and specification of water, sewer, electricity and communications in accordance with the requirements of the relevant servicing agencies and avoiding all proposed and existing trees
- (s) Location and any screening for fire booster equipment
- (t) Details of bollards (or similar measures) to prevent unauthorised vehicle access, and dedicated maintenance vehicle entry points, pathways, and parking for light vehicles
- (u) Location of taps and bubblers provided in accessible areas and a separate secure water metres for maintenance
- (v) A schedule of pit lids, frames, and gate finishes including the load bearing capacity, any infill, and slots and openings
- (w) Location of tactile indicators, steps, handrails and ramps
- (x) Design of the amenities building that:
 - (i) Complies with Council's design standards
 - (ii) Achieves a minimum 50 year design life
 - (iii) Incorporates energy and water efficient fixtures and fittings
 - (iv) Is capable of being connecting to Council's remote locking system
 - (v) Includes ambulant and disabled cubicles
- (y) Details of CCTV security camera installation consistent with Council's standards
- (z) Details of public domain lighting that achieves the relevant electricity distributor's network standard and requirements including standard equipment lists specified by the respective distributor.

PUBLIC DOMAIN LIGHTING

- B43. Prior to the issue of the first Construction Certificate for the construction of the public domain (excluding demolition and enabling works), a detailed Public Domain Lighting Plan for pedestrian and street lighting in the public domain must be prepared by a full Member of Illuminating Engineering Society Australia and New Zealand (IESANZ) (MIES), and be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The Public Domain Lighting Plan must address, but not be limited to (or unless otherwise agreed with Council):
- (a) Manufacturer, name of luminaire, power consumption (Watts), distribution (optics) type, colour temperature, outreach arm dimensions, pole type, mounting height to luminaire optical centre, pole offset, lamp/luminaire lumens, light loss factor (LLF) and luminaire/pole colour

- (b) Calculation summary of all relevant light technical parameters and compliance as per AS/NZS 1158 for vehicle and pedestrian category lighting including details in Agi32, Lighting Reality or Perfectlite software program format
- (c) Drawings showing the lighting isolux curves
- (d) Lighting calculation points for horizontal/vertical illuminance and obtrusive lighting calculations on adjacent residential properties as per Australian standards, where required.
- (e) Luminaire labels with mounting height and indicate luminaire orientation
- (f) Include any completed documentation requirement by relevant electricity distributor (Ausgrid or Endeavour Energy) and a Electrical Design Certificate signed as compliant by an ASP Level 3 Designer
- (g) Identify the location of switchboards and Smart Control infrastructure.

WAYFINDING

- B44. Prior to issue of the first Construction Certificate for the construction of public domain (excluding demolition and enabling works), a Signage and Wayfinding Strategy must be endorsed by Council's Development and Traffic Services Unit (DTSU) Manager and a copy submitted to the Planning Secretary. The strategy must demonstrate how the development would connect to surrounding streets and facilities (e.g. parks, light rail stations, bus stops etc) and indicate the operational hours or access arrangements for any restricted areas.

The Signage and Wayfinding Strategy is to demonstrate how visitors to Building E would navigate from the new internal road to the Building E lobby, including identifying any mechanisms for ensuring access would always be available via common property and would not rely on land under separate ownership.

LIGHT RAIL

- B45. Prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first), a Works Deed(s) between the Applicant, TfNSW and/or the Parramatta Light Rail (PLR) Operator must be agreed and executed by the parties. These agreements must address matters including, but not limited to, the following:
- (a) PLR operational requirements;
 - (b) PLR access requirements;
 - (c) PLR operator policies, rules, and procedures compliance requirements;
 - (d) Indemnities and releases;
 - (e) Security of costs;
 - (f) Insurance requirements and conditions;
 - (g) TfNSW, and the PLR Operator's recovery of costs from the Applicant for costs incurred by these parties in relation to the development (e.g., review of designs and reports, legal, shutdown/power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes; and
 - (h) Interface coordination between the PLR Operator and the subject development construction works, including safety interface.
- B46. An Infrastructure Access Deed Poll and Safety Interface Agreement between the Applicant and the PLR Operator must be agreed and executed by the parties prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first). This agreement must address matters including, but not limited to, the following:
- (a) Pre and post construction dilapidation reports;
 - (b) The need for track possessions;
 - (c) Review of the machinery to be used during excavation ground/ground penetration/construction works;
 - (d) The need for tracking monitoring;
 - (e) Design and installation of lights, signs, and reflective material;
 - (f) Endorsement of Risk Assessment/Management Plan and Safety Work Method Statement (SWMS);
 - (g) Endorsement of plans regarding proposed craneage and other aerial operations;
 - (h) Erections of scaffolding/hoarding;

- (i) PLR Operator's recovery of costs from the Applicant for costs incurred by these parties in relation the Development (e.g., review of designs, shutdown/power outages costs including alternative transport, customer communications, loss of revenue etc) risk assessments and configuration change processes;
 - (j) Light Rail Operator's rules and procedures;
 - (k) Alteration of rail assets such as the overhead wires along the track and associated hoarding demarcation system, if understand by the Applicant;
 - (l) The PLR Operator's reviews and impact assessment of the Applicant's construction activities to be performed in, above, about, and/or below the PLR Corridor; and
 - (m) PLR site works access approval and access permit to work.
- B47. Prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first), the Applicant is to consult with TfNSW to ascertain requirements in relation to the protection of TfNSW's infrastructure and to confirm the timing of each Construction Certificate and associated documentation and activities prior to the preparation of the requested documentation. This includes, but is not limited to:
- (a) Confirming in-writing with TfNSW the content and staging of Construction Certificates;
 - (b) Providing a summary report for each construction stage to demonstrate the following:
 - (i) No adverse impacts to the light rail corridor and light rail operation by clearly identifying impacts and mitigation measures; and
 - (ii) Submitted documentation has satisfied the relevant conditions.
 - (c) Signing the Infrastructure Access Deed Poll and Safety Interface Agreement and Works Deed with TfNSW (as relevant).
 - (d) Submitting all relevant documentation to TfNSW, as requested by TfNSW, and obtain TfNSW's written endorsement for each construction stage.
- B48. Prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first), the following documentation must be provided for TfNSW review and receive TfNSW's endorsement:
- (a) The Civil Stormwater Management Report and Flooding Impact Assessment (**Conditions B3 and B5**);
 - (b) Final geotechnical and structural report / drawings. Geotechnical reports must address any potential impact on the light rail corridor located adjacent to the subject development site, easement, and substratum. No permanent rock anchors/bolts are to be installed into the light rail corridor without approval from TfNSW;
 - (c) Final construction methodology with construction details pertaining to structural support during excavation or ground penetration;
 - (d) Details of the vibration and movement monitoring system that will be in place before excavation commences;
 - (e) Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor located adjacent to the subject development site. Cross sectional drawings should also include the accurate RL depths and horizontal distances from assets (tracks, overhead lines, structures, and cables) to the nearest point of excavation or ground penetration works. All measurements are to be verified by a Registered Surveyor;
 - (f) A construction program and details on the design life for the berm of Building E adjacent to the light rail corridor;
 - (g) A detailed survey plan with the location of services; and
 - (h) A detailed regime for consultation with and approval by TfNSW for excavation of the site and the construction of building foundations (including ground anchors), which may include geotechnical and structural certification in the form required by TfNSW.
- B49. Prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first), the Applicant must engage an electrolysis consultant to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority (PCA) with the application for the relevant Construction Certificate.
- B50. Prior to the issue of the first Construction Certificate for work within 25 m of the light rail corridor or the commencement of demolition and enabling works that are within 25 m of the light rail corridor (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum acceptable to TfNSW. This insurance must not contain any exclusion in relation to works on or near the rail corridor and associated infrastructure. The Applicant is to contact TfNSW to obtain the level of insurance required for this development

and associated works. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with TfNSW's written advice to the Applicant on the level of insurance required.

Note: requests to TfNSW may be made via plstage2developmentreferrals@transport.nsw.gov.au.

- B51. Prior to the issue of each relevant Construction Certificate, the Certifier must be satisfied that the design and the construction methodology complies with the requirements of the Transport Asset Standards Authority's Airspace and External Developments Standard (T HR CI 12090 ST – Standard - Airspace and External Developments).

PART C PRIOR TO COMMENCEMENT OF WORK

NOTIFICATIONS AND COMMENCEMENT OF WORK

NOTIFICATION OF COMMENCEMENT

- C1. The Applicant must notify the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- C2. If the construction or operation of the development is to be staged, the Applicant must notify the Department in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

CROWN BUILDING WORK

- C3. Crown building work cannot be commenced unless the relevant Crown Building Work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:
 - (a) the date of the invitation for tenders to carry out Crown building work; or
 - (b) in the absence of tenders, the date on which the Crown building work commences.

UTILITIES AND SERVICES

- C4. Prior to the commencement of work (other than demolition and enabling work), written advice must be obtained from the electricity supply authority and an approved telecommunications carrier stating that satisfactory arrangements have been made to ensure provision of adequate services. The development must not be supplied by gas.

BEFORE YOU DIG AUSTRALIA

- C5. Prior to the commencement of excavation on or near the site, the Applicant must submit to the Certifier written confirmation from Before You Dig Australia that the proposed excavation will not conflict with any underground utility services.

DEMOLITION

- C6. Prior to the commencement of demolition, the Applicant must submit to the Certifier a statement of compliance with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and any work plans required by AS 2601-2001, accompanied by a written statement from a suitably qualified person work plans complies with the safety requirements of the Australian Standard.
- C7. Prior to the commencement of demolition, the Applicant must submit to the Certifier a Report from a Professional Engineer that demonstrates the proposed methods of support and demolition are suitable for the site and would not result in damage to adjoining premises, building, or any public space, as a result of the demolition works and any associated vibrations.
- C8. Prior to the commencement of demolition, a qualified and experienced ecologist as described on page 5 of the 'Species credit threatened bats and their habitats NSW survey guide for the Biodiversity Assessment Method' 2018 must complete a pre-clearance survey of all structures in accordance with the Survey Guide to determine the presence of fauna. This must include inspecting cracks or seams in the roof.
- C9. If bats or signs of bats are observed, the bats must be captured to identify species and breeding status using traps, nets or other methods. Any bats captured must be released at night.
- C10. The qualified and experienced ecologist must be present to oversee removal of the roof of each building being demolished.

