

Our ref: 242-244 Beecroft Road, Epping
SSD-68939460 and SSD-68708456

Office of the Independent Planning Commission
Mr. Stephen Barry
Planning Director
Level 15, 135 King Street,
SYDNEY NSW 2000

21 July 2025

Subject: Response to Request for Additional Information – Applicant details

Dear Mr Barry,

I refer to your letter dated 16 July 2025 in relation to 242-244 Beecroft Road, Epping – Amending Concept SSD (SSD-68939460) and Amending Detailed Design SSD (ssd-68708456).

The IPC has requested:

1. confirmation of the name of the applicant for each SSD application;
2. confirmation that owners' consent has been obtained in respect of each SSD application;
3. advice on any consequential changes to documentation which may be required; and
4. advice on whether each SSD application has been duly made and has satisfied the exhibition requirements under Clause 56(6)(b) of the Environmental Planning and Assessment Regulation 2021.

In the order of the above requests, the Department of Planning, Housing and Infrastructure (the Department) responds as follows:-

- the applicant for the SSDs is *The Trustee for the Think Planners Unit Trust*;
- the landowner, Epping Property Investments No. 1 Pty Ltd, has given written owners' consent to the applicant to lodge the SSD applications;
- the Department would like to amend the following documents to provide correct references to the applicant, and we take this opportunity to supply the updated documents:-
 - (i) draft Instrument of Consent – Amending Concept SSD (updated Schedule 1 and Definitions)

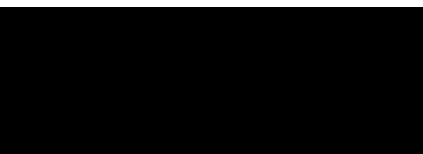
(ii) draft Instrument of Consent – Amending Detailed Design SSD (updated Schedule 1, Definitions and Schedule 3)

(iii) Department's Assessment Report (updated Executive Summary, paragraph 2);

- the Department confirms that each SSD applications has been duly made; and
- the Department confirms the requirements under cl.56(6)(b) of the EP&A Regulation 2021 have been satisfied as the Notice of Exhibition for each SSD correctly identified the name of the applicant *The Trustee for the Think Planners Unit Trust*.

If you have any questions, please contact Russell Hand on [REDACTED] or via email at [REDACTED].

Yours sincerely,



Anothony Witherdin
Director
Key Sites and TOD Assessments
as delegate for the Planning Secretary

242-244 Beecroft Road, Epping

Amending Concept SSD and Amending Detailed Design SSD

State Significant Development Assessment Report (SSD-68939460 and SSD-68708456)

June 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

<http://dphi.nsw.gov.au>

242-244 Beecroft Road, Epping (SSD-68939460 and SSD-68708456)
Assessment Report

Published: June 2025

Copyright and disclaimer

© State of New South Wales through Department of Planning, Housing and Infrastructure 2024. Information contained in this publication is based on knowledge and understanding at the time of writing, June 2025, and is subject to change. For more information, please visit nsw.gov.au/copyright.

Executive Summary

This report details the Department's assessment of two State significant development (SSD) applications for 242-244 Beecroft Road, Epping. The first is an Amending Concept SSD (SSD-68939460), and the second is an Amending Detailed Design SSD (SSD-68708456).

The Trustee for the Think Planners Unit Trust (the Applicant) proposes to amend the approved Concept and Detailed Design SSDs following recent amendments to State Environmental Planning Policy (Housing) 2021. These changes allow up to 30% additional floor space ratio and building height above the maximum permissible standards for a development that includes at least 15% affordable housing.

The Amending Concept SSD proposes alterations and additions to the Concept building envelopes to accommodate additional apartments, including increased building heights, additional gross floor area, an additional basement car parking level and minor alterations to building footprints. The Amending Detailed Design SSD seeks approval to construct the development consistent with the Amending Concept. The proposal would increase the number of apartments from 374 to 479 (105 additional apartments) and increase car parking spaces from 366 spaces to 559 spaces (193 additional car spaces).

The project is SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it meets the criteria in Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 for residential development with an estimated development cost over \$30 million associated with rail infrastructure. The Independent Planning Commission (IPC) is the consent authority for the applications, as City of Parramatta Council objects to the proposal.

The Department exhibited the environmental impact statements (EISs) from 18 September 2024 until 15 October 2024. During the exhibition period, the Department received: six unique submissions from the public (one submission from a special interest group and five submissions from individuals), a submission from the City of Parramatta Council objecting to the project, and advice from Government agencies. Key concerns raised related to traffic congestion, car parking, building height and amenity impacts.

The Applicant submitted a Response to Submissions (RtS) report on 24 April 2025, providing further information and justification in response to the issues raised during the exhibition period. It also addressed Sydney Metro's corridor protection issues and provided further justification for the proposed car parking rates. The Applicant also amended the proposed landscaping and waste servicing designs following Council's submissions.

The Department has considered the merits of the proposal in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act), the issues raised in the submissions and the

Applicant's response. Overall, the Department considers the proposal is acceptable for the following reasons:

- it supports the NSW Government's priority to deliver additional housing in accessible areas that are close to public transport, jobs, and services
- it aligns with the objective of SEPP (Housing) 2021 to provide greater affordable housing by including 15% affordable units, which results in a total of 81 affordable apartments
- it fully complies with the SEPP Housing building height and floor space standards and would not result in any significant visual or amenity impacts in terms of overshadowing, view loss or privacy impacts
- it would result in a high-quality built form outcome and achieve a high level of residential amenity for future occupants
- it would have limited traffic impacts and comply with the non-discretionary development standard within SEPP (Housing) 2021 for car parking
- it increases resident amenities and facilities alongside the proposed additional population, including a larger amount of communal open space, introduction of resident communal rooms and a gym, a second swimming pool and larger lobbies and corridors.

For these reasons, the Department considers the project to be in the public interest and concludes that it is approvable, subject to conditions.

Contents

Executive Summary	i
1 Introduction.....	1
1.1 Project location	1
1.2 Project background	4
2 Project.....	5
2.1 Project overview	5
2.2 Physical layout and design	6
3 Policy and statutory context	8
3.1 Housing supply.....	8
3.2 Permissibility and assessment pathway	8
3.3 Other approvals and authorisations	9
3.4 Planning Secretary’s environmental assessment requirements.....	9
3.5 Mandatory matters for consideration	9
4 Engagement.....	10
4.1 Exhibition of the EIS	10
4.2 Response to submissions.....	13
5 Assessment.....	14
5.1 Built form.....	14
5.2 Overshadowing of adjoining and surrounding residential properties.....	16
5.3 Traffic and parking.....	18
5.4 Other issues	20
6 Evaluation.....	25
Appendices.....	26
Appendix A – List of referenced documents, submissions and advice	26
Appendix B – Department’s consideration of submissions.....	26
Appendix C - Statutory considerations	28

Appendix D – Recommended instrument of consent – Amending Concept SSD	47
Appendix E – Recommended instrument of consent – Amending Detailed Design SSD	47

1 Introduction

1.1 Project location

1. The subject site is located to the north of the Epping Town Centre in the City of Parramatta Local Government Area. The site is shown in **Figures 1 and 2**, and further project location details are provided in **Table 1**.
2. Several sites in Epping, including the subject site, were rezoned for higher-density residential uses in 2014. Subsequently, a number of mixed-use and residential flat building developments have taken place.
3. The site is well connected to transport and amenities as Epping has retail and community uses and excellent access to public transport services, including the T9 Northern Line, the M1 Sydney Metro and bus services.



Figure 1 | Local context map



Figure 2 | Local context aerial photograph (Source: Applicant’s EIS)

Table 1 | Key aspects of the project site

Aspect	Description
Address	242-244 Beecroft Road, Epping
Local Government Area (LGA)	City of Parramatta Council
Legal description	Lots 220 and 222 in Deposited Plan 1251471
Site area	10,120m ²
Existing development	The site has been cleared of previous buildings as part of the construction of the Sydney Metro North West rail line and a local “early works” development application with Council.

Aspect	Description
Surrounding roads	<p>The site has a frontage to Beecroft Road to the east and Ray Road to the west.</p> <p>The intersection of Beecroft Road and Carlingford Road is a significant thoroughfare for local and regional traffic through the Epping town centre. Traffic is congested in the surrounding street network during peak weekday and weekend periods.</p> <p>Transport for NSW has exhibited a concept proposal to replace the Epping rail bridge with a seven lane bridge with additional westbound lane and turning lane into Blaxland Road.</p>
Topography	<p>The site falls from east to west, with the Beecroft Road frontage sitting approximately 8m higher than the Ray Road frontage.</p>
Existing access	<p>Approved driveway and pedestrian access is from Beecroft Road and Ray Road.</p>
Public transport	<p>Epping railway station is located 300m to the south of the site and incorporates the T9 northern line between Central and Hornsby and Sydney Metro services between Sydenham and Tallawong.</p> <p>Beecroft Road to the south of the site has a bus interchange primarily for services to and from Macquarie Park, Carlingford and Parramatta.</p>
Heritage	<p>The site does not contain any heritage items and is not in a heritage conservation area.</p> <p>Nearby heritage items comprise a dwelling at 25 Ray Road to the north, the Rosebank Avenue Conservation Area to the north-west and remnant bushland along Beecroft Road to the north.</p>
Flooding	<p>Portions of the site fronting Ray Road are subject to flooding comprising overland flow across the site into a low point to the north and into a concrete culvert associated with Devlins Creek.</p>

1.2 Project background

1.2.1 Approved Concept Development

4. On 22 July 2020, the then Minister for Planning approved the Concept Development Application for 242-244 Beecroft Road (SSD 8784), permitting a mixed-use development including:
 - building envelopes with a scale of five to 15 storeys
 - maximum GFA of 38,700m² comprising maximum residential floor area of 37,700m² and maximum non-residential GFA between 750m² and 1,000m²
 - conceptual land use for non-residential and residential floor space, which may include office premises, business premises, food and drink premises, shops and medical centres
 - minimum 5% residential GFA as affordable housing dwellings for 10 years
 - basement car parking, motorcycle parking, bicycle parking and service vehicle spaces.

1.2.2 Concept Modification and Detailed Design SSD

5. On 19 September 2023, the Independent Planning Commission granted development consent to a Section 4.55(2) Modification to SSD-8784 and a concurrent Detailed Design application (SSD-31576972).
6. The Concept modification altered the layout of the approved building envelopes including adjusting the alignment of the buildings to improve solar access, increasing building height due to higher localised ground levels, relocation of basement car park access and rearrangement of communal open spaces.
7. The Detailed Design approval granted consent for construction of a mixed-use development with a scale of five to 15 storeys and containing:
 - five residential flat buildings containing 374 apartments including 19 affordable housing dwellings for 15 years
 - commercial premises
 - basement car parking
 - outdoor public plaza and publicly accessible through-site link
 - stratum subdivision of the site.

2 Project

2.1 Project overview

8. The proposal seeks approval for an Amending Concept and Amending Detailed Design SSDAs for additional building height and density under the in-fill affordable provisions of SEPP (Housing) 2021. Key aspects of the project are provided in detail in the Project Description chapter of the EIS (see **Appendix A**) and are outlined in **Table 2**.

Table 2 | Key aspects of the project

Aspect	Description
Gross floor area (GFA)	<ul style="list-style-type: none">11,216m² of additional GFA (total of 49,829m²), comprising:<ul style="list-style-type: none">11,310m² of additional residential premises94m² reduction in commercial premises from 913m² to 819m²
Building heights	<ul style="list-style-type: none">one, two, three and four storey additions to podiums and towers:-<ul style="list-style-type: none">Building A: 2.85m additions (+1 storey to seven total storeys)Building B: 11.16m additions (+3 storeys to 16 total storeys)Building C: 12.6m additions (+4 storeys to 18 total storeys)Building D: 7.1m additions (+2 storeys to seven total storeys)Building E: 11.76m additions (+4 storeys to 17 total storeys)
Basement	<ul style="list-style-type: none">one additional level of basement car parking193 additional car parking spaces (total of 559 spaces)
Dwellings	<ul style="list-style-type: none">105 additional apartments (total of 479 including 81 affordable)
Open space	<ul style="list-style-type: none">284m² of additional communal open space (total of 4,438m², or 43.7% of site area)41m² of additional deep soil zones (total of 2,116m², or 20.8% of site area)
EDC	\$51,474,638
Employment	<ul style="list-style-type: none">40 construction jobs-1 operational job as there is a small reduction in the area of the commercial premises.

2.2 Physical layout and design

9. The proposed form of the Amending Concept development and the Amending Detailed Design development are shown in **Figures 3 to 5**.

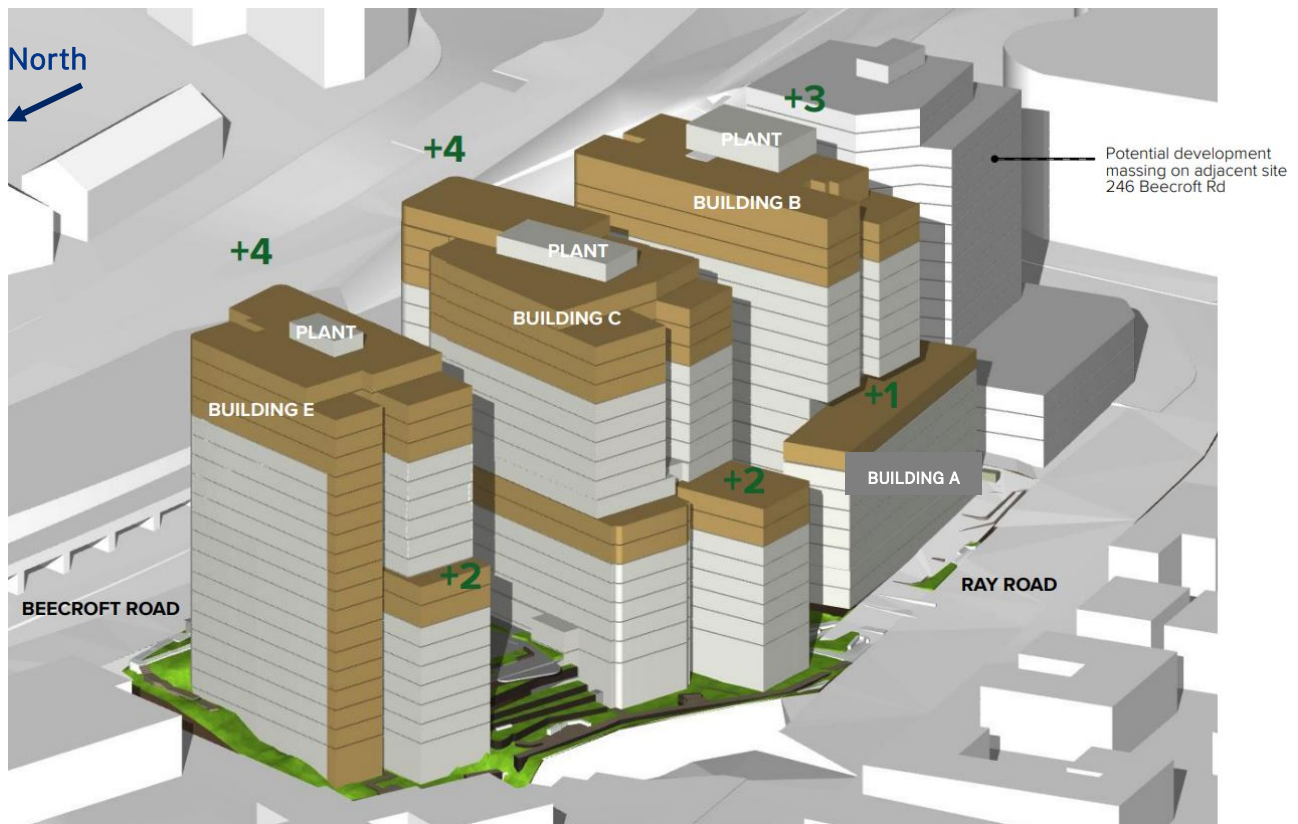


Figure 3 | Amending Concept building envelopes with proposed additions in storeys (Source: Applicant's EIS)



Figure 4 | Photomontage from Beecroft Road (Source: Applicant's EIS)



Figure 5 | Photomontage from Ray Road showing Buildings A, B and C (Source: Applicant's EIS)

3 Policy and statutory context

3.1 Housing supply

10. The NSW Government has set a target of 377,000 well-located homes over the next five years. This policy supports the National Housing Accord, which aims to deliver a national target of 1.2 million new, well-located homes over five years to June 2029.
11. In December 2023, the Department amended SEPP (Housing) 2021 in relation to in-fill affordable housing developments which enable a potential uplift of up to 30% above existing development standards for gross floor area and building height where a proposal includes at least 15% affordable housing for at least 15 years. This reform aims to support the delivery of well-located affordable and market housing.

3.2 Permissibility and assessment pathway

12. Details of the legal pathway under which consent is sought and the permissibility of the project are provided in **Table 2** below.

Table 2 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	The project is SSD under section 4.36 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) as it meets the criteria in Schedule 1 of the State Environmental Planning Policy (Planning Systems) 2021 for residential development with an estimated development cost over \$30 million associated with rail infrastructure. The site is partly located above the North West Metro underground tunnel and was formerly part of the construction site for the Sydney Metro.
Consent authority	The IPC is the declared consent authority under section 4.5(a) of the EP&A Act and section 2.7(1) of the Planning Systems SEPP.
Permissibility	<p>The site is zoned R4 High Density Residential. Residential development is permissible with consent. However commercial premises larger than 100m² for neighbourhood shops are prohibited in the R4 High Density Residential zone.</p> <p>Nevertheless, clause 4.38(3) of the Environmental Planning and Assessment Act allows for consent to be granted for partly prohibited development.</p>

3.3 Other approvals and authorisations

13. Under section 4.41 of the EP&A Act, a number of authorisations required under other Acts are not required for SSD. This is because all relevant issues are considered during the assessment of the SSD application.
14. The Department has consulted with and considered the advice of the relevant Government agencies responsible for these other authorisations in its assessment of the project (see **Section 4** and **Section 5**). Suitable conditions have been included in the recommended conditions of consent (see **Appendix C**).

3.4 Planning Secretary's environmental assessment requirements

15. The Department's review determined that the EIS for each application addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 27 March 2024 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

3.5 Mandatory matters for consideration

16. Mandatory matters for consideration include:
 - Matters of consideration required by the EP&A Act
 - Objects of the EP&A Act and ecologically sustainable development (ESD)
 - Biodiversity development assessment report
 - Matters of consideration required by the EP&A Regulation
 - Matters of consideration required by environmental planning instruments.
17. The Department's consideration of these matters is summarised in **Appendix C**.
18. As a result of this consideration, the Department is satisfied that the development meets statutory requirements.

4 Engagement

4.1 Exhibition of the EIS

4.1.1 Public exhibition of the EIS

19. After accepting the development application and EIS, the Department:
- publicly exhibited the project from 18 September until 15 October 2024 (28 days) on the NSW Planning Portal
 - notified occupiers and landowners in the vicinity of the site about the public exhibition
 - notified and invited comment from relevant Government agencies and City of Parramatta Council.
20. During the public exhibition period, the Department undertook a site visit on 11 October 2024.

4.1.2 Summary of advice received from Government agencies

21. The Department received advice from four Government agencies on the EIS.
22. A summary of the agency advice is provided in **Table 4**. A link to full copies of the advice in provided in **Appendix A**.

Table 4 | Summary of agency advice

Agency	Advice summary
Sydney Metro	Additional information is required to demonstrate the impact of the proposal on the North West corridor which runs under the proposal. This includes survey information, geotechnical reports, structural design details, construction methodology details and an engineering assessment of impacts to the tunnel.
Environment Protection Agency (EPA)	The proposal will not require an Environment Protection Licence and would not be regulated under the Contaminated Land Management Act.

Agency	Advice summary
Sydney Water	<p>It is noted that a Section 73 Notice of Requirements has been issued in relation to the approved Concept SSD and Detailed Design SDD.</p> <p>An increase of total dwellings to 479 and total GFA to 49,829m² is noted.</p> <p>A further Section 73 Notice of Requirements process will be needed. However, preliminary assessment indicates that water and wastewater servicing should be available.</p> <p>No building or permanent structure must be proposed over the stormwater channel to the north of the site or within 1m of the outside wall of the channel.</p>
Transport for NSW	The development is unlikely to impact the classified road network. As such, TfNSW has no further comment

23. No concerns or comments were received from NSW Police, Ausgrid or AGL.

4.1.3 Summary of Council submissions

24. The City of Parramatta Council objected to both applications. In particular, it raised concerns about the proposed increase in density and car parking on the site and its impact on traffic generation.
25. Issues raised by Council on the RtS are summarised below. A link to its submission on the EIS and RtS are provided in **Appendix B**.

Table 5 | Summary of final Council advice

Council	RtS Submission summary
City of Parramatta Council	<ul style="list-style-type: none"> car parking rates are not supported and should be reduced to rates provided in the Parramatta DCP and Transport for NSW's Guide to Traffic Impact Assessment additional density will have unacceptable traffic impacts. Any additional traffic generation on Ray Road is not supported due to the impact on right turn movements from Rawson Street the design for waste collection needs to be for heavy rigid vehicles rather than medium rigid vehicles.

4.1.4 Summary of public submissions to Amending Concept SSD

- 26. The Department received four submissions in relation to the Amending Concept EIS, comprising one from a special interest group, Epping Civic Trust objecting to the proposal, and three from individuals. Two of the three individual submissions objected to the project and one supported the project.
- 27. The key issues raised in the public submissions is provided in **Table 6** and a link to all submissions in full is provided in **Appendix B**.
- 28. The Department’s consideration of the public submissions is provided in **Appendix B**.

Table 6 | Key issues raised in public submissions on the Amending Concept EIS

Issue
Epping has a lack of infrastructure to provide amenities for the increased number of residents in regard to open space, schools, medical facilities and shops.
Epping has lost employment space, tree canopy and open space.
The height and floor space ratio increases are extreme.
Support more affordable housing than the prior proposal, commercial space and a 5-star Green Star sustainability rating.
Excess car parking proposed.
Additional car parking reduces the affordability of apartments.
Affordable housing should be provided in perpetuity as part of the proposal.
The need for more affordable housing
High-rise development should be restricted to the east side of the railway line in Epping.
Buildings B, C and E are well above an acceptable height for the west side of the rail line.
Solar access impacts on the apartments on the opposite side of Ray Road.
Additional traffic congestion on Ray Road as the road only has one lane in each direction.
Inadequate green space and street setbacks.

4.1.5 Summary of public submissions to Amending Detailed Design SSD

- 29. The Department received three submissions in relation to the Amending Detailed Design EIS, all of which were from individuals. Two submissions objected to the project and one supported the project.
- 30. The key issues raised in the public submissions is provided in **Table 7** and a link to all submissions in full is provided in **Appendix B**.

