

Attachment A

Recommended conditions of consent
--

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below in Schedules 1 and 2.

SCHEDULE 1

DEFERRED COMMENCEMENT CONDITIONS (CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

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

PART A - DEFERRED COMMENCEMENT CONDITIONS

(CONDITIONS TO BE SATISFIED PRIOR TO CONSENT OPERATING)

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

(1) VOLUNTARY PLANNING AGREEMENT

- (a) The Voluntary Planning Agreement between the Council of the City of Sydney and Angreb Pty Ltd and Sentra Investments Pty Ltd shall be exhibited, executed and submitted to Council in accordance with the Public Benefit Offer dated 20 February 2026; and
- (b) The Voluntary Planning Agreement, as executed, must be registered on the title of the land.

Evidence that will sufficiently enable Council to be satisfied as to those matters identified in deferred commencement conditions, as indicated above, must be submitted to Council within 24 months of the date of determination of this deferred commencement consent failing which, this deferred development consent will lapse pursuant to section 4.53(6) of the Environmental Planning and Assessment Act 1979.

The consent will not operate until such time that the Council notifies the Applicant in writing that deferred commencement consent conditions, as indicated above, have been satisfied.

Upon Council giving written notification to the Applicant that the deferred commencement conditions have been satisfied, the consent will become operative from the date of that written notification, subject to the conditions of consent, as detailed in Part B Conditions of Consent (Once the Consent is Operation) of the subject report.

PART B – CONDITIONS OF CONSENT

GENERAL CONDITIONS

(2) STAGED DEVELOPMENT APPLICATION

Pursuant to Division 4.22 of the Environmental Planning and Assessment Act, 1979, this Notice of Determination relates to a concept development application, and a subsequent development application (detailed design) are required for any work on the site.

(3) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2026/162 dated 26 February 2026 and the following drawings prepared by Antoniades Architects:

Drawing Number	Drawing Name	Date
CO-DA1.00 Rev D	Cover Sheet/Project Data	24/07/2026
CO-DA3.01 Rev A	Basement Level 01	09/01/2026
CO-DA3.02 Rev B	Ground Floor Plan	24/07/2026
CO-DA3.03 Rev A	Levels 01-04	09/01/2026
CO-DA3.04 Rev A	Level 05	09/01/2026
CO-DA3.05 Rev A	Level 06	09/01/2026
CO-DA3.06 Rev B	Level 07	24/07/2026
CO-DA3.07 Rev B	Level 8	24/07/2026
CO-DA3.08 Rev B	Roof Level	24/07/2026
CO-DA4.00 Rev C	Sections	24/07/2026
CO-DA5.01 Rev C	East Elevation (Botany Road)	24/07/2026
CO-DA5.02 Rev C	West Elevation (Wyndham Street)	24/07/2026

and as amended by the conditions of this consent.

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

Reason

To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

(4) MATTERS NOT APPROVED IN CONCEPT PROPOSAL DEVELOPMENT CONSENT

The following matters are **not** approved and do not form part of this concept development consent:

- (a) Any works, including demolition, excavation and/or construction
- (b) The precise quantum of floor space
- (c) The quantum, ratio and distribution of residential, retail and commercial floor space
- (d) The indicative floor layouts
- (e) The number, position and configuration of residential apartments, commercial and retail tenancies
- (f) The floor levels of each storey
- (g) The number and configuration of car parking spaces, levels, bicycle spaces, service vehicle and truck loading spaces / zones
- (h) The location of a substation
- (i) Any 10% design excellence uplift in floor space ratio

Reason

To specify the matters that are not approved by this consent and that are to be determined under a subsequent DA for the detailed design of the building.