MANAGEMENT PLANS

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C11. Prior to the commencement of work, the Applicant must prepare and submit to the Certifier a Construction Environmental Management Plan (CEMP) for the development with measures to reduce environmental impacts and harm during construction of the development, including, at a minimum, the following information:
 - (a) details of:
 - (i) hours of work in accordance with this consent;
 - (ii) 24 hour contact details of the site manager and complaint handling procedure;
 - (iii) program and methodology for the work, including staging;

- (iv) traffic management;
 - (v) noise and vibration management;
 - (vi) management of dust and odour;
 - (vii) stormwater control and discharge, including ensuring that vehicles leaving the site do not transfer dirt to roadways;
 - (viii) remediation and management of contamination;
 - (ix) management of stockpiles of soil or other materials;
 - (x) waste management;
 - (xi) external lighting in compliance with applicable Australian Standards; and
 - (xii) site security, including fencing or hoarding.
- (b) Biodiversity Management Plan in accordance with **Condition B23**;
 - (c) Construction Traffic and Pedestrian Management Sub-Plan in accordance with **Condition C13**;
 - (d) Construction Noise and Vibration Management Sub-Plan in accordance with **Condition C15**;
 - (e) Air Quality Management Sub-Plan in accordance with **Condition C17**;
 - (f) Construction Waste Management Sub-Plan in accordance with **Condition C19**;
 - (g) Construction Soil and Water Management Sub-Plan in accordance with **Condition C21**;
 - (h) Construction Communication Plan in accordance with **Condition C23**;
 - (i) an unexpected finds protocol for remediation in accordance with **Condition C48**;
 - (j) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure, including but not limited to ensuring compliance with **Conditions C44 and C46**;
 - (k) waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status of relevant areas of the site.

A copy of the CEMP must be submitted to the Planning Secretary and Council for information prior to the commencement of work.

- C12. If demolition occurs separately to construction work, the Applicant may submit to the Certifier an updated Construction Environmental Management Plan (CEMP) addressing the information required in **Condition C11(a)** to **(k)** for the construction work as separate from demolition.

A copy of the updated CEMP must be submitted to the Planning Secretary and to Council for information prior to the commencement of construction work.

CONSTRUCTION TRAFFIC AND PEDESTRIAN MANAGEMENT SUB-PLAN

- C13. Prior to the commencement of work, the Applicant must submit to the satisfaction of the Certifier a Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP) prepared by a suitably qualified and experienced traffic consultant in consultation with TfNSW, and endorsed by Council. The CPTMP must address, but not be limited to, the following:
- (a) A description of the development
 - (b) Location of any proposed work zone(s)
 - (c) Details of crane arrangements including location of any crane(s) and crane movement plan
 - (d) Haulage routes
 - (e) Proposed work hours in accordance with this consent
 - (f) Predicted number of construction vehicle movements, detail of vehicle types (including heavy vehicles, machinery, deliveries/removal, staff/worker vehicles) and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods
 - (g) Work vehicle access arrangements
 - (h) The location(s) where it is proposed to park work vehicles
 - (i) Construction program and construction methodology, including any construction staging
 - (j) A detailed plan of any proposed hoarding and/or scaffolding
 - (k) Measures to avoid worker vehicle movements within the Parramatta Precinct
 - (l) Consultation strategy for liaison with surrounding stakeholders, including other nearby developments
 - (m) Identify any potential impacts to general traffic, cyclists, pedestrians, bus services and any light rail within the vicinity of the site from work vehicles during the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and

- (n) Identify the cumulative activities of the development and other projects within or around the development site, including infrastructure projects and private development. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP.

Provide a contact number to small businesses and public services (including schools and places of public worship) adjoining or impacted by the work, and to TfNSW and Council to resolve issues relating to traffic, public transport, freight, servicing, and pedestrian access during the approved work in real-time. The Applicant is responsible for ensuring the builder's contact number is current during construction.

A copy of the final CPTMP including TfNSW's comments and how they have been addressed, and Council's endorsement, is to be provided to the Planning Secretary for information prior to the commencement of work.

- C14. If demolition occurs separately to construction work, the Applicant must submit to the Certifier an updated Construction Pedestrian and Traffic Management Plan Sub-Plan (CEMP) including the information required in **Condition C13** for the construction work as separate from demolition.

A copy of the updated CEMP and evidence of updated consultation with TfNSW and endorsement from Council must be submitted to the Planning Secretary prior to the commencement of construction work.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT SUB-PLAN

- C15. Prior to the commencement of work, the Applicant must submit to the Certifier a Construction Noise and Vibration Management Sub-Plan (CNVMP) for the development prepared by a Professional Engineer with measures to minimise environmental impacts and harm during construction of the development arising from construction noise and vibration, including, at a minimum, the following information:

- (a) identification of noise sources and Sensitive Receivers;
- (b) quantification of the rating background noise level (RBL) for Sensitive Receivers;
- (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (ICNG) (as may be updated or replaced from time to time) and the comply with the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008);
- (d) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at Sensitive Receiver premises against the objectives identified in the ICNG, EPA's Assessing Vibration: Technical Guideline and relevant standards;
- (e) have appropriate measures in place to ensure the construction process would not damage or interfere with the light rail corridor during construction from air-borne noise, ground-borne noise, and vibration effects;
- (f) noise mitigation measures to be implemented to reduce construction noise and vibration impacts, including:
 - (i) installation of acoustic barriers/enclosures;
 - (ii) alternative excavation methods;
- (g) describe the measures to be implemented to manage high noise generating works (such as piling and rock breaking) or activities that may be particularly annoying (as defined in the ICNG), in close proximity to sensitive receivers;
- (h) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints;
- (i) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity;
- (j) include strategies for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods;
- (k) confirmation of any noise and vibration monitoring methodology to be undertaken; and
- (l) include a complaints management system that would be implemented for the duration of the development.

The final CNVMP must be submitted to the Planning Secretary for information prior to the commencement of work.

- C16. If demolition occurs separately to construction work, the Applicant must submit to the Certifier an updated Construction Noise and Vibration Management Sub-Plan (CEMP) including the information required in **Condition C15** for the construction work as separate from demolition.

The updated sub-plan must be submitted to the Planning Secretary for information prior to the commencement of construction work.

AIR QUALITY MANAGEMENT SUB-PLAN

- C17. Prior to the commencement of work, the Applicant must submit to the Certifier an Air Quality Management Sub-Plan (AQMP) for the development. The AQMP must be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and include, as a minimum, the following information:
- (a) relevant environmental criteria to be used to guide management of dust and odours;
 - (b) dust and odour management practices to be implemented, including:
 - (i) watering of exposed surfaces and stockpiles;
 - (ii) covering of truck loads;
 - (iii) prevention of dirt from trucks tracking onto public roads and cleaning of any tracked dirt;
 - (iv) progressive land stabilisation works to minimise exposed surfaces.
 - (v) monitoring requirements;
 - (vi) communication strategy; and
 - (vii) system and performance review for continuous improvements; and
 - (c) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints.
- C18. If demolition occurs separately to construction work, the Applicant must submit to the Certifier an updated Air Quality Management Sub-Plan including the information required in **Condition C17** for the construction work as separate from demolition. The updated sub-plan must be submitted to the Certifier prior to the commencement of construction work.

CONSTRUCTION WASTE MANAGEMENT SUB-PLAN

- C19. Prior to the commencement of work, the Applicant must submit to the Certifier a Construction Waste Management Sub-Plan (CWMP) for the development. The CWMP must include, as a minimum, the following information:
- (a) requirement that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";
 - (b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;
 - (c) procedures for minimising the movement of waste material around the site and double handling;
 - (d) requirement that waste (including litter, debris or other matter) is not caused or permitted to enter any waterways;
 - (e) requirements that any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;
 - (f) requirement that the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises;
 - (g) details in relation to the transport of waste material within the site and from the site, including (at a minimum):
 - (i) a traffic plan showing transport routes within the site;
 - (ii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the *Protection of the Environment Operations Act 1997*; and
 - (iii) the name and address of each licensed facility that will receive waste from the site.
- C20. If demolition occurs separately to construction work, the Applicant must submit to the Certifier an updated Construction Waste Management Sub-Plan including the information required in **Condition C19** for the construction work as separate from demolition. The updated sub-plan must be submitted to the Certifier prior to the commencement of construction work.

CONSTRUCTION SOIL AND WATER MANAGEMENT PLAN SUB-PLAN

- C21. Prior to the commencement of work, the Applicant must submit to the Certifier a Construction Soil and Water Management Sub-Plan (CSWMP) for the development. The CSWMP must be prepared by a suitably qualified expert, in consultation with Council and include, at a minimum, the following information:
- (a) describe all erosion and sediment controls to be implemented during construction
 - (b) provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the site);
 - (c) detail all off-site flows from the site during construction; and

- (d) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.
- C22. If demolition occurs separately to construction work, the Applicant must submit to the Certifier an updated Construction Soil and Water Management Sub-Plan including the information required in **Condition C21** for the construction work as separate from demolition. The updated sub-plan must be submitted to the Certifier prior to the commencement of construction work.

CONSTRUCTION COMMUNICATION PLAN

- C23. Prior to the commencement of work, the Applicant must submit to the Certifier a Construction Communication Plan for the development detailing the following:
- (a) Mechanisms to provide details and timing of proposed construction activities to affected stakeholders, including changed traffic and access conditions;
 - (b) A toll free number and email address for enquiries and complaints;
 - (c) A complaints handling procedure for construction workers; and
 - (d) Any ongoing consultation activities to be carried out through the construction process.
- The final Construction Communication Plan must be submitted to the Planning Secretary for information prior to the commencement of work.

