

CONSOLIDATED INSTRUMENT

Not official document: For information purposes only

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Sydney: **6 March 2025**

File: SSD-65490715

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED INSTRUMENT

Not official document: For information purposes only

SCHEDULE 1

Application Number:	SSD-65490715
Applicant:	Western Parkland City Authority
Consent Authority:	Minister for Planning and Public Spaces
Site:	215 Badgerys Creek Road, Bradfield (Lot 3101 in DP 1282964)
Development:	<p>Construction and operation of a new public open space known as 'Central Park Bradfield City Centre', comprising:</p> <ul style="list-style-type: none">- site preparation works, including earthworks and vegetation management- various temporary and permanent recreation spaces, design features and artwork installations (including but not limited to the Sky Ring, the Interwoven Heart, the Gathering Green, City Walk West and Green Loop)- associated structures, including amenities buildings and pathways- tree planting and landscaping embellishments works, including vegetation, play features and watercourses, installation of wayfinding signage and lighting; and- civil and stormwater infrastructure

CONSOLIDATED INSTRUMENT

Not official document: For information purposes only

Summary Of Modifications

SSD-65490715	Approved by the Director, Regional Assessments on 6 March 2025
SSD-65490715-Mod-1	Approved by the Team Leader, Regional Assessments on 2 May 2025 for: <ul style="list-style-type: none">• Amendment to the date the consent was granted• Amendment to references in the condition of consent

CONSOLIDATED INSTRUMENT

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but does not form a part of this consent
Applicant	Western Parkland City Authority (trading as Bradfield Development Authority) or any other person carrying out any development to which this consent applies
AS	Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the relevant work is undertaken
AHD	Australian Height Datum
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
BCS	Biodiversity Conservation and Science group of the NSW Department of Climate Change, Energy, the Environment and Water
Central Park Bradfield City Centre	The site located at 215 Badgerys Creek Road Bradfield (part Lot 3101 in DP 1282964), which is designated as the subject site for the approved development and conditions outlined in this consent
Certifier/ Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Certification of Crown building work	Certification under Section 6.28(2) of the EP&A Act
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	All physical work to enable operation including the works described in Schedule 1 and other works permitted by this consent.
Council	Liverpool City Council
CPTED	Crime Prevention Through Environmental Design Assessment
CWMP	Construction Waste Management Sub-Plan
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development as described in Schedule 1, the EIS, the RTS, RRFI, including the work and activities comprising construction and operation of the Bradfield City Centre Central Park Bradfield as shown on the Plans listed in Schedule 2, as modified by the conditions of this consent.
EIS	The Environmental Impact Statement titled 'Central Park, Bradfield City Centre Environmental Impact Statement', prepared by Ethos Urban, dated 24 May 2024, submitted with the application for consent for the development, including any additional RTS and RRFI information provided by the Applicant in support of the application.
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
Feasible	Means what is possible and practical in the circumstances
Future Rail Corridor	Land that forms part of the Site identified as SP2 Infrastructure in the 'State Environmental Planning Policy (Major Infrastructure Corridors) 2020 - Future Infrastructure Corridor Map Sheet - FIC_014' Map within <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> .

CONSOLIDATED INSTRUMENT

HNSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: “material harm” is defined in this consent</i>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of people or to the environment that is not trivial, or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) <i>Note: This definition excludes “harm” that is authorised under either this consent or any other statutory approval.</i> <i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i>
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
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.
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of approved land uses upon completion of construction
Planning Secretary	The Planning Secretary under the EP&A Act (or delegate).
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
RAPs	Registered Aboriginal Parties
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Surveyor	A person who is registered with the Board of Surveying and Spatial Information
Response to Submissions (RTS)	The Applicant’s response to issues raised in submissions received in relation to the application for this development consent under the EP&A Act and as detailed in the Response to Submissions Report and supporting information, prepared by Ethos Urban dated 11 October 2024.
Response to Request For Information (RRFI)	The Applicant’s response to requests for information from the Department in relation to the application for this development consent under the EP&A Act including the RRFI response and supporting information prepared by Ethos Urban dated 27 November 2024.
Sensitive Receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children’s day care facility or similar uses which may be more sensitive to environmental impacts.
Site	The land forming part of Lot 3101 in DP 1282964 inside the ‘Project Boundary’ identified within the drawings listed in Schedule 2.
SSD	State Significant Development
TfNSW	Transport for NSW
Unexpected heritage finds	An object or place that is discovered during the carrying out of the SSD and which may be a heritage item but was not identified in the documents listed in Condition A1 or suspected to be present. An unexpected heritage find does not include human remains.

CONSOLIDATED INSTRUMENT

Western Parkland City SEPP *State Environmental Planning Policy (Precincts—Western Parkland City) 2021*

Work(s) Any physical work to construct or facilitate the construction of the development, including low impact work and environmental management measures.

CONSOLIDATED INSTRUMENT

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

PRESCRIBED CONDITIONS

- A1. The Applicant must comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the EP&A Regulation.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and Responses to Submissions and Requests for Information;
 - (d) in accordance with the management and mitigation measures;
 - (e) in accordance with the approved plans in the table below (except where amended by the conditions of consent):

PART B

ARCHITECTURAL DRAWINGS PREPARED BY COLLINS + TURNER			
Drawing Number	Rev	Name of Plan	Date
B-02-AR00-001-CP-DRG	E	COVER SHEET	21/05//2024
B-02-AR10-101-CP-DRG	D	MATERIALS SCHEDULE	21/05//2024
B-02-AR30-301-CP-DRG	I	GROUND PLAN	1/10//2024
B-02-AR30-302-CP-DRG	I	ROOF PLAN	1/10//2024
B-02-AR40-401-CP-DRG	I	ELEVATIONS & SECTIONS	1/10//2024
B-02-AR40-402-CP-DRG	I	ELEVATIONS & SECTIONS	1/10//2024
B-02-AR40-403-CP-DRG	H	ELEVATIONS & SECTIONS	1/10//2024
B-02-AR50-501-CP-DRG	I	REFLECTED CEILING PLANS	1/10//2024
Landscape architectural drawings prepared by Aspect Studios			
B-01-LA00-000-SW-DRG	D	SSDA Cover Sheet	22/11//2024
B-01-LA00-012-SW-DRG	D	SSDA Legend	22/11//2024
B-01-LA10-016-SW-SCH	A	Skyring Material Schedule	22/05//2024
B-01-LA10-017-SW-SCH	A	Woven Shelter Material Schedule	22/05//2024
B-01-LA10-021-SW-SCH	J	Planting Schedule (Trees) Sheet 1	01/10//2024
B-01-LA20-001-SW-DRG	K	Precinct Plan	22/11//2024
B-01-LA20-011-SW-DRG	K	Landscape Sitewide General Arrangement Plan	22/11//2024
B-01-LA20-015-SW-DRG	G	Tree retention and removal plan	01/10//2024