(5) DETAILED DESIGN OF THE BUILDING

The design brief for the competitive design process and the building design submitted as part of any subsequent Development Application for the detailed design of the building must address the following design requirements:

- (a) The design of the building must not include a public through-site link between Wyndham Street and Botany Road.
- (b) The design of the building must comply with the SDCP2012 height in storeys, floor to ceiling height and floor to floor height controls.
- (c) The building facades to Botany Road and Wyndham Street are to be articulated and rationalise the transition between existing/approved neighbouring facades.
- (d) The design of the building must minimise impacts to the heritage item at 237-271 Botany Road.

- (e) Any blank wall on the southern elevation must be treated so that it does not present as a blank shear wall.
- (f) Apartments facing Botany Road and Wyndham Street must be designed to address acoustic impacts from traffic noise.
- (g) Commercial uses at the ground floor are to promote passive surveillance and street activation.
- (h) Services are to be reasonably and effectively located to minimise visual and amenity impacts while maximising efficiency.
- (i) High-quality communal open space is to be provided in an area of useable size and configuration, directly and equitably accessed from common circulation areas, entries and lobbies, and designed so that the principal communal open space area achieves minimum solar access requirements as per provision 4.2.3.8 of the SDCP 2012.
- (j) The materiality and design of the building is to satisfy the objectives and provisions of section 5.2.9 of the SDCP 2012.
- (k) Appropriate vertical circulation arrangements that ensure equitable and convenient access for all residents to private rooms and communal indoor and outdoor spaces must be provided and supported by appropriate information and/or modelling.
- (l) The design of the building must provide adequate communal indoor living space on each level to support resident amenity.
- (m) The design of the building must ensure any proposed retail component is supported by appropriate back-of-house facilities, including suitable servicing and operational access.
- (n) The design of the building must minimise overshadowing impacts on neighbouring properties during the mid-winter period in accordance with the SDCP *Minimising Overshadowing of Neighbouring Apartments: Documentation Guidelines*.
- (o) All services including any required fire hydrants and substations must be integrated into the building.
- (p) The design of the building must demonstrate compliance with the SDCP 2012 and all relevant housekeeping amendments applicable to co-living development, including the requirement that private rooms have a minimum dimension of 3.5 metres.
- (q) The design of the building must incorporate appropriate Crime Prevention Through Environmental Design (CPTED) principles.
- (r) Rooftop structures such as plant rooms, solar panels, air conditioning and ventilation systems are to be incorporated into the design of the building and concealed within the roof form or located within a well-designed, integrated roof top element.

- (s) The design of the development must prioritise pedestrian safety, passive surveillance and pedestrian amenity at the ground plane, utilising high-quality materials and finishes.

Reason

To ensure the specified design requirements are addressed in the competitive design process and detailed design DA.

(6) BUILDING HEIGHT

- (a) The building heights proposed as part of any subsequent Development Application for the detailed design of the building must not exceed the heights expressed as RLs (AHD) shown on the drawings listed in the 'Approved Development' condition of this consent.
- (b) This condition does not restrict development comprising building height:
 - (i) proposed or erected by or on behalf of a public authority on land identified in the Voluntary Planning Agreement for transfer (and/or dedication) for the purpose of public amenities such as street furniture, street lighting, landscape structures or the like
 - (ii) located in the communal open space area for the purpose of landscape structures and communal facilities that do not comprise gross floor area and do not compromise deep soil provision.

Reason

To ensure the constructed development complies with the approved height.

(7) FLOOR SPACE RATIO

- (a) The Floor Space Ratio for all detailed development applications on the site must not exceed the maximum permissible calculated in accordance with the Sydney Local Environmental Plan 2012.
- (b) Notwithstanding (a) above, the proposal may be eligible for up to 10% additional floor space pursuant to the provisions of Clause 6.21D(3) of the Sydney Local Environmental Plan 2012 if the consent authority is satisfied that the resulting detailed design development application exhibits design excellence and is the result of a competitive design process.

Reason

To ensure that the detailed building design is not inconsistent with the maximum permissible FSR for the site.