Table 7 | Key issues raised in public submissions on the Amending Detailed Design EIS

Issue
Support more affordable housing than the prior proposal, commercial space and a 5-star Green Star sustainability rating.
Car parking exceeds the Parramatta DCP and should be reduced.
Car parking is insufficient.
Additional car parking reduces the affordability of apartments.
Ray Road and Carlingford Road intersection needs upgrading
Solar access impacts on the apartments on the opposite side of Ray Road.
Sustainability measures can be increased by providing more green space and solar panels
Affordable dwellings should be offered to essential workers
Traffic report understates the existing traffic congestion on Ray Road

4.2 Response to submissions

- 31. Following the public exhibition period, the Department asked the Applicant to respond to the issues raised in submissions and the comments received from Government agencies. The Applicant provided a submissions report to the Department on 24 April 2025 (see **Appendix A**).
- 32. The Department published the submissions report on the NSW Planning Portal and forwarded the submissions report to relevant Government agencies and Council for comment.

5 Assessment

33. The Department has assessed the proposal, considering all documentation submitted by the Applicant, all issues raised in submissions and all advice provided by Government agencies.
34. The Department considers the key assessment issues are:
- built form
 - overshadowing impact
 - traffic and parking
35. The Department's consideration of other issues is described in **Section 5.4** and the appendices of this report.

5.1 Built form

36. The proposal is subject to a maximum permissible FSR of 4.94:1 and a maximum building height of 61.7 m, which is comprised of:
- a base FSR of 3:8:1 and a base building height limit of 48 m under the Parramatta Local Environmental Plan 2023 (PLEP), and
 - an additional 30% increase to the base FSR and height under SEPP (Housing) 2021 as more than 15% of the total GFA of the development is for affordable housing.
37. The proposal would result in a maximum height of 61.7 m and a maximum FSR of 4.91:1 (**see Figure 6**) and therefore it complies with the development standards of the Housing SEPP.

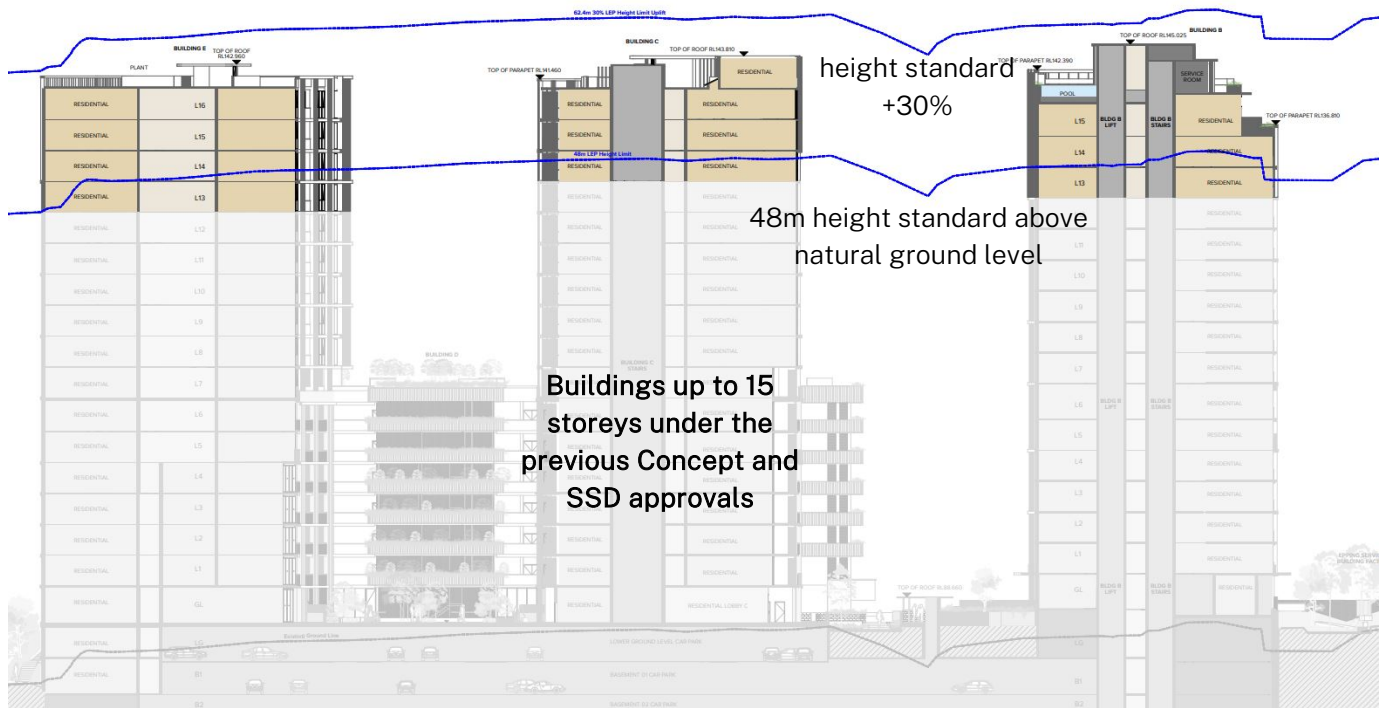


Figure 6 | Section through Buildings B, C and E showing additional levels (Source: Applicant's EIS)

38. Public submissions raised concerns with the proposed height and density increases, stating the increases compared to the approved project are not appropriate and high-rise development should only occur on the eastern side of Epping.
39. The Department has carefully considered the proposal along with the concerns raised in the submissions and is satisfied that the proposed building heights and density are acceptable for the following reasons:
- the proposal fully complies with the Housing SEPP provisions, allowing 30% additional height and density above PLEP standards to boost housing supply and affordability. The proposal provides 7,481m² of total GFA as affordable housing floorspace, equating to 81 affordable dwellings
 - the proposed 18-storey buildings would continue to be compatible with nearby developments near Epping Town Centre, including several taller buildings east of the rail line and the potential redevelopment of 246 Beecroft Road to the south
 - additional gross floor area has been appropriately distributed to the podium and tower portions of the approved development and would support good residential amenity in respect to the ADG (see **Section 5.4**)
 - the increased building height and density would not lead to any unreasonable visual or amenity impacts, such as overshadowing of neighbouring properties (**see Sections 5.2 and 5.4**)

39. The Department has carefully considered the proposal along with the concerns raised in the submissions and is satisfied that the proposed building heights and density are acceptable for the following reasons:

- the proposal fully complies with the Housing SEPP provisions, allowing 30% additional height and density above PLEP standards to boost housing supply and affordability. The proposal provides 7,481m² of total GFA as affordable housing floorspace, equating to 81 affordable dwellings
- the proposed 18-storey buildings would continue to be compatible with nearby developments near Epping Town Centre, including several taller buildings east of the rail line and the potential redevelopment of 246 Beecroft Road to the south
- additional gross floor area has been appropriately distributed to the podium and tower portions of the approved development and would support good residential amenity in respect to the ADG (see **Section 5.4**)
- the increased building height and density would not lead to any unreasonable visual or amenity impacts, such as overshadowing of neighbouring properties (**see Sections 5.2 and 5.4**)

- the proposed 18-storey buildings would continue to be compatible with nearby developments near Epping Town Centre, including several taller buildings east of the rail line and the potential redevelopment of 246 Beecroft Road to the south

- additional gross floor area has been appropriately distributed to the podium and tower portions of the approved development and would support good residential amenity in respect to the ADG (see **Section 5.4**)

- the increased building height and density would not lead to any unreasonable visual or amenity impacts, such as overshadowing of neighbouring properties (see **Sections 5.2 and 5.4**)

- the proposal would continue to result in a high-quality urban design outcome, noting the State Design Review Panel (SDRP) supported the proposal, including the alterations and additions to the built form and their architectural expression. The proposal also adopted SDRP's recommendations regarding an increase in communal open space, minimising overshadowing impacts, and providing a more detailed Connecting to Country response (see **Appendix C – Table 17**).
40. For these reasons, the Department is satisfied that the proposed alterations and additions to the previously approved development would result in a high-quality built form and design outcome for the site.

5.2 Overshadowing of adjoining and surrounding residential properties

41. Public submissions raised concerns about the overshadowing of properties on Ray Road.
42. The State Design Review Panel advised that the Applicant must consider the overshadowing impacts of the proposed additional building height.
43. The ADG recommends that neighbouring properties maintain at least two hours of solar access to living rooms and private open spaces of affected residential dwellings between 9 am and 3 pm at midwinter (21 June).
44. At mid-winter, the overshadowing impacts of the proposal affect the residential properties along Ray Road (opposite the site) and Cliff Road, as well as the site adjoining the southern boundary at 246 Beecroft Road.
45. The Department notes that the submitted shadow diagrams illustrate the overshadowing impacts of the proposal on residential properties to Ray Road and Cliff Road at mid-winter are limited to before 10 to 11 am (see **Figure 7**). These properties would continue to receive more than 2 hours of sunlight access in accordance with the ADG.

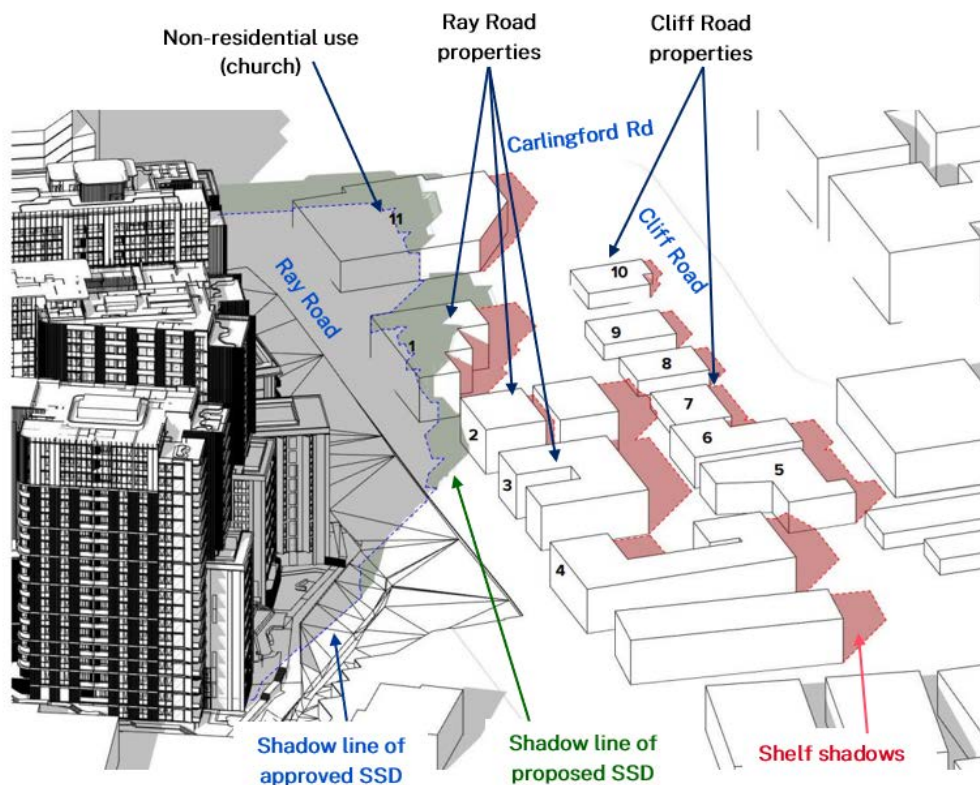


Figure 7 | Overshadowing modelling at 10am at midwinter in respect to residential properties along Ray Road and Cliff Road.

46. The Department also notes that the applications included shadow modelling for potential redevelopment at 246 Beecroft Road (**Figure 8**). To ensure adequate solar access for the development at 246 Beecroft Road, the height of Building B was lowered by one to two levels beneath the maximum height limit. The modelling indicates that with this change, future development at 246 Beecroft Road can still provide over two hours of solar access for more than 70% of the apartments, consistent with ADG recommendations.
47. Based on the above, the Department is satisfied that the proposal will maintain reasonable solar access to surrounding residential properties, including existing residences along Ray Road and Cliff Road and future redevelopment at 246 Beecroft Road.

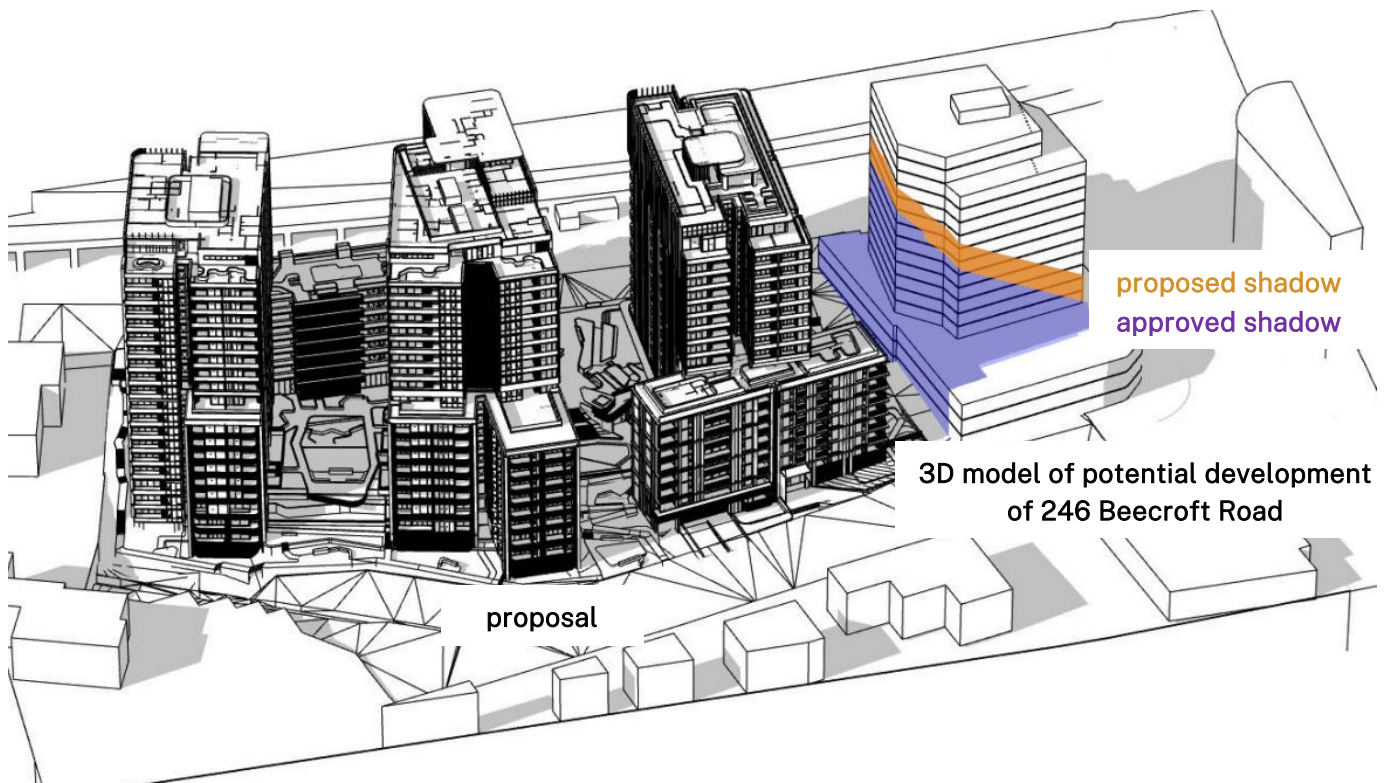


Figure 8 | Overshadowing model, at 1pm in midwinter, of potential development of 246 Beecroft Road, Epping

5.3 Traffic and parking

5.3.1 Traffic generation

48. The submitted Traffic Impact Assessment (TIA) estimates that the proposed additional 105 dwellings would generate between six and eight additional traffic movements per hour during peak hours compared to the original approved Concept SSD.
49. The proposal is estimated to result in a cumulative traffic generation of 97 vehicle trips per hour in the morning peak and 77 vehicle trips in the afternoon peak.
50. Public submissions raised concerns about traffic congestion surrounding the site, particularly regarding delays and congestion at the intersection of Ray Road and Carlingford Road near Beecroft Road during peak-hour traffic.
51. Council objects to the proposal, raising concerns about congestion at surrounding intersections. Council also requested information on traffic impacts during weekend peak periods (i.e. Saturdays), as there are long queues and delays, particularly at the Rawson Street intersection. Council also requested an assessment of the traffic impacts of the additional density and car parking.
52. In response, the Applicant provided additional analysis regarding Saturday traffic generation and maintained its argument that the proposal would have acceptable traffic impacts on the surrounding intersections. The TIA estimates that the proposal would result

in less than 1% additional traffic and no change to the level of service, compared to the current approval.

53. The Department notes that the submitted traffic report includes modelling for Ray Road and Carlingford Road, which indicates a Level of Service D during the AM peak, characterised by slow traffic, and a Level of Service E during the PM peak, where the road network reaches capacity. Additionally, both the Ray Road and Rawson Street intersections would operate at Level of Service F, resulting in extensive traffic delays and queuing.
54. The Department acknowledges the high level of traffic flow through the Epping town centre during peak periods. However, the Department accepts that the additional traffic generation from the proposal is minor (less than 1%) and would not result in any significant change to traffic impacts at the locality beyond those already assessed and approved.
55. Additionally, the Department notes that Transport for NSW has prepared and exhibited a design for the widening of the Epping rail overbridge to alleviate the impacts of through traffic on the Epping Town Centre. The design involves converting the bridge from five lanes to seven lanes and adding an extra turning lane onto Blaxland Road, which would help address a key cause of high traffic congestion in the area.
56. The Department accepts that the proposal is unlikely to significantly alter the existing congestion, which mainly results from commuter through traffic and the cumulative traffic from redevelopments in Epping Town Centre over time. The traffic impacts would also be alleviated by planned major road improvement works, which would increase network capacity, helping to ease traffic congestion in the area.

5.3.2 Parking

57. The proposal seeks to increase parking rates for the residential component and introduce separate car parking rates for affordable housing and market housing as outlined in **Table 8** below. The proposal increases from 366 to 559 car spaces (193 additional car spaces).

Table 8 | Residential car parking rates

Approved car parking rates from Concept SSD	Proposed rates for market housing	Proposed rates for affordable housing dwellings
1 bedroom – maximum 0.4 spaces	1 bedroom – 0.5 spaces	1 bedroom – 0.4 spaces
2 bedroom – maximum 0.7 spaces	2 bedroom – 1 space	2 bedroom – 0.5 spaces
3 or more bedroom – 1.2 spaces	3 or more bedroom – 1.5 spaces	3 or more bedroom – 1 space

- 58. The proposed car parking rates match those contained in SEPP (Housing) 2021, which are non-discretionary development standards (NDDS) and are expressed as minimum rates.
- 59. Council objected to the proposed number of parking spaces for market apartments and raised concerns regarding the Applicant’s supporting arguments. Council contends that the number of car parking spaces is excessive, which would make car use more appealing to occupants and thus hinder efforts to promote more sustainable transport options.
- 60. Council also raised concern that the proposal would undermine the maximum car parking rates in Parramatta DCP and set an undesirable precedent for other developments in the area. The maximum car parking rates in the Parramatta DCP are consistent with the Concept Approval.
- 61. Public submissions contained mixed views on car parking, with some stating that the proposed provision is excessive, while others considered it insufficient.
- 62. In response, the Applicant stated that the proposal seeks a higher car parking rate for market apartments, as the amount proposed provides a level of supply to meet the demand from market apartment residents. Additionally, the Applicant argued that the proposed car parking rates reflect the NDDS for car parking contained in the Housing SEPP and therefore a more onerous standard cannot be imposed by the consent authority.
- 63. The Department acknowledges the mixed views on the provision of car parking for the proposal in submissions and agrees with both the Council and submitters that the site is well-connected to public transport and close to amenities. Additionally, the Department notes that the proposal departs from the assessments and conclusions in the Department’s original assessment of the proposal.
- 64. Nevertheless, Section 4.15(2) of the EP&A Act limits the discretion of a consent authority concerning a NDDS. It restricts a consent authority from applying a more onerous standard, which could include a car parking requirement that departs from what is established in the Housing SEPP. Given the proposal complies with the NDDS car parking requirements outlined in the recently released Housing SEPP, the Department is satisfied that the proposal is acceptable.

5.4 Other issues

- 65. The Department’s consideration of other issues is summarised in **Table 9** below.

Table 9 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Partly prohibited development	<p>Commercial premises, except for neighbourhood shops limited in area to 100m², are prohibited in the R4 High Density Residential Zone under the Parramatta LEP 2023. However, an SSD may include partially prohibited development.</p> <p>The approved Concept SSD included commercial tenancies ranging between 750m² and 1,000m². The Department notes the proposal maintains the location and general design of the approved commercial tenancies, including those that exceed 100m², which would typically be prohibited in the R4 zone.</p> <p>Neither Council nor public submissions raised any concerns about maintaining the provision of non-residential floor space.</p> <p>The Department considers that the provision of the proposed commercial tenancies continues to align with the approved Concept SSD and is consistent with the R4 zone, which aims to provide high-density housing alongside limited commercial uses for residents' day-to-day needs.</p>	No conditions are necessary in relation to this issue.
Apartment Design Guide	<p>The proposal is accompanied by an Architectural Design Report detailing compliance with the requirements of the Apartment Design Guide (ADG).</p> <p>The Department has undertaken a detailed assessment of the proposal against the ADG in Appendix C. The Department is satisfied that the proposal will meet the key criteria and objectives of the ADG, including solar access, cross-ventilation, and communal open space.</p> <p>However, in relation to building separation, the proposed additional podium levels for Buildings A and C introduce three additional apartments where the building separation is between 13 m and 15 m, which is less than ADG guidance of 18 m. Other buildings would achieve the required ADG building separation.</p> <p>The Department finds the proposed variation is acceptable as it is minor, and the three affected apartments have living rooms oriented towards the west, while the bedrooms and bathrooms face inward to maintain appropriate levels of privacy.</p>	No conditions are necessary in relation to this issue.