PRE-CONSTRUCTION DOCUMENTATION AND MEASURES

SURVEY CERTIFICATE

- C24. The Applicant must cause each building and each basement to be set out by a Registered Surveyor to verify the correct position of all structures in relation to site boundaries and the approved alignment levels, and cause the Registered Surveyor to submit a plan to the Certifier certifying that structural works are in accordance with this consent.
- C25. The Applicant must cause a Registered Surveyor to measure and mark:
- (a) prior to commencement of work for each building and basement (whether together or separately) – the positions of all footings/foundations;
 - (b) at other stages of construction – any marks that are required by the principal Certifier, and provide information on the positions to the principal Certifier.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- C26. Prior to the commencement of work, the Applicant must submit to the Certifier a Pre-Construction Dilapidation Report, prepared by a Professional Engineer, which details the structural condition of all adjoining land, buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence', prior to construction. Where only part of a building on privately affected land may fall within the 'zone of influence', any Pre-Construction Dilapidation Report for that building must include details of the whole building.
- A copy of the final Pre-Construction Dilapidation Report must be issued to Council, the Planning Secretary, and each of the affected property owners prior to the commencement of work.
- C27. In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.

PROTECTION OF PUBLIC INFRASTRUCTURE AND STREET TREES

- C28. Prior to the commencement of work, the Applicant must:
- (a) undertake consultation with the relevant owner and provider of services that will be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a Dilapidation Report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation Report to the Certifier, Planning Secretary and Council; and
 - (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.

SECURITY DEPOSIT

C29. Prior to the commencement of work, the Applicant must make the following payments to Council in accordance with the adopted fees and charges at the time of payment, and provide written evidence of these payments to the Certifier:

- (a) Hoarding: \$3,170-\$12,655 per street frontage in current financial year
- (b) Street Furniture: \$2,410 per item in current financial year
- (c) Development Sites Bond: Applies to works valued over \$1,000,000
- (d) Street Trees: \$2,410 per street tree in current financial year

The payments would be used for the cost of:

- Making good any damage caused to Council property (including street trees) as a consequence of carrying out the works to which the consent relates
- Completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent
- Any inspection carried out by Council in connection with the completion of public work or making good any damage to Council property.

The payments must be made via EFTPOS, bank cheque, or be an unconditional bank guarantee. If a bank guarantee is lodged it must:

- Have no expiry date
- Be forwarded directly from the issuing bank with a cover letter that refers to Council's reference to the development consent (NCA/4/2021) - no bank guarantee will be accepted that has been issued directly by the Applicant
- Specifically reference the items and amounts being guaranteed. If a singly bank guarantee is submitted for multiple items, it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the Applicant 14 days prior to such action being taken.

The payment/s must be accompanied by the pre-construction dilapidation report (**Condition C26**).

PUBLIC LIABILITY INSURANCE

C30. Prior to the commencement of work above, on, or below Council owned or controlled land, the Applicant must submit evidence to the Certifier and Council that public risk insurance of no less than \$20 million (or such other amount that Council may require by notice) has been obtained. The public risk insurance must be satisfactory to Council and list Council as an insured and / or interested party prior to the works commencing. The public risk insurance must be maintained for the period during which these works are being undertaken.

A copy of the insurance policy obtained must be forwarded to Council before any work commences.

PRE-WORK SITE MEETING

C31. Prior to the commencement of work in the public domain (excluding demolition and enabling works), a pre-work site meeting must be held with Council's Road Asset Planning Team to confirm the works as per the approved Construction Certificate drawing set and to discuss any critical issues that may arise.

OUTDOOR LIGHTING

C32. Prior to the installation of outdoor lighting, evidence must be submitted to the satisfaction of the Certifier that the outdoor lighting complies with the Public Domain Lighting plan and specifications in **Condition B43** and AS 4282 Control of the obtrusive effects of outdoor lighting.

C33. The Applicant would be responsible for reimbursing Council for any costs associated with the premature removal of street lighting assets, including but not limited to:

- (a) Fees incurred by Council for the removal of such assets
- (b) Residual value of the assets - calculated based on their remaining useful life at the time of removal.

TREE PROTECTION AND REMOVAL

C34. Only those trees identified for removal in Appendix 2 of the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees dated 17 March 2026 are to be removed.

C35. Tree removal works must be carried out by a qualified Arborist (minimum AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry.

C36. While work is being carried out, the Applicant must maintain all tree protection measures in good condition in accordance with the Australia Standard 4970 2025 'Protection of trees on development sites' and the recommendations of the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees

dated 17 March 2026, including but limited to maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside the Tree Protection Zones (TPZ).

- C37. Any root pruning must be carried out by a qualified Arborist (minimum AQF Level 5) in accordance with Australian Standard 4373 'Pruning of Amenity Trees'.
- C38. Access to, or any works occurring within, tree protection zones or structural root zones of the trees approved for retention (such as remediation works, utilities and services works, and excavation for the footings and supports) must be supervised by a qualified arborist (AQF Level 5 minimum).

HISTORICAL ARCHAEOLOGY

- C39. Prior to the commencement of work (other than demolition and enabling work), an Archaeological Assessment Research Design must be prepared by a suitably qualified archaeologist and endorsed by Heritage NSW (or its delegate) including, but not limited to, a methodology for the investigation and the management of potentially significant relics and research questions to be answered during the investigation process.
- C40. Prior to the commencement of any in-ground works, a Work Method Statement must be prepared by a suitably qualified archaeologist and endorsed by Heritage NSW (or its delegate) including methodologies for monitoring and test excavation, as well as salvage excavation if necessary.
- C41. Excavation must not commence in areas where archaeological excavation is required until the archaeological works outlined in the Archaeological Assessment Research Design have been completed.
- C42. Before excavation of archaeological management sites, the Applicant must nominate a suitably qualified Excavation Director who complies with the Heritage NSW's Criteria for Assessment of Excavation Directors (2019) to oversee and advise on matters associated with historic archaeology.
- C43. Where archaeological excavation is required, the Excavation Director must be present to oversee excavation and advise on archaeological issues. The Excavation Director must be given the authority to advise on the duration and extent of oversight required as informed by the provisions of the approved Archaeological Assessment Research Design and Work Method Statement. A final archaeological report must be submitted to the Heritage NSW within 12 months of the completion of archaeological excavation on the project.
- C44. An Unexpected Heritage Finds Procedure must be prepared:
- (a) to manage unexpected heritage finds in accordance with any guidelines and standards prepared by Heritage NSW; and
 - (b) by a suitably qualified and experienced heritage specialist.

The procedure must be included in the Archaeological Assessment Research Design and must be implemented throughout construction.

ABORIGINAL HERITAGE MANAGEMENT

- C45. Prior to the commencement of work (excluding demolition or enabling work), the Applicant must undertake best endeavours to update and inform the Registered Aboriginal Parties who participated in the Aboriginal Cultural Heritage Assessment prepared by Urbis and dated 5 August 2021 of the approved development.
- C46. Prior to the commencement of work (excluding demolition or enabling work), the Applicant must submit to the Certifier a contingency plan and reporting procedure for the management of Unexpected Heritage Finds and Human Remains that is prepared by a suitably qualified and experienced heritage specialist in relation to Aboriginal cultural heritage and in accordance with the Codes of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010). The Unexpected Heritage Finds and Human Remains Procedure must be implemented for the duration of construction.

REMEDiation

SITE AUDITOR

- C47. Prior to the commencement of demolition, enabling work, earthwork or remediation work (whichever occurs first), the Applicant must submit evidence to the Planning Secretary that a Site Auditor, accredited under the *Contaminated Land Management Act 1997*, has been appointed to independently review the implementation and validation of the remediation works.

UNEXPECTED FINDS PROTOCOL

- C48. Prior to the commencement of any earthwork or remediation work, the Applicant must submit to the satisfaction of the Certifier an Unexpected Finds Protocol that has been reviewed and endorsed by an EPA accredited Site Auditor. The protocol must outline contingency measures and the procedures to be followed in the event that unexpected finds of contaminated material are encountered during works.

- C49. The Unexpected Finds Protocol must include a consultation protocol with Endeavor Energy for the removal of the electricity infrastructure, removal of any stained surfaces, or excavation of any contaminated soils and disposal at a licensed land fill in the event that redundant electricity infrastructure is encountered on the site.

REMEDIATION

- C50. Prior to the commencement of enabling work, earthwork or remediation work, the Site Auditor must prepare Interim Audit Advice commenting on the adequacy of the Detailed Site Investigation (DSI) Stage 1A, Environmental Earth Sciences 27 August 2020, V3 and Update to Detailed Site Investigation for Stage 1A dated 11 June 2021 prepared by Environmental Earth Sciences, and any other relevant plan. If recommended, an updated Detailed Site Investigation report, Remediation Action Plan (RAP), or other relevant plan must be prepared prior to the commencement of enabling work, earthwork or remediation work to the satisfaction of the Site Auditor.

The RAP, if required, must be endorsed by the Site Auditor confirming it is appropriate for the contamination identified and is capable of rendering the site, inclusive of residential and open space areas, suitable for the intended uses.

A copy of the IAA, and if required the DSI and RAP, must be submitted to the Certifier, Council and the Planning Secretary for information.