(8) DEVELOPMENT TO BE CONTAINED WITHIN ENVELOPE

The detailed design of the building must be contained within the approved envelope except for footpath awnings and/or projections beyond private property boundaries over or into the public road/footpath in accordance with the requirements of Schedule 4 of the Sydney DCP 2012.

Reason

To ensure that the detailed building design is not inconsistent with the approved concept envelope.

(9) DISTRIBUTION OF FLOOR SPACE WITHIN ENVELOPE

The approved concept proposal envelope establishes the maximum parameters for the competitive design process and the future built form on the site. The maximum permissible floor space of the detailed design must be consistent with the relevant provisions of the Sydney LEP 2012, the Sydney DCP 2012 and the conditions of this consent.

Reason

To specify the relevant parameters for the detailed building design.

(10) COMPETITIVE DESIGN PROCESS

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

- (a) conducted in accordance with the 'Design Excellence Strategy' for 290-294 Botany Road, Alexandria prepared by GSA Planning and dated 26 August 2026 on behalf of Angreb Pty Limited and Sentra Investments Pty Limited
- (b) conducted prior to the lodgement of any subsequent detailed (Stage 2) development application for the site

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

Reason

To specify the approved Design Excellence Strategy for the development.

(11) COMPLIANCE WITH VOLUNTARY PLANNING AGREEMENT

The terms of the planning agreement entered into in accordance with Deferred Commencement Condition 1 are to be complied with.

Reason

To ensure the development complies with all terms of the planning agreement.

(12) LAND DEDICATION AND LAND TRANSFER

- (a) Land dedicated as road widening, reserve or public through-site link must be dedicated in compliance with the registered Planning Agreement(s) for the site and must not be encumbered by any Long-Term Environmental Management Plan.
- (b) Public domain works within the land to be dedicated must be sufficiently completed to the satisfaction of Council's Public Domain unit prior to the issue of any subdivision certificate.

- (c) Land must be dedicated unencumbered. All leases, restrictions, covenants, easements and planning agreements must be extinguished prior to, or with the dedication of land, other than those designated as permitted encumbrances in the registered VPA for the site.
- (d) The dedication may be staged.

Reason

To ensure land to be dedicated to the City is not encumbered.

(13) REDEFINITION AND CONSOLIDATION PLAN

- (a) Prior to any demolition works, the initial boundary definition survey field work necessary for the preparation of a Redefinition/Consolidation plan redefining the boundaries of the subject site shall be carried out by a surveyor registered under the *Surveying and Spatial Information Act, 2002*.
- (b) Prior to the issue of any Construction Certificate, the Redefinition/Consolidation Plan must be registered with the office of NSW Land Registry Services. A copy of the new title must be provided to the Principal Certifier prior to the issue of a Construction Certificate.

Reason

To ensure the orderly development of land.

(14) WASTE FACILITIES

Any Stage 2/Detailed Design Development Application is to provide details of the location, construction and servicing of the waste collection facilities for the proposed building. The design of the facilities is to be in accordance with Council's *Guidelines for Waste Management in New Developments* to allow for cleaning, draining and management of the facilities.

Reason

To ensure adequate waste facilities are provided and appropriately designed and serviced.

(15) STORMWATER AND DRAINAGE

Any Stage 2/Detailed Design Development Application is to provide details of the drainage system for the development which is to be designed in accordance with Council's standard requirements as detailed in Council's Stormwater Drainage Manual.

Reason

To ensure stormwater drainage design complies with Council's requirements.

(16) PROTECTION OF SURVEY INFRASTRUCTURE

Prior to the commencement of any work on site, a statement prepared by a Surveyor, registered under the *Surveying and Spatial Information Act 2002* must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure. Any Permanent Marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the NSW Land Registry Services.

Reason

To protect survey infrastructure.