CONSOLIDATED INSTRUMENT

B-01-LA20-016-SW-DRG	G	Project Staging & Handover Conditions Plan Sheet 1	01/10//2024
B-01-LA20-017-SW-DRG	G	Project staging & handover conditions plan sheet 2	01/10/2024
B-01-LA20-018-SW-DRG	G	Project Staging & Handover Conditions Plan Sheet 3	01/10/2024
B-01-LA20-021-SW-DRG	K	Sheet Layout Plan	22/11//2024
B-01-LA21-201-CP-DRG	D	CP SSDA Grading and Finishes Plan Sheet 1 Of 2	22/11//2024
B-01-LA21-202-CP-DRG	D	CP SSDA Grading and Finishes Plan Sheet 2 Of 2	22/11//2024
B-01-LA21-203-CP-DRG	D	GC SSDA Grading and Finishes Plan Sheet 1 Of 1	22/11//2024
B-01-LA21-302-CP-DRG	B	CP SSDA Alternative Wetland	22/11//2024
B-01-LA25-201-CP-DRG	D	CP SSDA Planting Plan Sheet 1 Of 2	22/11//2024
B-01-LA25-202-CP-DRG	D	CP SSDA Planting Plan Sheet 2 Of 2	22/11//2024
B-01-LA25-203-CP-DRG	D	GC SSDA Planting Plan Sheet 1 Of 1	22/11//2024
B-01-LA41-001-SW-DRG	K	SW Long Section - Boulevard	22/11//2024
B-01-LA41-002-SW-DRG	K	SW Long Section - Amenities North	22/11//2024
B-01-LA42-001-CP-DRG	J	CP Northern Long Section	01/10/2024
B-01-LA42-002-CP-DRG	J	CP Centre Long Section	01/10/2024
B-01-LA42-003-CP-DRG	J	CP Southern Long Section - Amenities South	22/11//2024
B-01-LA42-004-CP-DRG	H	CP Cross Section of Woven Heart & Metro Box	01/10/2024
B-01-LA42-005-CP-DRG	F	CP Cross Section Through Amenities South	01/10/2024
B-01-LA43-011-GC-DRG	K	GC Long Section - Cycleway Interface Zone	22/11//2024
B-01-LA44-001-CP-DRG	F	CP Elevation - North	01/10/2024
B-01-LA44-002-GC-DRG	F	CP Elevation - South	01/10/2024
B-01-LA44-003-GC-DRG	F	CP Elevation - East	01/10/2024
B-01-LA50-101-CP-DRG	E	Skyring plan	22/05//2024
B-01-LA50-102-CP-DRG	E	Skyring Roof Plan	22/05//2024
B-01-LA50-200-CP-DRG	E	Skyring Site Sections	22/05//2024
B-01-LA50-201-CP-DRG	E	Skyring Site Elevations	22/05//2024
Civil drawings prepared by AT&L			
B-04-CV00-001-SW-DRG	J	Cover Sheet, Locality Plan and Drawing List	03/10/2024
B-04-CV10-101-SW-DRG	K	Site Plan	22/11/2024

CONSOLIDATED INSTRUMENT

B-04-CV20-201-SW-DRG	K	Bulk Earthworks Plan	22/11/2024
B-04-CV20-202-SW-DRG	J	Bulk Earthworks Sections Sheet 1	03/10/2024
B-04-CV30-301-CP-DRG	K	Stormwater Drainage Plan Sheet 1	22/11/2024
B-04-CV30-302-CP-DRG	K	Stormwater Drainage Plan Sheet 2	22/11/2024
B-04-CV30-303-GC-DRG	K	Stormwater Drainage Plan Sheet 3	22/11/2024
B-04-CV40-401-SW-DRG	J	Typical Sections	03/10/2024
B-04-CV50-501-SW-DRG	J	Ephemeral creek longitudinal section	03/10/2024
B-04-CV60-601-CP-DRG	K	Pavement Plan Sheet 1	22/11/2024
B-04-CV60-602-GC-DRG	K	Pavement Plan Sheet 2	22/11/2024
B-04-CV70-701-SW-DRG	J	Siteworks Details Sheet 1	03/10/2024
B-04-CV80-801-CP-DRG	K	Utilities Plan Sheet 1	22/11/2024
B-04-CV80-802-CP-DRG	J	Utilities Plan Sheet 2	03/10/2024
B-04-CV80-803-GC-DRG	J	Utilities Plan Sheet 3	03/10/2024
B-04-CV90-901-CP-DRG	K	Erosion & Sediment Control Plan Sheet 1	22/11/2024
B-04-CV90-902-GC-DRG	J	Erosion & Sediment Control Plan Sheet 2	03/10/2024
B-04-CV90-903-SW-DRG	J	Erosion & Sediment Control Details	03/10/2024
B-04-CV100-1001-SW-DRG	K	Catchment Plan	22/11/2024
Civil drawings Alternative Stormwater Design prepared by AT&L			
B-04-CV01-001-SW-DRG	B	Cover Sheet, Locality Plan and Drawing List	26/11/2024
B-04-CV31-310-CP-DRG	B	Stormwater Drainage Plan Sheet 1	26/11/2024
B-04-CV31-311-CP-DRG	B	Stormwater Drainage Plan Sheet 2	26/11/2024
B-04-CV31-312-GC-DRG	B	Stormwater Drainage Plan Sheet 3	26/11/2024
B-04-CV51-501-CP-DRG	A	Wetland Plan	03/10/2024
B-04-CV61-601-SW-DRG	A	Typical Sections	03/10/2024

- B1. The Applicant must comply with all written requirements or directions of the Planning Secretary, including in relation to:
- (a) the environmental performance of the SSD;
 - (b) any document or correspondence in relation to the SSD;
 - (c) any notification given to the Planning Secretary under the terms of this approval;
 - (d) any audit of the construction or operation of the SSD;

CONSOLIDATED INSTRUMENT

- (e) the terms of this approval and compliance with the terms of this approval (including anything required to be done under this approval);
 - (f) the carrying out of any additional monitoring or mitigation measures; and
 - (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.
- B2. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in **Condition A2(c) to A2(e)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in **Condition A2(c) to A2(e)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

- B3. This consent will lapse five years from the from the date it is registered on the NSW planning portal unless the works associated with the development consent have physically commenced.
- B4. The consent does not approve the following:
- (a) events to be undertaken within the Central Park
 - (b) signage or signage zones (including advertising, business and building identification signage) other than wayfinding signage that is static, electronic and illuminated as detailed in the Wayfinding and Signage Report by Aspect Studios dated 20 May 2024 or as outlined in the Response to Submissions.

Where required, the Applicant must obtain separate approvals from the relevant consent authority (except where exempt, complying, or development without consent applies).

DEVELOPMENT CONTRIBUTIONS

- B5. Prior to the commencement of operation of the development, a special infrastructure contribution must be made in accordance with the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Aerotropolis) Determination 2022* (as in force when this development consent takes effect).

A person may not apply for a Crown Certificate (as the case may require, having regard to the Determination) in relation to the development unless the person provides, with the application, written evidence from the Department of Planning, Housing and Infrastructure that the special infrastructure contribution for the development (or that part of the development for which the certificate is sought) has been made or that arrangements are in force with respect to the making of the contribution.

More information

A request for assessment by the Department of Planning, Housing and Infrastructure of the amount of the contribution that is required under this condition can be made through the NSW planning portal (<https://www.planningportal.nsw.gov.au/development-assessment/contributions/sic-online-service>). Please refer enquiries to SIContributions@planning.nsw.gov.au.

NON-COMPLIANCE NOTIFICATION

- B6. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Department in writing to compliance@planning.nsw.gov.au within seven days after they identify any non-compliance.
- B7. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- B8. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

EVIDENCE OF CONSULTATION

- B9. Where conditions of this consent require consultation with an identified party and submission of documents to the Planning Secretary for information and approval, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for information or approval; and
 - (b) provide details of the consultation undertaken including:
 - (c) the outcome of that consultation, matters resolved and unresolved; and
 - (d) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the unresolved matters.

STRUCTURAL ADEQUACY

- B10. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the National Construction Code (NCC).

Notes:

- If applicable, under Part 6 of the EP&A Act, the Applicant is required to obtain Crown certificates for the proposed building works.
- Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

OPERATION OF PLANT AND EQUIPMENT

- B11. All plant and equipment used on site, or to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

COMPLIANCE

- B12. 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 they carry out in respect of the development.

AIRSPACE PROTECTION

- B13. Any proposal for long term intrusions into protected airspace will need to be separately assessed and determined under Commonwealth legislation in accordance with the *Airports Act 1996* (Commonwealth) and the *Airports (Protection of Airspace) Regulations 1996* (Commonwealth). The Airports Act 1996 covers any intrusions into prescribed airspace, which may include:
- (a) constructing permanent structures, such as buildings, into the protected airspace;
 - (b) temporary structures such as cranes protruding into the protected airspace; or
 - (c) activities causing non-structural intrusions into the protected airspace such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter.