- C51. Prior to the commencement of demolition, earthwork, or remediation work, the Applicant must submit an Asbestos Management Plan to the satisfaction of the Certifier addressing:
- (a) the location of asbestos and any naturally occurring asbestos (if relevant)
 - (b) decisions, and reasons for decisions, about the management of asbestos for example safe work procedures and control measures
 - (c) outline procedures for incidents and emergencies involving asbestos, including who is responsible
 - (d) be maintained with up-to-date information
 - (e) be reviewed when changes to a control measure are made or when the plan is no longer adequate
 - (f) be accessible to any worker who has carried out or intends to carry out work and any health and safety representatives who represent workers at the workplace
 - (g) provide information, consultation and training responsibilities to workers carrying out work involving asbestos
 - (h) detailing how the removal of asbestos and other hazardous building materials would be undertaken by a suitably licensed contractor.
- C52. The Applicant must remediate the site in accordance with the specifications and requirements detailed in the approved RAP, as applicable, and any relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*. Remediation works must be undertaken by a suitably qualified and experienced consultant(s).
- C53. Upon completion of remediation work and prior to the commencement of construction of the development, or at another time as approved by the Planning Secretary, a Site Audit Report and a Site Audit Statement prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its approved land use(s), must be submitted to the Planning Secretary for information.

PART D DURING CONSTRUCTION

SITE NOTICE

- D1. The Applicant must erect site notices in prominent positions on the site informing the public of project details including, but not limited to:
- (a) the name, address and telephone number of the builder, Certifier and Professional Engineer;
 - (b) the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints;
 - (c) stating the approved hours of work;
 - (d) stating that unauthorised entry to the work site is prohibited.
- D2. The site notices must:
- (a) be positioned prominently at the site informing the public of key project details;
 - (b) have dimensions of at least A1 size with large writing
 - (c) be durable and weatherproof.

CONTACT TELEPHONE NUMBER

- D3. The Applicant must ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the construction.

HOURS OF CONSTRUCTION

- D4. Work including the delivery of materials or machinery to and from the site, must only be carried out between the following hours:
- (a) 7am to 6pm, Monday to Friday
 - (b) 8am to 1pm, Saturday
- D5. No work may be carried out on Sundays or public holidays.
- D6. Heavy vehicle movements into and out of the site must not occur on school days between the following times:
- (a) Between 20 minutes before and 10 minutes after the start bell for Telopea Public School
 - (b) Between 10 minutes before and 20 minutes after the end bell for Telopea Public School
- D7. Activities may be undertaken outside of these hours if required:
- (a) by the Police or a public authority (excluding the Applicant) for the delivery of vehicles, plant or materials to and from the site; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- D8. Notification of activities undertaken in the circumstances in **Condition D7** must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D9. Rock breaking, rock hammering, sheet piling, pile driving and similar activities must only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.
- D10. The immediately adjoining neighbours must be given a minimum of 48 hours notice that excavation, shoring or underpinning works or use of high noise emission appliances / plant are about to commence.
- D11. Despite **Conditions D4** and **D5**, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes outside of above hours can occur, subject to a separate application being submitted to and approved by the relevant roads authority under Section 68 of the *Local Government Act 1993* and Sections 138/139 of the *Roads Act 1993*.

IMPLEMENTATION OF MANAGEMENT PLANS

- D12. The Applicant must implement and comply with the requirements of any management plan or sub-plan required under this consent. To the extent of any inconsistency between a condition of consent and a management plan or sub-plan, the condition of consent prevails.

DAMAGE AND REPAIRS

- D13. The applicant must ensure that any damage caused to Sturt Street and any other local roads used by construction vehicles accessing or leaving the site as a result of carrying out of works (including damage caused

by, but not limited to, construction vehicles) is rectified so to maintain the roads to a serviceable state and to the satisfaction of Council for the duration of the construction, and at no cost to Council.

- D14. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

INSPECTIONS

- D15. The Applicant must comply with the inspection schedule agreed with Council (**Condition B10**).
- D16. The following must be submitted to Council's Development Traffic Services Unit and to the satisfaction of Council prior to the delivery of trees for public open space and the public domain to site and/or prior to raising the relevant inspection request:
- (a) 3 photographs of each tree to be planted, showing left side, right side and front-on of the tree in the ground without stakes and ties. These photographs must be accompanied with a 'Nursery Certificate' noting their state of health and their care, including the location details. The certificate must state the trees were grown to the nursery stock standards and must be provided by the nursery that grew/supplied the tree
 - (b) Imported topsoil data sheet
 - (c) National Association of Testing Authorities (NATA) accredited analysis of any soils that are to be reused on-site.
- D17. During construction of all public area civil and drainage works, a qualified civil engineer must supervise the work to ensure it is completed in accordance with all Council's construction standards. The Applicant is to provide to the Council photographic evidence of the constructed stormwater pits and pipes prior to backfill, if requested by the Council.
- D18. The Certifier must ensure that all the public domain works are constructed by licensed contractors and all soft landscape works must be carried out by licensed landscape contractors.

TREE PLANTING

- D19. Tree planting is to use advanced and established trees that are commercially available. Other species that are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed. All trees supplied must be grown in accordance with AS 2303:2018 (Tree stock for landscape use) and planted in accordance with Council's design standard with adequate clearances to other street elements in accordance with the Public Domain Guidelines. Certification is to be forwarded to the Certifier upon completion of the planting, certifying the trees have been grown in accordance with AS 2303:2018.
- D20. Trees in public open space and the public domain must be planted in accordance with Council's design standard available on the Council website, and to Council's satisfaction with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

TREE PROTECTION

- D21. While site or building work is being carried out, the Applicant must maintain all tree protection measures required under this consent and in accordance with the Australian Standards. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

CONSTRUCTION NOISE LIMITS AND VIBRATION CRITERIA

- D22. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the site or surrounding residential precincts outside of the construction hours of work outlined under this consent.
- D23. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding Sensitive Receivers.
- D24. The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any Sensitive Receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than 1 hour respite between ceasing and recommencing any of the work the subject of this condition.
- D25. Vibration at any residence or structure outside the site caused by construction must be limited to:
- (a) for structural damage, the latest version of DIN 4150-3 (2016) Vibration in Buildings - Effects on Structures, English Translation (German Institute for Standardisation, 2016);

- (b) for human exposure to vibration, the evaluation criteria set out in the *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006) (as may be updated or replaced from time to time).

D26. Vibratory compactors must not be used within 30 metres of residential or heritage buildings unless vibration monitoring confirms compliance with the vibration criteria specified above. These limits apply unless otherwise outlined in the project specific CNVMP required by this consent.

AIR QUALITY

D27. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

SHORING AND ADEQUACY OF ADJOINING PROPERTY

D28. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the Applicant must:

- (a) protect and support the building, structure or work from possible damage from the excavation; and
- (b) where necessary, underpin the building, structure or work to prevent any such damage,

unless the Applicant owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

D29. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.

EROSION AND SEDIMENT CONTROL

D30. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques are, as a minimum, to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004)* commonly referred to as the 'Blue Book' and must comply with the CSWMSP.

CUT AND FILL

D31. While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility; and
- (b) the classification and the volume of material removed must be reported to the Certifier.

D32. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the EPA.

DISPOSAL OF SEEPAGE AND STORMWATER

D33. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant authority in accordance with the *Protection of the Environment Operations Act 1997*.

D34. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter, and any water discharged must meet the terms of that approval.

D35. A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the *Roads Act 1993*.

LOADING AND UNLOADING DURING CONSTRUCTION

D36. The following requirements apply:

- (a) all loading and unloading associated with demolition and construction must be accommodated on-site; and
- (b) a Works Zone is required if loading and unloading is not possible on site. If a Works Zone is required, an application must be made to the relevant road authority and consent received prior to commencing the relevant works.

ASBESTOS

- D37. The Applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in consultation with SafeWork NSW and in accordance with any requirements of SafeWork NSW and any relevant guidelines, including:
- (a) Work Health and Safety Regulation 2017;
 - (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;
 - (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016;
 - (d) *Protection of the Environment Operations (Waste) Regulation 2014*, including Part 7 – ‘Transportation and management of asbestos waste’; and
 - (e) The Asbestos Management Plan (**Condition C51**).

UNCOVERING RELICS OR ABORIGINAL OBJECTS

- D38. If a Relic (as defined in the Heritage Act 1977) or Aboriginal object (as defined in the *National Parks and Wildlife Act 1974*) is unexpectedly discovered:
- (a) all work in the affected area must cease immediately;
 - (b) the Applicant must notify the Heritage NSW in respect of a Relic and notify the Planning Secretary and the Heritage NSW in respect of an Aboriginal object;
 - (c) the Excavation Director must be notified where relating to a Relic to assess the finds, identify their significance level, and provide mitigation advice according to the significance level and the impact proposed;
 - (d) where relating to a Relic, an Archaeological Relic Management Plan (ARMP) specific to the relic must also be prepared in consultation with the Heritage NSW and the Excavation Director to outline measures to be implemented to avoid and/or minimise harm to and/or salvage the relic; and
 - (e) the Applicant must otherwise comply with the unexpected finds protocol required as part of the CEMP.

Building work may recommence at a time confirmed by either Heritage NSW or the Planning Secretary.

INCIDENT NOTIFICATION, REPORTING AND RESPONSE

- D39. The Applicant must notify the Department within 24 hours of becoming aware of an Incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the Incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an Incident;
 - (c) a description of what immediate steps were taken in relation to the Incident; and
 - (d) identifying a contact person for further communication regarding the Incident.
- D40. The Applicant must provide the Department with a subsequent Incident report in accordance with **Appendix 1** (Incident Notification and Reporting Requirements).

NON-COMPLIANCE NOTIFICATION

- D41. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an Incident does not need to also be notified as a non-compliance.

LIGHT RAIL

- D42. Works must not impact the PLR operation without the prior written agreement of TfNSW and/or the PLR Operator. Any requests for agreement are to include the proposed duration, location, scope of works, and other information as required by the TfNSW and/or its PLR Operator.
- Note: any application that would require a network shutdown should be made at least four months prior to the shutdown*
- D43. The relocation of any TfNSW services or infrastructure must only be undertaken with prior consent from TfNSW and will be undertaken to TfNSW requirements and the relevant standard. The works must be designed and undertaken by Authorised Engineering Organisations (AEO) and will be at no cost to TfNSW.