(17) DETAILED LANDSCAPE PLAN

- (a) Any subsequent DA for the detailed design of the building must include a detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer. The plan must include:
 - (i) Details of tree protection and methodology statements;
 - (ii) Location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features;
 - (iii) Details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable). The minimum soil depths for planting on slab must be 1000mm for trees, 450mm for shrubs and 200mm for groundcovers;
 - (iv) Location, numbers, type and supply of plant species, with reference to the relevant Australian Standard;
 - (v) A minimum 15% canopy cover across the site, provided by trees that will reach a minimum height of eight metres;
 - (vi) Deep soil provision in accordance with the 'Deep Soil' condition of this consent;
 - (vii) New tree plantings with tree species that can achieve a minimum mature height of eight metres and canopy spread of five metres. Palms, fruit trees and species recognised to have a short life span will not be accepted;
 - (viii) Tree selection shall include a diverse range of species which must be consistent with the expected mature heights and growth within the Sydney area;
 - (ix) New trees must be planted in natural ground with adequate soil volumes to allow maturity to be achieved. Planter boxes will not be accepted for tree planting;

- (x) New trees must be appropriately located away from existing buildings and structures to allow maturity to be achieved without restriction;
 - (xi) Details of planting procedure and maintenance;
 - (xii) Details of drainage, waterproofing and watering systems.
- (b) The detailed landscape plan must address the requirements of provisions 4.2.3.5 of the Sydney DCP 2012 and the relevant guidance provided in the City of Sydney Landscape Code, Volume 2, All Development Except Single Dwellings.

Reason

To specify landscape design details to be submitted with the detailed design DA.

(18) DEEP SOIL

Deep soil must be provided in the locations illustrated on the approved drawings specified in the 'Approved Development' condition of this consent.

Deep soil zones must be unencumbered by structures within, above or below the zone except those constructed of lightweight materials such as timber decking or water permeable paving that allow for filtration of rainwater into the ground.

Reason

To ensure deep soil is provided in the detailed building design.

(19) USE OF BASEMENT UNDER LAND TO BE DEDICATED TO THE CITY

- (a) Any basement located under land to be dedicated to the City is to be set down a minimum of 1.5 metres, measured from the footpath to the water proofing membrane.
- (b) Common areas only are permitted under the land to be dedicated to the City, including circulation space and unallocated parking.

Reason

To ensure that private car parking is not contained below the public domain.

(20) ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Details are to be provided with the subsequent development application for the detailed design of the building to confirm that the building will deliver the sustainability targets set out in the Ecologically Sustainable Development Report prepared by Aspire Sustainability Consulting, Revision 1 and dated 10 February 2026.

The ESD targets must be included in the competitive design process brief and carried through the competition phase, design development, construction, and through to completion of the project.

Reason

To ensure the detailed design of the building delivers the established sustainability targets.

(21) TREES IDENTIFIED FOR REMOVAL

- (a) For the purposes of the competitive design process and subsequent detailed development application, the following trees are identified for removal as identified in the Arboricultural Impact Assessment prepared by Earthscape Horticultural Services dated February 2026.
 - (i) T5, T6.
- (b) No consent is granted or implied for any tree removal works under this consent. Consent for tree removal must be sought under a subsequent DA for the detailed design of the building.

Reason

To confirm the trees identified for removal for the purposes of the competitive design process.

(22) TREES IDENTIFIED FOR RETENTION

- (a) For the purposes of the competitive design process and subsequent detailed development application, the following trees are identified for retention as identified in the Arboricultural Impact Assessment prepared by Earthscape Horticultural Services dated February 2026.
 - (i) T1, T2, T3, T4, T7, T8, T9.

Reason

To confirm the trees identified for retention for the purposes of the competitive design process.

(23) STREET TREES

- (a) All street trees surrounding the site must be included for retention in any detailed design DA.
- (b) Any design elements (awnings, street furniture, footpath upgrades etc.) within the public domain must ensure appropriate setbacks are provided from the street tree to allow maturity of the tree to be achieved.
- (c) The location of any new driveways must not require the removal of any existing street trees. The driveway must be appropriately set back so it does not have adverse impacts both below and above ground upon any existing street trees.