APPLICABILITY OF GUIDELINES

- B14. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent
- B15. Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

MONITORING AND ENVIRONMENTAL AUDITS

- B16. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

INCIDENT NOTIFICATION, REPORTING AND RESPONSE

- B17. The Department must be notified via the Major projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.
- B18. Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix 1.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- B19. Within three months of:
- (a) the submission of a Compliance Report under **Condition C6**
 - (b) the submission of an incident report under **Condition B17**

CONSOLIDATED INSTRUMENT

- (c) the submission of an Independent Audit under **Condition C12**
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under **Condition B1** which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and Applicant must notify the Department in writing that a review is being carried out.

PLANNING SECRETARY AS THE MODERATOR

- B20. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the development, either party may refer this matter to the Planning Secretary for final resolution.

STAGING

- B21. The development may be constructed and operated in stages in accordance with the terms / conditions of this consent and the staging details and drawings set out in the RTS, including the following three construction stages:
- (a) Central Park Stage 1 Works;
 - (b) Central Park Stage 2 Works; and
 - (c) Central Park Stage 3 Works.
- B22. The staging of the development may be varied (for either construction or operation) from the staging identified in **Condition B21** provided that a Revised Staging Report is prepared, submitted to and approved by the Certifier.
- B23. Any Revised Staging Report prepared in accordance with **Condition B22** must:
- (a) if staged construction is proposed, set out how the construction of the whole development will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;
 - (b) if staged operation is proposed, set out how the operation of the whole development will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);
 - (c) specify how compliance with the conditions and requirements of this consent will be satisfied across and between each of the stages of the Development;
 - (d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.
- B24. The terms of this approval / relevant conditions of consent that apply or are relevant to the works or activities to be carried out in a specific stage set out in the details as approved under **Condition B21** or a revised Staging Report approved under **Condition B22**, must be complied with at the relevant time for that stage including independent auditing requirements.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- B25. The Applicant may:
- (a) prepare and submit any strategy, plan (including management plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan) or program);
 - (b) combine any strategy, plan (including management plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan) or programs that are proposed to be combined); and
 - (c) update any strategy, plan (including management plan), or program required by this consent (to ensure the strategies, plans (including management plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- B26. Any strategy, plan or program prepared in accordance with **Condition B25**, where previously approved by the Planning Secretary or Certifier under this consent, must be submitted to the satisfaction of the Planning Secretary or Certifier.
- B27. If the Planning Secretary or Certifier agrees, a strategy, plan (including management plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

- B28. Updated strategies, plans (including management plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.

PART C PRIOR TO COMMENCEMENT OF CONSTRUCTION OR WORKS

CROWN BUILDING WORK

- C1. Crown building work cannot be commenced unless the relevant Crown Building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:
- (a) the date of the invitation for tenders to carry out Crown building work; or
 - (b) in the absence of tenders, the date on which the Crown building work commences.

NOTIFICATION OF COMMENCEMENT

- C2. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- C3. If the construction or operation of the development is to be staged in accordance with **Condition B21**, the Department must be notified 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

ACCESS TO INFORMATION

- C4. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (a) the documents referred to in **Condition A2** of this consent;
 - (b) all current statutory approvals for the development;
 - (c) all approved strategies, plans and programs required under the conditions of this consent;
 - (d) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
 - (e) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (f) a summary of the current stage and progress of the development;
 - (g) contact details to enquire about the development or to make a complaint;
 - (h) a complaints register, updated monthly;
 - (i) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (j) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

COMPLIANCE REPORTING

- C5. No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.
- C6. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- C7. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

COMPLIANCE

- C8. 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 they carry out in respect of the development

PROTECTION OF PUBLIC INFRASTRUCTURE AND STREET TREES

- C9. Prior to the commencement of any works, the Applicant must:

CONSOLIDATED INSTRUMENT

- (a) consult with the relevant owner and the provider(s) of services which are likely to be affected by the development, in order to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure, and
 - (b) ensure that all street trees directly outside the Site, and which are not approved for removal, are retained and protected in accordance with the applicable Australian Standards.
- C10. Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers. Any costs in the relocation, adjustment or support of services are the responsibility of the Applicant.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- C11. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person. The report must include:
- (a) details of the current structural condition of all adjoining buildings, infrastructure and roads (including site frontages, footpaths, kerbs and gutters, 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'.
 - (b) Any entry on to private land is subject to the prior consent of the owner of the land. Any inspection of buildings on privately affected land must include details of the whole building where only part of the building may fall within the 'zone of influence'.

A copy of the report must be forwarded to the Planning Secretary and all of the affected property owners.

INDEPENDENT AUDIT

- C12. No later than four (4) weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (NSW Department of Planning, Industry and Environment, dated May 2020) must be submitted to the Department.
- C13. Independent Audits of the development must be carried out in accordance with:
- (a) the independent Audit Program submitted to the Department under **Condition C12** of this consent; and
 - (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2020).
- C14. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under **Condition C12** of this consent;
 - (b) submit the response to the Department; and
 - (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least seven days before that is done

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C15. 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, but not be limited to, the following matters where relevant:
- (a) Details of:
 - (b) hours of construction;
 - (c) 24 hour contact details of the site manager;
 - (d) consultation strategy for liaison with surrounding stakeholders, including other developments under construction, and a complaint handling procedure;
 - (e) construction program and construction methodology, including construction staging;
 - (f) traffic management;
 - (g) noise and vibration management;
 - (h) management of dust and odour to protect the amenity of the neighbourhood;
 - (i) stormwater control and discharge, including measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (j) contamination management, including any unexpected contamination finds protocol;
 - (k) waste management;

- (l) external lighting compliance with the applicable Australian Standards, and the positioning of lighting or use timers/shields to not shine directly on pedestrians, cyclists and drivers where possible;
 - (m) archaeological site induction;
 - (n) terrestrial and marine flora and fauna management.
 - (o) Construction, Pedestrian and Traffic Management Sub-Plan in accordance with **Condition C17**
 - (p) Construction Noise and Vibration Management Sub-Plan in accordance with **Condition C18**
 - (q) Construction Waste Management Sub-Plan in accordance with **Condition C19**
 - (r) Construction Soil and Water Management Sub-Plan in accordance with **Condition C20**
 - (s) Implementation of the management measures and procedures detailed in the Asbestos Management Plan (ERM 2022)
 - (t) an unexpected finds protocol for contamination and associated communications procedure
 - (u) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure;
 - (v) consideration of constructing staging including the communication with, and relocation of, the existing users of the site; and
 - (w) waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status in these areas of the site.
- C16. A copy of the final CEMP prepared under **Condition C15** must be submitted to the Planning Secretary for information.

CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN SUB-PLAN

- C17. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP) endorsed by the Sydney Coordination Office within TfNSW (development.CTMP.CJP@transport.nsw.gov.au). The CPTMP must specify matters including, but not limited to, the following:
- (a) Site information and building construction plans;
 - (b) Details of crane arrangements including location of any crane(s).
 - (c) Location(s) of proposed parking for construction vehicle.
 - (d) Location of any proposed work zone(s).
 - (e) Access and movement:
 - (f) Pedestrian and traffic management measures, which ensures that safe and convenient pedestrian access are provided at all times.
 - (g) Haulage routes.
 - (h) Predicted numbers of construction vehicle movements and details of vehicle types.
 - (i) Ongoing activities:
 - (j) Consultation strategy for liaison with surrounding stakeholders, including other developments under consideration.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT SUB-PLAN

- C18. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Construction Noise and Vibration Management Sub-Plan (CNVMP) for the development.

The Sub-Plan is to include limiting construction activities exceeding the Noise Management Levels (NMLs) to between 8:00 am to 6:00 pm Monday to Friday and 8:00 am to 1:00 pm Saturday.

