

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of 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;
- meet statutory requirements; and
- protect the amenity of the locality



Paulina Wythes
Director
Social and Diverse Housing Assessments

Sydney

15 June 2026

File: SSD 57703458

SCHEDULE 1

Application Number:	SSD 57703458
Application lodged by:	30 Auburn Road Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	30-46 Auburn Road, Regents Park and Lot 1 DP 656032 and Lot 2 DP 433938
Development:	Stage 3 works including construction of an 8 to 12 storey residential flat building known as 'Building C', comprising: • 142 residential apartments, including 36 affordable apartments • three basement levels with 198 car parking spaces, bicycle, unit and waste storage • 106-space child care centre on the ground floor and level 1 • Communal open space across level 1 and level 8 • Landscaping and public domain works including provision of 2,387 m² of publicly accessible open space • Excavation and remediation works

Right of Appeal

Section 8.7 of the EP&A 1979 provides a right to appeal this decision to the Land and Environment Court, and Section 8.2 provides a right to request a review of this determination, 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.

Above Ground Works	Includes all works above the ground floor levels nominated on the architectural drawing DA-A-103, Revision M, as identified by condition A1 of this consent, but excludes, Enabling Works, Bulk Excavation Works, Below Ground Works, Landscape Works and Public Domain Works.
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.
Below Ground Works	Includes all works below and including the ground floor structure nominated on the architectural drawing DA-A-103, Revision M, as identified in condition A1 of this consent, but excludes Landscape Works, Public Domain Works, and Above Ground 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 Canterbury-Bankstown
Department	NSW Department of Planning, Housing and Infrastructure.
Development	The development approved pursuant to this consent.
EIS	The Environmental Impact Statement titled <i>In-Fill Affordable Housing – Stage 3 – Building C and Central Open Space (SSD-57703458) and Concept Modification (SSD-20724880)</i> prepared by Pacific Planning, dated 10 March 2024, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application.
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 \$50,000 (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.
Planning Secretary	The Planning Secretary under the EP&A Act (or delegate).
Prescribed Conditions	The conditions prescribed by the EP&A Regulation (Part 4, Division 2) to which the development consent is subject under s 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> .
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.

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, 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 Smith & Tzannes			
Drawing Number	Rev	Name of Plan	Date
DA-A-001	L	Notes	28.01.2026
DA-A-010	L	Site Plan	28.01.2026
DA-A-100	L	Level C3	28.01.2026
DA-A-101	L	Level C2	28.01.2026
DA-A-102	L	Level C1	28.01.2026
DA-A-103	M	Level 0 (Ground)	31.03.2026
DA-A-104	M	Level 01	31.03.2026
DA-A-105	L	Level 02-05	28.01.2026
DA-A-106	L	Level 06	28.01.2026
DA-A-107	L	Level 07	28.01.2026
DA-A-108	L	Level 08	28.01.2026
DA-A-109	L	Level 09	28.01.2026
DA-A-110	L	Level 10	28.01.2026
DA-A-111	L	Level 11	28.01.2026
DA-A-112	L	Roof	28.01.2026
DA-A-200	L	North Elevation	28.01.2026
DA-A-201	L	East & West Elevations	28.01.2026
DA-A-202	L	South Elevation	28.01.2026
DA-A-203	M	Section A	31.03.2026
DA-A-204	L	Section B	28.01.2026
DA-A-205	L	Section C & D	28.01.2026
DA-A-206	L	Section E & F	28.01.2026
DA-A-207	L	Section G	28.01.2026
DA-A-900	L	Render 1	28.01.2026
DA-A-901	L	Render 2	28.01.2026
DA-A-800	K	Area Calculations	28.01.2026
DA-A-801	K	Gross Floor Area Calculations	28.01.2026
DA-A-802	K	Affordable Housing Calculation	28.01.2026
DA-A-803	K	Solar Access Calculations	28.01.2026
DA-A-804	K	Ventilation Calculations	28.01.2026
DA-A-805	K	Accessibility Calculations	28.01.2026
DA-A-806	K	Storage Calculations 1	28.01.2026
DA-A-807	K	Storage Calculations 2	28.01.2026
DA-A-808	K	Storage Calculations 3	28.01.2026
DA-A-809	K	Storage Calculations 4	28.01.2026
DA-A-810	K	Storage Calculations 5	28.01.2026
DA-A-811	K	Storage Calculations 6	28.01.2026
DA-A-812	K	Storage Calculations 7	28.01.2026
DA-A-813	K	Landscape & Deep Soil - Whole	28.01.2026
DA-A-814	K	Communal Open Space	28.01.2026