Issue	Findings and conclusions	Recommended conditions
	<p>The Department's assessment, therefore, concludes the proposal would continue to provide acceptable levels of residential amenity for future residents.</p>	
Affordable Housing	<p>The applications propose 15% of the total gross floor area (GFA) as affordable housing, totalling 7,481 m² or 81 dwellings. A Community Housing Provider would manage the dwellings for 15 years.</p> <p>Public submissions suggested that more than 15% of the proposed GFA should be allocated for affordable housing, with a tenure period extending beyond 15 years.</p> <p>The Department acknowledges that the proposed allocation of 15% of the total GFA as affordable housing for 15 years aligns with the SEPP (Housing) 2021. Therefore, the Department is satisfied that the proposal is acceptable.</p>	<p>The Department recommends conditions requiring the provision of 15% of total GFA as affordable housing with the minimum tenure to be 15 years and the dwellings to be managed by a Community Housing Provider.</p>
Flooding and stormwater	<p>The EIS was accompanied by a Flood Risk and Impact Assessment to address changes in the layout and civil design.</p> <p>The Department has reviewed the Flood Impact Assessment and is satisfied that the proposal will not result in any significant flood impacts or increase risk beyond those already assessed and approved as:</p> <ul style="list-style-type: none"> • flood hazard to all affected properties and road reserve remains unchanged • overland flow paths within the site are maintained in the amending design • flood planning levels adopted for the site are observed • the proposals would not create any significant adverse impact to the existing flood behaviour or on the properties surrounding the site • flood risk had been minimised through the adoption of flood levels, flood protection measures and vertical evacuation opportunities in stairwells and lobbies if necessary. 	<p>The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring detailed stormwater management details to be submitted to Council and the Certifier.</p>

Issue	Findings and conclusions	Recommended conditions
Construction impacts	<p>Construction of the approved development commenced in December 2024 and is subject to the requirements of the conditions of consent in the current approval, including a construction management plan and associated sub-plans.</p> <p>The Amending Detailed Design SSD is anticipated to result in changes to the existing construction management plan, incorporating the increased scope of the development.</p> <p>While some extended construction impacts are inevitable, the Department is satisfied that the impacts can be appropriately mitigated and managed to an acceptable level in accordance with the recommended conditions of consent.</p>	<p>The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring amendments to the construction management sub-plans already operating over the site.</p>
Landscape design	<p>Council raised concerns that:</p> <ul style="list-style-type: none"> tree retention measures are inconsistent, with some plans indicating tree retention and others not. landscape plans indicate low soil volume for large trees. Council suggested increasing soil volume or reducing tree numbers and sizes where volume cannot be increased. <p>The Department is satisfied that the Applicant's RTS has addressed the issues raised, including clarifications about tree retention near the northern and southern boundaries. The amended plans also incorporate a reduced size of tree species in areas where large soil volumes cannot be provided.</p>	<p>No conditions are necessary in relation to this issue. Updated landscape and civil plans lodged with the RTS form part of the recommended stamped plans.</p>
Waste servicing	<p>Council raised concerns about the design of the waste servicing area, recommending that it be designed to accommodate heavy rigid vehicles (HRV) in accordance with its requirements.</p> <p>In response, the Applicant clarified that a HRV can be accommodated during the design development stage prior to a Construction Certificate. A covering letter and marked-up drawing from the architects were provided, demonstrating that an HRV can service the development.</p> <p>The Department is satisfied that the submitted additional documents illustrate that HRV waste collection can be accommodated in the basement design and recommends</p>	<p>The Department recommend the basement design be amended prior to the issue of Construction Certificate to accommodate heavy rigid waste vehicles in line with the drawing amendments</p>

Issue	Findings and conclusions	Recommended conditions
	appropriate conditions to amend the basement layout accordingly.	provided by the Applicant.
Heritage	<p>The site does not contain any heritage items and is not located near or within a conservation area. The nearest heritage items are located 80m to the north and 100m to the north-west, respectively. The Heritage Impact Statement concludes that there is a neutral impact on these items due to the lack of views between the sites.</p> <p>The Department is satisfied that the proposal would not result in any significant impact on local heritage items beyond those already assessed and approved and notes there is little potential for aboriginal archaeological remains.</p>	No conditions are necessary in relation to this issue.
Contributions	<p>The proposal is subject to:</p> <ul style="list-style-type: none"> (a) local developer contributions under City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1) toward the cost of open space, community facilities and local transport works. (b) state Housing and Productivity Contributions (HPC). This relates to the additional market apartments proposed (40 market apartments) and does not apply to the proposed affordable housing apartments. <p>The Department has recommended appropriate conditions accordingly.</p>	The Department recommend a condition of consent in relation to the Amending Detailed Design SDD requiring contributions to be paid in accordance with Council's contributions plan and the HPC framework.

6 Evaluation

66. The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ESD, advice from Government agencies, advice from Council and public submissions, and Government policies and plans.
67. The Department's assessment concludes that the proposal is acceptable as it:
- complies with the SEPP Housing building height and floor space standards for a project incorporating 15% affordable housing (81 of 479 apartments)
 - is consistent with the High-Density Residential zone in providing greater housing density
 - increases resident amenities and facilities to cater for the additional demands on communal space
 - provides car parking spaces consistent with the Housing SEPP and would have minimal impacts on existing traffic congestion in the locality
 - would have acceptable external impacts to adjoining and surrounding properties.
68. Overall, the Department considers that the impacts of the proposed additions are acceptable and can be appropriately managed or mitigated through the implementation of the recommended conditions of consent (**Appendix D and Appendix E**). Consequently, the Department considers the proposal is in the public interest and is able to be approved, subject to conditions.
69. This assessment report is presented to the IPC to determine the application.

Appendices

Appendix A – List of referenced documents, submissions and advice

The documents referred to in this assessment report can be accessed at:

1. [242 -244 Beecroft Road, Epping - Amending Concept SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)
2. [242 -244 Beecroft Road, Epping - Amending Detailed Design SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

The documents include:

- Environmental Impact Statement
- Response to Submission (RtS) report
- Applicant's additional information
- Submissions (pubic and Council)
- Government agency advice.

Appendix B – Department's consideration of submissions

Issue	Consideration
Building height and density The height and floor space ratio increases are extreme The previous five office buildings should only be replaced for four new buildings High-rise development is on the east side of the railway line in Epping Buildings B, C and E are well above an acceptable height for the west side of the rail line	The Department finds the height and density is acceptable as it: <ul style="list-style-type: none">• complies with the height and FSR incentives provided in SEPP (Housing) associated with providing in-fill affordable housing• would not significantly impact the amenity of surrounding properties• has an acceptable bulk and scale for the site and in the context of the surrounding sites in the Epping Town Centre.
Affordable housing support more affordable housing than prior proposal, more housing close to transport and jobs	The Department notes the proposal seeks to use the height and floorspace incentives in Housing (SEPP) linked to providing at least 15% of total GFA as affordable housing (in this case 81 apartments) for at least 15 years.

Issue	Consideration
<p>Affordable housing in the proposal should be provided in perpetuity.</p> <p>Question the need to compensate for 15% affordable housing with 105 additional apartments.</p> <p>Housing insecurity and instability with affordable housing affects physical and mental health, limits education outcomes, restricts access to good jobs, reduces economic opportunity and damages the environment.</p> <p>Affordable dwellings should be offered to essential workers.</p>	<p>The Department recommends several conditions regarding the operation of affordable housing, including a condition requiring an existing covenant registered against the land for 5% affordable housing for 15 years to be extinguished, and a new covenant to be imposed on the title for at least 15% for a duration of 15 years.</p>
<p>Amenity issues</p> <p>Solar access would be lost to dwellings on the opposite side of Ray Road</p> <p>Residents would not have good access to green space in the form of public parks.</p>	<p>The proposal would have compliant overshadowing impacts on affected properties to the south and west.</p> <p>The proposal will make contributions towards local infrastructure. The amending proposal also includes increased communal open spaces for the use of residents.</p>
<p>Traffic</p> <p>Additional development traffic will add to congestion at the surrounding intersections.</p>	<p>The Department finds that the proposal is unlikely to significantly alter the existing congestion, which mainly results from commuter through traffic and the cumulative traffic from redevelopments in Epping Town Centre over time. The traffic impacts would also be alleviated by planned major road improvement works, which would increase network capacity, helping to ease traffic congestion in the area.</p>
<p>Car Parking</p> <p>Car parking is excessive.</p> <p>Additional car parking reduces the affordability of apartments.</p> <p>Insufficient car parking proposed – a minimum of 1,000 spaces is needed.</p> <p>Car parking exceeds the Parramatta DCP and should be reduced.</p>	<p>The proposal complies with the non-discretionary development standards for car parking contained within the Housing SEPP.</p>

Issue	Consideration
Social infrastructure Epping has lost employment and open space. Residents would not have a good range of shopping facilities as Epping has limited options Local medical facilities are limited, including Ryde Hospital being disrupted by future refurbishment.	The Department notes the zoning of the site which is R4 High Density Residential and the location of the site near the commercial core of the Epping Town Centre. Dense residential uses are permissible in the Zone and a small amount of commercial premises floorspace is provided for local employment generation and catering to local retail demand.

Appendix C - Statutory considerations

Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in **Table 10** below.

Table 10 | Matters for consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	Appendix C
EP&A Regulation	Appendix C
Likely impacts	Section 5 – Assessment
Suitability of the site	Section 2 – Project location, Section 3 – Policy and statutory context and Section 5 – Assessment
Public submissions	Section 4 – Engagement and Section 5 – Assessment
Public interest	Section 4 – Engagement, Section 5 – Assessment and Section 6 – Evaluation

Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act including the principles of ESD.

Consideration of those factors is described in **Table 11** below.

As a result of its analysis, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ESD.

Table 11 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposal promotes the social and economic welfare of the community by providing additional housing within a highly accessible site to public transport, and, in doing so, contributing to the achievement of State, regional and local planning objectives. The proposal comprises development associated with existing transport infrastructure and does not have any impacts on the State's natural or other resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal has integrated ESD principles and targets as discussed in Section 3.3 of this report
(c) to promote the orderly and economic use and development of land,	<p>The proposal represents the orderly and economic use of the land primarily as it will increase housing options including affordable housing near public transport.</p> <p>The proposed residential use is permissible and the form of the development has regard to the planning controls that apply, the character of the locality and the context of surrounding development.</p>
(d) to promote the delivery and maintenance of affordable housing,	The proposal includes the delivery of affordable housing with a minimum 15% of total GFA to be affordable housing managed by a community housing provider for at least 15 years.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants,	The proposal is supported by a BDAR waiver, which confirms that no remnant native vegetation, threatened flora species, ecological communities, or their habitat, listed under the BC Act would be affected by the proposal.

Object	Consideration
ecological communities and their habitats,	
(f) to promote the sustainable management of built and cultural heritage,	<p>The site does not contain heritage items and is not located near or within a conservation area. The closest heritage items are 80m and 100m to the north and north-west and the Heritage Impact Statement concludes there is a neutral impact upon them due to lack of views between the sites.</p> <p>The Department is satisfied that the development will have no adverse impact on local heritage items and there is little potential for Aboriginal archaeological remains.</p>
(g) to promote good design and amenity of the built environment,	<p>The proposal demonstrates a good design approach to the relevant planning controls and local character. It has been designed to minimise amenity impacts to neighbours and the surrounding environment and to provide good levels of internal amenity. Other amenity impacts would be managed by either the form of the development or by the recommended conditions of consent for mitigation measures during the construction and operational phase of the development.</p>
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<p>The proposal demonstrates that construction work will be undertaken in accordance with national construction standards, relevant regulations, and the site-specific construction management plan required by conditions of consent. Any impacts during this phase will be monitored and managed in keeping with the conditions of consent set out to mitigate impacts. Ongoing management and maintenance of the development will be by the building management and owner's corporation.</p>
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of Government	<p>The Department publicly exhibited the proposed development as outlined in Section 4 of this report. This included consultation with Council and other Government agencies and consideration of their responses.</p>
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<p>The Department publicly exhibited the proposal which included notifying adjoining landowners and displaying the application on the NSW Planning Portal and at Service NSW Centres.</p> <p>The Department also referred the RtS to Council and other relevant Government agencies and made it publicly available on the NSW</p>

Object	Consideration
	Planning Portal. The engagement activities carried out by the Department are detailed in Section 4 of this report.

Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department. The Environment Agency Head and the Team Leader Key Sites and TOD Assessments, as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 20 August 2024.

EP&A Regulation

The EP&A Regulation requires the Applicant to have regard to the *State Significant Development Guidelines* when preparing their application. In addition, the SEARs require the Applicant to have regard to the following:

- *Social Impact Assessment Guideline for State Significant Projects*
- *Undertaking Engagement Guidelines for State Significant Projects*
- *Cumulative Impact Assessment Guidelines for State Significant Projects*.

The Department considers the requirements of the EP&A Regulations have been complied with.

Environmental Planning Instruments (EPIs)

SEPP (Planning Systems) 2021

A summary of the Department's consideration of State Environmental Planning Policy (Planning Systems) 2021 is provided in **Table 12** below.

Table 12 | Consideration of SEPP (Planning Systems) 2021

SEPP (Planning Systems) 2021 section	Consideration
<p>Aims of policy</p> <p>The aims of this Policy are as follows:</p> <ul style="list-style-type: none"> (a) to identify development that is State significant development (b) to identify development that the State significant infrastructure and Critical State significant infrastructure (c) to identify development that is regionally significant development 	<p>The proposal is identified as State significant development - refer below.</p>
<p>Declaration of State significant development</p> <ul style="list-style-type: none"> (1) Development is declared to be State significant development for the purposes of the Act if <ul style="list-style-type: none"> (a) The development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act (b) The development is specified in Schedule 1 or 2. 	<p>The proposal is permissible with consent and is specified in Schedule 1 (see below).</p>
<p>Schedule 1 State significant development – general (Clause 19(2))</p> <p><i>Rail and related transport facilities</i></p> <p>Development within a rail corridor or associated with railway infrastructure that has an estimated development cost of more than \$30 million for any of the following purposes:</p> <ul style="list-style-type: none"> (a) commercial premises or residential accommodation 	<p>The proposal has an estimated development cost of more than \$30 million and involves development within a rail corridor for the purposes of residential accommodation and commercial premises.</p>

SEPP (Housing) 2021

A summary of the Department's consideration of the relevant provisions contained in State Environmental Planning Policy (Housing) 2021 is provided in **Table 13** below.

Table 13 | SEPP (Housing) 2021 compliance table

SEPP (Housing) 2021 standard	Consideration
Chapter 2 – Affordable Housing	
<u>Part 2, Division 1 – In-fill affordable housing</u>	
Objective of division Facilitate the delivery of new in-fill affordable housing to meet the needs of very low, low and moderate income households.	The proposal includes 15% affordable housing GFA, the equivalent of 81 apartments, which will assist in meeting the needs of very low, low and moderate income households.
Section 16 – Affordable housing requirements for additional floor space ratio [and height] The maximum FSR is the maximum permissible FSR plus an additional FSR up to 30% based on the minimum affordable housing component calculated in accordance with the formula provided. (in this case, a 15% affordable housing component can have an additional FSR of 30%). The maximum building height for a development including residential flat buildings is the maximum permissible plus an additional building height that is the same as the percentage as the additional FSR.	The proposal seeks an additional 30% FSR and building height above the maximums permissible in the Parramatta LEP. The project includes 15% affordable housing GFA.
Section 19 – Non-discretionary development standards The object of this section is to identify development standards for particular matters that, if complied with, prevent the consent authority from requiring more onerous standards for the matters. The following are non-discretionary standards”- (a) minimum site area of 450m ² (b) minimum landscaped area that is the lesser of 35m ² per dwelling or 30% of the site area	The proposal complies with each non-discretionary standard except for part (d) in relation to three hours solar access as the proposal complies with the guidance provided under the ADG for two hours solar access.

SEPP (Housing) 2021 standard	Consideration
<ul style="list-style-type: none"> (c) a deep soil zone on at least 15% of the site area where each zone has minimum dimensions of 3m and, if practicable, at least 65% of the zone is located at the rear of the site (d) living rooms and private open spaces in at least 70% of dwellings receive at least 3 hours of direct solar access between 9am and 3pm at mid-winter (e) the following number of car parking spaces for dwellings used for affordable housing: <ul style="list-style-type: none"> - for 1 bedroom – at least 0.4 parking spaces - for 2 bedroom – at least 0.5 spaces - for 3 bedroom or more – at least 1 space (f) the following number of car parking spaces for dwellings not used for affordable housing: <ul style="list-style-type: none"> - for 1 bedroom – at least 0.5 parking spaces - for 2 bedroom – at least 1 space - for 3 bedroom or more – at least 1.5 spaces (g) the minimum internal area, if any, as specified in the Apartment Design Guide for the type of residential development. 	
<p>Section 20 – Design requirements</p> <p>Development consent must not be granted to development under this division unless the consent authority has considered whether the design of the residential development is compatible with:</p> <ul style="list-style-type: none"> (a) the desirable elements of the character of the local area, or (b) for precincts undergoing transition, the desired future character of the precinct 	<p>The Department notes the proposal comprises additions to the approved mixed use development and is permissible and consistent with the objectives of the High Density Residential Zone.</p>
<p>Section 21 – Must be used for affordable housing for at least 15 years</p> <p>Development consent must not be granted to development under this division unless the consent authority is satisfied that for a period of at least 15 years commencing on the day an occupation certificate is issued for the development:</p>	<p>The proposal provides for the use of affordable housing dwellings for at least 15 years. The recommended conditions require compliance with this requirement including creation of a restriction on title.</p>

SEPP (Housing) 2021 standard	Consideration
<ul style="list-style-type: none"> (a) the development will include the affordable housing component required, and (b) the affordable housing component will be managed by a registered community housing provider. 	

Chapter 4 – Design of residential apartment development

<p>Section 147 – Determination of development applications for residential development</p> <p>Development consent must not be granted to residential apartment development unless the consent authority has considered the following:</p> <ul style="list-style-type: none"> (a) The quality of the design of the development, evaluated in accordance with the design principles for residential apartment development set out in Schedule 9 (b) the Apartment Design Guide. 	<ul style="list-style-type: none"> • The design principles in Schedule 9 and the provisions of the ADG are considered in Tables 14 and 15 below.
--	--

Table 14 | Consideration of Design Principles in Schedule 9

1. Context and Neighbourhood Character	The proposal is consistent with the desired future character for the area and reflects the development standards outlined in the SEPP (Housing) for in-fill affordable housing.
2. Built Form and Scale	The proposal results in a suitable built form and scale consistent with the desired future character of the precinct.
3. Density	The development is consistent with the maximum FSR and height permitted under the Housing SEPP and achieves the design outcomes of the ADG. The Department considers the development achieves an acceptable density envisaged under the applicable planning controls.
4. Sustainability	The development proposes ESD principles and sustainability measures as detailed in Section 4 of this report.
5. Landscape	The proposal will incorporate a range of landscaped and open spaces that provide options for residents and access to areas by existing residents.
6. Amenity	The proposal will achieve good amenity by providing a built form that results in appropriate solar access to residential dwellings, communal and private open spaces, and adjoining land. It has been designed to have negligible privacy impacts and promotes high-density residential living with convenient access to high-frequency rail services and Epping Town Centre.

- | | |
|---|--|
| 7. Safety | The proposal promotes the principles of Crime Prevention through Environmental Design by providing opportunities for passive surveillance of common areas, activating spaces through the integration of mixed uses on the ground floor, and establishing pedestrian and cycle links to facilitate transportation for residents, workers, and visitors to the site. |
| 8. Housing Diversity and Social Interaction | The proposal promotes housing diversity with a range of housing options, including 1, 2 and 3 bedroom dwellings of various sizes and layouts and the provision of 81 (15%) dwellings as affordable housing. The provision of a through-site link, plaza, retail spaces and communal open space areas encourages social interaction amongst residents and visitors to the site. |
| 9. Aesthetics | The proposal provides an urban form and scale consistent with the Design Guidelines adopted for the site and has been subject to a formal Design Review process, with presentations to the SDRP through the design development to ensure design excellence objectives are realised. |

Apartment Design Guide

An assessment of the proposal against the ADG best practice design principles is provided in the table below.