The Sub-Plan must implement the mitigation measures detailed in the Noise and Vibration Impact Assessment and include:

- (a) identification of the specific activities that will be carried out and associated noise sources at the site.
- (b) identification of all potentially affected sensitive residential receiver locations;
- (c) quantification of the rating background noise level (RBL) for sensitive receivers, either as part of the Sub-Plan, or as documented in the EIS and RtS;
- (d) the construction noise, ground-borne noise and vibration objectives derived from application of the Interim Construction Noise Guideline (DECC NSW, dated July 2009) (the ICNG), as reflected in the conditions of consent;
- (e) 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 and the conditions of consent;

CONSOLIDATED INSTRUMENT

- (f) where objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures which can be implemented to reduce construction noise and vibration impacts;
- (g) description of management methods and procedures, and specific noise mitigation treatments/measures which can be implemented to control noise and vibration during construction;
- (h) where objectives cannot be met, additional measures including, but not necessarily limited to, the following must be considered and implemented where practicable;
 - reduced hours of construction;
 - the provision of respite from noise/vibration intensive activities;
 - acoustic barriers/enclosures and
- (i) alternative excavation methods or other outcomes negotiated in consultation with the affected community.
- (j) where night-time noise management levels cannot be satisfied, a report must be submitted to the Planning Secretary outlining the mitigation measures applied, the noise levels achieved and justification that the outcome is consistent with best practice;
- (k) measures to identify non-conformances with the requirements of the Sub-Plan, and procedures to implement corrective and preventative action;
- (l) suitable contractual arrangements to ensure that all site personnel, including sub-contractors, are required to adhere to the noise management provisions in the Sub-Plan;
- (m) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;
- (n) measures to monitor noise performance and respond to complaints;
- (o) measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site;
- (p) procedures to allow for regular professional acoustic input to construction activities and planning; and effective site induction, and ongoing training and awareness measures for personnel (e.g. toolbox talks, meetings etc).

CONSTRUCTION WASTE MANAGEMENT SUB-PLAN

- C19. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Construction Waste Management Sub-Plan (CWMP) for the development. The Sub-Plan must include, as a minimum, the following elements:
- (a) require that all waste generated during the project during construction is assessed, classified and managed in accordance with the "Waste Classification Guidelines Part 1: Classifying Waste", dated November 2014 prepared by the NSW Environment Protection Authority;
 - (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) waste (including soil, litter, debris or other matter) is not caused or permitted to enter any waterways;
 - (e) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the site;
 - (f) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the site;
 - (g) details of the transport of waste material around the site (on-site) and from the site, including (at a minimum):
 - (h) a traffic plan illustrating transport routes within the site;
 - (i) 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 (NSW); and
 - (j) the name and address of each licensed facility that will receive waste from the site (if appropriate).

CONSTRUCTION SOIL AND WATER MANAGEMENT PLAN SUB-PLAN

- C20. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Construction Soil and Water Management Sub-Plan (CSWMSP) which must be prepared by a suitably qualified expert and address, but not be limited to, the following:
- (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, etc)

CONSOLIDATED INSTRUMENT

- (c) details of all off-site flows from the site
- (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 the 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

CONTAMINATION

- C21. Prior to the commencement of the relevant stage of construction, the recommendations of the Preliminary Site (Contamination) Investigation Report prepared by Douglas Partners dated 16 September 2024 must be implemented.
- C22. The Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with **Condition C15** and must ensure any material identified as contaminated is managed in accordance with the *Protection of the Environment Operations Act 1997* (NSW) and its associated regulations. Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

CONSTRUCTION PARKING

- C23. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking for heavy vehicles has been provided, to ensure that construction traffic associated with the development does not use on-street parking or public parking facilities.

DESIGN EXCELLENCE AND INTEGRITY

- C24. The design documentation and tender documentation stages of the project must be carried out in accordance with the Central Park Bradfield Integrated Design Report (prepared by Aspect Studios, dated 22 May 2024) and (if not novated to the construction stage) provide independent advice that the design intent has been met and the design integrity has not been compromised.

EXTERNAL FACING MATERIALS AND FINISHES

- C25. Prior to the commencement of construction of any external finishes of buildings the Applicant must submit to the Planning Secretary, and receive the approval of the Planning Secretary, details of the final external materials and finishes including:
 - (a) specifications and a digital sample board for all external finishes, surfaces, colours and glazing including annotated drawings and computer-generated imagery of their application;
 - (b) the process and methods in arriving at the final choice for all materials and finishes; and
 - (c) detailed architectural drawings of the façade details, including glazing specification and sun shading devices. This must include snapshots at different points in the façade in plan, elevation and section to a scale of 1:20 or 1:50 as necessary.

Note: The plans lodged to satisfy this condition must include final specifications of colour, material and, where relevant, manufacturer.

- C26. The external walls of all buildings and other relevant structures including additions to existing buildings must comply with the relevant requirements of the NCC.
- C27. Prior to the commencement of construction for external finishes, the Applicant must submit to the satisfaction of the Certifier documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings comply with the requirements of the NCC. The Applicant must provide a copy of the documentation to the Planning Secretary for information.

PAVING

- C28. The surface of any material used or proposed to be used for the paving of trafficable areas which are used by the public must comply with AS/NZS 4586:2013 (including amendments) "Slip resistance classification of new pedestrian surface materials".

TACTILE GROUND SURFACE INDICATORS AND HANDRAILS

- C29. Prior to commencement of construction, the Certifier must be satisfied that all tactile ground surface indicators, handrails and other elements required to provide access into the building / property are located entirely within the property boundary.

DRAINAGE AND SERVICE PIT LIDS

- C30. All existing or proposed drainage and service pit lids must be to Council specifications and heel/bicycle safe, slip resistant, infill with material to match surrounding surface, finished flush with the adjacent

CONSOLIDATED INSTRUMENT

pavement to avoid trip hazards and be clear of obstructions for easy opening and cleaning. Infill pit lids are to be detailed on the public domain plans for construction. Private pits are not permitted on Council land.

ACCESS AND FACILITIES FOR PEOPLE WITH DISABILITIES

- C31. Prior to commencement of construction for, the Applicant must submit to the satisfaction of the Certifier details prepared by a suitability qualified professional demonstrating that the park has been designed and will be constructed to provide access and facilities for people with a disability in accordance with the NCC.

VENTILATION

- C32. The Development (where required) must be ventilated in accordance with the NCC and applicable Australian Standards.
- C33. Prior to the commencement of construction for the construction of buildings, the Applicant must submit to the satisfaction of the Certifier details that any mechanical ventilation and/or air conditioning system for the development complies with the NCC and applicable Australian Standards, prepared by a suitably qualified person certified in accordance with Clause A2.2(a)(iii) of the NCC, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

STRUCTURAL DETAILS

- C34. Prior to the commencement of construction, the Applicant must submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
- (a) the relevant clauses of the NCC; and
 - (b) this development consent.

SYDNEY WATER ASSETS

- C35. Prior to the commencement of construction, 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>

DETAILED LANDSCAPING PLANS

- C36. Prior to the commencement of construction for above ground works, the Applicant must submit to the Certifier detailed Landscape Plans that are consistent with the landscape plans prepared by Aspect Studios, as listed in Schedule 2 as amended by any requirement of these conditions. The Plans must:
- (a) includes details of tree planting;
 - (b) includes details of the location, species, maturity and height at maturity of plants to be planted on-site;
 - (c) provide allowances for subsoil drainage;
 - (d) include specifications for concrete pavements;
 - (e) detail the location and design of footings, specification of pavements, including permeable or rigid bases, and edge types;
 - (f) include the design and specification of exercise and play equipment and park furniture and fixings;
 - (g) detail the location of bins in the public domain including outside the café, at seating areas, and major thoroughfares and entrances/exits;
 - (h) demonstrates adequate drainage and watering systems;
 - (i) include measures to mitigate pathway erosion such as selective mounding, modulation increased pathway widths and dense vegetation planting;
 - (j) adopt the recommendations under section 2.4 of the submitted bushfire report prepared by Eco Logical Australia (dated: 22 May 2024). Including keeping the landscaped revegetated area of Central Park to less than 1Ha;
 - (k) include details of plant maintenance and watering for the first 12 months; and
 - (l) include a commitment to replace plants with the same species if any plant loss occurs within the maintenance period.