- D44. All piling and excavation works are to be supervised by a geotechnical engineer experienced with such excavation projects.
- D45. No rock anchors/bolts (temporary or permanent) are to be installed into the light rail corridor without prior written approval from TfNSW.
- D46. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment unless a physical barrier such as a hoarding or structure provides separation.
- D47. During construction care to be taken to prevent any form of pollution entering the light rail corridor. Any form of pollution that arises because of the development activities to remain the full responsibility of the Applicant.
- D48. The Applicant must mitigate all noise and vibration to the extent possible and provide vibration monitoring equipment and provide the results to the PLR Operator at intervals required by TfNSW and the PLR Operator and immediately implement corrective actions if the noise or vibration exceeds acceptable limits should TfNSW raise any concerns.
- D49. No scaffolding is to be used within 6 horizontal metres of the rail corridor unless prior written approval has been obtained from the PLR Operator and/or TfNSW and a physical barrier such as a hoarding or structure provides separation. Should approval be required, the proponent will need to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor.

PART E COMMENCEMENT OF OCCUPATION OF USE

GENERAL REQUIREMENTS

NOTIFICATION OF OCCUPATION / COMMENCEMENT OF USE

- E1. The Applicant must notify the Department in writing at least one month prior to the proposed occupation or use of the development.
- E2. If the occupation or use of the development is to be staged, the Applicant must notify the Department in writing of the date of commencement of the occupation or use of the relevant stage at least one month before that date.

OCCUPATION CERTIFICATE

- E3. If an Occupation Certificate is required in accordance with the EP&A Act, the Applicant must obtain an Occupation Certificate from the Certifier prior to commencement of occupation or use of the whole or any part of a new building or, an altered portion of, an extension to an existing building.

DILAPIDATION, REPAIRS, MAINTENANCE AND DEFECTS

POST-CONSTRUCTION DILAPIDATION REPORT

- E4. Before the occupation or commencement of use of the final stage, the Applicant is to provide a Report (Post-Construction Dilapidation Report) to the Certifier:
- (a) stating whether, based on a comparison of the Pre-Construction Dilapidation Report and Post-Construction Dilapidation Report, there has been any structural damage to any adjoining buildings, infrastructure or roads;
 - (b) if there has been structural damage to any adjoining buildings, infrastructure or roads, the structural damage that is the result of the carrying out of development;
 - (c) whether relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads.
- E5. The Applicant is to provide a copy of the Post-Construction Dilapidation Report to the Planning Secretary and to the relevant adjoining property owner(s).

ROAD DAMAGE

- E6. Prior to the occupation or commencement of the use of the final stage, the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the site as a result of work associated with the approved development is to be paid in full by the Applicant.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice would be issued.

PROTECTION OF PUBLIC INFRASTRUCTURE AND OTHER REPAIRS

- E7. Unless the Applicant and the applicable public authority otherwise agree, the Applicant must:
- (a) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development
 - (b) repair/reconstruct, or pay the full costs associated with repairing/reconstructing, any public infrastructure (including but not limited to ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) in the vicinity of the development that is damaged by carrying out the development
 - (c) any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.
- E8. Prior to the occupation or commencement of the use of the development, any damage identified in **Condition E4** as being caused by the carrying out of the development not subject to **Condition E7** must be fully repaired and rectified by the Applicant.

DEFECTS RECTIFICATION AND LIABILITY

- E9. A defects period agreed in the Planning Agreement with Council referenced in **Condition A13** for all public domain works will commence with the practical completion or the occupation or commencement of use (whichever occurs first) for those works. Any defects raised by Council during the defects period will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans, longitudinal sections and specifications or the public domain guidelines. All defects must be rectified prior to asset handover.

PLANT ESTABLISHMENT AND PARK MAINTENANCE

- E10. A landscape maintenance schedule prepared by a qualified Landscape Architect must be submitted to Council prior to the practical completion or the occupation or commencement of use (whichever occurs first) of any and each public domain area or as otherwise agreed in the Planning Agreement with Council referenced in **Condition A13**. The schedule must specify the required soft and hard works (e.g. oiling of timber fittings) maintenance activities to be provided by the Applicant. Maintenance of plant material to commence following the occupation or commencement of use of any and each public domain for a plant establishment period of:
- (a) 52 weeks for street trees;
 - (b) 2 years for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc;
 - (c) 2 years for play equipment and hard works within the station/arrival plaza and neighbourhood park; and
 - (d) 2 years for all soft works for any public park area.
- E11. A maintenance logbook is to be submitted to Council at 3-month intervals during the maintenance period to certify maintenance of the public domain is in accordance with the approved schedule following practical completion or as otherwise agreed in the Planning Agreement with Council referenced in **Condition A13**. Council may undertake periodic inspections during the maintenance period to monitor compliance.

MAINTENANCE BOND

- E12. The Applicant must submit to Council a Security Bond or a Bank Guarantee of \$1,000,000 (or appropriate security as agreed with Council) for the satisfactory completion of public domain maintenance and for any associated remediation costs prior to the issue of the occupation or commencement of use of the first open space or public domain area or as otherwise agreed in the Planning Agreement with Council referenced in **Condition A13**.

Note: In accordance with Section 4.17 (6) of the Environmental Planning and Assessment Act 1979, a security bond is required to be submitted to Council to guarantee the satisfactory maintenance of the public domain during the maintenance period. Contact Council for further details on the payment of the bond or guarantee.

PUBLIC OPEN SPACE

- E13. The Applicant must provide a copy of the Certificate of Title demonstrating when the subject public reserve parcels for the station/arrival plaza and neighbourhood park (shown on the Subdivision Plan in **Condition A1(c)** as Lot 16 and Lot 17) have been transferred into the ownership of Council as 'public reserve' in accordance with the Planning Agreement (**Condition A13**) prior to the occupation or commencement of use (whichever occurs first) of the relevant stage as specified in the Planning Agreement, or as otherwise agreed to in-writing by Council.

Note: Despite any formal dedication of the park, the Applicant must fulfill obligations for management and maintenance as per the terms of the Planning Agreement.

LANDSCAPE PRACTICAL COMPLETION REPORT

- E14. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the Certifier a Landscape Practical Completion Report prepared by the consultant responsible for the landscape design plan which:
- (a) verifies that all landscape works associated with the communal and private open space areas and in the setbacks related to that building have been carried out in accordance with the comprehensive landscape design plan and specifications in this consent (**Condition B21**) and that were required to be included in documentation for a Construction Certificate application;
 - (b) confirms details of plant maintenance and watering for the life of the development in accordance with the maintenance plan in **Condition B21**
 - (c) verifies that a maintenance program has commenced; and
 - (d) includes details for replacing failed plants within the first 12 months.

WORKS-AS-EXECUTED PLANS AND ANY OTHER DOCUMENTARY EVIDENCE

- E15. Prior to the occupation or commencement of use (whichever occurs first) of public domain or public open space (whether together or separately), works-as-executed drawings signed by a Registered Surveyor and including the Surveyors Registration Number and date signed must be submitted to the satisfaction of the Certifier and to Council at Practical Completion demonstrating that the stormwater drainage, finished ground levels, public domain, and roads have been constructed as approved (as relevant). The works as-executed drawings must be submitted to Council as CAD, GIS Shapefile and PDF formats together with:
- (a) relevant 'as-built' documentation (warranties, manuals and product specifications)
 - (b) certification of play and fitness equipment by a suitably qualified safety professional
 - (c) certification of landscape works by a suitably qualified landscape architect

- (d) certification of retaining walls by a practicing structural engineer
 - (e) independent slip resistance test results (after the application of sealant)
- E16. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the Certifier:
- (a) works-as-executed plans for the development;
 - (b) any compliance certificates and any other evidence confirming conditions of this consent have been satisfied; and
 - (c) a Report from a Registered Surveyor demonstrating that:
 - (i) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or
 - (ii) the Applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.

COMPLIANCE REPORTING

PLANNING AGREEMENT

- E17. Prior to the occupation or commencement of use (whichever occurs first) of each stage, the Certifier must be satisfied the requirements of the planning agreement referenced in **Condition A13** have been satisfied as relevant to that stage.
- E18. Prior to the occupation or commencement of use (whichever occurs first) of the final building, or unless otherwise specified in the planning agreement referenced in **Condition A13**, Council's Manager Development and Traffic Services must be satisfied that the works relating to the station/arrival plaza, the neighbourhood park, and the roads and public domain works along Sturt Street and Shortland Street are complete and any defects rectified.

Note: defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans, longitudinal sections and specifications or the public domain guidelines

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- E19. Prior to the occupation or commencement of the use (whichever occurs first) of each building, the Applicant must prepare and submit to the Certifier a Report demonstrating the building has incorporated all ecologically sustainable development design, construction and operation measures, as required under **Condition B36**.
- E20. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the Certifier evidence that all commitments contained in the BASIX Nos. 1818026M_04 Certificate and NatHERS certificate 6EE8MCT0FQ have been implemented.

GFA AND BUILDING HEIGHT CERTIFICATION

- E21. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must submit to the Certifier a Report from a Registered Surveyor demonstrating that the development does not exceed the approved gross floor area and building height.

ACOUSTIC COMPLIANCE

- E22. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must prepare and submit to the Certifier a Report demonstrating compliance with all noise mitigation measures required under **Conditions B26 to B28** and the NSW Noise Policy for Industry, Development Near Rail Corridors and Busy Roads – Interim Guideline, and other guidelines applicable to the development.

ENVIRONMENTAL PERFORMANCE

- E23. Prior to the occupation or commencement of use (whichever occurs first) of each stage, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and would operate in accordance with, the environmental sustainability objectives, measures and initiatives required under this consent as relevant to that stage.