DA-A-815	K	Softscape Stage 3	28.01.2026
DA-A-816	K	Deep Soil Stage 3	28.01.2026
DA-A-817	K	Silver Level Liveable Housing	28.01.2026
DA-A-819	L	Child Care Centre Details	26.03.2026
DA-A-820	L	Child Care Centre Play Area 1	26.03.2026
DA-A-821	L	Child Care Centre Play Area 2	26.03.2026
DA-A-822	L	Child Care Sections	26.03.2026
Landscape Drawings prepared by Clouston Associates			
S21-0043	D	Opportunities and Constraints Plan	15.04.2025
S21-0043	D	Open Space Hierarchy	15.04.2025
S21-0043	D	Structure Plan	15.04.2025
S21-0043	D	Green Infrastructure Plan	15.04.2025
S21-0043	D	Calculations Plan – Communal Open Space	15.04.2025
S21-0043	D	Calculations Plan – Deep Soil	15.04.2025
S21-0043	D	Calculations Plan – Tree Canopy Cover	15.04.2025
S21-0043	D	Calculations Plan – Tree Strategy	15.04.2025
S21-0043	D	Overall Masterplan	15.04.2025
S21-0043	D	Stage 3	15.04.2025
S21-0043	D	Central Park Design	15.04.2025
S21-0043	D	Central Park Design – Zoom in Plan 1	15.04.2025
S21-0043	D	Central Park Design – Zoom in Plan 2	15.04.2025
S21-0043	D	Building C Landscape Design	15.04.2025
S21-0043	D	Building C Level 1 Courtyard Garden Design	15.04.2025
S21-0043	D	Building C Level 8 Rooftop Garden Plan	15.04.2025
S21-0043	D	Planting Schedule 1	15.04.2025
S21-0043	D	Planting Schedule 2	15.04.2025
S21-0043	D	Section A	15.04.2025
S21-0043	D	Section B	15.04.2025
S21-0043	D	Typical Details 1	15.04.2025
S21-0043	D	Typical Details 2	15.04.2025
S21-0043	D	Indicative Landscape Maintenance	15.04.2025
Civil Drawings prepared by Sky Engineering & Project Management			
Drawing Number	Rev	Name of Plan	Date
SY23-120-C-3001	P1	Cover Sheet, Locality Plan and Drawing Index	10.01.2025
SY23-120-C-3002	P1	General Notes	10.01.2025
SY23-120-C-3005	P1	Staging Plan	10.01.2025
SY23-120-C-3010	P1	General Arrangement Plan	10.01.2025
SY23-120-C-3100	P1	Cut & Fill Plan	17.10.2025
SY23-120-C-3200	P1	Civil Siteworks & Stormwater Management Plan Basement C3	10.01.2025
SY23-120-C-3201	P1	Civil Siteworks & Stormwater Management Plan Basement C2	10.01.2025
SY23-120-C-3202	P1	Civil Siteworks & Stormwater Management Plan Basement C1	10.01.2025
SY23-120-C-3203	P1	Civil Siteworks & Stormwater Management Plan Level 0	10.01.2025
SY23-120-C-3204	P1	Civil Siteworks & Stormwater Management Plan Level 1	10.01.2025
SY23-120-C-3205	P1	Civil Siteworks & Stormwater Management Plan Roof	10.01.2025
SY23-120-C-3206	P1	Civil Siteworks & Stormwater Management Plan Park	10.01.2025
SY23-120-C-3250	P1	Driveway Longitudinal Sections	10.01.2025

SY23-120-C-3330	P1	Civil Siteworks Details	10.01.2025
SY23-120-C-3700	P1	Erosion and Sedimentation Control Plan Sheet 1	10.01.2025
SY23-120-C-3701	P1	Erosion and Sedimentation Control Plan Sheet 2	10.01.2025
SY23-120-C-3750	P1	Erosion and Sedimentation Control Details	10.01.2025

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.

MODIFICATION OF DEVELOPMENT CONSENT SSD-20724880

- A5. Prior to the issue of any Construction Certificate or commencement of any works under this consent, the Applicant must submit for approval by the Planning Secretary a marked-up document with track changes to the conditions in development consent SSD-20724880 granted by the Minister for Planning and Public Spaces, which amends the conditions of consent for SSD-20724880 under section 4.17(1)(b) and (5) of the EP&A Act as follows:
- (a) update the cover page to remove reference to the centre-based child care facility ceasing to be SSD;
 - (b) delete condition A2(c);
 - (c) correct the referencing error in A3(b); and
 - (d) amend condition B5 to only require a Wind Impact Assessment for development that is 7 storeys or greater.

The modification(s) to SSD-20724880 proposed in the marked-up document must not authorise or require anything that is inconsistent with the conditions of this consent. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict.

- A6. Prior to the issue of any Construction Certificate or commencement of any works under this consent, the Applicant is to provide written notice to the Planning Secretary which includes a copy of the document approved in Condition A5 pursuant to section 67 of the Environmental Planning and Assessment Regulation 2021 to modify SSD-20724880 in accordance with Condition A55.

INFRASTRUCTURE CONTRIBUTIONS

DEVELOPER CONTRIBUTIONS

- A7. Prior to the issue of the first Construction Certificate, the Applicant must provide written evidence to the Certifier that a monetary contribution pursuant to the provisions of section 7.11 of Environmental Planning and Assessment Act 1979 and Canterbury Bankstown Local Infrastructure Contributions Plan 2022 has been paid to Council. Council must be contacted for calculation of the required contributions.

A copy of the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 is available on Council's website.

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

- A8. Prior to the issue of the first Construction Certificate, the Housing and Productivity Contribution (HPC) set out in the table below is required to be made:

Housing and Productivity Contribution	Amount
Total Housing and Productivity Contribution	\$1,162,396.91

Note: The contribution amount is subject to indexation in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 at the time of payment. A request for assessment of the adjusted amount and instructions on how to make a payment can be made by contacting hpc.enquiry@planning.nsw.gov.au.

- A9. The HPC must be paid using the NSW Planning Portal.
- A10. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).
- A11. The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A Act 1979 agrees.
- A12. The HPC 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 1979 to the development, or the HPC Order exempts the development from the contribution.

AGENCY CONDITIONS

SYDNEY TRAINS ASSETS

- A13. During all stages of the development, the Applicant must take extreme care to prevent any form of pollution entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- A14. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- (a) Oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains.
 - (b) Acts as the authorised representative of the Applicant.
 - (c) Is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7-day week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- A15. Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Central Interface, and they can be contacted via email on Central_Interface@transport.nsw.gov.au.
- A16. Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or Transport Asset Holding Entity (TAHE) must be submitted to Council for its records prior to the issuing of the applicable Certificates.
- A17. Excess soil shall not enter, be spread, or stockpiled within the rail corridor and its easements, and must be adequately managed and disposed of.
- A18. The Applicant must ensure all drainage from the development is adequately disposed of and managed not discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains.
- A19. 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 Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- A20. No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.
- A21. The Applicant shall not at any stage block the corridor access gate on Auburn Road and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities.
- A22. Sydney Trains or Transport for NSW, and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures adjacent to the rail corridor to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

AUSGRID ASSETS

- A23. Any substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and *Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings*.
- A24. The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHz) (ICNIRP 2010).