CONSOLIDATED INSTRUMENT

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- C37. Prior to the commencement of each stage of construction for the development, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating the design of the development has incorporated the management and mitigation measures included within the Crime Risk and Crime Prevention Through Environmental Design Assessment report prepared by Sheridan Consulting Group Pty Ltd dated 21 May 2024.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- C38. The detailed design of the development must review and incorporate where possible the environmental sustainability objectives, measures and initiatives outlined in the ESD Report prepared by Atelier Ten REV03, dated 21 May 2024 submitted with the EIS. Details of the proposed sustainability measures must be submitted to the Certifier prior to the commencement of construction.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

- C39. Prior to the commencement of construction for the construction of buildings, the Applicant must submit evidence to the Certifier demonstrating that the design of the development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the Noise and Vibration Impact Assessment prepared by Marshall Day Acoustics, Revision 003, dated 10 September 2024.

REFLECTIVITY

- C40. The building materials must not result in glare that causes any discomfort or threatens the safety of pedestrians and cyclists and drivers or cause distractions to pilots.
- C41. A statement prepared by a suitably qualified expert, demonstrating compliance with the requirements of **Condition C40** must be submitted to the satisfaction of the Certifier prior to the commencement of construction/cladding of external building facades.

WAYFINDING

- C42. Prior to the commencement of each stage of construction for the development, a detailed Wayfinding Plan must be submitted to Council for review and comment and be submitted to the Planning Secretary for endorsement. The Wayfinding Plan must address:
- (a) wayfinding measures for a diversity of users including those with mobility challenges, prams, cyclists and pedestrians
 - (b) how the different public and access-controlled spaces are distinguishable and legible from a distance
 - (c) how signage would not contribute to visual clutter
 - (d) how signage designs would complement the style of the public domain signage in the area
 - (e) connections to surrounding transport modes, pedestrian and cycle paths, and points of interest
 - (f) any feedback received from Council.
- C43. Any recommended pedestrian movement and wayfinding measures identified in the Wayfinding Plan (**Condition C42**) must be implemented as part of the Wayfinding Plan for construction.

LIGHTING AND ILLUMINATION

- C44. Prior to the commencement of each stage of construction for the Development, a detailed Lighting and Illumination Plan or Expert Report demonstrating how the mitigation measures in Appendix CC – Lighting Impact Report, prepared by Steensen Varming, dated 21 May 2024, have been implemented, must be submitted to the Certifier. The Plan or Expert Report must also incorporate the recommendations included in Appendix O Lighting Design Statement Prepared by Steensen Varming, dated 19 September 2024.
- C45. Any recommended measures identified in the detailed Lighting and Illumination Plan or Expert Report (**Condition C44**) must be implemented as part of the relevant Crown Building Works certificate. Prior to commencement of any lighting installation, evidence must be submitted to the satisfaction of the Certifier that all outdoor lighting within the site has been designed to comply with *AS/NZ 1158.3.1:2020 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and ASNZ 4282-2023 Control of the obtrusive effects of outdoor lighting*.

SITE STABILITY AND CONSTRUCTION WORK

- C46. Prior to the commencement of each stage of construction, the Certifier must be satisfied the recommendations of the Geotechnical, Salinity and Groundwater Assessment prepared by Douglas Partners Pty Ltd, Revision 0, dated 30 April 2024 have been addressed, or alternative measures have been developed by a suitably qualified and experienced professional engineer/s, including but not limited to:

CONSOLIDATED INSTRUMENT

- (a) geotechnical details confirm the suitability and stability of the site for the development and relevant design and construction requirements being implemented to ensure the stability and adequacy of the development and adjacent land
- (b) details of the proposed methods of bulk earthworks, excavation and support for the adjoining land (including any public place) and buildings
- (c) 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
- (d) the adjoining land and buildings located upon the adjoining land must be adequately supported at all times throughout building work
- (e) details of written approvals that have been obtained from the owners of the adjoining land, including Sydney Metro, to operate construction plant above the Metro station, or install any ground or rock anchors above or underneath the adjoining premises (including any Metro Station, public roadway or public place), if relevant.

PUBLIC DOMAIN LEVELS AND GRADIENTS

- C47. Prior to the commencement of construction, a Public Domain Levels and Gradients submission for site frontages, all buildings and roadworks must be submitted to the Certifier including certification that all levels and gradients comply with Disability Discrimination Act 1992 and National Construction Code and have addressed Council's Public Domain Manual. A copy of the Public Domain Levels and Gradients must be issued to Council for information.
- C48. Any requirements to comply with Disability Discrimination Act 1992 and flood planning levels at the entrance to a building or publicly accessible space must be resolved inside the site boundary.

STORMWATER MANAGEMENT SYSTEM

- C49. Prior to the commencement of each stage of construction, the Applicant must submit to the certifier details of an operational interim on-site stormwater management system designed by a suitably qualified and experienced person(s):
 - (a) generally in accordance with the interim conceptual design outlined in Appendix R Civil and Stormwater Response Letter prepared by AT&L (Reference: REP002-01-23-1150), dated 4 October 2024 and any Council stormwater requirements and specifications which are consistent with that conceptual design;
 - (b) in accordance with applicable Australian Standards;
 - (c) in accordance with the Western Sydney Aerotropolis Development Control Plan 2 (WSA DCP) and the Technical Guidance for Achieving Wianamatta-South Creek Stormwater Management Targets, published by Department of Planning and Environment, dated 21 September 2022; andThe interim on-site stormwater management system must be maintained until the development can connect to the Bradfield City Wide Stormwater Infrastructure (BCWSI).
- C50. Despite the requirements of **Condition C49** the development may connect directly to the Bradfield City Wide Stormwater Infrastructure (BCWSI) ultimate design when it is available and the ultimate stormwater drainage design demonstrates that the proposed connection will not adversely impact the existing upstream or downstream stormwater drainage system and adjoining properties.

STORMWATER QUALITY

- C51. Prior to the commencement of construction for drainage works, a stormwater quality assessment report prepared by a suitably qualified practicing civil engineer, demonstrating compliance with approved MUSIC targets and parameters must be submitted to and the Planning Secretary for information. The report must include a response to all stormwater quality improvement devices structural integrity, treatment train and their treatment properties demonstrating compliance with the approved MUSIC report.

SYDNEY WATER

- C52. An application must be made to Sydney Water for a Certificate under section 73 of the Sydney Water Act 1994 (Compliance Certificate) prior to the commencement of construction (excluding demolition, remediation and site preparation works).
- C53. Evidence of a Sydney Water permit or consent if required to discharge wastewater to the sewer shall be submitted to the Certifier prior to the commencement of construction. Where a permit or consent may not be required from Sydney Water, certification shall be provided verifying that any discharges to the sewer will meet specific standards imposed by Sydney Water.

CONSOLIDATED INSTRUMENT

SURVEY CERTIFICATE

C54. Prior to the commencement of works, a registered surveyor must measure and mark the positions of the following and provide them to the Certifier —

- (a) All footings/ foundations; and
- (b) At other stages of construction – any marks that are required by the certifier.

DIAL BEFORE YOU DIG SERVICE

C55. Prior to the commencement of any excavation on or near the site, the Applicant must submit to the satisfaction of the Certifier written confirmation from NSW Dial Before You Dig Service that the proposed excavation will not conflict with any underground utility services.

PUBLIC LIABILITY INSURANCE

C56. Prior to the commencement of any earthwork or construction over, on or below Council land, the Applicant must submit to the satisfaction of the Certifier evidence of Public Liability Insurance, with a minimum liability of \$10 million. A copy of the Insurance cover must be provided to Council.

SYDNEY METRO REQUIREMENTS

C57. Prior to the commencement of each stage of construction, the following must be submitted to and approved by Sydney Metro via written confirmation that the documents have been received and that the particular condition has been complied with:

- (a) Final construction drawings which are to comply with B3 Interface Agreement between Sydney Metro and Bradfield Development Authority (formerly Western Parkland City Authority) dated 23 January 2023, including but not limited to:
 - (i) (Loadings) of Schedule 4 – Sydney Metro Requirements (Part A and Part B).
 - (ii) The Sydney Metro – Bradfield Station Assured for Construction (AFC) drawings.
- (b) Construction noise and vibration management plan as recommended in the submitted Central Park, Bradfield City Centre Noise and Vibration Impact Assessment (Revision R03) prepared by Marshall Day Acoustics dated 10 September 2024.
- (c) Monitoring vibration plan as recommended in the submitted Central Park, Bradfield City Centre Noise and Vibration Impact Assessment (Revision R03) prepared by Marshall Day Acoustics dated 10 September 2024.