Table 15 | ADG compliance table

Relevant Criteria	Consideration
2E Building Depth <ul style="list-style-type: none"> Use a range of building depth of 12-18 m from glass line to glass line Where greater depths are proposed demonstrate layouts can achieve acceptable amenity 	<p>The proposal achieves building depths consistent with the design criteria in the ADG.</p>
3B Orientation <ul style="list-style-type: none"> Building type/layouts respond to streetscape, optimising solar access. Overshadowing of neighbouring properties is minimised 	<p>The Applicant has demonstrated the proposal achieves appropriate solar access to future dwellings, communal open space, and adjoining sites.</p> <p>The submitted shadow diagrams illustrate that a neighbouring proposal at 246 Beecroft Road is capable of having compliant solar access and the impact to properties to the south-west along Ray Road is compliant.</p>
3C Public Domain Interface <ul style="list-style-type: none"> Transition between public/private without compromising security Amenity of public domain is retained and enhanced 	<p>Entry points to the buildings are distributed throughout the site, adjoining internal open space areas or along street frontages. Residential entry points and courtyards within front setback areas are delineated through use of appropriate materials.</p> <p>Residential entry points are clearly defined and provide appropriate reciprocal surveillance between the public domain and the buildings without compromising access, use, and circulation.</p>

<p>3D Communal and Public Open Space</p> <ul style="list-style-type: none">• minimum 25% of the site• minimum 50% direct sunlight to principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm in mid-winter	<p>The proposal includes 4,146 m² of communal open space (41% of the site area) of which over 50% receives 2 hours of solar access during mid-winter.</p>												
<p>3E Deep Soil Zones</p> <ul style="list-style-type: none">• deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality• for sites greater than 1,500 m² a minimum of 7% to 15% of the site should provide for deep soil zone(s).	<p>The proposal provides minimum soil depths of 1.2 m within the through site link and on the podium communal open spaces, in addition to appropriate soil volumes, to support substantial tree planting.</p> <p>The Department notes the proposal will achieve 21% deep soil provision and 34% tree canopy cover.</p>												
<p>3F Visual Privacy</p> <p>Minimum separation distance from building to side boundary:</p> <table><tr><th>Height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>Up to 12m (4 storeys)</td><td>6 m</td><td>3 m</td></tr><tr><td>Up to 25m (5-8 storeys)</td><td>9 m</td><td>4.5 m</td></tr><tr><td>Over 25m (9+ storeys)</td><td>12 m</td><td>6 m</td></tr></table>	Height	Habitable rooms and balconies	Non-habitable rooms	Up to 12m (4 storeys)	6 m	3 m	Up to 25m (5-8 storeys)	9 m	4.5 m	Over 25m (9+ storeys)	12 m	6 m	<p>A 12m building separation recommendation to the southern boundary is met by the proposal.</p> <p>The northern boundary adjoins the Epping Services Facility for the operational metro line and the setback to the boundary is reduced to approximately 6m, as there would be no perceived privacy conflict. The setback area between the proposed building and the common boundary with the Epping Service Facility would also be provided with deep soil landscaping to improve outlook and amenity.</p>
Height	Habitable rooms and balconies	Non-habitable rooms											
Up to 12m (4 storeys)	6 m	3 m											
Up to 25m (5-8 storeys)	9 m	4.5 m											
Over 25m (9+ storeys)	12 m	6 m											
<p>3G Pedestrian Access to Entries</p> <ul style="list-style-type: none">• Building entries and pedestrian access connects to and addresses the public domain• Access, entries, and pathways are accessible and easy to identify• Large sites provide pedestrian links for access to streets and connection to destinations	<p>Building access points have a direct connection to street frontages or public domain areas. Residential lobbies are separated from retail frontages. Pedestrian entrances are visible, accessible and allow for reciprocal surveillance between entrances, the street or public domain areas.</p>												
<p>3H Vehicle Access</p> <p>Vehicle access points are to be designed to achieve safety, minimise conflicts between pedestrians and vehicles and create high quality streetscapes.</p>	<p>The proposal includes safe vehicle access for residential and service vehicles, with minimal opportunities for conflicts, and landscaping treatments to enhance the streetscape.</p>												
<p>3J Bicycle and Car Parking</p>	<p>The Department notes the proposal complies with the non-discretionary development standards for car parking within the Housing SEPP.</p>												

<ul style="list-style-type: none"> Minimum parking requirement as set out in the Guide to Traffic Generating Developments or local Council requirement, whichever is the less Parking is available for other modes of transport Car parking design access is safe and secure Visual and environmental impacts of underground, at grade or above ground car parking are minimised 	<p>Bicycle parking is in accordance with the Concept Approval and Parramatta DCP.</p>						
<p>4A Solar and Daylight Access</p> <ul style="list-style-type: none"> Minimum of 70% of apartments' living rooms and private open spaces receive 2hrs direct sunlight between 9am-3pm in mid-winter in the Sydney Metropolitan Area Maximum of 15% of apartments have no direct sunlight between 9am-3pm in mid-winter Shading and glare control is provided 	<p>The proposal results in 72.8% of the dwellings achieving 2 or more hours of direct solar access, between 9.00am and 3.00pm, midwinter in accordance with the ADG.</p> <p>There are 17% of apartments that have no direct solar access between 9am and 3pm in midwinter. This minor departure is acceptable as the building envelopes are orientated generally east-west, producing a higher proportion of south-facing apartments.</p> <p>It is, however, noted that the proposal would have more than 70% of apartments with living rooms and open space in sunlight for more than 2 hours in midwinter. The Department, therefore, concludes that the proposal, overall, provides a reasonable level of solar access to the proposed apartments.</p>						
<p>4B Natural Ventilation</p> <ul style="list-style-type: none"> At least 60% of apartments are cross ventilated in the first nine storeys (apartments 10 storeys or greater are deemed to be cross ventilated) Overall depth of a cross-over or cross-through apartment does not exceed 18 m 	<p>The proposal is subject to high traffic and rail noise and does not require natural cross-ventilation, as per the dispensations within the ADG. The proposal supplements non-noise-affected cross-ventilated apartments with naturally ventilated apartments that utilise acoustically treated plenums.</p> <p>Where cross-through dwellings are proposed, they are less than 18 m deep.</p>						
<p>4C Ceiling Heights</p> <ul style="list-style-type: none"> Measured from finished floor level to finished ceiling level, minimum ceiling heights for residential are: <ul style="list-style-type: none"> Habitable rooms = 2.7 m Non-habitable rooms = 2.4 m Mixed uses area = 3.3 m for ground floor and first floor to promote future flexibility of use 	<p>The proposal provides ceiling heights in accordance with the design criteria in the ADG.</p>						
<p>4D Apartment Size and Layout</p> <ul style="list-style-type: none"> Minimum apartment sizes <ul style="list-style-type: none"> Studio 35 sqm 1 Bed 50 sqm 2 Bed 70 sqm 3 Bed 90 sqm 	<p>The proposal includes a range of dwellings sizes and layouts providing increased options and affordability.</p> <table> <tr> <th>Dwelling Type</th><th>Dwelling Sizes</th></tr> <tr> <td>1 bedroom</td><td>From 50m² to 55m²</td></tr> <tr> <td>2 bedroom</td><td>From 76m² to 90m²</td></tr> </table>	Dwelling Type	Dwelling Sizes	1 bedroom	From 50m ² to 55m ²	2 bedroom	From 76m ² to 90m ²
Dwelling Type	Dwelling Sizes						
1 bedroom	From 50m ² to 55m ²						
2 bedroom	From 76m ² to 90m ²						

<ul style="list-style-type: none"> • Every habitable room must have a window in an external wall with a total glass area of not less than 10% of the floor area. Daylight and air may not be borrowed from other rooms • Habitable room depths are limited to 2.5 x the ceiling height • In open plan layouts the maximum habitable room depth is 8 m from a window • Master bedroom has a minimum area of 10 m² and other bedrooms have 9 m² • Bedrooms have a minimum dimension of 3 m (excluding wardrobes) • Living rooms have a minimum width of: <ul style="list-style-type: none"> - 3.6 m for studio and one Bed - 4 m for 2 and 3 Bed • The width of cross-over or cross-through apartments are at least 4 m internally. 	<table border="1"> <tr> <td data-bbox="798 156 1117 235">3 bedroom</td><td data-bbox="1117 156 1474 235">From 95m² to 123m²</td></tr> <tr> <td colspan="2" data-bbox="798 235 1474 902"> <p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p> </td></tr> </table>	3 bedroom	From 95m ² to 123m ²	<p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p>	
3 bedroom	From 95m ² to 123m ²				
<p>The ADG guidance on window dimensions, room depths and room dimensions are adopted in the proposal.</p>					
<p>4E Private Open Space and Balconies</p> <ul style="list-style-type: none"> • Primary balconies are provided to all apartments providing for: <ul style="list-style-type: none"> - Studio apartments min area 4 m² - 1 bed min area 8 m², min depth 2 m - 2 bed min area 10 m², min depth 2 m - 3 bed min area 12 m², min depth 2.5 m • For apartments at ground floor level or similar, private open space must have a minimum area of 15m² and depth of 3m² • Private open space and primary balconies are integrated into and contribute to the architectural form and detail of the building • Primary open space and balconies maximises safety 	<p>The submitted drawings and accompanying Architectural Statement demonstrate the proposed balconies meet or exceed the minimum size and width requirements established in the ADG. Further, balconies are located to optimise solar access, outlook, and passive surveillance, and are designed to provide safety and privacy for users.</p>				
<p>4F Common Circulation and Spaces</p> <ul style="list-style-type: none"> • Maximum number of apartments off a circulation core is 8 – where this cannot be achieved, no more than 12 apartments should be provided off a single circulation core. • For buildings 10 storeys and over, the maximum number of apartments sharing a single lift is 40 • Natural ventilation is provided to all common circulation spaces where possible • Common circulation spaces provide for interaction • Longer corridors are articulated 	<p>The proposal features five circulation cores, each served by two lifts. Each core has no more than 10 dwellings per floor.</p> <p>Additionally, each circulation core is equipped with access to natural light and ventilation, and has been designed to facilitate interaction.</p>				

<p>4G Storage</p> <p>The following storage is required (with at least 50% located within the apartment):</p> <ul style="list-style-type: none"> - Studio apartments 4 m³ - 1 Bed apartments 6 m³ - 2 Bed apartments 8 m³ - 3 Bed apartments 10 m³ 	<p>Storage is provided for each apartment, either within the apartment, in the basement, or in a combination of these areas, consistent with ADG requirements.</p>
<p>4H Acoustic Privacy and 4J Noise and Pollution</p> <ul style="list-style-type: none"> • Noise transfer is minimised through the siting of buildings and building layout and minimises external noise and pollution. • Noise impacts are mitigated through internal apartment layout and acoustic treatments 	<p>The internal layout of apartments separates noisy and quiet spaces. Non-habitable rooms, storage areas, and circulation spaces are strategically located to buffer external noise sources.</p> <p>The application was accompanied by an Acoustic Report, which assesses potential noise and vibration sources and recommends acoustic treatments to achieve required noise levels.</p>
<p>4K Apartment Mix</p> <ul style="list-style-type: none"> • Provision of a range of apartment types and sizes • Apartment mix is distributed to suitable locations within the building. 	<p>The proposal includes 1, 2, and 3-bedroom dwellings of various sizes and layouts, including the provision of 81 (15% of total GFA) dwellings as affordable housing.</p>
<p>4L Ground Floor Apartments</p> <ul style="list-style-type: none"> • Street frontage activity is maximised where ground floor apartments are located • Design of ground floor apartments delivers amenity and safety for residents 	<p>The proposal includes apartments on the ground floor, facing the internal communal courtyards, and one apartment along Ray Road.</p> <p>Apartments that front open space areas, including the through site link, are either elevated above the surrounding ground levels or visual and noise privacy impacts have been considered and incorporated.</p>
<p>4M Facades</p> <ul style="list-style-type: none"> • Building facades provide visual interest along the street while respecting the character of the local area • Building functions are expressed by the facade 	<p>The facades incorporate a variety of materials, textures, colours, compositions, and details designed to respond to the building typology, the surrounding context, and to provide individuality. Building lobbies are defined using materials that identify access points and use.</p>
<p>4N Roof Design</p> <ul style="list-style-type: none"> • Roof treatments are integrated into the building design and positively respond to the street • Opportunities to use roof space for accommodation and open space is maximised • Roof design includes sustainability features 	<p>Sustainability measures incorporated into the roof design include:</p> <ul style="list-style-type: none"> • use of predominantly native, sun-loving plants that tolerate low water to reduce water use and maintenance • solar panels to facilitate on-site renewable energy generation • roof colours and treatments to minimise heat gain
<p>4O Landscape Design and 4P Planting on Structures</p> <ul style="list-style-type: none"> • Landscape design is viable and sustainable 	<p>The proposal includes landscaped spaces designed to enhance the site and encourage outdoor recreation. These include rooftop communal areas, planting on podium</p>

<ul style="list-style-type: none"> • Landscape design contributes to streetscape and amenity • Appropriate soil profiles are provided, and plant growth is maximised (selection/maintenance) • Plant growth is optimised with appropriate selection and maintenance • Building design includes opportunity for planting on structure 	<p>structures, residential private open spaces, and planting on streets and paths.</p> <p>Plants, trees, and landscaping materials have been carefully selected to suit the site conditions, create canopy coverage, increase shading, mitigate the urban heat effect, and promote long-term growth and vitality. The landscape report and accompanying plans inform the implementation of the landscape design. They provide details of plant species, soil volumes, treatment of deep soil areas, planting on structures, street planting, pavement design, watering, and maintenance requirements.</p>
<p>4Q Universal Design</p> <ul style="list-style-type: none"> • The universal guidelines are adopted in the design of apartments • A variety of apartments with adaptable designs are provided • Apartment layouts are flexible and accommodate a range of lifestyle needs 	<p>20% of the dwellings comply with a silver level of the universal design standard.</p>
<p>4S Mixed Use</p> <ul style="list-style-type: none"> • Mixed use developments are provided in appropriate locations and provide street activation and encourage pedestrian movement • Residential levels are integrated within the development, safety and amenity is maximised. 	<p>The proposal includes non-residential on the ground floor, which will encourage good street-level activity through pedestrian movements and reciprocal surveillance of public and private areas</p> <p>There is an appropriate separation of residential uses from non-residential uses, with separate entry areas, minimal ground-level interface, and the location of active public areas away from residential open space areas.</p>
<p>4T Awning and Signage</p> <ul style="list-style-type: none"> • Awnings are well located and complement and integrate with the building • Signage responds to the context and design streetscape character 	<p>Awnings and covered areas are provided for the active retail areas and residential lobbies, seamlessly integrated with the architectural features of the buildings.</p> <p>The EIS confirms that the application does not seek consent for any signage.</p>
<p>4U Energy Efficiency</p> <ul style="list-style-type: none"> • Development incorporates passive environmental and solar design • Adequate natural ventilation minimises the need for mechanical ventilation 	<p>The ESD Report identifies minimum targets to be included in the developer's requirements to ensure high environmental performance.</p> <p>The proposal achieves natural ventilation in accordance with the minimum requirements of the ADG.</p>
<p>4V Water Management and Conservation</p> <ul style="list-style-type: none"> • Potable water use is minimised • Urban stormwater is treated on site before being discharged to receiving waters • Flood management systems are integrated into the site design 	<p>The proposal incorporates measures to achieve water-sensitive principles and conservation of potable water, such as water-efficient fittings, appliances, and wastewater reuse.</p> <p>Stormwater and flood management systems have been designed in consultation with Council.</p>

<p>4W Waste Management</p> <ul style="list-style-type: none"> Waste storage facilities are designed to minimise impacts on streetscape, building entry and residential amenity Domestic waste is minimised by providing safe and convenient source separation and recycling 	<p>Waste management facilities are incorporated within the project. They include dedicated waste collection areas for residential and non-residential uses, communal waste rooms with garbage chutes and recycling bins, a bulk waste area for residents, and garbage collection points located away from pedestrian areas.</p>
<p>4X Building Maintenance</p> <ul style="list-style-type: none"> Building design detail provides protection from weathering Systems and access enable ease of maintenance Material selection reduced ongoing maintenance cost 	<p>The materials and finishes to be selected are long-lasting, low-maintenance, have low embodied energy, and have potential for reuse and recycling.</p>

SEPP (Transport and Infrastructure) 2021

SEPP Transport and Infrastructure aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to specific types of infrastructure, and providing for consultation with relevant public authorities regarding certain development during the assessment process.

The SEPP is applicable as the proposal:

- involves development in or adjacent to a rail corridor (Division 15 Railways), being the Sydney Metro North West corridor.
- involves development with frontage to a classified road (Beecroft Road) and a heavy rail line (T9 Northern Line) requiring Transport for NSW referral and advice.

The Department sought and received advice from Sydney Metro Corridor Protection and Transport for NSW on the proposal. Both agencies are satisfied with the proposal. Sydney Metro recommended a series of conditions of consent that have been incorporated.

As the proposal includes residential development in proximity to Beecroft Road and the T9 Northern Rail Line, the SEPP requires the consent authority to consider acoustic impacts. The application is supported by an Acoustic Report, which provides an assessment of noise and vibration impacts. The Acoustic Report recommends minimum levels of facade and glazing materials to achieve the internal noise limits contained within the SEPP.

The Department has considered construction and operational noise and concludes that noise impacts can be appropriately managed and/or mitigated. The Department has recommended a condition requiring the development to comply with the recommendations made in the Acoustic Report.

SEPP (Sustainable Buildings) 2021

SEPP (Sustainable Buildings) promotes sustainable residential development across NSW by establishing targets that assess the efficiency of buildings in terms of water, energy, and thermal comfort. BASIX requires all new dwellings to meet sustainable targets of a 35% reduction in energy use (building size dependent) and 40% reduction in potable water.

The application was accompanied by a BASIX certificate, which demonstrated that the proposal would achieve sustainable targets of a 35% reduction in energy use and a 43% reduction in potable water, exceeding the minimum requirements of the SEPP.

The ESD Report accompanying the application identifies that the development will achieve a 5-star Green Star “Design and As-Built” rating for both residential and non-residential developments.

SEPP (Biodiversity and Conservation) 2021

The subject site is within a catchment draining to the Hawkesbury Nepean River system, and as such, the provisions of SEPP Biodiversity and Conservation apply. The broad aim of the SEPP is to minimise the impact of urban development on the Hawkesbury Nepean River by considering catchment management, water quality and quantity, and the protection and management of environmentally sensitive areas, flora, fauna, and wetland habitats.

The Department notes that the EIS was accompanied by a Flood Impact Assessment and Stormwater Report, demonstrating that water quality and quantity would be managed appropriately.

The Department notes that the approved Concept SSD and Detailed Design SSD include the removal of existing non-native trees and shrubs from legacy planter beds that were not demolished with the former business park demolition in 2012.

The application was accompanied by a BDAR waiver, issued under the *Biodiversity Conservation Act 2016*. The Department is therefore satisfied the proposal will not have any significant impact on biodiversity values.

SEPP (Resilience and Hazards) 2021

SEPP Resilience and Hazards aims to ensure that potential contamination issues are considered when determining a development application. The EIS includes a contamination assessment for the site, which concludes that no significant contamination impacts have been identified that would preclude redevelopment of the site for the proposed land uses.

The submitted Remediation Assessment concludes the proposal, including an additional basement level, will not affect the implementation of the Remediation Action Plan for the site. The RAP requires the preparation of a Site Audit Statement prior to the issue of a Construction Certificate to demonstrate the site is suitable for the proposed residential and commercial uses.

The Department considers that, subject to the remediation strategy recommended with the approved Detailed Design SSD, the site will be suitable for the proposed development

Parramatta Local Environmental Plan 2022

A summary of the Department's consideration of relevant clauses within the Parramatta LEP is provided in **Table 16** below.

Table 16 | Consideration of Parramatta LEP

Relevant clause	Consideration
Land use zoning	<p>The site is located within the R4 High Density Residential Zone, and the residential development is permissible with consent.</p> <p>However, commercial premises larger than 100m², neighbourhood shops, are prohibited from development in the R4 Zone, and the proposal includes tenancies larger than 100m².</p> <p>State Significant Development may include the development being partly prohibited. The approved Concept SSD and Detailed Design SSD included partly prohibited development.</p> <p>The Department finds the proposal meets the objectives of the R4 High Density Residential Zone, which include providing for the housing needs of the community and enabling other land uses to meet the day-to-day needs of residents.</p>
Zone objectives and land use table The consent authority must have regard to the objectives for the development in a zone when determining a development application in respect of land within the zone. <u>R4 High Density Residential Zone objectives:</u> <ul style="list-style-type: none">• to provide for the housing needs of the community within a high density residential environment.• to provide a variety of housing types within a high density residential environment• to enable other land uses that provide facilities or services to meet the day to day needs of residents• to encourage high density residential developments in locations that are close to population centres and public transport routes	<p>The Department considers the proposal to be consistent with the objectives of the zone as it provides high-density housing with a mix of commercial uses, which will serve the needs of the local residents and encourage housing and employment opportunities in close proximity to well-serviced public transport.</p>

Relevant clause	Consideration
<p>Subdivision</p> <p>Land to which this Plan applies may be subdivided, but only with development consent.</p>	<p>The Department notes the proposal seeks consent for staged stratum subdivision of the development.</p>
<p>Height of buildings</p> <p>The height of a building on any land is not to exceed the maximum shown for the land on the Height of Buildings Map.</p>	<p>The Department notes the proposal complies with the maximum height of buildings standard plus 30% applicable to the site under SEPP (Housing) 2021 (see Section 5.1).</p>
<p>Floor space ratio</p> <p>The maximum floor space ration for a building on any land is not to exceed the FSR shown for the land on the FSR map.</p>	<p>The Department notes the proposal complies with the maximum FSR standard plus 30% applicable to the site under SEPP (Housing) 2021 (see Section 5.1).</p>
<p>Flood planning</p> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development —</p> <ul style="list-style-type: none"> • is compatible with the flood hazard of the land, and • is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and • incorporates appropriate measures to manage risk to life from flood, and • is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and • is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding 	<p>The Department notes the proposal was accompanied by a Flood Impact Assessment, which undertook a detailed flood assessment for the proposed development. Flood modelling was carried out to assess the impact of the proposed development. The Flood Impact Assessment concluded:</p> <ul style="list-style-type: none"> • the proposed development has an insignificant impact on the surrounding properties, assets, or infrastructure • there is some overland flow through the site and hence the proposed development includes an overland flow path at its base along Ray Road • provision of OSD is likely to maintain the existing runoff regime and hence not adversely impact the inundation of the adjoining creek environment due to the proposed development • the proposal does not result in increased runoff and hence the downstream environment is not affected due to an increase in flood flow, velocity, or depth • the concept for shelter-in-place during a flood emergency is feasible for the proposed development and therefore not likely to impact the existing emergency management arrangements in the area. • the basement car parking access is protected from the 1 in 100 flood event by raised levels and a flood

Relevant clause	Consideration
	gate that would be triggered in accordance with a Flood Response Plan.

Applicant's response to SDRP comments

Table 17 | Applicant's response to SDRP Advice

SDRP comment	Applicant response
demonstrate how increase in communal amenity, i.e. internal spaces and external open spaces, is proportionate to the increase in dwellings	Communal open space has increased by 284m ² from 4,154m ² to 4,438m ² (44% of the site area) to account for the proposed increased population.
provide shadow analysis on neighbouring properties, including options to sculpt the additional levels to reduce impacts on neighbouring buildings	The tops of Buildings C and E have been sculpted to reduce overshadowing impact on properties on Ray Road.
demonstrate that solar access to rooftop open space compensates for limited solar access at ground level	54.6% of communal open space receives direct sunlight for at least 2 hours between 9am and 3pm in midwinter, exceeding the ADG's minimum 50% guidance.
demonstrate how communal spaces will cater for a diverse population including children, youth, elderly and families	Architectural and landscape plans identify the intended programming of the open space areas.
clarify the views of the chosen Community Housing Provider on operation of the affordable housing apartments with shared lobbies, lifts and access to all common areas	The EIS is accompanied by a letter from the nominated Community Housing Provider confirming they endorsed the architectural plans are suitable for their operations.
explore increasing the number of 3 bedroom apartments to address larger families and to increase solar access performance	147 x 3-bedroom apartments (30.6% of total) have been provided.
update wind assessment demonstrating no additional impacts from the proposed changes	An updated Wind Report has been provided with the EIS. It concludes the wind conditions will comply with wind criteria for intended uses due to the inclusion of design features including awnings, balcony enclosures,

SDRP comment	Applicant response
	perimeter screen around rooftop communal areas and strategically located evergreen landscaping.
provide further Connecting to Country response in the architecture and communal areas as an expansion of the response provided in landscaping selection	An updated Connecting with Country Report has been provided with the EIS. It proposes that narratives and culturally significant history be recognised in the delivery and operation of the proposal through employment opportunities, public art opportunities and landscape design features.