- A25. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.
- A26. The Applicant should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.
- A27. It is the responsibility of the developer to verify and maintain minimum clearances to overhead powerlines onsite and in the vicinity of the development. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.
- Note:** The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic positioning.
- A28. Any portion of a building other than a BCA class 10a structure constructed from non- combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

DETAILED DESIGN

DESIGN AMENDMENTS

- B1. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must provide evidence to the Certifier that the revised plans detailing the following revisions have been submitted to and approved by the Planning Secretary:
- (a) Architectural Plans are amended to remove reference to landscaping within the at-grade car parking area
 - (b) Architectural Plans prepared by Smith & Tzannes and Landscape Plans prepared by Clouston Associates are amended to demonstrate:
 - (i) 2,674 m² of deep soil planting
 - (ii) 1,075 m² of communal open space
 - (iii) 2,098 m² of publicly accessible open space

MATERIALS AND FINISHES

- B2. Prior to the issue of the first Construction Certificate, the Applicant must submit to the satisfaction of the Planning Secretary details of final building materials and finishes including final specifications of colour, material and, where relevant, manufacturer.

PRE-CONSTRUCTION REQUIREMENTS

SITE STABILITY

- B3. Prior to the issue of the first relevant Construction Certificate, 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).

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- B4. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating the development incorporates all design, construction and operation measures, or equivalent, as identified in the *30-46 Auburn Road Regents Park Stage 3 Energy Efficiency and ESD Report*, prepared by SLR, dated 30 October 2025.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- B5. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating the design of the development has incorporated the Crime Prevention Through Environmental Design management and mitigation measures included in the *Crime Prevention Through Environmental Design (CPTED) Report*, prepared by the Design Partnership, dated 15 April 2025.

FENCING

- B6. Prior to issue of the first Construction Certificate associated with the child care centre, the Applicant must submit to the Certifier fencing details demonstrating that safe and secure fencing is provided to the child care centre which cannot be accessed from public spaces by climbing, over, under or through the child care fence.

STRUCTURAL DETAILS

- B7. Prior to the issue of the first relevant Construction Certificate, 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.

TEMPORARY DEWATERING DURING CONSTRUCTION

- B8. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must prepare and submit to the Certifier a detailed Dewatering Management Plan (DMP) and prior to the commencement of any excavation/dewatering activity that includes but is not limited to:
- (a) a review of the detailed plans and specifications for the basement and any other relevant structures, and confirmation that the management/mitigation measures implemented in that design are appropriate;
 - (b) a detailed groundwater management and monitoring plan with identified trigger values for monitoring points, entitlements, and licence conditions based on the final combination of mitigation/monitoring measures;
 - (c) a response action/mitigation plan to address any excessive drawdowns including make good provisions for impacted receptors; and
 - (d) a methodology for ongoing groundwater monitoring and reporting to comply with the Water Management (General) Regulation 2025. Monitoring will be required to assess inflow/disposal volumes, groundwater quality, and drawdown beyond the proposed basement.

STORMWATER MANAGEMENT SYSTEM

- B9. Prior to the issue of the first Construction Certificate, the Applicant must submit to the Certifier details of an operational stormwater management system for the development designed by a suitably qualified and experienced person(s):
- (a) generally in accordance with the conceptual design in the EIS and any Council stormwater requirements and specifications which are consistent with that conceptual design;
 - (b) in accordance with applicable Australian Standards; and
 - (c) with a system capacity designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines

SYDNEY WATER ASSETS

- B10. 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>

LANDSCAPING

- B11. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the Certifier a detailed Landscape Plan which:
- (a) is consistent with the revised landscape plan amended by Condition B1;
 - (b) amalgamation of the two play areas within the publicly accessible open space;
 - (c) provides details of tree planting, including for length of Building C along the Auburn Road boundary;
 - (d) includes hedge planting 1.8 m in height for the length of Building C along the Auburn Road boundary;
 - (e) includes details of the location, species, maturity and height at maturity of plants to be planted on-site;
 - (f) demonstrates adequate drainage and watering systems;
 - (g) includes details of plant maintenance and watering for the first 12 months;
 - (h) includes a commitment to replace plants with the same species if any plant loss occurs within the maintenance period; and
 - (i) includes details of drinking fountains, barbecue areas and public bins within the publicly accessible open space.

FOOD SAFETY REQUIREMENTS

- B12. Prior to the issue of the first Construction Certificate associated with the child care centre, the Certifier must confirm that all parts of the child care centre used for the storage, preparation and handling of food are designed in accordance with the requirements of the:
- (a) *Food Act 2003* and Food Regulation 2025;
 - (b) Australia New Zealand Food Standards Code;
 - (c) AS 4674-2004, 'Design, construction and fit-out of food premises'; and

- (d) AS 1668.2-2024, 'The Use of Ventilation and Air-Conditioning in Buildings – Mechanical Ventilation in Buildings'.

PARKING

- B13. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must submit to the Certifier a Report demonstrating that the development will provide for the following traffic flow and car parking requirements:
- (a) all vehicles must enter and leave the subject site in a forward direction;
 - (b) all vehicles are to 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 (including garbage trucks) entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS.
 - (g) submit to the Certifier a Report demonstrating compliance with the following:
 - (i) compliance with current Australian Standards at the time of this consent, for the layout, design and security of bicycle facilities;
 - (ii) provision of electric vehicle charging infrastructure in accordance with the NCC;
 - (iii) provision of 171 car parking spaces for the residential flat building and 27 car parking spaces for the child care centre, in alignment with the Transport Impact Assessment by Lyle Marshall & Partners dated January 2026;
 - (iv) provision of 53 bicycle spaces
 - (v) provision of 20 motorcycle spaces
 - (vi) provision of convex mirrors to enhance driver visibility at intersections between parking aisles and basement ramps throughout the entire parking arrangement.