Note: All reasonable costs associated with review of plans, designs and legal must be borne by the Applicant.

C58. Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to the Planning Secretary and Council for information prior to the commencement of construction in accordance with **Condition C57**.

TRANSPORT FOR NSW REQUIREMENTS

- C59. The utilities in the Future Rail Corridor shall be designed to be temporary in nature so that, if required in future they are able to be disconnected without any operational impacts on such utilities.
- C60. Prior to the commencement of construction for the installation of any services and/or the erection of any structures within the Future Rail Corridor, the Applicant must enter into a Deed of Agreement with TfNSW, in accordance with *Section 138 of the Roads Act 1993*, to ensure these works do not impact upon the structural integrity and/or the safe and effective operation of any future transport infrastructure within the future rail corridor.
- C61. Any services or structures within the Future Rail Corridor must adhere to the requirements under relevant ASA standards particularly T HR CI 12090 ST Airspace and External Developments in terms of safety requirements, configuration, clearances, external developments, electrical requirements, and other related parameters. The link to the standards is: <https://www.transport.nsw.gov.au/industry/assetmanagement-branch/find-a-standard>
- C62. As part of the Deed of Agreement, the Applicant must prepare a Plan of Management for those works within the Future Rail Corridor. The Plan of Management must:
 - (a) be prepared in consultation with TfNSW's (Corridor and Network Protection team); and
 - (b) include the following details:
 - (c) land uses within the Future Rail Corridor (including any associated structures);
 - (d) servicing and access arrangements;
 - (e) removal of structures and restoration of land, including timing;

CONSOLIDATED INSTRUMENT

- (f) operational and management details for the uses within the Future Rail Corridor, up to and including the time that land within the Future Rail Corridor is acquired and/or occupied by TfNSW for construction purposes;
 - (g) Noise and vibration from future rail services on the patrons of the Central Park Bradfield City Centre including during events and also any impacts of any future Electro Magnetic Radiation plumes from electrical infrastructure in the rail corridor based on the design parameters provided by TfNSW;
 - (h) The electrolysis risk to the Central Park Bradfield City Centre development from any future stray currents during rail operations based on the design parameters by TfNSW; and
 - (i) The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the Corridor must limit glare and reflectivity to safely operate future trains.
- C63. Installation of any services and/or the erection of any structures within the Corridor must not commence until the Deed of Agreement and the associated Plan of Management has been registered upon the property's title.
- C64. The most recent version of the Plan or Management (as registered upon the property's title) for the life of the development must be implemented.
- C65. Prior to the commencement of construction or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CTMP) in consultation with TfNSW (development.CTMP.CJP@transport.nsw.gov.au).

Note: All reasonable costs associated with review of plans, designs and legal must be borne by the Applicant.

RURAL FIRE SERVICE REQUIREMENTS

- C66. The Development must comply with the recommendations under section 2.4 of the submitted bushfire report prepared by EcoLogical Australia (dated: 22 May 2024). This may require clearing of vegetation outside of Central Park Bradfield City Centre to provide 100m separation between revegetation areas to any Category 1 and 2 vegetation.
- C67. Any landscaping proposed within the Central Park Bradfield City Centre in excess of the revegetation area (which must be less than 1ha) must comply with A4.1.1 of Planning for Bush Fire Protection PBP 2019.

WESTERN SYDNEY INTERNATIONAL AIRPORT REQUIREMENTS

Wildlife Hazard Management and Monitoring

- C68. The Development must implement the mitigation measures detailed in Table 9 of the Wildlife Hazard Assessment and Wildlife Management Plan Prepared by Land Eco Consulting and dated 10 April 2024.
- C69. Prior to the commencement of construction, the Applicant must undertake consultation with Western Sydney International Airport in relation to wildlife monitoring and reporting and establish a monitoring and reporting format agreed between the parties and submitted to the Planning Secretary for information.

HERITAGE NSW REQUIREMENTS

- C70. A procedure for the management of unexpected Aboriginal objects and human remains that meets relevant conditions of AHIP 5244 must be developed in consultation with the RAPs and Heritage NSW. The procedure must be prepared in accordance with Heritage NSW guidelines and codes of practice and must be implemented for the duration of the project.

CONSOLIDATED INSTRUMENT

PART D DURING CONSTRUCTION

APPROVED PLANS TO BE ON-SITE

- D1. A copy of the approved and certified plans, specifications and documents incorporating conditions of the consent and certification, must be kept on the site at all times and must be readily available to any officer of the Department, and the Council, and the Certifier.

IMPLEMENTATION OF MANAGEMENT PLANS

- D2. The Applicant must ensure that the requirements of the CEMP, CVTMP, CPTMP, CNVMP, CWMP, CSWMSP and any other management plan required by **PART C** of this consent are implemented during construction.

SITE NOTICE

- D3. A site notice(s) must be erected in a prominent position on the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer. The notice(s) must satisfy all, but not be limited to, the following requirements:
- (a) state the name, address and telephone number of the principal certifier for the work;
 - (b) state the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints;
 - (c) state the approved hours of work;
 - (d) state that unauthorised entry to the work site is prohibited;
 - (e) the minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;
 - (f) the notice is to be durable and weatherproof, and displayed throughout the works period; and
 - (g) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing.

HOURS OF CONSTRUCTION

- D4. Construction, including the delivery of materials to and from the site, may be carried out only between the following hours:
- (a) 24 hours per day, Mondays to Fridays inclusive; and
 - (b) between 7.00 am and 7.00 pm, Saturdays and Sundays inclusive.
- D5. Activities may be undertaken outside of the hours in **Condition D4(b)**, only where required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials;
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
 - (c) in accordance with the terms of a road opening permit or road occupancy license.
- D6. Notification of the activities under **Condition D5**, must be given to affected residents before undertaking the activities or, in the event of an emergency, as soon as is practical afterwards.
- D7. Despite **Condition D4**, rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 8.00 am to 12.00 noon, Mondays to Fridays
 - (b) 2.00 pm to 5.00 pm Mondays to Fridays; and
 - (c) 9.00 am to 12.00 pm, Saturday.
- D8. Despite **Condition D4(b)**, the use of a crane for special operations, including the delivery of materials, hoisting of plant and equipment and the erection and dismantling of on-site tower cranes, which warrant the on-street use of mobile cranes outside of the hours specified in **Condition D4**, are permitted to occur, subject to a separate application being submitted to and approved by the relevant roads authority under Section 68 of the *Local Government Act 1993* (NSW), and sections 138/139 of the *Roads Act 1993* (NSW).

Note: Any proposal for long term intrusions into protected airspace will need to be separately assessed and determined under Commonwealth legislation in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996. The Airports Act 1996 covers any intrusions into prescribed airspace, which could include: temporary structures such as cranes protruding into the protected airspace.

CONSTRUCTION NOISE LIMITS

- D9. The Applicant must ensure that construction vehicles (including concrete agitator trucks) do not arrive at the Site or surrounding residential precincts, outside the construction hours of work permitted by this consent.

CONSOLIDATED INSTRUMENT

- D10. The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a noise management level of LAeq 75dBA) as measured at any sensitive receiver is undertaken only in continuous blocks, of no more than three hours, with at least a one hour respite between each block of work generating high noise impact, and only 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 one hour of respite, between ceasing and recommencing any of the work the subject of this condition.
- D11. Any noise generated during construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* (NSW), or exceed the approved noise limits for the site.

VIBRATION CRITERIA

- D12. Vibration caused by construction at any residence or structure outside the site must be limited to:
- (a) for structural damage, the latest version of DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures (German Institute for Standardisation, 1999);
 - (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).

AIR QUALITY

- D13. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent. During construction, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the development do not track dirt onto the public road network;
 - (d) public roads used by these trucks are kept clean; and
 - (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

EROSION AND SEDIMENT CONTROL

- D14. 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, as a minimum, must be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004)* commonly referred to as the 'Blue Book'.