Appendix D – Recommended instrument of consent – Amending Concept SSD

[242 -244 Beecroft Road, Epping - Amending Concept SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

Appendix E – Recommended instrument of consent – Amending Detailed Design SSD

[242 -244 Beecroft Road, Epping - Amending Detailed Design SSD | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

Development Consent

Section 4.16 of the Environmental Planning and Assessment Act 1979

The Independent Planning Commission (the Commission), as the declared consent authority under section 2.7 of the *State Environmental Planning Policy (Planning Systems) 2021* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the development application referred to in Schedule 1, subject to the conditions 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

[Name of Commissioner]
Member of the Commission

[Name of Commissioner]
Member of the Commission

Sydney

2025

File: SSD-68939460

SCHEDULE 1

Application Number:

SSD-68939460

Applicant:

The Trustee for the Think Planners Unit Trust

Consent Authority:

NSW Independent Planning Commission

Site:

242-244 Beecroft Road, Epping

Lot 220, DP 1251471 and Lot 222, DP 1251471

Development:

Concept proposal for alterations and additions to the approved mixed use development under SSD-8784, including:

- additional building heights for podium and tower buildings
- maximum additional gross floor area of 11,216m²
- additional 105 apartments
- additional basement parking level
- minimum 15% of total gross floor area as affordable housing dwellings
- conceptual land uses for non-residential and residential floor space
- basement car parking, motorcycle parking, bicycle parking and service vehicle spaces

(Advisory Note 1: The building envelopes approved under this consent are in conjunction with the building envelopes approved under Concept consent SSD-8784 for a mixed-use development on the site)

CONTENTS

SCHEDULE 1	I
DEFINITIONS	III
SCHEDULE 2 – CONDITIONS OF THIS CONSENT	4
Part A – ADMINISTRATIVE CONDITIONS	4
Obligation to Minimise Harm to the Environment.....	4
Terms of Consent	4
Determination of Future Development Application(s)	4
Lapsing of Approval	5
Legal Notices	5
Planning Secretary as Moderator	5
Amendments to Consent SSD 8784	5
Applicability of Guidelines	5
Evidence of Consultation	5
Part B – CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS	5
Maximum Building Envelopes.....	5
Built Form and Urban Design	5
Design Integrity.....	6
Affordable Housing	6
Car Parking and Bicycle Parking	6
Travel Demand Management	6
Traffic, Access and Parking Assessment.....	6
Sydney Metro Corridor Protection.....	7
Sydney Water Conditions	7
Heritage Impact Assessment.....	7
Wind Impact Assessment	7
Environmental Performance / ESD	7
Security and Crime Assessment.....	7
Construction Impact Assessment	8
Noise and Vibration Assessment.....	8
Flooding and Stormwater Assessment	8
Reflectivity Assessment.....	8
ADVISORY NOTES	8
SCHEDULE 3 – MODIFICATIONS TO SSD-8784.....	9

DEFINITIONS

Applicant	The Trustee for the Think Planners Unit Trust, or any person carrying out any development to which this consent applies
Concept Proposal	A staged development application in accordance with the EP&A Act
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
Council	City of Parramatta Council
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in the EIS and Response to Submissions, as modified by the conditions of this consent.
EIS	The Environmental Impact Statement titled Amending Concept Mixed Use Development, 242-244 Beecroft Road, Epping, dated August 2024, submitted with the application for consent for the development, including any additional 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
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
Future Development Application(s)	Subsequent development application(s) for detailed proposals pursuant to this consent in accordance with the EP&A Act
GANSW	Government Architect NSW
GFA	Gross Floor Area
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
Response to Submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
RMS	NSW Roads and Maritime Services
SDRP	State Design Review Panel
TfNSW	Transport for NSW

SCHEDULE 2 – CONDITIONS OF THIS CONSENT

PART A – ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

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 Response to Submissions;
 - (d) in accordance with the approved plans in the table below:

Architectural Drawings prepared by Turner Studio			
Drawing Number	Drawing Name	Revision	Date
DA-790-010	MOD Plans – Site Plan	A	11/07/24
DA-790-001	MOD Plans – Basement 02	A	11/07/24
DA-790-001	MOD Plans – Basement 03	A	11/07/24
DA-790-002	MOD Plans – Basement 01	A	11/07/24
DA-790-003	MOD Plans – Lower Ground	A	11/07/24
DA-790-004	MOD Plans – Ground Level	A	11/07/24
DA-790-005	MOD Plans – Level 01-05	A	11/07/24
DA-790-006	MOD Plans – Level 06	A	11/07/24
DA-790-007	MOD Plans – Level 07	A	11/07/24
DA-790-008	MOD Plans – Level 08-14	A	11/07/24
DA-790-008	MOD Plans – Level 15	A	11/07/24
DA-790-008	MOD Plans – Level 16	A	11/07/24
DA-790-008	MOD Plans – Roof Level	A	11/07/24
DA-790-100	MOD Sections - EW Section 01	A	11/07/24
DA-790-110	MOD Sections - EW Section 02	A	11/07/24
DA-790-120	MOD Sections - NS Section	A	11/07/24

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a) above.
- A4. 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) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

DETERMINATION OF FUTURE DEVELOPMENT APPLICATION(S)

- A5. In accordance with Section 4.22(4) of the EP&A Act, this consent does not authorise the carrying out of development on any part of the site and consent for all physical works and subsequent stages of the Concept Proposal is to be sought by Future Development Application(s).

LAPSING OF APPROVAL

- A6. This consent will lapse five years from the date of consent SSD 8784 unless works associated with the development under Future Development Applications have physically commenced.

LEGAL NOTICES

- A7. Any advice or notice to the consent authority must be served on the Planning Secretary.

PLANNING SECRETARY AS MODERATOR

- A8. 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 the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

AMENDMENTS TO CONSENT SSD 8784

- A9. The Applicant must deliver a notice of modification to the Planning Secretary that complies with Clause 97 of the Environmental Planning and Assessment Regulation 2000 within six months of the date of this determination. The notice must set out the modifications to conditions in SSD 8784 that are listed in **Schedule 3** of this consent.

APPLICABILITY OF GUIDELINES

- A10. 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.
- A11. However, 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.

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

PART B – CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

MAXIMUM BUILDING ENVELOPES

- B1. Future development applications must demonstrate that the buildings are wholly contained within the building envelopes consistent with the plans listed in Condition A2.
- B2. Building height and gross floor area is to be measured in accordance with the definitions under Parramatta Local Environmental Plan 2022.
- B3. The maximum achievable gross floor area (GFA) under this consent is 11,216m² and this amount will only be achieved subject to demonstration of:
- (a) being wholly contained within the approved building envelopes
 - (b) compliance with this conditions of this concept approval
 - (c) demonstration of design excellence.

BUILT FORM AND URBAN DESIGN

- B4. Future development applications shall address compliance with:
- (a) the Design Excellence Strategy
 - (b) the Design Guidelines
 - (c) the conditions of this consent.
- B5. The following elements are not inconsistent with the concept proposal but are subject to further assessment with the relevant detailed development application:
- (a) land uses including residential accommodation, office premises, business premises, food and drinks premises, medical centres and shops

- (b) indicative signage zones, following preparation of a Signage Strategy
- (c) subdivision.

DESIGN INTEGRITY

- B6. Future development applications must be accompanied by a Design Integrity Report that demonstrates how design excellence and design integrity will be achieved in accordance with:
- (a) the design objectives of the Concept development application
 - (b) consistency with the approved Design Guidelines
 - (c) the advice of the State Design Review Panel
 - (d) the conditions of this consent.
- B7. The Design Integrity Report must include a summary of feedback provided by the State Design Review Panel (DRP) and responses by the Applicant to this advice. The Design Integrity Report must also include how the process will be implemented through to completion of the approved development.

AFFORDABLE HOUSING

- B8. Future development applications must demonstrate compliance with:
- (a) a minimum of 15% of total GFA is to be provided as affordable housing as defined under State Environmental Planning Policy (Housing) 2021 and dedicated, transferred to, or managed by, a Tier 1 Community Housing Provider.
 - (b) apartments provided as affordable housing must be a mixture of 1 bedroom, 2 bedroom and 3 or more bedrooms in line with the apartment mix of the remainder of the residential accommodation.

CAR PARKING AND BICYCLE PARKING

- B9. Future development applications must include a Traffic and Transport Assessment and demonstrate compliance with:
- (a) the allocation of residential car parking spaces for affordable housing apartments in accordance with the following rates:
 - (i) 0.4 spaces per studio or 1 bedroom apartment
 - (ii) 0.5 spaces per 2 bedroom apartment
 - (iii) 1 space per 3 or more bedroom apartment
 - (iv) 1 space per 7 apartments for visitors spaces
 - (b) the allocation of residential car parking spaces for market apartments in accordance with the following rates:
 - (i) 0.5 spaces per studio or 1 bedroom apartment
 - (ii) 1 space per 2 bedroom apartment
 - (iii) 1.5 spaces per 3 or more bedroom apartment
 - (iv) 1 space per 7 apartments for visitors spaces
 - (c) non-residential car parking must be provided as a maximum rate of 1 space per 70m² of GFA
 - (d) 1 accessible car parking space for each adaptable housing apartment
 - (e) 1-2% of all non-residential car parking spaces are to be accessible car parking
 - (f) a minimum of 4 motorcycle parking spaces are to be provided
 - (g) a minimum of 1 car share space is to be provided
 - (h) 1 bicycle parking space per apartment and 1 bicycle parking space for visitors per 10 apartments, provided close to the street entrances and designed in a manner which minimises potential conflict with other vehicles
 - (i) end-of-trip facilities comprising showers and lockers are to be provided if the application includes 300m² or more of commercial premises GFA.

TRAVEL DEMAND MANAGEMENT

- B10. Future development applications shall be accompanied by a Green Travel Plan consistent with the framework and initiatives in Section 3.13 of the Transport Impact Assessment dated 2 July 2024 prepared by SCT Consulting. The Green Travel Plan must also consider the requirements of Section 6.1.2 of the Parramatta Development Control Plan 2023.

TRAFFIC, ACCESS AND PARKING ASSESSMENT

- B11. Future development applications shall be accompanied by a Traffic and Transport Impact Assessment.

- B12. Future development applications shall include a Construction Traffic and Pedestrian Management Plan (CTMP) prepared in consultation with Transport for NSW and Council, and to the satisfaction of the relevant road authorities. The CTMP shall include, but not be limited to:
- (a) construction car parking strategy
 - (b) haulage movement numbers / routes including contingency routes
 - (c) detailed travel management strategy for construction vehicles including staff movements
 - (d) maintaining property accesses
 - (e) maintaining bus operations including routes and bus stops
 - (f) maintaining pedestrian and cyclist links / routes
 - (g) independent road safety audits on construction related traffic measures
 - (h) measures to account for any cumulative activities / work zones operating simultaneously.
- B13. Independent road safety audits are to be undertaken for all stages of further design development involving road operations and traffic issues and cognisant of all road users. Any issues identified by the audits will need to be closed out in consultation with Sydney Coordination Office, RMS and/or Council to the satisfaction of the relevant roads authorities.

SYDNEY METRO CORRIDOR PROTECTION

- B14. Future development applications must include the preparation and submission of documentation compliant with Sydney Metro Underground Corridor Protection Technical Guidelines.

SYDNEY WATER CONDITIONS

- B15. Future development applications must address compliance with the following:
- (a) no building or permanent structure is to be built over the stormwater channel or within 1m from the outside wall of the stormwater channel or within Sydney Water easement, whichever is larger. Permanent structures include (but are not limited to) basement car parking, hanging balcony, roof eaves, hanging stairs, stormwater pits, stormwater pipes, elevated driveway, basement access or similar structures. This clearance requirement applies for unlimited depth and height.
 - (b) submit elevation drawings within the stormwater channel to ensure the proposed buildings and permanent structures are 1m away from the outside face of the stormwater channel and away from any Sydney Water easement.

HERITAGE IMPACT ASSESSMENT

- B16. Future development applications shall include a detailed Heritage Impact Statement for the proposed works, including an unexpected finds protocol for Aboriginal and historical archaeology.

WIND IMPACT ASSESSMENT

- B17. Future development applications for aboveground works shall be accompanied by a Wind Impact Assessment including computer modelling within a wind tunnel study of detailed building form. Wind criteria for the use of different spaces around the development are to be adopted. Recommendations of the Wind Impact Assessment must be incorporated in the drawings lodged.

ENVIRONMENTAL PERFORMANCE / ESD

- B18. Future development applications must demonstrate consistency with the approved ESD Report and Addendum.
- B19. Future development applications must demonstrate how the principles of ecologically sustainable development (ESD) have been incorporated into the design, construction and ongoing operation of the proposal. This shall include preparation and implementation of Environmental Sustainability Strategies that incorporate low-carbon, high efficiency targets aimed at reducing emissions, optimising use of water, reducing waste and optimising car parking provision to maximise sustainability and minimise environmental impacts.
- B20. The Environmental Sustainability Strategies prepared for the future development applications are to identify which independent sustainability rating tool certification will apply to the whole site, and identify the targeted rating level that represents at least best practice.

SECURITY AND CRIME ASSESSMENT

- B21. Future development applications shall be accompanied by a Security and Crime Risk Assessment prepared in consultation with NSW Police having regard to Crime Prevention Through Environmental Design (CPTED) Principles and NSW Police publication "Safe Place: Vehicle Management: A comprehensive guide for owners, operators and designers".

CONSTRUCTION IMPACT ASSESSMENT

- B22. Future development applications shall provide analysis and assessment of the impacts of construction works and include:
- (a) Construction Traffic and Pedestrian Management Plan
 - (b) Community Consultation and Engagement Plan(s)
 - (c) Noise and Vibration Impact Assessment
 - (d) Construction Waste Management Plan
 - (e) Air Quality Management Plan.
- B23. The plans above may be prepared as part of a Construction Environmental Management Plan prepared for implementation under the conditions of any consent for future development applications.

NOISE AND VIBRATION ASSESSMENT

- B24. Future development applications shall be accompanied by a Noise and Vibration Impact Assessment that demonstrates the following requirements are met:
- (a) vibration from construction activities does not exceed the vibration limits established in British Standard *BS7385-2:1993 Excavation and measurement for vibration in buildings. A guide to damage levels from groundborne vibration*.
 - (b) provide a quantitative assessment of the main noise generating sources and activities during operation. Details are to be included outlining any mitigating measures necessary to ensure the amenity of future sensitive land uses on the site and neighbouring sites is protected during the operation of the development.
- B25. The Noise and Vibration Assessment must address the conclusions and recommendations of the Concept Noise and Vibration Assessment Report dated September 2019 prepared by Wilkinson Murray.

FLOODING AND STORMWATER ASSESSMENT

- B26. Future development applications shall be accompanied by a Flood and Stormwater Impact Assessment.

REFLECTIVITY ASSESSMENT

- B27. Future development applications for aboveground works shall include a Reflectivity Assessment demonstrating that external treatments, materials and finishes of the development do not cause adverse or excessive glare.

ADVISORY NOTES

- AN1. The building envelopes approved under this consent are in conjunction with the building envelopes approved under Concept consent SSD 8784 for a mixed-use development at the site.
- AN2. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.
- AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

SCHEDULE 3 – MODIFICATIONS TO SSD-8784

- (a) Schedule 1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

SCHEDULE 1

Application Number:	SSD-8784
Applicant:	Landcom on behalf of Sydney Metro
Consent Authority:	Minister for Planning and Public Spaces
Site:	242-244 Beecroft Road, Epping (Lot 220 DP 1251471)
Development:	<p>Concept Development Application comprising a mixed-use development including:</p> <ul style="list-style-type: none">• maximum building envelopes for podium and tower buildings• maximum gross floor area of <u>49,829 m²</u> 38,700m² comprising maximum residential gross floor area of <u>49,010 m²</u> 37,700m² and maximum non-residential gross floor area of between 750m² and 1,000m²• conceptual land use for non-residential and residential floor space, which may include office premises, business premises, food and drink premises, shops and medical centres• minimum <u>15%</u> 5% residential gross floor area as affordable housing <u>for a minimum of 15 years</u>• basement car parking, motorcycle parking, bicycle parking and service vehicle spaces

- (b) Condition A1 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

- (b) Consent is granted to the 'Development' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions and supplementary information, the conditions contained in this development consent, **and the Environmental Impact Statement, as amended by the Response to Submissions, and conditions contained in development consent SSD-68939460.**

- (c) Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

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, Response to Submissions, supplementary information and Section 4.55(2) Modification SSD-8784-MOD-1;
- (d) in accordance with the management and mitigation measures;
- (e) **in accordance with State significant development application SSD 68939460 Environmental Impact Statement titled Amended Concept Mixed Use Development prepared by Think Planners dated August 2024 and Response to Submissions prepared by Think Planners dated 24 April 2025**
- (f) **in accordance with the following drawings:**

Amending Concept Drawings prepared by Turner Studio			
Drawing Number	Drawing Name	Revision	Date
DA-790-010	MOD Plans – Site Plan	A	11/07/24

<u>DA-790-001</u>	<u>MOD Plans – Basement 02</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-001</u>	<u>MOD Plans – Basement 03</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-002</u>	<u>MOD Plans – Basement 01</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-003</u>	<u>MOD Plans – Lower Ground</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-004</u>	<u>MOD Plans – Ground Level</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-005</u>	<u>MOD Plans – Level 01-05</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-006</u>	<u>MOD Plans – Level 06</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-007</u>	<u>MOD Plans – Level 07</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-008</u>	<u>MOD Plans – Level 08-14</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-008</u>	<u>MOD Plans – Level 15</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-008</u>	<u>MOD Plans – Level 16</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-008</u>	<u>MOD Plans – Roof Level</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-100</u>	<u>MOD Sections - EW Section 01</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-110</u>	<u>MOD Sections - EW Section 02</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-790-120</u>	<u>MOD Sections - NS Section</u>	<u>A</u>	<u>11/07/24</u>

(e) In accordance with the approved plans in the table below:

Architectural Drawings prepared by Turner Studio			
Drawing Number	Revision	Name of Plan	Date
DA-790-010	02	Site Plan	15.05.23
DA-790-001	02	Basement 01	15.05.23
DA-790-002	02	Basement 02	15.05.23
DA-790-003	02	Lower Ground	15.05.23
DA-790-004	02	Ground Level	15.05.23
DA-790-005	02	Level 01-04	15.05.23
DA-790-006	02	Level 05	15.05.23
DA-790-007	02	Level 06-11	15.05.23
DA-790-008	02	Level 12	15.05.23
DA-790-009	02	Roof Level	15.05.23
DA-790-100	02	EW Section 01	15.05.23
DA-790-110	02	EW Section 02	15.05.23
DA-790-120	02	NS Section	15.05.23

- (d) Condition B1 is amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

AFFORDABLE HOUSING REGISTERED ON TITLE

- B1. **Prior to the issue of any Occupation Certificate in relation to a subsequent detailed development application,** ~~Prior to the determination of the first Development Application,~~ a restriction must be registered against the title of the property on which the development is to be carried out, in accordance with Section 88E of the Conveyancing Act 1919, that will ensure that a minimum ~~5%~~ **15%** of the approved ~~residential~~ gross floor area is either dedicated, transferred to or managed by a Registered Community Housing Provider and made available as affordable housing as defined in **State Environmental Planning Policy (Housing) 2021** ~~State Environmental Planning Policy (Affordable Rental Housing) 2009~~ **for a minimum tenure of 15 years from the date of the issue of an occupation certificate for any affordable housing dwelling.**

- (e) Condition C2 is amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

MAXIMUM BUILDING ENVELOPES

- C2. Building height and gross floor area is to be measured in accordance with the definitions under **Parramatta Local Environmental Plan 2022,** ~~Hornsby Local Environmental Plan 2013.~~

- (f) Condition C3 is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

MAXIMUM BUILDING ENVELOPES

C3. The maximum achievable gross floor area (GFA) is **49,829 m²** ~~38,700m²~~ and this amount will only be achieved subject to demonstration of:

- (a) being wholly contained within the approved building envelopes
- (b) compliance with the conditions of this concept approval
- (c) demonstration of design excellence.

- (g) Condition C7 is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

AFFORDABLE HOUSING

C7. Future development applications must demonstrate compliance with:

- (a) a minimum of **15%** ~~5% of residential total~~ GFA is to be provided as Affordable Housing as defined under **State Environmental Planning Policy (Housing) 2021** ~~State Environmental Planning Policy (Affordable Rental Housing) 2009~~ and dedicated, transferred to or managed by a Tier 1 Community Housing Provider **for a minimum period of 15 years from the issue of the occupation certificate.**
- (b) apartments to be managed by the Community Housing Provider are to be a mixture of studio, 1 bedroom, 2 bedroom and 3 or more bedroom apartments in line with the apartment mix of the remainder of the residential accommodation.

- (h) Condition C8 is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

CAR PARKING AND BICYCLE PARKING

C8. Future development applications must include a Car Parking Strategy and Management Plan and demonstrate compliance with:

(a) the allocation of residential car parking spaces for affordable housing apartments in accordance with the following rates:

- (i) **0.4 spaces per studio or 1 bedroom apartment**
- (ii) **0.5 spaces per 2 bedroom apartment**
- (iii) **1 space per 3 or more bedroom apartment**
- (iv) **maximum 1 space per 7 apartments for visitors spaces**

(b) the allocation of residential car parking spaces for market apartments must be in accordance with the following rates:

- (i) **0.5 spaces per studio or 1 bedroom apartment**
- (ii) **1 space per 2 bedroom apartment**
- (iii) **1.5 spaces per 3 or more bedroom apartment**
- (iv) **maximum 1 space per 7 apartments for visitors spaces**

~~(a) the allocation of residential car parking spaces must be in accordance with the following rates:~~

- ~~i. maximum 0.4 spaces per studio and 1 bedroom dwelling~~
- ~~ii. maximum 0.7 spaces per 2 bedroom dwelling~~
- ~~iii. maximum 1.2 spaces per 3 or more bedroom dwellings~~
- ~~iv. 1 space per 7 dwellings for visitor spaces.~~

- (c) non-residential car parking must be provided at a maximum rate of 1 space per 70m² of gross floor area (GFA)
- (d) 1 accessible car parking space for each adaptable housing dwelling
- (e) 1-2% of all non-residential car parking spaces to be accessible car parking
- (f) minimum of 4 motorcycle parking spaces must be provided
- (g) minimum of 1 car share space must be provided

- (h) 1 bicycle parking space per dwelling and 1 bicycle parking space for visitors per 10 dwellings, provided close to the street entrances and designed in a manner which minimises potential conflict with vehicles
- (i) end-of-trip facilities comprising showers and lockers are to be provided if the application includes 300m² or more of commercial premises.