WIND MITIGATION MEASURES

- B14. Prior to the issue of the first Construction Certificate for above ground works, 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 document titled Environmental Wind Study prepared by SLR, dated 3 November 2025.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

- B15. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must submit a Report to the Certifier from a Professional Engineer demonstrating that the design of the development has incorporated all performance parameters, requirements, engineering assumptions, acoustic treatments, and recommendations contained in the acoustic report, prepared by Renzo Tonin & Associates dated 18 December 2025.

ADAPTABLE UNITS

- B16. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating that any silver level liveable dwellings specified in the approved plans or supporting documentation comply with the applicable Australian Standards.

BASIX CERTIFICATION

- B17. Prior to the issue of the first Construction Certificate for above ground works, BASIX Certificate No. 1790729M_03 must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans.

PUBLIC DOMAIN WORKS

- B18. Prior to the issue of the first relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence that an application has been made to Council under Section 68 of the *Local Government Act 1993* and Section 138 of the *Roads Act 1993* for footpath works along continuity of the site along Auburn Road.

WASTE MANAGEMENT

- B19. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must obtain agreement from Council for the design of each operational waste storage area and area where waste removal will be undertaken by Council. Where waste removal will be undertaken by a third party, evidence must be provided to the Certifier that waste management will be in accordance with the requirements under Condition E31.

BASEMENT TANKING

- B20. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must provide to the satisfaction of the Planning Secretary final basement design documentation prepared by a suitably qualified geotechnical and hydrogeological consultant demonstrating that the basement is fully tanked.

AGENCY CONDITIONS

DEVELOPMENT ADJACENT TO A RAIL CORRIDOR

- B21. Prior to the issue of the first Construction Certificate for below ground works, the Applicant shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version rail specific items in compliance with the relevant AMB Standards:
- (a) Geotechnical and Structural report/drawings that meet Sydney Trains' requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
 - (b) construction methodology, including staging and machinery to be used, with details pertaining to structural support during excavation.
 - (c) cross sectional drawings (architectural and structural) showing the proposed basement excavation and/or structural design of sub ground support, ground surface, property boundary and/or easement, nearest rail tracks and infrastructure. All measurements are to be verified by a Registered Surveyor.
 - (d) detailed Survey Plan showing the relationship of the proposed development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.
- B22. Prior to issue of the first Construction Certificate for below ground works, a geotechnical report should be prepared to evaluate the stability of the embankment from the excavation and the impact of vibration on the rail corridor. The report should be submitted to Sydney Trains for review and appropriate measures such as the use of anchors are adopted to ensure the safety of the rail corridor.
- B23. No work is permitted within the rail corridor or any easements which benefit Sydney Trains/TAHE, at any time, unless the prior approval of, or an Agreement with, Sydney Trains/TAHE has been obtained by the Applicant. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B24. Prior to the issue of the first Construction Certificate, the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifier with the application for a Construction Certificate. The Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- B25. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- B26. Prior to the issue of the first Construction Certificate, a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B27. Prior to the issue of the first Construction Certificate, the Applicant shall include in their Construction Management Plan and Safe Working Method Statements (SWMS) adherence to the load restrictions set in place for Auburn Road Overbridge. The Certifier shall not issue a Construction Certificate until these requirements have been met.
- B28. Balconies, windows, and other external features such as roof terraces and external fire escapes that are within 20 metres of, and face, the rail corridor, must have measures installed, to the satisfaction of Sydney Trains (e.g., awning windows, louvres, enclosed balconies, window restrictors etc.) which prevent the throwing of objects onto the rail corridor. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B29. Prior to the issue of the relevant Construction Certificate, to ensure roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor or rail operations, a final landscaping and planting plan must be prepared by the Applicant and submitted to Sydney Trains for their endorsement.
- B30. Prior to the issue of the first Construction Certificate, a risk analysis which shall determine the required level of derailment protection to be carried out in consultation and endorsement from Sydney Trains. The risk analysis will

determine the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100 that needs to be complied with. The risk assessment is to be prepared in accordance with the Sydney Trains Safety Management System.

- B31. Prior to the issue of the first Construction Certificate, Sydney Trains' External Interface Management team is to be contacted to determine the need for public liability insurance cover. If insurance cover is deemed necessary, this insurance must be for a sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains External Interface Management team to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Certifier must witness written proof of this insurance in conjunction with Sydney Trains' written advice to the Applicant on the level of insurance required.

GROUNDWATER INFLOW AND LICENSING

- B32. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must submit to the Certifier and DCCEE Water Group a final Dewatering Management Plan (DMP) that confirms the maximum annual volume of groundwater take due to dewatering the project's excavations, during construction and long-term conditions. The Applicant must demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.
- B33. Prior to the issue of the first Construction Certificate for below ground works, the Applicant must obtain and submit a water access licence (WAL) to the Certifier for the maximum predicted take for construction and operation activities. A WAL is not required should an exemption apply under the *Water Management (General) Regulation 2025*.

PART C PRIOR TO COMMENCEMENT OF WORKS

MANAGEMENT PLANS

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. Prior to the commencement of any 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 construction;
 - (ii) 24-hour contact details of the site manager and complaint handling procedure;
 - (iii) construction program and construction methodology, including construction 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) Construction Traffic and Pedestrian Management Sub-Plan in accordance with Condition C2;
 - (c) Construction Noise and Vibration Management Sub-Plan in accordance with Condition C3;
 - (d) Air Quality Management Sub-Plan in accordance with Condition C4;
 - (e) Construction Waste Management Sub-Plan in accordance with Condition C5;
 - (f) Construction Soil and Water Management Sub-Plan in accordance with Condition C6;
 - (g) an unexpected finds protocol for contamination and remediation in accordance with Condition C16;
 - (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure in accordance with Condition D26; and
 - (i) 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.