SALINITY MANAGEMENT

- D15. Soils must be managed in accordance with the Geotechnical, Salinity and Groundwater Assessment prepared by Douglas Partners Pty Ltd, Revision 0, dated 30 April 2024.

CONTAMINATION

- D16. The Applicant must implement the unexpected contamination finds procedure (see **Condition C22**) for the duration of construction. Should any new information be obtained during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination, the Applicant must notify the Site Auditor, Certifier and Planning Secretary. Any variations to the approved Remediation Action Plan must be approved in writing by the Site Auditor prior to the commencement of such work.
- D17. The NSW EPA must be notified under section 60 of the *Contaminated Land Management Act 1997* (NSW) of any contamination identified which meets the triggers in the Guidelines for the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015) (www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf).
- D18. Upon completion of remediation works, the Applicant must undertake appropriate validation sampling and reporting. The post remediation validation report must:
- (a) be prepared by a suitably qualified and experienced contaminated land consultant;
 - (b) be prepared in accordance with relevant guidelines made or approved by the NSW EPA under section 105 of the *Contaminated Land Management Act* (1997);
 - (c) demonstrate that the land has been appropriately remediated so it is suitable for the intended use;
 - (d) be reviewed by the accredited Site Auditor with the intent of issuing Interim Audit Advice (IAA) commenting on the adequacy of the report; and

CONSOLIDATED INSTRUMENT

- (e) be provided to the Planning Secretary, with the Site Auditor's IAA review of this document.
- D19. The Applicant must submit to the Planning Secretary, a Section A1 Site Audit Statement, or an A2 Site Audit Statement (accompanied by an Environmental Management Plan) and a Site Audit Report prepared by an EPA accredited site auditor. The site audit statement must state that the land has been made suitable for the intended land use.
- D20. The Applicant must ensure that the proposed development does not result in a change of risk in relation to any pre-existing contamination on the site so as to result in significant contamination.

DISPOSAL OF SEEPAGE AND STORMWATER

- D21. Any seepage or rainwater collected on-site during construction must be, either re-used or disposed of, so as not to cause pollution. Seepage or rainwater must not be pumped to the street stormwater system unless prior, separate written approval is given by the Council or the NSW EPA in accordance with the *Protection of the Environment Operations Act 1997* (NSW).
- D22. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval must be obtained to connect or discharge site stormwater to Council's/ Sydney Water's (as relevant) stormwater drainage system or street gutter.
- D23. Contaminated groundwater must not be discharged into the stormwater drainage system or harbour.

CONSTRUCTION PARKING

- D24. Parking of all construction vehicles must be contained wholly within the Site, except if located in an approved on-street work zone.

CUT AND FILL

- D25. Whilst building work is being carried out, the Certifier must be satisfied that 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 NSW EPA's *Waste Classification Guidelines* (dated November 2014) before it is disposed of at an approved waste management facility and
 - (b) the classification and the volume of material removed reported to the Certifier.
- D26. 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* (NSW) or a material identified as being subject to a resource recovery exemption by the EPA. Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained and/or sampling and analysis of the fill material conducted in accordance with the NSW EPA *Sampling Design Guidelines* (1995).
- D27. All fill used on the site, must comprise Engineered Fill that and certified by a geotechnical engineer that it complies with AS3798-2007 Guidelines on earthworks for commercial and residential developments.

HERITAGE REQUIREMENTS

- D28. All reasonable steps must be taken to avoid harm, modification of or impact to any identified Aboriginal objects.
- D29. The Applicant must keep the RAPS informed of the development and continue to provide them with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the development.

CONSOLIDATED INSTRUMENT

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF OPERATION

PLAN OF MANAGEMENT

- E1. Prior to the occupation or commencement of the use (whichever occurs first) of any building or public domain area, the Applicant must prepare a Plan of Management which details the goals and objectives for the land and the overall direction for planning, resource management and maintenance of the land. The Plan of Management must include, but not be limited to, the following:
- (a) the ownership of the park
 - (b) the hours of operation
 - (c) access control measures for the different areas/structures on the site
 - (d) patron capacity of the different areas/structures on the site
 - (e) details of CCTV surveillance for both indoor and outdoor areas
 - (f) a description of arrangements made for security and maintenance staff
 - (g) waste management procedures for public domain areas and the amenities buildings
 - (h) loading and servicing arrangements
 - (i) processes for enabling emergency vehicle and agency vehicle access
 - (j) detailed maintenance procedures for the public domain, pathways and buildings
 - (k) emergency and evacuation procedures including but not limited to flood events
 - (l) a sub-plan detailing the intended operation of the community facilities including any hiring policy, noise management procedures, and complaints handling procedures
 - (m) temporary parking arrangements for park patrons
 - (n) vehicular access arrangements
 - (o) potential relocation of park features within the rail corridor should an above-ground rail line be proposed

The Plan of Management must be endorsed by the Planning Secretary and submitted to Council for information prior to the occupation or commencement of the development (whichever occurs first) of any building or public domain area.

SURVEY CERTIFICATE

- E2. Prior to occupation or the commencement use, whichever occurs first, of each building a registered surveyor must submit documentation to the Certifier which demonstrates 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 (Version 5.1, dated May 2023).

WORKS-AS-EXECUTED PLANS

- E3. Prior to the occupation or commencement of the Development (whichever occurs first) of any building or public domain area of the Development, as-executed drawings signed by a Registered Surveyor and including the Surveyors registration number and date signed must be submitted to the satisfaction of the Certifier and to the Council at the practical completion stage demonstrating that the stormwater drainage, finished ground levels, public domain, and roads have been constructed as approved. The works as-executed drawings must be submitted to Council as both CAD (dwg) and PDF drawings.

ACCESSIBILITY STATEMENT

- E4. Prior to the occupation or commencement of use (whichever occurs first) of any building or public domain area of the Development, an Accessibility Statement must be submitted to the satisfaction of the Certifier and prepared by a suitability qualified professional demonstrating that the park has been designed and will be constructed to provide access and facilities for people with a disability in accordance with the NCC. The statement must include all accessible features, facilities, furniture and pathways constructed throughout the park.

STRUCTURAL INSPECTION CERTIFICATE

- E5. Prior to the occupation or commencement of use of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier confirming that:

CONSOLIDATED INSTRUMENT

- (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 Inspection Certificate have been checked against those listed on the final Design Certificate/s.

STORMWATER ASSETS

- E6. Prior to the occupation or commencement of use (whichever occurs first) of any building or public domain work, or prior to the handover of stormwater assets which will become Council infrastructure:
- (a) The Certifier and Council must be provided with certification confirming that all public area civil and drainage works were completed under the supervision of a qualified civil engineer to Council's construction standards.
 - (b) The Certifier and Council must be provided with copies of all trenches backfill compaction test results by a NATA approved laboratory.
 - (c) The Certifier and Council must be provided with a copy of a CCTV condition assessment report and video of the constructed pit and pipe stormwater drainage system.
 - (d) The Certifier and Council must be provided with Structural Certification for stormwater drainage pits exceeding 2.5 m in depth or where concrete beams or suspended concrete elements are required.
 - (e) Proprietary products such as Gross Pollutant Traps must be inspected by the supplier's technician and certification for inspection and compliance must be submitted to the Council and the Certifier.
 - (f) The Applicant must submit the Stormwater Asset Handover Register to Council as per Council's template.
- E7. Prior to the occupation or commencement of use (whichever occurs first) of any building or public domain work, the Applicant must submit to the satisfaction of the Certifier an Operation and Maintenance Plan (OMP) to ensure that the proposed stormwater quality measures remain effective. The OMP must contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.

MECHANICAL VENTILATION

- E8. Prior to occupation or commencement of use (whichever occurs first), the Applicant must provide evidence to the Certifier that the installation and performance of the mechanical ventilation systems complies with:
- (a) any conditions of this consent;
 - (b) the NCC;
 - (c) any applicable Australian Standards; and
 - (d) any dispensation granted by Fire and Rescue NSW.