STRUCTURAL INSPECTION CERTIFICATE

- E24. Prior to the occupation or commencement of use of the relevant parts of each new or refurbished buildings as part of the development, the Applicant must submit a Structural Inspection Certificate or a Compliance Certificate to the Certifier.
- E25. The Applicant must submit a copy of the Structural Inspection Certificate or a Compliance Certificate with an electronic set of final drawings to the Planning Secretary and the Council after:

- (a) the site has been periodically inspected and the Certifier is satisfied that the structural works are deemed to comply with the final design drawings; and
- (b) the drawings listed on the Structural Inspection Certificate or have been checked with those listed on the final Design Certificate/s.

FIRE SAFETY CERTIFICATION

- E26. Prior to the occupation or commencement of use (whichever occurs first) of each structure (whether together or separately), a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the development.
- E27. The Applicant must submit a copy of the Fire Safety Certificate to the relevant authority and Certifier and display the Fire Safety Certificate prominently in the building.

SYDNEY WATER COMPLIANCE

- E28. Prior to the occupation or commencement of use (whichever occurs first) of each relevant stage, the Applicant must submit to the Certifier a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, obtained from Sydney Water Corporation.

STORMWATER AND DRAINAGE

- E29. Prior to occupation or commencement of the use (whichever occurs first) of the first building, a Positive Covenant must be registered on the title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.
- E30. Prior to occupation or commencement of the use (whichever occurs first) of the first building, the Applicant must submit to the satisfaction of the Certifier an Operation and Maintenance Plan (OMP) to ensure the proposed stormwater quality measures remain effective. The OMP must contain the following:
 - (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.
- E31. Prior to the handover of stormwater assets that would become Council infrastructure, the following information must be provided:
 - (a) The Certifier and Council must be provided with certification confirming that all public area civil and drainage works were completed under the supervision of a qualified civil engineer to Council's construction standards
 - (b) The Certifier and Council must be provided with copies of all trenches backfill compaction test results by a National Association of Testing Authorities (NATA) approved laboratory
 - (c) The Certifier and Council must be provided with a copy of a CCTV condition assessment report and video of the constructed pit and pipe stormwater drainage system
 - (d) The Certifier and Council must be provided with Structural Certification for stormwater drainage pits exceeding 2.5 m in depth or where concrete beams or suspended concrete elements are required
 - (e) Proprietary products like Gross Pollutant Traps must be inspected by the supplier's technician and certification for inspection and compliance must be submitted to the Council and the Certifier
 - (f) The Applicant must submit to Council the Stormwater Asset Handover Register as per Council's template.

All above information must be provided to Council and Council must find the works to be satisfactory before accepting any assets.

FLOOD MITIGATION AND MANAGEMENT

- E32. Prior to occupation or commencement of the use (whichever occurs first) of each building and the public domain (whether together or separately), the Applicant must provide evidence to the Certifier that any flood mitigation measures required in accordance with **Condition B3** have been implemented.
- E33. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), where recommended as an outcome of the **Condition B3**, a suitably qualified and experienced person must prepare an Operational Flood Emergency Plan specific to that building detailing the flood emergency response for the operational phase of the development including:
 - (a) predicted flood levels;
 - (b) flood warning times;

- (c) the process for issuing timely notification of events, including when a Severe Weather Warning has been issued by the Bureau of Metrology or Flood Warning or Flood Bulletin is issued by the NSW State Emergency Service or the like;
- (d) assembly points for residents, staff, and visitors;
- (e) evacuation and refuge protocols;
- (f) provision of emergency equipment such as fire extinguishers, radios and torches, and first-aid-kits;
- (g) awareness training for residents, employees, and any relevant persons associated with the development;
- (h) consideration for any Local Flood Plan or Emergency Management Plan by Council, the NSW State Emergency Service, or the like that may be in effect; and
- (i) any process for updating or revising the plan from time to time.

GROUNDWATER

- E34. Prior to the occupation or commencement of use (whichever occurs first) of each basement, the Certifier must be satisfied that the development does not require any ongoing groundwater take that would require a Water Access License or other authorisation in accordance with the Water Management Act 2000 (WMA Act).

UTILITY PROVIDERS

- E35. Prior to the occupation or commencement of use (whichever occurs first) of each building and the public domain (whether together or separately), the Applicant must ensure any adjustment or augmentation of any public utility services including water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.
- E36. Prior to the occupation or commencement of use (whichever occurs first) of each building and the public domain (whether together or separately), the Applicant must provide or cause to be provided written confirmation to the Certifier from the relevant authority that the relevant services have been completed.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- E37. Prior to the occupation or commencement of use (whichever occurs first) of each building and the public domain (whether together or separately), evidence must be submitted to the Certifier demonstrating the recommendations of the Crime Prevention Through Environmental Design Assessment (CPTED) prepared by prepared by Urbis dated 8 July 2021 have been implemented.

OUTDOOR LIGHTING

- E38. Prior to the occupation or commencement of use (whichever occurs first) of each stage of the development, the Applicant must submit to the Certifier a Report demonstrating that installed lighting associated with the development:
- (a) achieves the objective of minimising light spillage:
 - (i) beyond the property boundary; and
 - (ii) to any adjoining or adjacent Sensitive Receivers;
 - (b) complies with the latest version of AS 4282-2023 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2023); and
 - (c) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

WIND MITIGATION MEASURES

- E39. Prior to the occupation or commencement of use (whichever occurs first) of each building and the public domain (whether together or separately), evidence must be submitted to the Certifier demonstrating compliance with all wind mitigation recommendations of the Telopea Stage 1A Qualitative Wind Assessment prepared by SLR and dated 29 May 2023.

PARKING AND FACILITIES FOR CYCLISTS CERTIFICATION

- E40. Prior to the occupation or commencement of use (whichever occurs first) of each basement (whether together or separately) details must be provided to the Certifier demonstrating compliance with the approved number of vehicle parking spaces and bicycle parking spaces and facilities for cyclists for that building as required under **Condition B29**.
- E41. Prior to the occupation or commencement of use (whichever occurs first) of the last building, details must be provided to the Certifier that at least 28 bicycle parking spaces are provided for and are accessible to visitors.

WAYFINDING

- E42. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), bicycle way-finding signage must be installed to direct cyclists from footpaths to designated bicycle parking areas.
- E43. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must provide to the Certifier evidence that street numbers are clearly displayed at the ground level frontage of the building.
- E44. Prior to the occupation or commencement of use (whichever occurs first) of public domain, written approval from Council must be provided to the Certifier that the signage and wayfinding endorsed in **Condition B44** has been delivered.

VENTILATION

- E45. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), certification must be provided to the Certifier confirming ventilation in the waste storage rooms functions in accordance with Australian Standard AS 1668.

MANAGEMENT PLANS, GUIDES AND MISCELLANEOUS

HOUSING ALLOCATION

- E46. Prior to the occupation or commencement of use (whichever occurs first) of Buildings A, B and C (whether together or separately), the Applicant must provide the Certifier evidence that:
- (a) All dwellings provided in that building are for the purposes of affordable or social housing; and
 - (b) An agreement with a registered community housing provider for the management of the affordable housing component has been given to the Registrar of Community Housing, including the name of the registered community housing provider.

BUILDING MANAGEMENT STATEMENT / STRATA MANAGEMENT STATEMENT

- E47. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), a Building Management Statement must be prepared in the approved form prescribed by Schedule 8A of the Conveyancing Act 1919 or a Strata Management Statement must be prepared in the approved form prescribed by Part 6 of the Strata Schemes Development Act 2015 and submitted to the Certifier. The Building Management Statement or Strata Management Statement (as applicable) is to apply to the development the subject of the stage as a 'united building'. The Building Management Statement or Strata Management Statement (as applicable) must include details of the following:
- (a) the use, operation and arrangements for the supply of services, maintenance and upgrading of infrastructure of each stratum lot within the subdivision
 - (b) the ongoing maintenance, upgrading, redevelopment and structural adequacy of each lot
 - (c) any other matters which the Certifier considers relevant.

OPERATIONAL WASTE MANAGEMENT

- E48. Prior to the occupation or commencement of use (whichever occurs first) of each basement and Building A (whether together or separately), a final inspection of the waste storage areas and facilities must be undertaken by a member of Council's Waste Team to ensure compliance and to discuss the necessary arrangements for bin supply and commencement of services, and Council's written approval of the as-built waste infrastructure, facilities and vehicle access is required including:
- (a) all waste management facilities, storage and collection infrastructure comply with the approved plans and details;
 - (b) all waste rooms, corridors, doors, and gates to be accessed by Council's collection contractor(s) are fitted and accessible via Council's master key system;
 - (c) the on-site waste collection, storage and loading bay infrastructure (including the on-street loading bay for Building A) have been inspected by Council and an agreement has been entered into with Council for the utilisation of Council's Waste Collection Service, or details of the assigned manager for the development and direct contact details for the person responsible for the transfer of waste between storage areas and general waste management are provided to Council.
- E49. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must provide the Certifier with evidence that a caretaker has been appointed by the managing body to be responsible for management all waste facilities in the respective building including washing bins and maintaining waste storage areas, ensuring the chute system and related devices are maintained in

effective and efficient working order, arranging the prompt removal of dumped rubbish, and ensuring all residents are informed of the use of the waste management system (including clear labelling on each floor).

- E50. Council and/or its contractors must be issued with security access swipe cards/keys to access the nominated loading dock prior to the commencement of service. A waste lockbox is to be purchased from Council and installed in a location agreed between Council and the Applicant. The location can be determined during onsite inspection by Council's Waste Service Team.
- E51. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), a waste specific by-law must be provided to and agreed by Council's Waste Service Team detailing the maintenance of waste collection facilities and ensuring no impacts to public land.