Reason

To specify that retention of street trees is to be considered during design development.

(24) ACOUSTIC REPORT

An Acoustic Impact Assessment must be undertaken by a suitably qualified acoustic consultant and submitted with any detailed design DA in accordance with the provisions of the Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012, the NSW Government's Development near Rail Corridors and Busy Roads - Interim Guideline and the State Environmental Planning Policy (Transport and Infrastructure) 2021.

Reason

To ensure the detailed design of the building adequately addresses the relevant provisions relating to acoustic amenity.

(25) FLOOD PLANNING LEVELS

Any future detailed design development application must demonstrate compliance with the recommended flood planning levels indicated in Table 3 of the report titled '290-294 Botany Road, Alexandria Site Flood Assessment' prepared by WMA Water dated 11 February 2026.

Reason

To ensure the development complies with the recommended flood planning levels.

(26) LAND CONTAMINATION

Any subsequent DA for the detailed design of the building must include reports and documentation to address the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land.

Reason

To advise as to the documentation to be provided as part of any subsequent DA for the detailed design of the building to demonstrate site suitability.

(27) SIGNAGE STRATEGY

A detailed signage strategy must be submitted with any subsequent DA for the detailed design of the building. The signage strategy must include information and scale drawings of the location, type, construction, materials and total number of signs appropriate for the building.

Reason

To require signage to be considered as part of any subsequent detailed building design.

(28) VEHICLE ACCESS FROM WYNDHAM STREET

A combined two-way vehicle access for both service vehicles and cars must be provided on Wyndham Street. The vehicle crossing at the footpath must not exceed 6.0 metres in width. The driveway crossover design must prioritise pedestrian movement over vehicle access.

Reason

To ensure all relevant approvals for traffic and parking works are obtained and designed in accordance with Council requirements.

(29) TRANSPORT IMPACT ASSESSMENT AND TRAFFIC MODELLING IN STAGE 2 DA

Any future Stage 2 DA must include a Transport Impact Assessment report.

The requirement of TIA has been described in Section 7.4 of DCP 2012. Sidra intersection traffic modelling to be conducted in the following intersections using recently released TfNSW guide to traffic impact assessment and updated traffic survey if car parking number / allocation has changed from the submitted Stage 1 scheme.

The report must include an assessment of the Wyndam Street – Mandible Street intersection, and the Wyndham Street-Bourke Street intersection.

Reason

To ensure traffic and parking impacts are considered and are in accordance with Council requirements.

(30) PARKING DESIGN

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.2 Parking facilities Part 2: Off-commercial vehicle facilities and AS/NZS 2890.6 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Registered Certifier prior to a Construction Certificate being issued.

Reason

To ensure parking facilities are designed in accordance with the Australian Standards.

(31) BICYCLE PARKING AND END OF TRIP FACILITIES

The number, layout, design and security of bicycle facilities must comply with the minimum requirements of Sydney Development Control Plan 2012 and Australian Standard AS 2890.3 Parking Facilities Part 3: Bicycle Parking Facilities. All bicycle and parking spaces and end of trip facilities must be provided on private land. The public domain cannot be used to satisfy this condition.

Reason

To ensure the allocation of bicycle parking onsite that is in accordance with Australian Standards and the Council's DCP.

(32) ON SITE LOADING AREAS AND OPERATION

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

Reason

To maintain the orderly operation of vehicle parking areas and to ensure the public domain is kept free from physical obstructions.

(33) SYDNEY WATER REQUIREMENTS

Any subsequent detailed development must comply with the following conditions that have been recommended by Sydney Water:

- (a) A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994.
- (b) A Building Plan Approval is required. The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing.
- (c) For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal.
- (d) If the development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system
- (e) All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating.