CONSTRUCTION TRAFFIC AND PEDESTRIAN MANAGEMENT SUB-PLAN

- C2. Prior to the commencement of any work, the Applicant must submit to the Certifier a final Construction Traffic and Pedestrian Management Sub-Plan (**CTPMP**) for the development with measures to reduce environmental impacts and harm during construction of the development arising from construction traffic, including, at a minimum, the following information:
- (a) location of proposed work zone(s);
 - (b) construction vehicle access arrangements and haulage routes;
 - (c) predicted number and timing of construction vehicle movements and vehicle types;
 - (d) identification of potential conflicts between vehicle movements required for construction and general traffic, cyclists, pedestrians, local school activities, bus services within the vicinity of the site from construction vehicles; and
 - (e) a construction workers parking plan including measures to reduce car parking on street.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT SUB-PLAN

- C3. Prior to the commencement of any 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);

- (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) noise mitigation measures that can be implemented to reduce construction noise and vibration impacts, including:
 - (i) installation of acoustic barriers/enclosures;
 - (ii) alternative excavation methods;
- (f) 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;
- (g) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints;
- (h) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise and vibration amenity;
- (i) strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods;
- (j) a complaints management system that would be implemented for the duration of the development.

AIR QUALITY MANAGEMENT SUB-PLAN

- C4. Prior to the commencement of any 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.

CONSTRUCTION WASTE MANAGEMENT SUB-PLAN

- C5. Prior to the commencement of any 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.

CONSTRUCTION SOIL AND WATER MANAGEMENT PLAN SUB-PLAN

- C6. Prior to the commencement of any 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.

PRE-CONSTRUCTION DOCUMENTATION AND MEASURES

SURVEY CERTIFICATE

- C7. Prior to the commencement of works, the Applicant must cause the building 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.
- C8. The Applicant must cause a Registered Surveyor to measure and mark:
- (a) prior to commencement of works – the positions of all footings/foundations; and
 - (b) at other stages of construction – any marks that are required by the principal Certifier.
- The Applicant must provide information on the positions to the principal Certifier.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- C9. Prior to the commencement of any work, the Applicant must submit to the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person, 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.
- C10. 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.
- C11. 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.
- C12. A copy of the Pre-Construction Dilapidation Report is to be forwarded to the Planning Secretary and each of the affected property owners.
- C13. 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.
- C14. The damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain Works or prior to the issue of any Occupation Certificate, whichever is the sooner.

PROTECTION OF PUBLIC INFRASTRUCTURE AND STREET TREES

- C15. Prior to the commencement of works, 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.

REMEDIATION

UNEXPECTED FINDS PROTOCOL

- C16. Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the Certifier an unexpected finds protocol which has been reviewed and endorsed by a suitably qualified and experienced consultant. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.

REMEDIAL ACTION PLAN

- C17. The Applicant must remediate the site in accordance with the specifications and requirements detailed in the approved Remedial Action Plan and 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).

VALIDATION REPORT

- C18. Within one month following the completion of the remediation works for the development, a Remediation Validation Report (**RVR**) must be submitted to the Planning Secretary and the Certifier for information. The RVR must be prepared by a suitably qualified and experienced consultant(s) and in accordance with the approved remedial action plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

NOTIFICATIONS AND COMMENCEMENT OF WORKS

NOTIFICATION OF COMMENCEMENT

- C19. 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.
- C20. 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.

UTILITIES AND SERVICES

- C21. Prior to the commencement of works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

BEFORE YOU DIG AUSTRALIA SERVICE

- C22. Prior to the commencement of any excavation on or near the site, the Applicant must submit to the Certifier written confirmation from Before You Dig Australia Service that the proposed excavation will not conflict with any underground utility services.

AGENCY CONDITIONS

ELECTRICAL INFRASTRUCTURE

- C23. The Applicant must discuss disconnection of existing infrastructure and any new connections and load requirements to the site directly with Ausgrid and submit a connection application to Ausgrid as soon as practicable.

Note: Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. The developer is to locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA).

DEVELOPMENT ADJACENT TO A RAIL CORRIDOR

- C24. Prior to the commencement of any work adjacent to the rail corridor, appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- C25. No scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the Applicant will be required 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. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
- C26. Prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish

the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.

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.

HOURS OF CONSTRUCTION

- D3. Construction, including the delivery of materials or machinery to and from the site, may only be carried out between the following hours:
- (a) 7am to 6pm, Monday to Friday
 - (b) 8am to 1pm, Saturday
- D4. No work may be carried out on Sundays or public holidays.
- D5. Activities may be undertaken outside of these hours if required:
- (a) by the Police or a public authority 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.
- D6. Notification of activities undertaken in the circumstances in Condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may 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.

IMPLEMENTATION OF MANAGEMENT PLANS

- D8. 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.

CONSTRUCTION NOISE LIMITS AND VIBRATION CRITERIA

- D9. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.
- D10. 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.
- D11. 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.
- D12. 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).

- D13. 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

- D14. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

SHORING AND ADEQUACY OF ADJOINING PROPERTY

- D15. 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.
- D16. 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.

TREE PROTECTION

- D17. While site or building work is being carried out, the Applicant must maintain all tree protection measures required under this consent, in accordance with relevant requirements of applicable Australian Standards and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

EROSION AND SEDIMENT CONTROL

- D18. 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

- D19. While construction 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.
- D20. 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

- D21. 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 EPA in accordance with the *Protection of the Environment Operations Act 1997*.
- D22. 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.
- D23. 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*.

ASBESTOS

- D24. 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; and
- (d) *Protection of the Environment Operations (Waste) Regulation 2014*, including Part 7 – ‘Transportation and management of asbestos waste’.

CONTACT TELEPHONE NUMBER

D25. 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.

UNCOVERING RELICS OR ABORIGINAL OBJECTS

D26. 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 works must cease immediately;
- (b) the Applicant must notify the Heritage Council of NSW in respect of a Relic and notify the Planning Secretary and the Heritage Council of NSW in respect of an Aboriginal object; and
- (c) the Applicant must otherwise comply with the unexpected finds protocol required as part of the CEMP.