LOADING AND SERVICING MANAGEMENT PLAN

- E52. Prior to the occupation or commencement of use (whichever occurs first) of each basement (whether together or separately), a Loading and Servicing Management Plan must be prepared by a suitably qualified person and submitted to Council addressing how the loading docks and servicing spaces would be managed and used including:
- (a) details of anticipated service vehicle movements, including arrivals to the site, the anticipated numbers of arrivals per week, time of day of the arrivals, length of stay, and vehicle type;
 - (b) the management of deliveries to ensure vehicles are not waiting on public streets to enter the site;
 - (c) the management of waste collection, including a range of contingency measures in the event a turntable malfunctions and the responsible persons for implementing such measures
 - (d) demonstration that the loading spaces, including the van parking spaces, have not been allocated to any particular tenant and are for use by general service vehicles for loading and servicing activities as required;
 - (e) management of conflicts between cars accessing the residential car parking areas and vehicle movements to and from the loading dock;
 - (f) how vehicles larger than a 6.4 m SRV delivering to the site must be managed; and
 - (g) the plan must be managed either by a schedule showing all tenants when they can use the area, or by a register managed on site to allow tenants to reserve a time period for their deliveries.

SIGNS AT EGRESS

- E53. Prior to the occupation or commencement of use (whichever occurs first) of each basement (whether together or separately), the signs must be displayed and maintained within the site at the point of vehicle egress compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing the footway.
- E54. Any small car spaces must be clearly marked and identifiable as small car spaces. The signs or line markings must be in place prior to occupation or commencement of use (whichever occurs first) of each basement.

MANAGEMENT OF ON-STREET PARKING AND LOADING

- E55. Prior to the occupation or commencement of use (whichever occurs first) of the internal road (Mews Street) or on-street parking and loading space (whichever is earlier), the Applicant or property owner/manager must enter into an agreement with Council to enforce parking and loading restrictions.

REGISTRATION OF EASEMENTS / COVENANTS

- E56. Prior to the occupation or commencement of use (whichever occurs first) of each basement, building, and common area (whether together or separately), all matters required to be registered on title including covenants, restrictions or easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land Registry Services.
- E57. Appropriate Easements for Access (or similar) are to be created over any required corridors, passages, traffic aisles, stairs and lifts, within the development that are needed to provide access from (or across) one lot to another, pursuant to Section 88B of the Conveyancing Act 1919. The Easements are to be reciprocal in nature (where applicable), granting rights of access to persons and/or vehicles, and are to be created in appropriate terms acceptable to Council, with the Council being the authority to release, vary or modify the easement.
- E58. Any common areas or common facilities must be made available for the use all residents of the building and must be designated as common property on any future strata subdivision of the site, with no exclusive use rights.

LIGHT RAIL

- E59. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), the Applicant must demonstrate that all lights, signs, and reflective materials, whether permanent or

temporary, that are (or from which reflected light might be) visible from the rail corridor were installed to limit glare and reflectivity to the satisfaction of TfNSW.

- E60. Prior to the occupation or commencement of use (whichever occurs first) of Buildings D and E (whether together or separately), the Applicant must demonstrate that rainwater from the roof does not project and/or fall into the light rail corridor/assets and is piped down the face of the building which faces the rail corridor. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior written approval has been obtained from TfNSW.
- E61. Prior to the occupation or commencement of use (whichever occurs first) of each building (whether together or separately), a post-construction dilapidation survey must be undertaken including a joint inspection with representatives from TfNSW, the PLR Operator and the Applicant, unless otherwise confirming in-writing by TfNSW. The dilapidation survey of the rail infrastructure and any other relevant property in the vicinity of the project must establish the extent of any damage.

The Applicant must rectify any damage to the satisfaction of TfNSW and the PLR Operator and if applicable, Parramatta City Council.

PART F OCCUPATION AND ONGOING USE

HANDOVER OF COUNCIL ASSETS

- F1. The Applicant must arrange an on-site handover with Council of the public domain following completion of the maintenance period in accordance with consent conditions and approved landscape maintenance schedule or as otherwise agreed in the Planning Agreement with Council referenced in **Condition E10**. At final handover, all plants must be healthy, fully established and exhibiting mature characteristics as typical for each species. Recently planted replacements for failed trees or other plants will not be accepted at final handover.
- F2. The Applicant must arrange an on-site handover with Council of the station/arrival plaza and neighbourhood park following practical completion and certification of landscape and other required works in accordance with consent conditions and approved Crown Building works certificate plans or Construction Certificate plans.
- F3. The Applicant may lodge an application to release the securities held in accordance with this consent. Council may use part or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

Note: A written application to Council's Civil Assets Team is required for the release of a bond. Despite any formal dedication of the park, the applicant must remain responsible for its management and maintenance to the satisfaction of the Council's Group Manager, Parks and Open Space until the formal handover to Council.

OPERATIONAL MANAGEMENT

- F4. All dwellings within the development approved for the purposes of affordable housing must be operated in accordance with the following:
- (a) Must be managed by a registered community housing provider.
 - (b) A notice of a change in the registered community housing provider managing the accommodation must be given to the Registrar of Community Housing no later than 3 months after the change.
 - (c) The registered community housing provider managing the accommodation must apply the Affordable Housing Guidelines.
- F5. The Applicant must use best endeavours to ensure that the affordable housing is at full occupancy and by 30 June of each year, must submit to the Planning Secretary a report relating to the previous 12 month period as to:
- (a) the occupancy rate of the affordable housing and specialist disability accommodation for that year; and
 - (b) compliance with the requirement in this condition to use best endeavours.
- F6. All dwellings within the development approved for the purposes of social housing must be managed by a social housing provider.

MANAGEMENT OF ON-STREET PARKING AND LOADING

- F7. No changes are to be made to approved traffic control devices (including signage and parking/loading restrictions) without prior consultation with and approval from Council.
- F8. The property owner/manager must ensure there is an agreement with Council to enforce parking and loading restrictions in the internal road, or as otherwise agreed in-writing from Council.

FLOOD EMERGENCY MANAGEMENT PLAN

- F9. If a Flood Emergency Management Plan was required under **Condition E33**, the approved plan must be implemented following occupation of the development.

MAINTENANCE OF WASTEWATER AND STORMWATER TREATMENT DEVICE

- F10. Following the issue of the Occupation Certificate or commencement of use, and throughout the life of the development, the Applicant must:
- (a) implement the SOMP;
 - (b) ensure that all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and (if applicable) in accordance with any positive covenant;
 - (c) inspect the system regularly to remove any blockage, silt, debris, sludge and the like in the system. All solid and liquid waste that is collected during maintenance shall be disposed of in a manner that complies with the appropriate Environmental Guidelines;
 - (d) ensure the water from any rainwater tank should not be used for drinking. Rainwater tanks shall be routinely de-sludged and all contents from the desludging process disposed: Solids shall be disposed to the waste disposal and de-sludged liquid shall be disposed to the sewer; and
 - (e) comply with the requirements of any positive covenants (if applicable).

STORAGE AND HANDLING OF WASTE

- F11. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
- F12. No bins are to be placed on a turntable at any time.
- F13. A caretaker appointed in accordance with **Condition E49** is responsible for the wheel-in and wheel-out of bins from waste holding areas to the waste collection area.
- F14. Residential bins must not be left on the footpath prior to, or after, waste collection.
- F15. Unimpeded access must be provided for collection vehicles to set down during zone collection times on collection days.
- F16. A copy of the most recent service and contact number for the maintenance of the vehicular turn table is to be kept in a visible place adjacent to the turn table. If the turntable breaks down, it needs to be reported immediately to the responsible waste collection team.
- F17. Site security measures implemented on the property, including electronic gates, must not prevent access to the bin room/collection point by waste removal services.
- F18. Site security measures must be implemented to prevent access to the waste volume handling equipment by unauthorised persons including residents.

TRAFFIC AND PARKING

- F19. All loading and unloading operations associated with the site must be carried out:
- (a) in accordance with the dock management and operational waste management details prepared under this consent;
 - (b) within the confines of the site at all times and must not obstruct other properties or the public way; and
 - (c) in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.
- F20. The service vehicle docks, car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.
- F21. The car spaces within the development are for the exclusive use of the occupants of the building. The car spaces must not be leased to any person/company that is not an occupant of the building.

LANDSCAPING

- F22. Landscaping for the development must be carried out and maintained in accordance with the Landscape Plan required under **Condition B21**.

OUTDOOR FURNITURE

- F23. Lightweight furniture is not permitted within communal open space areas unless securely attached to the floor slab. Use of loose glass-tops and lightweight sheets or covers is not permitted.

ANTI-GRAFFITI

- F24. Where possible all ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 48 hours.

ANNUAL FIRE SAFETY STATEMENT

- F25. During occupation and ongoing use of the building(s), the Applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with *Environmental Planning and Assessment* (Development *Certification and Fire Safety*) Regulation 2021.

FIRE SAFETY CERTIFICATION

- F26. The development must operate in accordance with the Fire Safety Certificate obtained in accordance with this consent.

ENVIRONMENTAL AMENITY AND ENVIRONMENTAL HEALTH

- F27. External lighting to the premises must be designed and located to minimise light-spill beyond the property boundary or cause a public nuisance. Notwithstanding this consent, should any outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.
- F28. The use and operation of the premises must not give rise to an environmental health or public nuisance.

- F29. There are to be no emissions or discharges from the premises which give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997 and Regulations*.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- F30. Unless otherwise agreed by the Planning Secretary, within 12 months of commencement of operation, Green Star certification must be obtained demonstrating the development operating in accordance with this consent achieves the minimum ESD sustainability targets in accordance with **Condition B36**. Evidence of the certification must be provided to the Certifier and the Planning Secretary.
- F31. The development must be implemented and all BASIX and NatHERS commitments thereafter maintained in accordance with BASIX Nos. 1818026M_04 Certificate and NatHERS certificate 6EE8MCT0FQ have been implemented and any updated certificate issued if amendments are made.