- (i) Condition C9 is amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

TRAVEL DEMAND MANAGEMENT

- C9. Future development applications shall be accompanied by a Green Travel Plan consistent with the framework and initiatives in **Section 3.13** ~~Section 3.3~~ of the Transport Impact Assessment dated **2 July 2024** ~~8 June 2019~~ prepared by SCT Consulting. The Green Travel Plan must also consider the requirements of **Section 6.1.2 of the Parramatta Development Control Plan 2023**. ~~Section 1C.2.1(a) of the Hornsby DCP 2013.~~

- (j) Condition C28 is amended by the deletion of the ~~struck out~~ words/numbers as follows:

BUSHFIRE RISK ASSESSMENT

- ~~C28. Future development applications shall be accompanied by a Bushfire Risk Assessment, demonstrating compliance with Planning for Bushfire Protection 2019.~~

Development Consent

Section 4.16 of the Environmental Planning and Assessment Act 1979

The Independent Planning Commission (the Commission), as the declared consent authority under section 2.7 of the *State Environmental Planning Policy (Planning Systems) 2021* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the development application referred to in Schedule 1, subject to the conditions 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

[Name of Commissioner]

Member of the Commission

Sydney

[Name of Commissioner]

Member of the Commission

2025

File: SSD-68708456

SCHEDULE 1

Application Number:

SSD-68708456

Applicant:

The Trustee for the Think Planners Unit Trust

Consent Authority:

NSW Independent Planning Commission

Site:

242-244 Beecroft Road, Epping

Lot 220, DP 1251471 and Lot 222, DP 1251471

Development:

Alterations and additions to the approved mixed-use development, including:

- additional one to two storeys to Buildings A and D
- additional three to four storeys to Buildings B, C and E
- additional 105 apartments
- additional basement parking level
- minimum 15% of residential gross floor area to be used as affordable housing dwellings for at least 15 years

(Advisory Note 1: The development approved under this consent is in conjunction with the development approved under consent SSD-31576972 for a mixed-use development on the site)

CONTENTS

SCHEDULE 1	I
DEFINITIONS	V
SCHEDULE 2 – CONDITIONS OF THIS CONSENT	7
PART A – ADMINISTRATIVE CONDITIONS	7
Obligation to Minimise Harm to the Environment.....	7
Terms of Consent	7
Determination of Future Development Application(s)	9
Lapsing of Approval	9
Legal Notices	9
Planning Secretary as Moderator	9
Amendments to Consent SSD 31576972	9
Applicability of Guidelines	9
Evidence of Consultation	9
Structural Adequacy	10
Operation of Plant and Equipment.....	10
Monitoring and Environmental Audits	10
Compliance.....	10
Revision of Strategies, Plans and Programs	10
Compliance Reporting	10
Independent Environmental Audit.....	11
Sydney Metro Corridor Protection General Conditions	11
Sydney Metro Corridor Protection Condition - Inspections	11
PART B – PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE	11
Design Excellence and Integrity	11
Design Amendments for Waste Collection Vehicles	12
Materials and Finishes	12
Maximum Building Heights	12
Gross Floor Area Certification	12
Long Service Levy	12
Developer Contributions – Local Contributions.....	12
Developer Contributions – Housing and Productivity Contributions.....	13
Structural Details	13
External Walls and Cladding.....	13
Access and Facilities for People with Disabilities.....	13
Mechanical Ventilation.....	13
Reflectivity	14
Site Stability and Construction Work.....	14
Crime Prevention Through Environmental Design.....	14
Ecologically Sustainable Development.....	14
Installation of Water Efficient Fixtures and Fittings	14
Mechanical Plant Noise Mitigation	14
Compliance with Acoustic Assessment	14
Wind Mitigation Measures	15
Car and Motorcycle Parking	15
Bicycle Parking	15
Landscaping	15
Public Domain Plans.....	16
Stormwater Management System.....	16
Stormwater Quality	16
Flood Mitigation	16
Adaptable Units	16
BASIX Certification	17
Waste Management.....	17
Sydney Water Condition – Building Plan Approval	17
Sydney Water Condition – Tree Planting.....	17
Sydney Water Condition – Trade Wastewater Requirements.....	17
Sydney Water Condition – Backflow Prevention Requirements	17
Sydney Metro Corridor Protection Condition - Engineering	17
Sydney Metro Corridor Protection Condition – Rail Corridor	18

Sydney Metro Corridor Protection Condition – Survey and Services	18
Sydney Metro Corridor Protection Condition – Noise and Vibration	18
Sydney Metro Corridor Protection Condition - Electrolysis	19
Sydney Metro Corridor Protection Condition - Design	19
Sydney Metro Corridor Protection Condition - Construction	19
Sydney Metro Corridor Protection Condition - Drainage.....	20
Sydney Metro Corridor Protection Condition - Documentation	20
PART C – PRIOR TO THE COMMENCEMENT OF WORKS	20
Notice of Commencement	20
Access to Information	20
Survey Certificate	21
Protection of Public Infrastructure and Street trees	21
Utilities and Services	21
Dial Before you Dig Service	21
Demolition.....	21
Community Communication Strategy	21
Pre-Construction Dilapidation Reports.....	22
Construction Environmental Management Plan.....	22
Construction Pedestrian and Traffic Management Plan Sub-Plan	23
Construction Noise and Vibration Management Sub-Plan.....	23
Air Quality Management Sub-Plan.....	24
Construction Waste Management Sub-Plan.....	24
Construction Soil and Water Management Plan Sub-Plan	25
Construction Parking	25
Compliance.....	25
Barricade Permit.....	25
Hoarding	25
Outdoor Lighting	25
Public Liability Insurance	25
Remediation – Unexpected Finds Protocol.....	25
PART D – DURING CONSTRUCTION.....	25
Approved Plans to be On-site.....	25
Site Notice	26
Hours of Construction	26
Incident Notification, Reporting and Response.....	26
Non-Compliance Notification	26
SafeWork Requirements.....	26
Implementation of Management Plans	27
Construction Noise Limits	27
Vibration Criteria.....	27
Air Quality	27
Shoring and adequacy of adjoining property	27
Tree protection.....	27
Erosion and Sediment Control.....	28
Cut and Fill	28
Disposal of Seepage and Stormwater	28
Asbestos.....	28
Construction Traffic.....	28
Road Occupancy Licence.....	28
No Obstruction of Public Way.....	28
Contact Telephone Number.....	28
Covering of Loads.....	28
Vehicle Cleansing	29
Uncovering relics or Aboriginal objects.....	29
Sydney Metro Corridor Protection Condition - Supervision.....	29
Sydney Metro Corridor Protection Condition - Consultation	29
Sydney Metro Corridor Protection Condition - Drainage.....	29
Sydney Metro Corridor Protection Condition - Inspections	29
PART E – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE.....	30
Occupation Certificate	30
Affordable Housing	30
Works-as-executed plans and any other documentary evidence	30

Notification of Occupation	30
GFA and Building Height Certification	30
External Walls And Cladding Flammability	30
Protection of Public Infrastructure	30
Mechanical Ventilation	31
Operational Waste Management Plan	31
Final Inspection of Waste Storage Areas	31
Domestic Waste Collection Risk Assessment	31
Waste and Recycling Collection	31
Post-Construction Dilapidation Report	31
Road Damage	31
Fire Safety Certification	32
Structural Inspection Certificate	32
Warm Water Systems and Cooling Systems	32
Outdoor Lighting	32
Stormwater	32
Sydney Water Compliance	32
Utility Providers	32
Environmental Performance	32
Green Travel Plan	33
Loading and Servicing Management Plan	33
Landscape Practical Completion Report	34
Street Numbering	34
Compliance with BASIX Certificate	34
Registration of Easements	34
Creation of Restrictions/Positive Covenants	34
Carshare Spaces	34
Management Plan of Through Site Link and Publicly Accessible Spaces	34
Flood Emergency Response Plan	34
Sydney Water Condition – Section 73 Compliance Certificate	35
Sydney Metro Corridor Protection Condition – Noise and Vibration	35
Sydney Metro Corridor Protection Condition - Documentation	35
Sydney Metro Corridor Protection Condition - Inspections	35
PART F – OCCUPATION AND ONGOING USE	35
Annual Fire Safety Statement	35
Fire Safety Certification	35
Maintenance of wastewater and stormwater treatment device (if applicable)	35
Storage and Handling of Waste	35
Loading/unloading	36
Environmental Amenity and Environmental Health	36
Noise Control – Mechanical Plant and Equipment	36
Operation of Plant and Equipment	36
Ecologically Sustainable Development	36
Green Travel Plan	36
Affordable Housing	36
PART G – PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE	37
Requirements of the EP&A Act – Part 4A Certificates	37
Subdivision Certificate	37
Building Management Statement	37
Creation of Easements	37
Registration of Easements	37
Encroaching and/or Shared Services	37
Access Easement – Ground Level	37
Compliance Certificate	38
Statement of Compliance – Completion in Accordance with Development Consent	38
ADVISORY NOTES	38
APPENDIX 1 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	39
SCHEDULE 3 – MODIFICATIONS TO SSD-31576972	40

DEFINITIONS

Advisory notes	Advisory information relating to the consent but do not form a part of this consent
AQMP	Air Quality Management Sub-Plan
Applicant	The Trustee for the Think Planners Unit Trust, or any 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
BCA	Building Code of Australia
CCS	Community Consultative Strategy
Certifier	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
CNVMP	Construction Noise and Vibration Management Sub-Plan
Conditions of this consent	Conditions contained in Schedule 2 and 3 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purposes of development, including site establishment works, relocation of utilities, earthworks, and erection of buildings and other infrastructure permitted by this consent
Construction Certificate	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 Act
Council	City of Parramatta Council
CPTED	Crime Prevention Through Environmental Design
CPTMP	Construction Pedestrian and Traffic 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
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development described in the EIS and Response to Submissions and approved pursuant to this consent, as modified by the conditions of this consent.
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in their 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>
ESD	Ecologically Sustainable Development
Feasible	Means what is possible and practical in the circumstances
GANSW	Government Architect NSW, including a person nominated by the GANSW to exercise its functions for the purposes of this consent
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 Note: "material harm" is defined in this consent
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"> a) involves actual or potential harm to the health or safety of human beings 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).

Minister	NSW Minister for Planning and Public Spaces (or delegate)
NCC	National Construction Code, meaning 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 the approved land uses upon completion of construction
Owner	The registered proprietor of the Property from time to time
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
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
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, including any additional information provided by the Applicant in support of the application
Response to Submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
Site	The land identified in Schedule 1
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
SDRP	State Design Review Panel
SSD	State Significant Development
TfNSW	Transport for NSW
Work(s)	Any physical work to construct or facilitate the construction of the development, including low impact work and environmental management measures

SCHEDULE 2 – CONDITIONS OF THIS CONSENT

PART A – ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.

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 Response to Submissions;
 - (d) in accordance with the approved plans in the table below:

Architectural Drawings prepared by Turner Studio			
Drawing Number	Drawing Name	Revision	Date
DA-001-001	Title Sheet	A	11/07/24
DA-010-010	Site Plan	A	11/07/24
DA-010-011	Site Analysis	A	11/07/24
DA-012-001	Staging Diagram B2 – Ground	A	11/07/24
DA-012-002	Staging Diagram Level 1	A	11/07/24
DA-051-008	Demolition Plan	A	11/07/24
DA-110-005	Basement 03	B	08/11/24
DA-110-006	Basement 02	B	08/11/24
DA-110-007	Basement 01	B	08/11/24
DA-110-008	Lower Ground	B	08/11/24
DA-110-010	Ground Level	A	11/07/24
DA-110-020	Level 01-05	A	11/07/24
DA-110-030	Level 06	A	11/07/24
DA-110-040	Level 07	A	11/07/24
DA-110-050	Level 08-13	A	11/07/24
DA-110-080	Level 14	A	11/07/24
DA-110-090	Level 15	A	11/07/24
DA-110-110	Level 16	A	11/07/24
DA-110-120	Level 17	A	11/07/24
DA-110-130	Roof Level	A	11/07/24
DA-210-101	Building A West Elevation	A	11/07/24
DA-210-201	Building B South Elevation	A	11/07/24
DA-210-301	Building B North Elevation	A	11/07/24
DA-210-401	Building C North Elevation	A	11/07/24
DA-210-501	Building E North Elevation	A	11/07/24
DA-210-601	Site East Elevation	A	11/07/24
DA-210-701	Building C and E Elevation	A	11/07/24
DA-210-801	Building C South Elevation	A	11/07/24
DA-210-901	Building E South Elevation	A	11/07/24
DA-210-1001	Site West Elevation	A	11/07/24
DA-310-101	Section AA - North-South	A	11/07/24
DA-310-201	Section BB - Building A & B	A	11/07/24

DA-310-301	Section CC - Building C & D	A	11/07/24
DA-310-401	Section DD - Building E	A	11/07/24
DA-310-501	Section Across Ray Road, Building A & B	A	11/07/24
DA-310-601	Section Across Ray Road, Building C & D	A	11/07/24
DA-310-701	Section Across Ray Road, Building E	A	11/07/24
DA-310-801	Public Domain Interface	A	11/07/24
DA-730-001	Ground Level Deep Soil	A	11/07/24
DA-730-002	Communal Open Space	A	11/07/24
DA-810-001	Adaptable Plan Layouts	A	11/07/24
DA-810-002	Adaptable Plan Layouts	A	11/07/24
DA-810-003	Adaptable Plan Layouts	A	11/07/24
DA-810-004	Adaptable Plan Layouts	A	11/07/24
DA-810-005	Liveable Plan Layouts	A	11/07/24
DA-820-001	Affordable Housing	A	11/07/24
DA-820-002	Affordable Housing	A	11/07/24
DA-820-003	Affordable Housing	A	11/07/24
DA-890-001	Materials	A	11/07/24
Landscape Drawings prepared by Site Image			
Drawing Number	Drawing Name	Revision	Date
SS21-4819-000	Landscape Coversheet	O	31.10.24
SS21-4819-001	Landscape Plan - Schedule Landscape Legend	L	31.10.24
SS21-4819-002	Landscape Plan – Ground Floor Masterplan	O	19.06.24
SS21-4819-003	Landscape Plan – Tree Retention and Removal Plan	L	20.03.24
SS21-4819-101	Landscape Plan – Ground Floor	N	31.10.24
SS21-4819-102	Landscape Plan – Ground Floor	N	31.10.24
SS21-4819-103	Landscape Plan – Ground Floor	M	31.10.24
SS21-4819-104	Landscape Plan – Ground Floor	N	31.10.24
SS21-4819-105	Landscape Plan – Ground Floor	N	31.10.24
SS21-4819-106	Landscape Plan – Ground Floor	P	31.10.24
SS21-4819-110	Landscape Plan – Level 1-5 Masterplan	F	19.06.24
SS21-4819-111	Landscape Plan – Level 1-5	F	19.06.24
SS21-4819-120	Landscape Plan – Level 6 Masterplan	E	13.06.24
SS21-4819-121	Landscape Plan – Level 06 Rooftop	E	13.06.24
SS21-4819-122	Landscape Plan – Level 06 Rooftop	E	31.10.24
SS21-4819-130	Landscape Plan – Level 7 Masterplan	D	13.06.24
SS21-4819-131	Landscape Plan – Level 7 Rooftop	E	31.10.24
SS21-4819-132	Landscape Plan – Level 7 Rooftop	E	31.10.24
SS21-4819-140	Landscape Plan – Level 15 Masterplan	B	13.06.24
SS21-4819-141	Landscape Plan – Level 15	C	31.10.24
SS21-4819-150	Landscape Plan – Level 16 Masterplan	B	13.06.24
SS21-4819-151	Landscape Plan – Level 16 Landscape Plan	C	31.10.24
SS21-4819-152	Landscape Plan – Level 16 Landscape Plan	C	31.10.24
SS21-4819-160	Landscape Plan – Level 17 Masterplan	B	13.06.24
SS21-4819-161	Landscape Plan – Level 17 Masterplan	C	31.10.24
SS21-4819-500	Landscape Plan – Maintenance Plan	A	20.03.23
SS21-4819-501	Landscape Details	A	20.06.22
SS21-4819-502	Landscape Details	B	29.06.22
SS21-4819-503	Landscape Planting Matrix Details	B	29.06.22
SS21-4819-601	Landscape Sections	D	02.03.23
SS21-4819-602	Landscape Sections	E	31.10.24

SS21-4819-603	Landscape Sections	D	05.04.23
SS21-4819-604	Landscape Sections	E	15.05.23
SS21-4819-605	Landscape Sections	F	15.11.23
SS21-4819-606	Landscape Sections	C	15.05.23
SS21-4819-607	Landscape Sections	A	31.10.24

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a) above.
- A4. 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) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

DETERMINATION OF FUTURE DEVELOPMENT APPLICATION(S)

- A5. In accordance with Section 4.22(4) of the EP&A Act, this consent does not authorise the carrying out of development on any part of the site and consent for all physical works and subsequent stages of the Concept Proposal is to be sought by Future Development Application(s).

LAPSING OF APPROVAL

- A6. This consent will lapse five years from the date of consent SSD 31576972 unless works associated with the development have physically commenced.

LEGAL NOTICES

- A7. Any advice or notice to the consent authority must be served on the Planning Secretary.

PLANNING SECRETARY AS MODERATOR

- A8. 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 the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

AMENDMENTS TO CONSENT SSD 31576972

- A9. The Applicant must deliver a notice of modification to the Planning Secretary that complies with Clause 97 of the Environmental Planning and Assessment Regulation 2000 within six months of the date of this determination. The notice must set out the modifications to conditions in SSD 31576972 that are listed in Schedule 3 of this consent.

APPLICABILITY OF GUIDELINES

- A10. 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.
- A11. However, 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.

EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STRUCTURAL ADEQUACY

- A13. 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:

Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works

Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

OPERATION OF PLANT AND EQUIPMENT

- A14. All plant and equipment used on site, or to monitor the performance of the development must be maintained in a proper and efficient condition; and operated in a proper and efficient manner.

MONITORING AND ENVIRONMENTAL AUDITS

- A15. 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 environmental 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.*

COMPLIANCE

- A16. 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

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- A17. Within three months of:

- (a) the submission of a compliance report under this consent;
- (b) the submission of an incident report under this consent;
- (c) the submission of an Independent Audit under this consent;
- (d) the approval of any modification of the conditions of this consent (excluding modifications made under section 4.55(1) of the EP&A Act); or
- (e) the issue of a direction of the Planning Secretary under this consent which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

- A18. If necessary, to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

Note: *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

COMPLIANCE REPORTING

- A19. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements.
- A20. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements, unless otherwise agreed to by the Planning Secretary.
- A21. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- A22. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements, the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- A23. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements.
- A24. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- A25. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.
- A26. In accordance with the specific requirements in the Independent Audit Post Approval Requirements, the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under this consent;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.
- A27. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements unless otherwise agreed by the Planning Secretary.
- A28. Notwithstanding the requirements of the Independent Audit Post Approvals Requirements, the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

SYDNEY METRO CORRIDOR PROTECTION GENERAL CONDITIONS

- A29. Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).
- A30. Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not 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 issue of staged Construction Certificates by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.
- A31. All reasonable Sydney Metro costs associated with review of plans, designs and legal must be borne by the applicant.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - INSPECTIONS

- A32. At any time during the construction of the development, Sydney Metro and persons authorised by those entities may give reasonable notice to the Applicant or the Applicant's principal contractor that Sydney Metro or persons authorised by that entity seek to:
- (a) inspect the development site and all works and structures that may impact on the rail corridor, including at specified "hold points" in the construction of the development; and
 - (b) attend on-site meetings with the Applicant and its contractors,
 - (c) to enable Sydney Metro to determine whether the development has been or is being constructed and maintained in accordance with all approved plans and this development consent.

PART B – PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

DESIGN EXCELLENCE AND INTEGRITY

- B1. The architectural design team comprising Turner Studio is to have direct involvement in the design documentation, contract documentation and construction stages of the project.
- B2. The architectural design team is to have full access to the site, following safety induction, and is to be authorised by the Applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the procurement and construction stages, and the final occupancy of the development.

- B3. The architectural design team is not to be changed without prior written notice and approval of the Planning Secretary.
- B4. To ensure the scheme retains, or is an improvement upon, the approved design excellence qualities, the Applicant must notify the Planning Secretary of any proposed modifications to the approved architectural drawings.
- B5. The Planning Secretary is to determine whether any proposed modifications to the approved architectural drawings require review by the Key Sites and Housing Assessments Team, GANSW or the State Design Review Panel (SDRP).

DESIGN AMENDMENTS FOR WASTE COLLECTION VEHICLES

- B6. Prior to the issue of the relevant Construction Certificate, the Applicant must prepare and submit to the satisfaction of Council, final design drawings and details for the basement levels demonstrating heavy rigid vehicles (HRV) can be accommodated in accordance with letter dated 22 May 2025 by Turner Architects, letter dated 28 May 2025 by Think Planners and associated floor plans and section. The final drawings and details must demonstrate that all of the requirements in Council's submission dated 16 May 2025 are satisfied. Evidence of Council's satisfaction to the design details must be provided to the Planning Secretary prior to the issue of the relevant Construction Certificate.

MATERIALS AND FINISHES

- B7. Prior to the issue of the relevant Construction Certificate, the Applicant must prepare and submit to the satisfaction of the Planning Secretary details of final materials and finishes to ensure the design excellence objectives of the project are met. The details must include:
- (a) specifications and digital sample boards for all external finishes, colours and glazing including annotated drawings and computer-generated imagery of their application; and
 - (b) detailed architectural drawings of the facade details, including glazing specification and sun shading devices.

MAXIMUM BUILDING HEIGHTS

- B8. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the satisfaction of the Certifier details confirming the maximum height of the buildings does not exceed the following, including plant and lift overruns, but excluding communication devices, antennas, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Building	Maximum height
A	RL 108.16
B	RL 145.02
C	RL 143.81
D	RL 110.96
E	RL 142.96

GROSS FLOOR AREA CERTIFICATION

- B9. Prior to the issue of the Construction Certificate, the Applicant must submit to the satisfaction of the Certifier details confirming the gross floor area of the development does not exceed 11,216m².

Note: The amount of GFA above is in relation to this application. Refer to Schedule 3 (amending conditions to SSD-31576972) in relation to total site GFA.

LONG SERVICE LEVY

- B10. Prior to the issue of the Construction Certificate, the Applicant must submit to the satisfaction of the Certifier details confirming payment of a Long Service Levy. For further information on the current levy rate and methods of payment, contact the Long Service Levy Payments Corporation Helpline on 131 441.

DEVELOPER CONTRIBUTIONS – LOCAL CONTRIBUTIONS

- B11. Prior to the issue of the Construction Certificate or the issue of any subdivision certificate, whichever occurs first, the Applicant must obtain evidence of receipt from Council confirming the monetary contribution for the development pursuant to the provisions of City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1). The amount payable, including how the contribution will be indexed, must be obtained from Council.
- B12. A copy of the receipt for payment of contributions must be submitted to the Certifier with the first Construction Certificate or subdivision certificate, whichever occurs first.

DEVELOPER CONTRIBUTIONS – HOUSING AND PRODUCTIVITY CONTRIBUTIONS

- B13. Prior to the issue of the Construction Certificate or the issue of any subdivision certificate, whichever occurs first, the Applicant must obtain evidence of receipt confirming the Housing and Productivity Contribution (HPC) set out in the table below has been made:

Housing and Productivity Contribution	Amount
Housing and productivity contribution (base component)	\$407,005.22
Total housing and productivity contribution	\$407,005.22

- B14. At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).
- B15. The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A 1979 agrees.
- B16. The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A 1979 to the development, or the HPC Order exempts the development from the contribution.
- B17. The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

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

STRUCTURAL DETAILS

- B18. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.
- B19. Prior to the issue of the relevant Construction Certificate, 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 such as synthetic or aluminium composite panels comply with the requirements of the NCC. The Applicant must provide a copy of the documentation to the Planning Secretary for information.