D27. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Planning Secretary.

INCIDENT NOTIFICATION, REPORTING AND RESPONSE

D28. 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.

D29. The Applicant must provide the Department with a subsequent Incident report in accordance with Appendix 1 (Incident Notification and Reporting Requirements).

NON-COMPLIANCE NOTIFICATION

D30. 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.

PART E COMMENCEMENT OF OCCUPATION AND USE

GENERAL REQUIREMENTS

OCCUPATION CERTIFICATES

- E1. 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.

NOTIFICATION OF OCCUPATION

- E2. The Applicant must notify the Department in writing at least one month prior to the proposed occupation or use of the development.
- E3. 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.

ENVIRONMENTAL PERFORMANCE

- E4. Post construction and commencement of use, 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.

DILAPIDATION AND REPAIRS

POST-CONSTRUCTION DILAPIDATION REPORT

- E5. Prior to the issue of any Occupation Certificate, 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.
- E6. 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

- E7. Prior to the issue of any Occupation Certificate, 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 construction works associated with the approved development is to be paid in full by the Applicant.

PROTECTION OF PUBLIC INFRASTRUCTURE AND OTHER REPAIRS

- E8. Unless the Applicant and the applicable public authority agree otherwise, 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; and
 - (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.
- E9. Prior to the issue of any Occupation Certificate, any damage identified in Condition E5 as being caused by the carrying out of the development not subject to Condition E8 must be fully repaired and rectified by the Applicant.

COMPLIANCE REPORTING

WORKS-AS-EXECUTED PLANS AND ANY OTHER DOCUMENTARY EVIDENCE

- E10. Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier:
- (a) works-as-executed plans for the development; and
 - (b) any compliance certificates and any other evidence confirming the following completed works:
 - (i) all stormwater drainage systems and storage systems;
 - (ii) stormwater quality treatment measures;
 - (iii) all required public domain works; and

- (iv) all pit and pipes outside the site boundary, to the satisfaction of Council.

- E11. Prior to the issue of any Occupation Certificate, the Applicant must submit to the principal Certifier a Report from a Registered Surveyor demonstrating that:
- (a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or
 - (b) 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 WITH BASIX CERTIFICATE

- E12. Prior to the issue of the relevant Occupation Certificate, the Applicant must submit to the Certifier evidence that all the commitments contained in the BASIX Certificate approved under this consent, or any updated certificate issued if amendments are made, have been implemented.

GFA AND BUILDING HEIGHT CERTIFICATION

- E13. Prior to the issue of the relevant Occupation Certificate, the Applicant must submit to the Certifier a Report from a Registered Surveyor demonstrating compliance that the Development does not exceed the approved gross floor area and building height.

ACOUSTIC COMPLIANCE

- E14. Prior to the issue of any Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating compliance with all noise mitigation measures required under Condition B15.

FOOD SAFETY REQUIREMENTS

- E15. Prior to the issue of any Occupation Certificate, the Certifier must confirm that all parts of the child care centre used for the storage, preparation and handling of food are constructed in accordance with the requirements of the:
- (a) *Food Act 2003* and Food Regulation 2025;
 - (b) Australia New Zealand Food Standards Code;
 - (c) AS 4674-2004, 'Design, construction and fit-out of food premises'; and
 - (d) AS 1668.2-2024, 'The Use of Ventilation and Air-Conditioning in Buildings – Mechanical Ventilation in Buildings'.

STRUCTURAL INSPECTION CERTIFICATION

- E16. Prior to the occupation or commencement of use of the relevant parts of any new or refurbished buildings as part of the Development, the Applicant must submit a Structural Inspection Certificate or a Compliance Certificate to the Certifier that has been prepared by a qualified engineer.
- E17. The Applicant must submit a copy of the Structural Inspection Certificate or Compliance Certificate with an electronic set of final drawings to the Planning Secretary and 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.

LANDSCAPE PRACTICAL COMPLETION REPORT

- E18. Prior to the issue of the relevant Occupation Certificate, 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 have been carried out generally in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application;
 - (b) verifies that a maintenance program under the Landscape Plan required under Condition B11 has been commenced;
 - (c) includes details of plant maintenance and watering for the first 12 months; and
 - (d) includes details of plant maintenance and watering for the life of the development.

FIRE SAFETY CERTIFICATION

- E19. Prior to the issue of the relevant Occupation Certificate, a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the Development.
- E20. 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.

OUTDOOR LIGHTING

- E21. Prior to the occupation or commencement of use 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 4282-2019 – Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); 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.

SYDNEY WATER COMPLIANCE

- E22. Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, obtained from Sydney Water Corporation.

UTILITY PROVIDERS

- E23. Prior to the issue of any Occupation Certificate, the Applicant must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.
- E24. Prior to the issue of any Occupation Certificate, 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.

BICYCLE PARKING AND END-OF-TRIP FACILITIES

- E25. Prior to the occupation or commencement of use of the relevant portion of Development, the Applicant must submit to the Certifying Authority evidence of compliance demonstrating that bicycle parking spaces have provided in accordance with Condition B13.

PARKING

- E26. Prior to the issue of the relevant Occupation Certificate, the Applicant must submit to the Certifier evidence all vehicle parking has been provided in accordance with Condition B13.

STREET NUMBERING

- E27. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that street numbers are clearly displayed at the ground level frontage of the building.

DEWATERING COMPLETION INSPECTION

- E28. Upon completion of the dewatering operations and prior to the issue of an Occupation Certificate, the Applicant shall arrange for an inspection of any dewatering connection point to Council's stormwater system with Council's Roads and Stormwater Unit. The Applicant shall comply with any directions issued by Council's Roads and Stormwater Unit in respect to the dewatering connection point.