OPERATIONAL WASTE MANAGEMENT PLAN

- E9. Prior to the occupation or commencement of use, 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) detail the type and quantity of waste to be generated during the operation of the development;
 - (b) confirm the location of waste collection and establish appropriate routes to the collection point(s);
 - (c) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997* (NSW), the *Protection of the Environment Operations (Waste) Regulation 2014* and the Waste Classification Guideline (EPA);
 - (d) detail the materials to be reused or recycled, either on or off site;
 - (e) include the management and mitigation measures included in the EIS/RtS;
 - (f) be prepared in consultation with Planning Secretary, and Council if using its waste contractors and/or services; and
 - (g) in the event that the Council's waste contractors/services are not being used and/or Council's feedback has not been complied with, provide confirmation of the engagement of a qualified private waste collection contractor.

WASTE AND RECYCLING COLLECTION

- E10. Prior to the occupation or commencement of use (whichever occurs first) of each building and public domain area, the Applicant must ensure that appropriate arrangements have been made (such as a contract with a licensed contractor) for the removal of all waste from the site.

POST-CONSTRUCTION DILAPIDATION REPORT

- E11. Prior to the occupation or commencement of use (whichever occurs first) of each building and public domain area, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the Certifier, which details whether:
- (a) after comparing the post-construction dilapidation report with the pre-construction dilapidation report required under **Condition C11**, there has been any structural damage to any adjoining buildings, infrastructure or roads;
 - (b) where there has been structural damage to any adjoining buildings, infrastructure or roads, that such damage is a result of the building work approved under this development consent; and
 - (c) relevant authorities have confirmed, in writing, that there is no adverse structural damage to their infrastructure and roads.
- E12. If damage caused by works associated with this consent is confirmed in the post-construction dilapidation report required by **Condition E11**, the Applicant must rectify the damage in consultation with the relevant landowners to the satisfaction of the Certifier prior to the occupation or commencement of use.
- E13. Prior the occupation or commencement (whichever occurs first) of each building and public domain area, the Certifier must provide a copy of the post-construction dilapidation report to the Planning Secretary and to the relevant landowner(s).

OUTDOOR LIGHTING

- E14. Prior to the occupation or commencement of use (whichever occurs first), the Applicant must submit evidence to the Certifier from a suitably qualified practitioner which demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) in accordance with the Central Park, Bradfield City Centre – Lighting Impact Report, prepared by Steensen Varming, dated 21 May 2024
 - (b) complies with AS 1158.3.1:2020 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements
 - (c) complies with the latest version of AS 4282-2023 - Control of the obtrusive effects of outdoor lighting (Standards Australia 1997) and
 - (d) 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 or cause a distraction to pilots.

REGISTRATION OF EASEMENTS

- E15. Prior to the occupation or commencement of use, the Applicant must provide documentary evidence to the Certifier that all matters required to be registered on the land title including easements required by this consent, approvals, and other consents have been registered with NSW Land Registry Services.

SYDNEY WATER COMPLIANCE

- E16. Prior to the occupation or commencement of use (whichever occurs first), the Applicant must submit to the satisfaction of the Certifier a Section 73 Compliance Certificate under the Sydney Water Act 1994 (NSW), obtained from the Sydney Water Corporation.

UTILITY PROVIDERS

- E17. Prior to the occupation or commencement of use (whichever occurs first), the Applicant must ensure that 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.
- E18. Prior to the occupation or commencement of use (whichever occurs first), the Certifier must receive written confirmation from the relevant authority that the relevant services have been completed.

ENVIRONMENTAL PERFORMANCE

- E19. Prior to the occupation or commencement of use, the Applicant must 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.

CONSOLIDATED INSTRUMENT

HERITAGE INTERPRETATION STRATEGY

- E20. Prior to the occupation or commencement of the use (whichever occurs first) of the last building, a Heritage Interpretation Strategy should be prepared and implemented to the satisfaction of the Planning Secretary.

CONSOLIDATED INSTRUMENT

PART F POST OCCUPATION AND ONGOING USE

OPERATIONAL MANAGEMENT

- F1. The Plan of Management (see **Condition E1**) and all relevant sub-plans must be fully implemented during use of the development.

STORAGE AND HANDLING OF WASTE

- F2. All waste collection services must be undertaken in accordance with this consent.
- F3. Adequate provisions must be made within the premises for the storage, collection and disposal of waste and recyclable materials.

NOISE CONTROL – MECHANICAL PLANT AND EQUIPMENT

- F4. The operation of plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 (NSW) and its regulations.

OPERATION OF PLANT AND EQUIPMENT

- F5. All plant and equipment used in the development, or used to monitor the performance of the development must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

ENVIRONMENTAL AMENITY AND ENVIRONMENTAL HEALTH

- F6. External lighting to the premises must be designed and located to minimise light-spill beyond the property boundaries and not cause a public nuisance. Notwithstanding this consent, should any outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.
- F7. The operation of the development must not give rise to an environmental health or public nuisance.
- F8. There must be no emissions or discharges from the development which give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* (NSW) and its regulations.

MAINTENANCE OF WASTEWATER AND STORMWATER TREATMENT DEVICE

- F9. During occupation and ongoing use of the development, the Applicant must ensure that all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, remain effective and are in accordance with any positive covenant (if applicable).

WESTERN SYDNEY INTERNATIONAL AIRPORT REQUIREMENTS

- F10. The Development must implement the mitigation measures detailed in Table 9 of the Wildlife Hazard Assessment and Wildlife Management Plan Prepared by Land Eco Consulting and dated 10 April 2024.

CONSOLIDATED INSTRUMENT

ADVISORY NOTES

GENERAL

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

LONG SERVICE LEVY

- AN2. A Long Service Levy must be paid for all applicable works. For further information please contact the Long Service Payments Corporation Helpline on telephone 131 441.

LEGAL NOTICES

- AN3. Any advice or notice to the consent authority must be served on the Planning Secretary.

ACCESS FOR PEOPLE WITH DISABILITIES

- AN4. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the BCA requirements are referenced on any certified plans.

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.
- AN6. Prior to the commencement of above ground 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 provisions of adequate services.

ROAD DESIGN AND TRAFFIC FACILITIES

- AN7. All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.

ROAD OCCUPANCY LICENCE / ROAD OPENING PERMIT

- AN8. A Road Occupancy Licence / Road Opening Permit must be obtained from the relevant road authority for any works which have an impact on traffic flows during construction activities or the opening of a road, which may include additional terms for the carrying out of works.

SAFework REQUIREMENTS

- AN9. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel. At all times work must be conducted in accordance with the relevant SafeWork requirements.

HOARDING REQUIREMENTS

- AN10. The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

HANDLING OF ASBESTOS

- AN11. The Applicant must consult with SafeWork NSW about the handling of any asbestos waste which may be encountered during construction. The requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* (NSW) with particular reference to Part 7 – 'Transportation and management of asbestos waste' must also be complied with.

APPEALS

- AN13. The Applicant has the right to appeal to the NSW Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.

OTHER APPROVALS AND PERMITS

- AN14. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

CONSOLIDATED INSTRUMENT

RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS

AN15. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

DISABILITY DISCRIMINATION ACT

AN16. This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992* (Commonwealth). The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation.

AN17. The *Disability Discrimination Act 1992* (Commonwealth) covers disabilities not catered for in the minimum standards in the NCC which references *AS 1428.1 - Design for Access and Mobility*. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* (Commonwealth) currently available in Australia.

COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

AN18. The *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (the EPBC Act) provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Australian Minister for the Environment and Water.

AN19. This application has been assessed in accordance with the EP&A Act. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult with the Department of Climate Change, Energy, the Environment and Water to determine the need or otherwise for Commonwealth approval. Such approval should not be construed as notification to you that the EPBC Act does not have application. The EPBC Act may have application, and anyone acting on the consent should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

APPENDIX 1 - INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be provided to the Planning Secretary via the Major Projects Website compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under this consent or; having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a contact person for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (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; and
 - (d) details of any communication with other stakeholders regarding the incident.