EXTERNAL WALLS AND CLADDING

- B20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the NCC.
- B21. Prior to the issue of the relevant Construction Certificate, 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 such as synthetic or aluminium composite panels comply with the requirements of the NCC. The Applicant must provide a copy of the documentation to the Planning Secretary for information.

ACCESS AND FACILITIES FOR PEOPLE WITH DISABILITIES

- B22. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier details prepared by a suitability qualified professional demonstrating that the buildings and external elements around the buildings has been designed and will be constructed to provide access and facilities for people with a disability in accordance with the NCC.

MECHANICAL VENTILATION

- B23. The premises must be ventilated in accordance with the NCC and applicable Australian Standards.
- B24. Prior to the issue of the relevant Construction Certificate, 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.

REFLECTIVITY

- B25. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier a report/documentation demonstrating that external treatments, materials and finishes of the development do not cause adverse or excessive glare.

SITE STABILITY AND CONSTRUCTION WORK

- B26. Prior to the issue of the Construction Certificate, the Applicant must submit to the satisfaction of the Certifier a report obtained from a suitably qualified and experienced professional engineer/s, which includes the following:
- (a) geotechnical details which confirm the suitability and stability of the site for the development and relevant design and construction requirements are to be implemented to ensure the stability and adequacy of the development and adjacent land;
 - (b) details of the proposed methods of 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; and
 - (e) details of written approvals that have been obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place).

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- B27. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating that the design of the development has incorporated the Crime Prevention Through Environmental Design Assessment (CPTED) management and mitigation measures included within the CPTED report prepared by Think Planners dated 27 June 2024.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- B28. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating the development incorporates all design, construction and operation measures as identified in the Sustainability Report prepared by Northrop dated 8 July 2024.
- B29. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating that the development will achieve a minimum 5 Star Green rating (and target a 6 Star Green rating where reasonable and feasible) in accordance with the Green Star Design and As-Built V.1.3 (Green Building Council Australia).

INSTALLATION OF WATER EFFICIENT FIXTURES AND FITTINGS

- B30. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence demonstrating:
- (a) all toilets installed within the development will be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS);
 - (b) all taps and shower heads installed within the development will be water efficient with at least a 3-star rating under the WELS, where available;
 - (c) new urinal suites, urinals and urinal flushing control mechanisms installed within the development will utilise products with at least a 4-star rating under the WELS; and
 - (d) systems will reduce unnecessary flushing and will not involve the use of continuous flushing systems.

MECHANICAL PLANT NOISE MITIGATION

- B31. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier details of noise mitigation measures for all mechanical plant (as detailed on relevant Construction Certificate drawings) and certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the Noise Policy for Industry (EPA, 2017) and other guidelines applicable to the development.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

- B32. Prior to the issue of the relevant Construction Certificate, 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 Acoustic Review of DA Modification prepared by Acoustic Logic dated 27 March 2024.

WIND MITIGATION MEASURES

- B33. Prior to the issue of the first above ground Construction Certificate, the Applicant must submit evidence to the Certifier demonstrating that the design of the development has incorporated the wind mitigation measures contained within the document titled Pedestrian Wind Environment Study prepared by Windtech dated 28 March 2024.

CAR AND MOTORCYCLE PARKING

- B34. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier plans demonstrating compliance with the following traffic and parking requirements:
- (a) on site car parking spaces provided as follows:
 - (i) 474 residential spaces, comprising 433 market apartment spaces and 41 affordable housing spaces
 - (ii) 68 visitor spaces
 - (iii) 12 commercial spaces
 - (iv) 4 motorcycle spaces
 - (v) 1 carshare space
 - (vi) 1 car wash bay
 - (b) allocation of 1 accessible car parking space for each adaptable dwelling;
 - (c) all vehicles must enter and leave the subject site in a forward direction without interfering with any on-street parking space;
 - (d) all vehicles are to be wholly contained on site before being required to stop;
 - (e) parking associated with the development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) must be in accordance with the applicable Australian Standards;
 - (f) appropriate pedestrian advisory signs must be provided at the egress from parking areas;
 - (g) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority; and
 - (h) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Site, as well as manoeuvrability through the subject Site, must be in accordance with AUSTROADS.

BICYCLE PARKING

- B35. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier plans demonstrating compliance with the following:
- (a) a minimum of 479 residential bicycle parking spaces;
 - (b) a minimum of 48 residential visitor bicycle parking spaces;
 - (c) a minimum of 8 non-residential bicycle parking spaces; and
 - (d) end-of-trip facilities for non-residential floor space comprising minimum 4 showers and 8 lockers.
- B36. The layout, design and security of bicycle facilities must comply with applicable Australian Standards.

LANDSCAPING

- B37. Prior to the issue of the relevant Construction Certificate, the Applicant must prepare and submit to the satisfaction of the Planning Secretary, detailed Landscape Plans. The plans must be generally consistent with the Landscape Plans and Report prepared by Site Image and include:
- (a) landscaping that interprets or reflects the local/cultural setting, including as part of the overall Connection to Country response including patternation of materials and motifs;
 - (b) details of tree planting, including pot sizes;
 - (c) details of soil depth and volume;
 - (d) detail of the location, species and height at maturity of plants to be planted on-site;
 - (e) demonstrate adequate drainage and watering systems for the planters;
 - (f) details of plant maintenance and watering including the first 12 months after the issue of an occupation certificate;
 - (g) a commitment to replace plants with the same species if any plant loss occurs within the maintenance period; and
 - (h) detail of all landscape materials, surfaces and finishes.

PUBLIC DOMAIN PLANS

- B38. Prior to the issue of the relevant Construction Certificate, the Applicant must prepare and submit to the satisfaction of Council detailed updated Public Domain Plans. A copy of Council's approval for the Public Domain Plans is to be provided to the Planning Secretary. The plans must incorporate:
- (a) undergrounding of power lines along Ray Road and Beecroft Road;
 - (b) street trees along Beecroft Road in consultation with Transport for NSW with consideration given to Council's preferred species of *Lophostemon confertus* rather than *Tristania laurina*;
 - (c) street trees along Ray Road to be *Waterhousea floribunda* rather than *Callistemon King Park Special*
 - (d) street trees planters at minimum 8-10m intervals;
 - (e) reconstruction of all existing footpaths, kerbs and gutters along the Ray Road and Beecroft Road frontages
 - (f) footpaths should be 1.8m wide and constructed to Council's standards;
 - (g) footpaths should be built at the property boundaries enabling as wide a verge as possible;
 - (h) green power pillars, where required, must be installed with a c/c distance of 100mm from the property boundary; and
 - (i) street furniture must be provided as per Parramatta Public Domain Guidelines.

STORMWATER MANAGEMENT SYSTEM

- B39. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier an operational stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be generally in accordance with the conceptual design in the EIS and RTS;
 - (c) be in accordance with Council's Guidelines and Specifications;
 - (d) be in accordance with applicable Australian Standards;
 - (e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines; and
 - (f) reduce annual average pollution export loads from the development in line with the following environmental targets:
 - (i) 90% reduction in the annual average load of gross pollutants
 - (ii) 85% reduction in the annual average load of total suspended solids
 - (iii) 65% reduction in the annual average load of total phosphorous
 - (iv) 45% reduction in the annual average load of total nitrogen.
- B40. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier amended plans for the onsite detention tank achieving the following outcomes:
- (a) relocation of the detention tank so it is not directly below habitable rooms or located directly adjacent to habitable rooms; and
 - (b) incorporate access grates to Council's standards comprising 900x900mm ventilation and access openings spaced not more than 4 metres apart across the roof of the tank.

STORMWATER QUALITY

- B41. Prior to the issue of the relevant Construction Certificate, detailed stormwater management plans consistent with the approved Stormwater Management Plan and with written evidence of endorsement by Council must be submitted to the certifying authority where it relates to existing or proposed public/street drainage.

FLOOD MITIGATION

- B42. Prior to the issue of the relevant Construction Certificate, the Applicant must demonstrate to the satisfaction of the Certifier that the development will manage flood risk within and in the vicinity of the site in accordance with the recommendations of the Flood Study and Impact Assessment prepared by Northrop dated 6 April 2023.
- B43. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier construction drawings and specifications for flood gates at the driveway along Ray Road and at Building A lobby along Ray Road.

ADAPTABLE UNITS

- B44. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier a report from a suitably qualified consultant that any adaptable dwellings specified in the approved plans or supporting documentation comply with the applicable Australian Standards.

BASIX CERTIFICATION

- B45. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate No. 1312666M_04 and any updated certificate issued if amendments are made. The BASIX Certificate must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans.

WASTE MANAGEMENT

- B46. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier evidence the development can accommodate the pickup of all waste within the building, all waste vehicles can enter and leave the building in a forward direction, and the development has incorporated separate dedicated waste storage areas, to facilitate the separation of residential waste and recycling from commercial material, and that the development has been designed and constructed in accordance with Council's waste guidelines and specifications including City of Parramatta Waste Management Guidelines for new Development Applications 2016.

SYDNEY WATER CONDITION – BUILDING PLAN APPROVAL

- B47. The plans must be approved Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of the development. Any amendments to plans will require re-approval. Sydney Water recommends the developer apply for a Building Plan Approval early to reduce unnecessary delays for further referrals or development timeframes.

SYDNEY WATER CONDITION – TREE PLANTING

- B48. Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to assets caused by trees.
- B49. Any trees proposed or planted that may cause destruction of, damage to, or interference with, Sydney Water work 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 recover for all loss and associated compensation for the removal.

SYDNEY WATER CONDITION – TRADE WASTEWATER REQUIREMENTS

- B50. If the development generates trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. Sydney Water approval for this permit must be obtained before any business activities can commence.
- B51. A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

SYDNEY WATER CONDITION – BACKFLOW PREVENTION REQUIREMENTS

- B52. All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Properties with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device as a minimum.
- B53. Prior to installing a backflow prevention device, a hydraulic consultant or plumber should check the available water pressure versus the property's required pressure and flow requirements and a site assessment should be carried out to confirm the hazard rating of the property and its services.
- B54. Installation will need to be carried out by a licensed plumber with backflow accreditation.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - ENGINEERING

- B55. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:
- (a) Geotechnical Investigation Report prepared by PSM, dated 27 May 2022.
 - (b) Structural Drawings prepared by JSBC Consulting, as listed below:
 - (i) Shoring and Early Works Plan, Revision A, dated 16 October 2024.
 - (ii) Shoring Elevations - Sheet 1, Revision, dated 16 October 2024.
 - (iii) Shoring Infrastructure Sections – Sheet 1, dated 16 October 2024.
 - (iv) Shoring Infrastructure Sections – Sheet 2, dated 16 October 2024.
 - (v) Shoring Infrastructure Sections – Sheet 3, dated 16 October 2024.
 - (vi) Shoring Infrastructure Sections – Sheet 4, dated 16 October 2024.
 - (vii) Shoring Adjacent to Beecroft Road Construction Methodology, dated 16 October 2024.
 - (c) 242-244 Beecroft Road, Epping – Sydney Metro Tunnel Structural Assessment, Revision F, prepared by Hyve Designs, dated 31 March 2025.

- (d) Risk Assessment, prepared by ArchArtifex, dated 18 November 2024.
- (e) Noise and Vibration Impact Assessment, Revision 4, prepared by Acoustic Logic dated 6 November 2024.
- (f) Electrolysis Risk Assessment Report, Revision 1, prepared by Corrosion Control Engineering, dated 1 November 2024.
- (g) Finite Element Analysis for Sydney Metro 242-244 Beecroft Road, Epping, prepared by EI Australia, dated 19 November 2024.
- (h) Geotechnical Letter for Endorsement of Additional Basement, prepared by EI Australia, dated 19 November 2024.
- (i) Structural Sydney Metro Report – Endorsement for Additional Basement, prepared by JSBC Consulting, dated 19 November 2024.

subject to any amendments to those documents required by Sydney Metro in accordance with this consent.

- B56. The Certifier must not issue a Construction Certificate for the development until the Certifier has confirmed which documents (including the versions of those documents) apply to the development and the Certifier has confirmed in writing to Sydney Metro that the construction drawings and specifications comply with those documents. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

- B57. The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro, and Sydney Metro has provided written approval of, the following items:
- (a) Final design construction drawings with details of internal props, foundations of bracing system for the Construction Certificate;
 - (b) Latest instrumentation and monitoring plan with trigger levels and actions; and
 - (c) A risk assessment in accordance with Section 7.3 of Sydney Metro Underground Corridor Protection Technical Guidelines and/or Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines, including the consideration of likelihood, consequences, mitigation measures and risk levels.

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

SYDNEY METRO CORRIDOR PROTECTION CONDITION – RAIL CORRIDOR

- B58. All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Northwest rail corridor or rail operations. Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Northwest rail corridor or rail operations, that part of the development must have a minimum design life of 100 years.

SYDNEY METRO CORRIDOR PROTECTION CONDITION – SURVEY AND SERVICES

- B59. Prior to the issue of a Construction Certificate:
- (a) the Applicant must provide Sydney Metro with an accurate survey of the development and its location relative to the rail corridor boundary and any rail infrastructure. The survey is to be undertaken by a registered surveyor, to the satisfaction of Sydney Metro; and
 - (b) a registered surveyor shall peg-out the common property boundary between the development site and the rail corridor and any Sydney Metro easements to ensure that there is no encroachment by the development. A copy of the survey report indicating the location of pegs must be provided to Sydney Metro prior to the commencement of works.
- B60. Prior to the issue of a Construction Certificate, the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. A services search must be based on current and not expired information and include information obtained through the Dial Before You Dig service. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.

SYDNEY METRO CORRIDOR PROTECTION CONDITION – NOISE AND VIBRATION

- B61. The development must:
- (a) comply with State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines;

- (b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and
- (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.

B62. The Applicant must incorporate as part of the development all the measures recommended in the acoustic assessment report Noise and Vibration Impact Assessment, prepared by Acoustic Logic, Revision 4, dated 6 November 2024. A copy of the acoustic assessment report is to be provided to the Certifier and Council prior to the relevant Construction Certificate being issued by the Certifier. The Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing the relevant Construction Certificate for the development.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - ELECTROLYSIS

- B63. Prior to the issue of a Construction Certificate, the Applicant is to engage an electrolysis expert to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the electrolysis report to control that risk. A copy of the electrolysis report is to be provided to the Certifier with the application for a Construction Certificate.
- B64. Prior to issuing a Construction Certificate for the development, the Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - DESIGN

- B65. The roots and foliage of trees planted beside the rail corridor as part of the development must not impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Metro. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - CONSTRUCTION

- B66. No work is permitted within the rail corridor, or any easements which benefit Sydney Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- B67. No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed in the rail corridor, Sydney Metro property or easements. The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.
- B68. Prior to the issuing of a Construction Certificate, the following information must be submitted to Sydney Metro for review and endorsement:
- (a) Machinery to be used during excavation/construction;
 - (b) Demolition, excavation and construction methodology and staging.

The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied

- B69. If required by Sydney Metro, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- B70. If required by Sydney Metro, a tunnel monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Metro for review and endorsement prior to the issuing of a Construction Certificate. The Certifier must not issue a Construction Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- B71. Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements. If required by Sydney Metro, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Metro requirements. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied.
- B72. If required by Sydney Metro, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Metro's Corridor Protection Team to determine the need for public liability insurance cover and the level of insurance required. If insurance cover is deemed necessary, the Applicant must obtain insurance for the sum determined by Sydney Metro and such insurance shall not contain any exclusion in relation to works on or near the

rail corridor or rail infrastructure and must be maintained for the period specified by Sydney Metro. Prior to issuing a Construction Certificate for the development, the Certifier must witness written proof of any insurance required by Sydney Metro in accordance with this condition, including the written advice of Sydney Metro to the Applicant regarding the level of insurance required.

- B73. If required by Sydney Metro, prior to the issue of a Construction Certificate the Applicant must contact the Sydney Metro Corridor Protection Team to determine the need for the lodgement of a bond or bank guarantee for the duration of the works and the sum of any required bond or bank guarantee. Prior to issuing a Construction Certificate for the development, the Certifier must witness written confirmation from Sydney Metro that the Applicant has lodged any bond or bank guarantee required by this condition.
- B74. Prior to the issue of a Construction Certificate, the Applicant must prepare and provide to Sydney Metro for review and endorsement a hydrologic assessment report demonstrating that any dewatering during construction will not have any adverse settlement impacts on the rail corridor. The Certifier must not issue a Construction Certificate until this report has been endorsed by Sydney Metro in writing.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - DRAINAGE

- B75. The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the railway corridor unless prior written approval has been obtained from Sydney Metro. The Certifier must not issue a Construction Certificate or Occupation Certificate for the development unless this condition has been satisfied.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - DOCUMENTATION

- B76. Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be provided to the Planning Secretary for information prior to the issue of any Construction Certificate.

PART C – PRIOR TO THE COMMENCEMENT OF WORKS

NOTICE OF COMMENCEMENT

- C1. The Department, Council and TfNSW (including Sydney Metro) must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- C2. If the construction or operation of the development is to be staged, the 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

- C3. 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:
 - (i) the documents referred to in Condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) 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;
 - (v) 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;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaints register, updated monthly;
 - (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;
 - (x) any other matter required by the Planning Secretary;
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary; and
 - (c) address any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.

SURVEY CERTIFICATE

- C4. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier:
- (a) all footings/ foundations; and
 - (b) at other stages of construction - any marks that are required by the principal certifier.
- C5. Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal 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.
- C6. Prior to the commencement of works, the Applicant must submit to the satisfaction of the Certifier a Registered Surveyor's certificate detailing the setting out of the proposed building on the site, including the relationship of the set out building to property boundaries.

PROTECTION OF PUBLIC INFRASTRUCTURE AND STREET TREES

- C7. Prior to the commencement of works, the Applicant must:
- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
 - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation report to the Certifier, Planning Secretary and Council; and
 - (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.

UTILITIES AND SERVICES

- C8. 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.
- C9. Prior to the commencement of works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

DIAL BEFORE YOU DIG SERVICE

- C10. 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.

DEMOLITION

- C11. Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier before the commencement of works.

COMMUNITY COMMUNICATION STRATEGY

- C12. Before the commencement of construction, the Applicant must prepare a Community Communication Strategy (CCS) for the development to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.
- C13. The CCS for the development must:
- (a) identify people to be consulted during the design and construction phases;
 - (b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
 - (c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
 - (d) set out procedures and mechanisms:
 - (i) through which the community can discuss or provide feedback to the Applicant;

- (ii) through which the Applicant will respond to enquiries or feedback from the community; and
 - (iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.
 - (e) include any requirements which may relate to specific issues for example traffic, noise and vibration, soil and water, vegetation removal and landscaping and contamination.
- C14. The CCS must be submitted to the Planning Secretary for approval no later than one month before the commencement of construction. A copy of the approved CCS must be provided to Council.
- C15. Construction must not commence until the CCS has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.
- C16. The CCS, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- C17. Prior to the commencement of any construction, the Applicant must submit to the satisfaction of the Certifier a Pre-Construction Dilapidation Report, prepared by a suitably qualified person.
- C18. The Pre-Construction Dilapidation Report is to detail the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence', as defined in any Pre-Construction Dilapidation Report. Any entry into private land is subject to the consent of the owner of the land and 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 is to be forwarded to the Planning Secretary and each of the affected property owners.
- C19. In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.
- C20. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.
- C21. The damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain Works or before the final Occupation Certificate is issued for the development, whichever is the sooner.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C22. Prior to the commencement of any earthwork or construction, a Construction Environmental Management Plan (CEMP) must be submitted to the Certifier. The CEMP must address, but not be limited to, the following matters where relevant:
- (a) Details of:
 - (i) hours of work;
 - (ii) 24 hour contact details of the site manager;
 - (iii) community consultation (including consultation under the CCS) and complaint handling procedures;
 - (iv) traffic management;
 - (v) noise and vibration management, prepared by a suitably qualified person;
 - (vi) management of dust and odour to protect the health and amenity of the neighbourhood;
 - (vii) stormwater control and discharge, including measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (viii) contamination management, including any unexpected contamination finds protocol;
 - (ix) waste management;
 - (x) external lighting in compliance with applicable Australian Standards;
 - (xi) flora and fauna management.
 - (b) Construction Traffic and Pedestrian Management Sub-Plan (see condition C23);
 - (c) Construction Noise and Vibration Management Sub-Plan (see condition C24);
 - (d) Air Quality Management Sub-Plan (see condition C25);
 - (e) Construction Waste Management Sub-Plan (see condition C28);
 - (f) Construction Soil and Water Management Sub-Plan (see condition C29);
 - (g) an unexpected finds protocol for contamination and associated communications procedure;

- (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
- (i) 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.

CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN SUB-PLAN

- C23. Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier a final Construction Pedestrian and Traffic Management Plan Sub-Plan (CPTMP), prepared in consultation with the Sydney Coordination Office within TfNSW. The CPTMP needs to specify matters including, but not limited to, the following:
- (a) a description of the development;
 - (b) location of any proposed work zone(s);
 - (c) details of crane arrangements including location of any crane(s) and crane movement plan;
 - (d) haulage routes;
 - (e) proposed construction hours;
 - (f) predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods;
 - (g) construction vehicle access arrangements;
 - (h) construction program and construction methodology, including any construction staging;
 - (i) a detailed plan of any proposed hoarding and/or scaffolding;
 - (j) measures to avoid construction worker vehicle movements within the precinct;
 - (k) consultation strategy for liaison with surrounding stakeholders, including other developments under construction;
 - (l) identify any potential impacts to general traffic, cyclists, pedestrians, bus services within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures must be clearly identified and included in the CPTMP; and
 - (m) identify the cumulative construction activities of the development and other projects within or around the development site. Proposed measures to minimise the cumulative impacts on the surrounding road network must be clearly identified and included in the CPTMP.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT SUB-PLAN

- C24. Prior to the commencement of any earthwork or construction, 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 must 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, as part of the Sub-Plan, or as undertaken in the EIS;
 - (d) the construction noise, ground-borne noise and vibration objectives derived from an application of the EPA Interim Construction Noise Guideline (ICNG), as reflected in conditions of approval;
 - (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 conditions of approval;
 - (f) where objectives are predicted to be exceeded, an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise and vibration impacts;
 - (g) description of management methods and procedures, and specific noise mitigation treatments/measures that 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; reduce hours of construction, the provision of respite from noise/vibration intensive activities, acoustic barriers/enclosures, alternative excavation methods or other negotiated outcomes with the affected community;
 - (i) 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;

- (j) measures to identify non-conformances with the requirements of the Sub-Plan, and procedures to implement corrective and preventative action;
- (k) 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;
- (l) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;
- (m) measures to monitor noise performance and respond to complaints;
- (n) measures to reduce noise related impacts associated with offsite vehicle movements on nearby access and egress routes from the site;
- (o) procedures to allow for regular professional acoustic input to construction activities and planning; and
- (p) effective site induction, and ongoing training and awareness measures for personnel (e.g., toolbox talks, meetings etc).