MANAGEMENT PLANS, GUIDES AND MISCELLANEOUS

OPERATIONAL PLAN OF MANAGEMENT

- E29. Prior to the occupation or commencement of use, whichever is earlier, the Applicant must prepare an Operational Plan of Management for the development and submit it to the Certifier, which includes (but not be limited to):
- (a) details of the managing agent;
 - (b) management of communal areas, commercial spaces, and open spaces (including operating hours and occupation rates), including the central park;
 - (c) loading and unloading;
 - (d) security and staff management;
 - (e) details of CCTV surveillance for both indoor and outdoor areas;
 - (f) emergency management/evacuation and incident response protocols;
 - (g) waste management;
 - (h) acoustic management in accordance with the acoustic report prepared by Renzo Tonin & Associates dated 18 December 2025; and
 - (i) community consultation and complaint procedures.
- E30. The Operational Plan of Management approved under this consent shall be implemented following occupation of the development. The Operational Plan of Management is to be reviewed and updated annually.

OPERATIONAL WASTE MANAGEMENT

- E31. Prior to the occupation or commencement of use of the Development, the Applicant must prepare an Operational Waste Management Plan for the Development and submit it to the Certifier. The Operational Waste Management Plan must:
- (a) be prepared in consultation and endorsement of Council;
 - (b) set out adequate provisions within the premises for the storage, collection and disposal of waste and recyclable materials;
 - (c) confirm the location of waste collection and establish appropriate routes to the collection point;
 - (d) provide confirmation that appropriate arrangements have been made for the collection of waste;
 - (e) detail the type and quantity of waste to be generated during the operation of the Development; and
 - (f) describe the handling, storage and disposal of all waste streams generated on site, consistent with the Protection of the *Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the Waste Classification Guideline (EPA).

PUBLIC ACCESS PLAN

- E32. Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier, and provide to Council for information, a Public Access Management Plan for the publicly accessible central park and pedestrian links shown on the approved plans. The Plan must set out the management measures that will apply to ensure the Public Access Areas remain publicly accessible, safe and legible, including signage, lighting, CPTED/passive surveillance measures, cleaning/maintenance arrangements, and procedures for temporary closures. Any material change to the Public Access Management Plan must be provided to the Certifier and Council for information prior to implementation.

PUBLIC LIABILITY INSURANCE

- E33. Prior to the issue of any Occupation Certificate, the owner is required to obtain and hold Public Liability Insurance, to satisfaction of the Certifier and Council for the publicly accessible open space.

STORMWATER

- E34. Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a copy of the stormwater drainage design plans, prepared by an Engineer experienced in the design of stormwater drainage systems and approved with the Construction Certificate.
- E35. Prior to the issue of any Occupation Certificate, the Applicant must submit to the Certifier a **Stormwater Operational and Maintenance Plan (SOMP)** that:
- (a) is designed to ensure the proposed stormwater quality measures remain effective; and
 - (b) specifies, but is not limited to:
 - (i) a maintenance schedule of all stormwater quality treatment devices;
 - (ii) record and reporting details;
 - (iii) relevant contact information; and
 - (iv) Work Health and Safety requirements.

REGISTRATION OF EASEMENTS AND COVENANTS

- E36. Prior to the issue of any Occupation Certificate, all matters required to be registered on title including easements, restrictions and positive covenants required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land Registry Services.
- E37. Prior to the issue of any Occupation Certificate, right of access for the purposes of a public access must be registered with the Land Registry Services for the central publicly accessible open space and adjoining footpaths
- E38. Prior to the issue of any Occupation Certificate, a restriction is to be registered against the title of the site on which the development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, requiring:
- (a) a minimum of 36 dwellings within the development to be used for the purposes of affordable housing for a minimum 15 years from the date of issue of the first Occupation Certificate, as defined by the EP&A Act and State Environmental Planning Policy (Housing) 2021;
 - (b) specifically nominating those dwellings to be allocated and used for affordable housing; and
 - (c) the affordable housing component must be managed by a registered community housing provider.
- E39. Prior to the issue of any Occupation Certificate for the residential component of the development, a restriction is to be registered against the title of the site on which the development is to be carried out, in accordance with section

88E of the Conveyancing Act 1919, requiring Public Liability Insurance for the publicly accessible open space to be held and paid by the owner of the land in perpetuity subject to operation of the development.

- E40. Prior to the issue of any Occupation Certificate, an easement for electrical purposes must be registered with the Land Registry Services for the proposed substations, benefitting Ausgrid.

AFFORDABLE HOUSING

- E41. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that:
- (a) The affordable housing component is complete and ready for occupation; 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.
- E42. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that the requirements of conditions E37 and E38 have been met and evidence has been given to the Consent Authority.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- E43. Prior to the issue of any Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating the development has incorporated all ecologically sustainable development design, construction and operation measures, as required under Condition B4.

GREEN TRAVEL PLAN

- E44. Prior to the issue of any Occupation Certificate, the Applicant must prepare and submit to the Certifier a final Green Travel Plan Report, consistent with the Green Travel Plan prepared by Lyle Marshall & Partners dated August 2024.

SYDNEY TRAINS ASSET PROTECTION

- E45. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- E46. Prior to the issue of any Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- E47. Prior to the issue of the relevant Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into TAM (Transport Asset Manager of NSW) property or easements, unless agreed to by TAM. The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- E48. Prior to the issue of the final Occupation Certificate, a report must be prepared and submitted to the Certifying Authority and Council certifying that the completed development meets the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 and with the Department of Planning and Infrastructure's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines" as set down in the subject condition of this consent. Such a report must include external and internal noise levels to ensure that the external noise levels during the test are representative of the typical maximum levels that may occur at this development, and that internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

CHILD CARE MANAGEMENT

- E49. Prior to the occupation or commencement of use of the child care centre, the Applicant must prepare an Operational Plan of Management for the child care centre and submit it to the Certifier, which includes (but not be limited to):
- (a) child care management, policies and procedures in accordance with regulation 168 of the *Education and Care Services National Regulations*; and
 - (b) acoustic management associated with the child care centre in accordance with the acoustic report prepared by Renzo Tonin & Associates dated 18 December 2025.