Reason

To ensure compliance with Sydney Water requirements.

(34) WASTE AND RECYCLING MANAGEMENT

- (a) Prior to the commencement of any competitive design process for the site, a Waste Management Strategy (WMS) must be submitted to and approved by Council's Area Planning Manager / Coordinator and which once approved, may be appended to the design brief for the competitive design process. The WMS must address the following requirements:
 - (i) estimates of waste streams (waste, recycling and food waste) that will be generated and the number of bins and collection frequency to manage the waste generated calculated in accordance with the rates specified in the City's Guidelines for Waste Management in New Developments;
 - (ii) the minimum spatial requirements (minimum room sizes, minimum door sizes, manoeuvring space, size of bin holding areas etc) for waste management systems and facilities based on the estimated waste generation of the ongoing operation of the development and must account for specified bin sizes (240L, 660L or 1100L);
 - (iii) safe and convenient access for waste collection staff with a maximum walking distance from any entrance of a residential dwelling to the waste and recycling storage area not to exceed 30 metres;
 - (iv) maximum manual handling distance by council contractors of 10m;
 - (v) waste management and collection must be accommodated wholly within the site;
 - (vi) access for a 10.6m long Council garbage truck and vertical clearance of 4 metres clear of all ducts, pipes and other services;
 - (vii) waste collection vehicles to be able to enter and exit the premises in a forward direction;
 - (viii) waste management systems and facilities that promote safe and convenient access for all users;
 - (ix) separate waste storage area for residential and commercial aspects of developments. Commercial tenants must not have access to residential waste storage areas.
- (b) Details are to be provided with the subsequent DA for the detailed design of the building to demonstrate that adequately sized waste management facilities including waste storage areas and truck access and loading is provided in accordance with the relevant requirements of the Sydney DCP 2012 and the City's Guidelines for Waste Management in New Developments.

Reason

To ensure a Waste Management Strategy is approved prior to the commencement of the competitive design process.

(35) LAND DEDICATION – NO LONG-TERM ENVIRONMENTAL MANAGEMENT PLAN

Any land that is to be dedicated to the City as part of the associated Voluntary Planning Agreement must not be encumbered by an Environmental Management Plan or Long Term Environmental Management Plan.

Reason

To ensure land to be dedicated to the City is not encumbered by an environmental management plan.

(36) PUBLIC ART

- (a) A Preliminary Public Art Plan authored by a Curator, in accordance with the approved Public Art Strategy, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments must be developed and submitted for approval with any future application for development.
- (b) The public artwork must be in accordance with the approved Preliminary Public Art Plan, the Sydney DCP 2012, the Public Art Policy, and the Interim Guidelines: Public art in private developments. A Detailed Public Art Plan with final details of the proposed public artwork must be submitted to and approved by Council's Area Planning Manager prior to issue of any Construction Certificate for above ground works following further approval for any detailed design.

Note: Public Art must be reviewed and endorsed by the City's Public Art Team and/or the Public Art Advisory Panel prior to submission for Council approval. Further information is available online at <https://www.cityofsydney.nsw.gov.au/public-art> please contact the Public Art Team at publicartreferrals@cityofsydney.nsw.gov.au for further information.

Reason

To ensure public art is installed to the City's satisfaction.

SCHEDULE 2

PRESCRIBED CONDITIONS

The applicant must comply with all relevant conditions contained in Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021* which apply to the development:

Refer to the NSW State legislation for full text of the clauses under Part 4, Division 2, Subdivision 1 of the *Environmental Planning and Assessment Regulation 2021*. This can be accessed at: <http://www.legislation.nsw.gov.au>

SCHEDULE 3

TERMS OF APPROVAL

WATERNSW - DEWATERING

Reference Number: IDAS1167161
Issue date of GTA: 19 March 2026
Type of Approval: Water Supply Work
Description: 80mm submersible pump
Location of work/activity: 290-294 BOTANY ROAD ALEXANDRIA 2015
DA Number: 2026-162 CNR-92865
LGA: The Council Of The City Of Sydney
Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2023
The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity.