REGISTRATION OF EASEMENTS

- F32. Prior to the occupation or commencement of use of the shared basement, each building and the public domain, the Applicant must provide to the Certifier evidence that all matters required to be registered on title in **Part G**, including easements noted on the draft subdivision plans listed in **Part A**, approvals and other consents have been lodged for registration or registered at the NSW Land Registry Services.
- F33. Prior to the issue of the occupation or commencement of use of the final stage, the following public access easements must be registered on Title in terms acceptable to Council for Right of Way 24 hour public access on:
- (a) The internal road (Mews Street)
 - (b) The footpath extending from the neighbourhood park to Manson Street.

PARRAMATTA LIGHT RAIL

- F34. TfNSW, and persons authorised by TfNSW for this purpose, are entitled to inspect the site of the approved development and all structures on that site to enable it to consider whether those structures have been or are being constructed and maintained in accordance with this instrument, on giving reasonable notice to the Applicant or the owner/occupier of that part of the site to which access is sought.

PART G PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

REQUIREMENTS OF THE EP&A ACT – PART 6 CERTIFICATES

- G1. In undertaking the subdivision approved under this consent, the Applicant must comply with the requirements of Part 6 of the EP&A Act in relation to the issue of a Subdivision Certificate. For the purpose of this approval, the issue of a Subdivision Certificate/s is restricted to the development carried out in accordance with the documents set out in **Condition A1**.

SUBDIVISION CERTIFICATE

- G2. Before granting a Subdivision Certificate, the Certifier must be satisfied that the Applicant has complied with all conditions of this consent that are required to be complied with before a Subdivision Certificate may be issued in relation to the plan of subdivision.

BUILDING MANAGEMENT STATEMENT

- G3. Prior to the issue of a Subdivision Certificate, a Building Management Statement must be prepared in the approved form prescribed by Schedule 8A of the *Conveyancing Act 1919* or a Strata Management Statement must be prepared in the approved form prescribed by Part 6 of the *Strata Schemes Development Act 2015* and submitted to the Certifier.
- G4. The Building Management Statement or Strata Management Statement (as applicable) is to apply to the as a 'united building'. The Building Management Statement or Strata Management Statement (as applicable) must include details of the following:
- (a) the use, operation and arrangements for the supply of services, maintenance and upgrading of infrastructure of each stratum lot within the subdivision;
 - (b) the ongoing maintenance, upgrading, redevelopment and structural adequacy of each stratum lot within the subdivision; and
 - (c) any other matters which the Certifier considers relevant and pertinent to the issue of a Subdivision Certificate.

CREATION OF EASEMENTS

- G5. Prior to the issue of a Subdivision Certificate, easements for services, drainage, support and shelter, use of plant, equipment, loading areas and service rooms, repairs, maintenance or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision, must be created over the appropriate lots in the subdivision pursuant to section 88B of the *Conveyancing Act 1919*.

REGISTRATION OF EASEMENTS

- G6. Prior to the issue of the final Subdivision Certificate, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements noted on the draft subdivision plans listed in **Condition A1**, are contained within the subdivision plan to be lodged for registration at the NSW Land Registry Services.

ENCROACHING AND/OR SHARED SERVICES

- G7. Any pipes, service lines or the like servicing each lot must be contained within their respective lots or, if service lines encroach upon adjoining lots within the subdivision, or are shared by more than one lot, appropriate easements must be created, pursuant to section 88B of the *Conveyancing Act 1919*, over the service lines where any such encroachment occurs.

STRATA TITLE PARKING SPACES AND STORAGE AREAS

- G8. All parking spaces and storage areas other than visitor parking or service spaces must form part of a residential strata unit in any future strata subdivision. No parking spaces or storage spaces are to have their own individual strata title.

STREET ADDRESSES OF LOTS

- G9. In accordance with Section 60 of the *Surveying and Spatial Information Regulation 2017*, the street addresses for each lot must be shown on the Administration Sheet for the final plan of subdivision. An application must be made to Council's Spatial Services Unit prior to the lodgement of the subdivision application, to obtain the correct street address for each lot. The street addresses allocated by Council must be provided to the registered surveyor for inclusion in a schedule on the Administration Sheet.

ACCESS TO WASTE STORAGE ROOMS

- G10. A right of access and easement for Council to facilitate waste and recycling removal, using terms available from Council, must be registered on the land title with NSW Land Registry Services in a form prescribed by Council. The easement must entitle Council, its servants and agents and persons authorised by it, to enter upon the

subject land and to operate thereon, including vehicles and other equipment, for the purposes of waste and recycling collection. The easement must also include covenants to the effect that parties will not be liable for any damage caused to the property by reason of the operation of any vehicle or other equipment used in connection with the collection of garbage and to the effect that the owner of the land must indemnify the Council, its agents and persons. Council must be the authority to modify, vary or release the right of access and easement.

- G11. Prior to issue of a Subdivision Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to service and maintain the mechanical turntable on that lot. A maintenance schedule consistent with the manufacturers recommendation for the turntable must be attached as an addendum to the Positive Covenant for the turntable system. Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the turntable, including its position within the basement car park.
- G12. Prior to the issue of a Subdivision Certificate, a draft strata by-law with the insertion of waste specific by-laws is to be provided to Council's Waste Service Team. The waste specific by-laws can be provided by Council's Waste Service Team.

ACCESS – ROADS, STATION/ARRIVAL PLAZA AND PARK

- G13. The land title of any area of road corridor, the station/arrival plaza and neighbourhood park, that has not been dedicated to Council prior to occupation or use at each stage of building development as outlined in the Planning Agreement referenced in **Condition A13**, must be burdened with easements, restrictions and covenants ensuring Council and the public have a secure right to vehicle and pedestrian access and all services including water supply, sewer, power, telecommunications, street lighting and any other functions provided by a public road or other public land. Details of the plans and instruments must be submitted for approval by Council and placed on all of the respective land titles prior to use of each stage.
- G14. Prior to the issue of the final Subdivision Certificate, registered title documents showing that all easements, covenants and restrictions including any easements noted on the draft subdivision plans listed in Part A of this consent, and those detailed in Part F and G, and any approvals and other consents have been registered at the NSW Land Registry Services, must be submitted to the Certifier and a copy provided to Council.

COMPLIANCE CERTIFICATE

- G15. Prior to issue of the final Subdivision Certificate, a compliance certificate issued under Part 6, Division 9 of the *Sydney Water Act 1994* must be obtained from Sydney Water and must be provided to the Certifier demonstrating that the development has satisfied the detailed requirements of Sydney Water in respect to water and wastewater.
- G16. Prior to the issue of a Subdivision Certificate, a Registered Surveyor must confirm the parcel boundary of the plan corresponds with floors, external walls and ceilings of the relevant building/structures as constructed or alternatively, has the benefit of an appropriate easement or is the subject of appropriate provisions in the Building Management Statement or Strata Management Statement, to enable the registration of the plan.
- G17. Prior to the issue of a Subdivision Certificate or subdivision of land for Torrens Title, a Statement of Compliance must be provided to the Certifier demonstrating that the approved subdivision is consistent with relevant conditions of any relevant development consent (to the extent they are relevant and required for that stage) issued in respect to the building (or part of the building) or public domain areas, roads and infrastructure proposed to be subdivided. This includes, but is not limited to, any conditions relating to the allocation of the following to the respective lot(s):
- (a) Car parking spaces, bicycle parking spaces, loading spaces
 - (b) Roads
 - (c) Public domain and public infrastructure
 - (d) Shared user paths
 - (e) Stormwater/drainage and associated restoration works, including Sydney Water requirements
 - (f) Waste

ADVISORY NOTES

- AN1. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, including external walls of all buildings and ventilation of premises, must be constructed in accordance with the relevant requirements of the NCC and applicable Australian Standards.
- AN2. The development consent is subject to, and the Applicant must comply with, the Prescribed Conditions.
- AN3. No condition of this consent overcomes any obligation on the Applicant to obtain, renew or comply with licences, permits, approvals, certifications and consents which may be required under law required to carry out the development. The Applicant is responsible for obtaining any such licences, permits, approvals, certifications and consents, licences, permits, approvals, certifications and consents may include but are not limited to:
- (g) modifications to this consent or other development consents required under the EP&A Act;
 - (h) certificates under Part 6 of the EP&A Act;
 - (i) approval under section 138 of the *Roads Act 1993* for activities and works including road occupancy, hoarding, scaffolding, barricades and other construction/building works requiring the use of a public place including a road or footpath;
 - (j) approvals for the installation of any hoardings over Council footways or road reserves;
 - (k) approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act);
 - (l) approvals required under the *Sydney Water Act 1994*.
- AN4. The Applicant is responsible for ensuring that all agreements required to carry out the development are obtained from other authorities or other parties, as relevant.
- AN5. No condition of this consent removes any obligation on the Applicant to comply with laws, including but not limited to:
- (a) work health and safety laws;
 - (b) environmental laws including Protection of the Environment Operations Act 1997 and its regulations;
 - (c) Disability Discrimination Act 1992 (Cth);
 - (d) Building and Construction Industry Long Service Payments Act 1986;
 - (e) Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021;
 - (f) Airports (Protection of Airspace) Regulations 1996.
- AN6. The Housing and Productivity Contribution:
- (a) may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees; and
 - (b) is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act to the development, or the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* exempts the development from the contribution.
- AN7. The operation and maintenance of warm water systems and water-cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, *Public Health Regulation 2012* the NSW Health Code of Practice for the Control of Legionnaires' Disease and applicable Australian Standards.
- AN8. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR).
- AN9. Occupation of any part of Council's footpath or road at or above (carrying out work, storage of building materials and the like) during construction may require a Road Occupancy Permit from Council.

APPENDIX 1 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All Incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under **Condition D39** or, having given such notification, subsequently forms the view that an Incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate Incident notification (in accordance with **Condition D39**), the Applicant is required to submit a subsequent Incident report that (in accordance with **Condition D40**):
 - (a) identifies how the Incident was detected;
 - (b) identifies when the Applicant became aware of the Incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the Incident;
4. The Applicant must submit any further reports as directed by the Planning Secretary.