PART F OCCUPATION AND ONGOING USE

MAINTENANCE OF WASTEWATER AND STORMWATER TREATMENT DEVICE

- F1. 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; and
 - (b) otherwise 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.

STORAGE AND HANDLING OF WASTE

- F2. Following the issue of the Occupation Certificate or commencement of use and throughout the life of the development, the Applicant must implement the Operational Waste Management Plan.
- F3. The Applicant must ensure that at all times during the life of the development:
- (a) waste is not placed or left on the site;
 - (b) waste must not be placed for collection in a public place e.g. footpaths, roadways and reserves; and
 - (c) unimpeded access is available for waste collection.

ACCESS TO PUBLIC AREAS

- F4. The Public Access Plan approved under this consent shall be implemented following occupation of the development. Public Access Areas must be kept open and available for public pedestrian access at all times. Temporary closure is permitted only where reasonably necessary for essential maintenance, emergency response or an immediate public safety risk, and must be limited to the minimum area and duration necessary.
- F5. The Applicant must ensure the Public Access Areas are not gated, locked, fenced, obstructed or otherwise managed in a manner that prevents or unreasonably discourages public pedestrian access, and must not permit exclusive private occupation (including storage, private courtyards, or commercial spill-out) that is inconsistent with the approved public accessibility of those areas.

CHILD CARE CENTRE

- F6. The child care centre shall operate with no more than 106 children and 22 staff at any given time.
- F7. Operation of the child care centre may only be carried out between 7am to 6pm, Monday to Friday and closed on all Public Holidays.
- F8. The child care centre Operational Plan of Management prepared in accordance with Condition E49 shall be implemented and complied with following occupation of the development.
- F9. The child care centre access is to be limited to the main entrances from the car park and/or street except in the case of an emergency in accordance with the Plan of Management prepared in accordance with Condition E49.
- F10. The 27 car parking spaces designated to the child care centre shall be solely used by visitors and staff of the child care centre during hours of operation of the child care centre.
- F11. Fencing is to appropriately managed and retained per the requirements under Condition B6.
- F12. All parts of the child care centre used for the storage, preparation and handling of food are to operate in accordance with the requirements of the:
- (a) *Food Act 2003* and Food Regulation 2025;
 - (b) Australia New Zealand Food Standards Code;
 - (c) AS 4674-2004, 'Design, construction and fit-out of food premises'; and
 - (d) AS 1668.2-2024, 'The Use of Ventilation and Air-Conditioning in Buildings – Mechanical Ventilation in Buildings'.

TRAFFIC AND PARKING

- F13. All loading and unloading operations associated with the site must be carried out:
- (a) within the confines of the site, at all times and must not obstruct other properties or the public way; and
 - (b) in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality
- F14. 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.

- F15. The car spaces within the development are for the exclusive use of the occupants, visitors and staff of the building. The car spaces must not be leased to any person/company that is not an occupant of the building.

LANDSCAPING

- F16. Landscaping for the development must be carried out and maintained in accordance with the Landscape Plan required under Condition B11.

FIRE SAFETY CERTIFICATION

- F17. The development must operate in accordance with the Fire Safety Certificate obtained in accordance with this consent.

BASIX CERTIFICATION

- F18. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. 1790729M_03 and any updated certificate issued if amendments are made.

OUTDOOR LIGHTING

- F19. If any outdoor lighting results 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.

OPERATIONAL MANAGEMENT

- F20. The Operational Plan of Management required under Condition E29 must be implemented following the occupation or the commencement of use (whichever occurs first) and throughout the life of the development. The Operational Plan of Management is to be reviewed annually and updated if necessary.

LOADING BAYS

- F21. Loading docks are to be clearly delineated to ensure safe ongoing operation and manage conflicts with pedestrians. Doors to loading docks within the building should be closed when not in use and shall have a minimal façade.

ADVISORY NOTES

APPEALS

- AN1. The applicant has the right to appeal to the Land and Environment Court in the matter set out in the EP&A Act and the EP&A Regulation (as amended).

RESPONSIBILITY FOR OTHER CONSENTS/AGREEMENTS

- AN2. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.
- AN3. The development consent is subject to, and the Applicant must comply with, the Prescribed Conditions.

OTHER APPROVALS AND PERMITS

- AN4. 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:
- (a) modifications to this consent or other development consents required under the EP&A Act;
 - (b) certificates under Part 6 of the EP&A Act;
 - (c) 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;
 - (d) approval under Section 68 of the *Local Government Act 1993*;
 - (e) approvals for the installation of any hoardings over Council footways or road reserves;
 - (f) approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);
 - (g) approvals required under the *Sydney Water Act 1994*.

UTILITIES AND SERVICES

- AN5. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

HOARDING REQUIREMENTS

- AN6. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

HANDLING OF ASBESTOS

- AN7. The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.

HAZARDOUS MATERIAL IMMOBILISATION

- AN8. If any soil is required to be disposed of offsite, then it will need to comply with the Waste Classification Guidelines. These guidelines may indicate that the material will need to be immobilised prior to disposal. Should this be the case, the Applicant must apply to the NSW EPA for a site-specific immobilisation approval.

TEMPORARY DEWATERING

- AN9. Licenses under Part 5 of the Water Act 1912 may be required for the purpose of temporary dewatering as part of the relevant proposed construction and excavation. Further consultation is to be undertaken with NSW DCCEW Water Group, and any required licences are to be obtained prior to the issue of a Construction Certificate.

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 D28 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 D28), the Applicant is required to submit a subsequent Incident report that (in accordance with Condition D29):
 - (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; and
 - (a) a summary of the Incident;
 - (b) outcomes of an Incident investigation, including identification of the cause of the Incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the Incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (d) details of any communication with other stakeholders regarding the Incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.