(37) GT0115-00001

Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.

(38) GT0119-00001

All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.

(39) GT0120-00001

The design and construction of the building must prevent:

- (a) any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation;
- (b) obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and
- (c) any elevated water table from rising to within 1.0 m below the natural ground surface.

(40) GT0122-00001

Construction Phase Monitoring programme and content:

- (a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW):
 - (i) Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW.
 - (ii) Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;
 - (iii) Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;
 - (iv) QA: Include details of quality assurance and control
 - (v) Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.
- (b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)

(41) GT0123-00001

- (a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.
- (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW):
 - (i) All results from the Approved Monitoring Programme; and
 - (ii) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website.
- (c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website
www.waternsw.com.au/customer-service/water-licensing/dewatering

(42) GT0150-00001

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

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

(43) GT0151-00001

Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval).

Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

(44) GT0152-00001

This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001.

Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.

(45) GT0155-00001

The following construction phase monitoring requirements apply (Works Approval):

- (a) The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW.
- (b) The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme).
- (c) The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report

(46) GT0174-00001

Construction phase monitoring bore requirements GTA:

- (a) Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval.
- (b) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW.
- (c) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval.
- (d) The monitoring bores should be used to develop a water table map for the site and its near environs.
- (e) The monitoring bores must be protected from construction damage.
Advisory note: no approval under the Water Management Act 2000 is required for these monitoring bores provided that they extract less than 3ML/water year.

(47) GT0279-00001

A construction certificate can be issued for excavation work in accordance with a valid development consent, however dewatering cannot take place without an Approval being granted by Water NSW for any water supply works required by the development. If the excavation work will or is likely to require dewatering, the applicant must apply and obtain, an approval under the Water Management Act 2000 prior to any dewatering taking place and notify WaterNSW of the programme for the dewatering activity including the commencement and proposed completion dates of the dewatering activity.

Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.

(48) GT0281-00001

A water access licence, for the relevant water source, must be obtained prior to extracting groundwater, unless an exemption applies.

Advisory Note: See Schedule 4 of the Water Management (General) Regulation 2025.

SCHEDULE 4

OTHER AUTHORITY CONDITIONS

AUSGRID

(49) AUSGRID OVERHEAD POWERLINES ARE IN THE VICINITY OF THE DEVELOPMENT

The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au.

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.

(50) NEW DRIVEWAYS – PROXIMITY TO EXISTING POLES

Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

(51) NEW OR MODIFIED CONNECTION

To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; <https://www.ausgrid.com.au/Connections/Get-connected>

Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries

TRANSPORT FOR NSW

(52) TRANSPORT FOR NSW

- (a) Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative.
- (b) Prior to the issue of a Construction Certificate, the Applicant shall undertake a Dial Before You Dig search to establish the existence and location of any rail services. Persons performing the Dial Before You Dig search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site.
- (c) The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- (d) Prior to the issue of a Construction Certificate the Applicant is to provide structural details that the concrete slab or footings will be protected by a vapour barrier membrane. A copy of this detail is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.
- (e) Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineer stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.
- (f) Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor.
- (g) Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
- (h) Any conditions issued as part of Sydney Trains' approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

- (i) Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.
- (j) The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - (i) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - (ii) acts as the authorised representative of the Applicant; and
 - (iii) is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- (k) Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- (l) Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Illawarra and they can be contacted via email on Illawarra_Interface@transport.nsw.gov.au.
- (m) Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf). <https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf> The consent should be read together with the *Conditions of development consent advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means the City of Sydney.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means the City of Sydney Local Planning Panel.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,
the reuse of stormwater,
the detention of stormwater,
the controlled release of stormwater, and
connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.