AIR QUALITY MANAGEMENT SUB-PLAN

- C25. Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier an Air Quality Management Sub-Plan (AQMP) for the development. The Sub-Plan must include, as a minimum, the following elements:
- (a) be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (the Approved Methods);
 - (b) relevant environmental criteria to be used in the day-to-day management of dust and volatile organic compounds (VOC/odour);
 - (c) dust and VOCs/odour management strategies consisting of:
 - (i) objectives and targets;
 - (ii) risk assessment;
 - (iii) suppression improvement plan;
 - (iv) monitoring requirements including assigning responsibility (for all employees and contractors);
 - (v) communication strategy; and
 - (vi) system and performance review for continuous improvements.
- C26. The AQMP must detail management practices to be implemented for all dust and VOC/odour sources at the site. The AQMP must also detail the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (eg. frequency, duration and method of monitoring) to be undertaken for the project.
- C27. The Applicant must also develop and implement an appropriate comprehensive Reactive Air Quality and Odour Management Plan which will incorporate an Ambient Air Monitoring Program and Reactive Management Strategy to ensure that the assessment criteria are met during the works.

CONSTRUCTION WASTE MANAGEMENT SUB-PLAN

- C28. Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier a Construction Waste Management Sub-Plan for the development. The Sub-Plan must include, as a minimum, the following elements:
- (a) require that all waste generated during the project is assessed, classified, and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";
 - (b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;
 - (c) procedures for minimising the movement of waste material around the site and double handling;
 - (d) waste (including 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 premises;
 - (f) the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises;
 - (g) details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):
 - (i) a traffic plan showing transport routes within the site;
 - (ii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the *Protection of the Environment Operations Act 1997*; and
 - (iii) the name and address of each licensed facility that will receive waste from the site (if appropriate).

CONSTRUCTION SOIL AND WATER MANAGEMENT PLAN SUB-PLAN

- C29. Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier a Construction Soil and Water Management Sub-Plan which must be prepared by a suitably qualified expert, in consultation with Council 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);
 - (c) detail all off-Site flows from the Site; and
 - (d) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

CONSTRUCTION PARKING

- C30. Prior to the commencement of any earthwork or construction, the Applicant must submit to the satisfaction of the Certifier evidence that sufficient off-street parking has been provided for heavy vehicles and for site personnel (where required), to ensure that construction traffic associated with the development does not utilise on-street parking or public parking facilities.

COMPLIANCE

- C31. Prior to the commencement of any earthwork or construction, 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.

BARRICADE PERMIT

- C32. Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the *Roads Act 1993* for a Barricade Permit is to be obtained from the relevant authority prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant authority.

HOARDING

- C33. An application under section 138 of the *Roads Act 1993* is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include:
- (a) architectural, construction and structural details of the design as well as any proposed artwork; and
 - (b) structural certification prepared and signed by an appropriately qualified practising structural engineer.

OUTDOOR LIGHTING

- C34. 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 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.

PUBLIC LIABILITY INSURANCE

- C35. 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 is to be provided to Council.

REMEDIATION – UNEXPECTED FINDS PROTOCOL

- C36. Prior to the issue of any Construction Certificate for aboveground works, the applicant must submit to the satisfaction of the certifier, evidence of compliance with the Detailed Site Investigation prepared by EI Australia dated 29 June 2022, including preparation and implementation of the Remediation Action Plan and the preparation of the Site Validation Report.
- C37. Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the satisfaction of the Certifier an Unexpected Finds Protocol which has been reviewed and endorsed by an EPA accredited site auditor. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.

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 approval and certification must be always kept on the Site and must be readily available for perusal by any officer of the Department, Council or the Certifier.

SITE NOTICE

- D2. 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) is to 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 is to be 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

- D3. Construction, including the delivery of materials or machinery to and from the site as well as the removal of excavated material (including loading of trucks), may only be carried out between the following hours:
- (a) between 7am and 5pm, Mondays to Fridays inclusive; and
 - (b) between 8am and 5pm, Saturdays.
- D4. No work may be carried out on Sundays or public holidays.
- D5. Activities may be undertaken outside of these hours if required:
- (a) by the Police or a public authority for the delivery or removal of vehicles, plant or materials, or the installation and dismantling of plant or equipment; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- D6. Notification of activities undertaken in the circumstances in Condition D4 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. Rock breaking, rock hammering, sheet piling, pile driving, and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm, Monday to Friday; and
 - (c) 9am to 12pm, Saturday.

INCIDENT NOTIFICATION, REPORTING AND RESPONSE

- D8. The Department must be notified in writing to compliance@planning.nsw.gov.au 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.
- D9. Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.

NON-COMPLIANCE NOTIFICATION

- D10. 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.
- D11. 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.
- D12. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

SAFework REQUIREMENTS

- D13. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.

IMPLEMENTATION OF MANAGEMENT PLANS

- D14. The Applicant must ensure the requirements of the Construction Environmental Management Plan, Construction Pedestrian Traffic Management Plan, Construction Noise and Vibration Management Sub-Plan, Air Quality Management Plan and Construction Waste Management Plan required by Part B of this consent are implemented during construction.

CONSTRUCTION NOISE LIMITS

- D15. The development must be constructed having regard to the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures identified in the approved CNVMP.
- D16. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.
- D17. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.
- D18. The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any sensitive receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than 1 hour respite between ceasing and recommencing any of the work the subject of this condition.
- D19. 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* or exceed approved noise limits for the Site.

VIBRATION CRITERIA

- D20. 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); and
 - (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).
- D21. Vibratory compactors must not be used within 30 metres of residential or heritage buildings unless vibration monitoring confirms compliance with the vibration criteria specified above. These limits apply unless otherwise outlined in the project specific CNVMP required by this consent.

AIR QUALITY

- D22. 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.

SHORING AND ADEQUACY OF ADJOINING PROPERTY

- D23. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person's own expense:
- (a) protect and support the building, structure or work from possible damage from the excavation, and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

TREE PROTECTION

- D24. While site or building work is being carried out, the Applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of the applicable Australian Standards and the Arborist's Report approved under this consent. This

includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

EROSION AND SEDIMENT CONTROL

- D25. 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, are to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004)* commonly referred to as the 'Blue Book'.

CUT AND FILL

- D26. While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the Site is managed in accordance with the following requirements:
- (a) all excavated material removed from the Site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility; and
 - (b) the classification and the volume of material removed must be reported to the Certifier.
- D27. All fill material imported to the Site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the EPA.

DISPOSAL OF SEEPAGE AND STORMWATER

- D28. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the EPA in accordance with the *Protection of the Environment Operations Act 1997*.
- D29. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.
- D30. A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the *Roads Act 1993*.

ASBESTOS

- D31. The Applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:
- (a) Work Health and Safety Regulation 2017;
 - (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;
 - (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and
 - (d) Protection of the Environment Operations (Waste) Regulation 2014.

CONSTRUCTION TRAFFIC

- D32. All construction vehicles are to be contained wholly within the Site, except if located in an approved on-street work zone, and vehicles must enter the Site before stopping.

ROAD OCCUPANCY LICENCE

- D33. A Road Occupancy Licence must be obtained from the relevant transport authority for any works that impact on traffic flows during construction activities.

NO OBSTRUCTION OF PUBLIC WAY

- D34. The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement may result in the issue of a notice by the Planning Secretary to stop all work on Site.

CONTACT TELEPHONE NUMBER

- D35. The Applicant must ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

COVERING OF LOADS

- D36. All vehicles involved in the excavation and / or demolition process and departing from the Site with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

VEHICLE CLEANSING

- D37. Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

UNCOVERING RELICS OR ABORIGINAL OBJECTS

- D38. All works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The Applicant must notify the Heritage Council of NSW in respect of a relic and notify the Planning Secretary and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning and Environment.
- D39. In this condition:
- (a) "relic" means any deposit, artefact, object or material evidence that:
 - (i) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (ii) is of State or local heritage significance; and
 - (b) "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - SUPERVISION

- D40. Unless advised by Sydney Metro in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - CONSULTATION

- D41. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro in writing), who:
- (a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Metro;
 - (b) acts as the authorised representative of the Applicant; and
 - (c) is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.
- D42. Without in any way limited the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Metro 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 Metro in relation to the works.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - DRAINAGE

- D43. The Applicant must ensure that all existing and future drainage works on the development site will be directed into the appropriate local council or approved drainage system.
- D44. The Applicant must ensure that during works no water collects on or near the railway corridor. Should water be allowed to pond adjacent to rail infrastructure facilities and service is interrupted, the Applicant shall be liable for any Sydney Metro expenditure involved with restoring or maintaining alternative services.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - INSPECTIONS

- D45. If required by Sydney Metro, the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:
- (a) site investigations;
 - (b) foundation, pile and anchor set out;
 - (c) set out of any other structures below ground surface level or structures which will transfer any load or bearing;
 - (d) foundation, pile and anchor excavation;
 - (e) other excavation;
 - (f) surveying of foundation, pile and anchor excavation and surveying of as-built excavations;
 - (g) other concreting; or
 - (h) any other event that Sydney Metro has notified to the Applicant in writing,

so that Sydney Metro may inspect the carrying out or completion of those works on the development site.

- D46. If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.

PART E – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

OCCUPATION CERTIFICATE

- E1. The Applicant must obtain an Occupation Certificate from the Certifier prior to commencement of occupation or use of the whole or any part of a new building or, an altered portion of, an extension to an existing building.

AFFORDABLE HOUSING

- E2. Prior to the issue of an Occupation Certificate, evidence of the following shall be provided to the satisfaction of the Certifier and copies provided for the information of the Planning Secretary:
- (a) the existing covenant over the property for 5% of residential gross floor area to be used as affordable housing shall be deregistered
 - (b) a new covenant shall be registered against the title of the property in accordance with Section 88E of the Conveyancing Act 1919 to ensure:-
 - (i) a minimum of 15% of the total gross floor area of the development is used for affordable housing for at least 15 years
 - (ii) the affordable housing is managed by a registered Community Housing Provider.
 - (c) evidence of an agreement with a registered Community Housing Provider shall be provided to the Registrar of Community Housing including the name of the registered Community Housing Provider.

WORKS-AS-EXECUTED PLANS AND ANY OTHER DOCUMENTARY EVIDENCE

- E3. Prior to the issue of an Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier works-as-executed drawings, signed by a registered surveyor, demonstrating that the stormwater drainage and finished ground levels have been constructed as approved.
- E4. The Certifier must provide a copy of the plans to the Planning Secretary and Council with the Occupation Certificate.

NOTIFICATION OF OCCUPATION

- E5. The Department must be notified in writing at least one month prior to the proposed occupation of the development.
- E6. If the occupation or use of the development is to be staged, the Department must be notified in writing at least one month before the commencement of the occupation of each stage, of the date of commencement of the occupation of the relevant stage.

GFA AND BUILDING HEIGHT CERTIFICATION

- E7. A Registered Surveyor is to certify that the development does not exceed the approved gross floor area and building height. Details must be provided to the Certifier demonstrating compliance with this condition prior to the issue of an Occupation Certificate.

EXTERNAL WALLS AND CLADDING FLAMMABILITY

- E8. Prior to any Occupation Certificate being issued, evidence must be submitted to the Certifier demonstrating all external walls of the new building, including cladding, comply with the relevant requirements of the NCC, consistent with the requirements of this consent.
- E9. The Applicant must provide a copy of the documentation to the Planning Secretary within seven days after the Certifier accepts it.

PROTECTION OF PUBLIC INFRASTRUCTURE

- E10. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair/reconstruct, or pay the full costs associated with repairing/reconstructing, any public infrastructure that is damaged by carrying out the development; and

- (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

E11. Infrastructure includes, but is not limited to, ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area.

MECHANICAL VENTILATION

E12. Prior to occupation or commencement of use, 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

E13. 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) be prepared in consultation with Council;
- (b) confirm the location of waste collection and establish appropriate routes to the collection point;
- (c) provide confirmation of the engagement of a qualified private waste collection contractor;
- (d) detail the type and quantity of waste to be generated during operation of the development;
- (e) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the Waste Classification Guideline (EPA);
- (f) detail the materials to be reused or recycled, either on or off site; and
- (g) include the Management and Mitigation Measures included in the EIS.

FINAL INSPECTION OF WASTE STORAGE AREAS

E14. Prior to the issue of any occupation certificate, a final inspection of the waste storage areas and associated management facilities must be undertaken by Council's waste management staff. This is to ensure compliance with council's design specifications and that necessary arrangements are in place for domestic waste collection by council and its domestic waste collection contractor.

DOMESTIC WASTE COLLECTION RISK ASSESSMENT

E15. Prior to the issue of any occupation certificate, a risk assessment must be undertaken on site by Council's waste management staff. The time for the assessment must be arranged when clear unobstructed circulation in and out of the site is available for council's domestic waste contractor to perform a mock collection run at the site.

WASTE AND RECYCLING COLLECTION

E16. Prior to the occupation or commencement of use, whichever is earlier, the building owner must ensure that there is a contract with a licensed contractor for the removal of all trade waste. No waste is to be placed on the public way eg. the roadways, footpaths, plazas, and reserves at any time.

POST-CONSTRUCTION DILAPIDATION REPORT

E17. Before the issue of any Occupation Certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the Certifier, detailing whether:

- (a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings, infrastructure or roads; and
- (b) where there has been structural damage to any adjoining buildings, infrastructure or roads, that it is a result of the building work approved under this development consent; and
- (c) relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads.

E18. Before the issue of any Occupation Certificate, the Certifier is to provide a copy of the post-construction dilapidation report to the consent authority and to the relevant adjoining property owner(s).

ROAD DAMAGE

E19. Prior to the occupation or commencement of the use, the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the Site as a result of construction works associated with the approved development is to be paid in full by the Applicant.

FIRE SAFETY CERTIFICATION

- E20. Prior to the issue of the any Occupation Certificate, a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the development. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Certifier and be prominently displayed in the building.

STRUCTURAL INSPECTION CERTIFICATE

- E21. 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 Certifier. A copy of the Certificate with an electronic set of final drawings must be submitted to the Planning Secretary and the Council after:
- (a) the Site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
 - (b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

WARM WATER SYSTEMS AND COOLING SYSTEMS

- E22. The operation and maintenance of warm water systems and water-cooling systems (as defined under the *Public Health Act 2010*) must comply with *the Public Health Act 2010, Public Health Regulation 2012* the NSW Health Code of Practice for the Control of Legionnaires' Disease and applicable Australian Standards.

OUTDOOR LIGHTING

- E23. Prior to the occupation or commencement of use, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:
- (a) complies with the latest version of AS 4282-2019 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); and
 - (b) 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.

STORMWATER

- E24. Prior to the issue of any Occupation Certificate, the Applicant must submit a copy of the stormwater drainage works-as-executed (WAE) plans certified by a licensed surveyor to the certifier, Planning Secretary and Council. The stormwater drainage WAE plans can be marked-up versions of the stormwater drainage design plans and must be prepared by a Practicing Professional Engineer experienced in the design of stormwater drainage systems.
- E25. Prior to the issue of any Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier an Operation and Maintenance Plan (OMP) to ensure the proposed stormwater quality measures remain effective. The OMP must contain the following:
- (a) maintenance schedule of all stormwater quality treatment devices;
 - (b) record and reporting details;
 - (c) relevant contact information; and
 - (d) Work Health and Safety requirements.

SYDNEY WATER COMPLIANCE

- E26. Prior to the issue of any Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, obtained from Sydney Water Corporation.

UTILITY PROVIDERS

- E27. Before the issue of any Occupation Certificate, the Applicant must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.
- E28. Before the issue of any Occupation Certificate, the Certifier must receive written confirmation from the relevant authority that the relevant services have been completed.

ENVIRONMENTAL PERFORMANCE

- E29. Prior to the occupation or commencement of use, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and would operate in accordance with, the environmental sustainability objectives, measures and initiatives required under this consent.

GREEN TRAVEL PLAN

- E30. Prior to the issue of any Occupation Certificate, the Applicant must prepare a Green Travel Plan (GTP) in consultation with TfNSW and submit it to sco@transport.nsw.gov.au for their endorsement. The GTP must consider, but not be limited to, the following matters:
- (a) objectives and mode share targets (i.e., site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - (b) specific tools and actions to help achieve the objectives and mode share targets;
 - (c) measures to promote and support the implementation of the plan, including financial and practical requirements, roles and responsibilities for relevant residents and employees involved in the implementation of the GTP;
 - (d) quantification and analysis of resident and employee numbers on the Site and analysis of journey to work data to properly understand public transport and car parking demand and develop effective strategies in response, as well as help to inform service planning considerations;
 - (e) consideration of a travel survey and workforce data analysis to inform likely travel patterns and resultant travel plan strategies to / from the Site;
 - (f) strategies for promoting higher mode share targets for alternate transport use;
 - (g) identification of a responsible party (or Committee) for the ongoing implementation of the Travel Plan and its initiatives;
 - (h) confirmation of extent and nature of end of trip facilities and bike parking, including their location, and how they will be promoted to residents and employees;
 - (i) encourages the use of carpooling through the implementation of a carpooling scheme for staff;
 - (j) considers the potential for fleet bikes to be used for travel within the site and its surrounds;
 - (k) identification of a communications strategy for conveying Travel Plan information to residents, staff and visitors, including for the Travel Access Guide;
 - (l) consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets (such as pricing, prioritisation for those that carpool, use of wait lists, etc);
 - (m) a detailed action plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs;
 - (n) an implementation checklist to achieve the proposed initiatives;
 - (o) alternative actions to undertake where targets are not achieved;
 - (p) the establishment and composition of a steering group or committee of relevant internal and external stakeholders to inform future targets and the ongoing monitoring and revision of the GTP for five years; and
 - (q) details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.
- E31. The Plan must be reviewed and updated annually in consultation with TfNSW and provide an Implementation Strategy that commits to specific management actions, including operational procedures to be implemented along with timeframes. The plan (as reviewed and updated annually) must be implemented by the Applicant for the life of the development.
- E32. The Plan must be made available to the Planning Secretary upon request.

LOADING AND SERVICING MANAGEMENT PLAN

- E33. Prior to the issue of any Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier a detailed Loading and Servicing Management Plan prepared in consultation with TfNSW. This Plan must ensure that any potential traffic and safety impacts associated with the car park and loading dock operation are mitigated. The Applicant must submit a copy of the final plan to TfNSW and the Planning Secretary. The Plan needs to specify, but not be limited to, the following:
- (a) details of the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay;
 - (b) details of measures to manage any potential traffic and safety impacts of the loading dock operation; and
 - (c) details of how vehicles larger than a 6.4m SRV delivering to the site must be managed.
- E34. The Loading and Servicing Management must be implemented by the Applicant following the issue of the Occupation Certificate.

LANDSCAPE PRACTICAL COMPLETION REPORT

- E35. Prior to the issue of any Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier a Landscape Practical Completion Report prepared by the consultant responsible for the landscape design plan. The Report is to verify that all landscape works have been carried out generally in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application and is to verify that an effective maintenance program has been commenced.

STREET NUMBERING

- E36. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that street numbers are clearly displayed at the ground level frontage of the building. If new street numbers or a change to street numbers is required, a separate application must be made to the relevant authority.

COMPLIANCE WITH BASIX CERTIFICATE

- E37. Prior to the issue of any Occupation Certificate, the Applicant must submit to the satisfaction of the Certifier evidence that all the commitments contained in the BASIX Certificate approved under this consent have been implemented.

REGISTRATION OF EASEMENTS

- E38. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land Registry Services.
- E39. Easements under section 88A and/or restrictions or public positive covenants under section 88E of the Conveyancing Act 1919 naming Council as the prescribed authority, which can only be revoked, varied or modified with the consent of Council, and which provides for public use and access to plazas and paths that are identified to be privately owned lands but publicly accessible, comprising the site through site link, must be registered on title prior to occupation or issue of Subdivision Certificate, whichever is earlier.

CREATION OF RESTRICTIONS/POSITIVE COVENANTS

- E40. Before an Occupation Certificate is issued, relevant restrictions/ positive covenants must be registered on the title of the subject site via dealing/ request document or Section 88B instrument associated with a plan for stormwater pumps and detention systems, water sensitive urban design elements and waste collection.

CARSHARE SPACES

- E41. Prior to the issue of an Occupation Certificate, a restriction is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, requiring a minimum of one car parking space within the approved basement to be used for the exclusive use of carshare schemes.

MANAGEMENT PLAN OF THROUGH SITE LINK AND PUBLICLY ACCESSIBLE SPACES

- E42. Prior to the issue of any Occupation Certificate, the Applicant must prepare to the satisfaction of the certifier a final plan of management, and provide a copy to the Planning Secretary, for the on-going maintenance and management of the through-site link and publicly accessible spaces. The Plan must be prepared in consultation with Council, and must address:
- (a) maintenance standards, schedule and safety measures of publicly accessible spaces, including any water features and public art;
 - (b) safe pedestrian movements;
 - (c) hours of operation;
 - (d) programming, events and community use of the spaces;
 - (e) security measures;
 - (f) provision for future reviews and updates; and
 - (g) management of amenity impacts on occupants of the development.
- E43. The plan should be reviewed and revised from time to time in response to any reasonable direction of public authorities or Council to address public safety and amenity issues.

FLOOD EMERGENCY RESPONSE PLAN

- E44. Prior to the issue of the Occupation Certificate, the Applicant shall prepare a Flood Emergency Response Plan to the satisfaction of the Certifier. The Flood Emergency Response Plan shall be prepared in consultation with Council and in accordance with the recommendations contained within the document titled Flood Study and Impact Assessment, prepared by Northrop Engineering dated 6 April 2023.

SYDNEY WATER CONDITION – SECTION 73 COMPLIANCE CERTIFICATE

- E45. A Section 73 Compliance Certificate must be obtained from Sydney Water under Section 73 of the Sydney Water Act 1994 before an Occupation or Subdivision Certificate is issued. The availability of water and wastewater services may require extensions, adjustments, or connections to mains. An early application for the Section 73 Certificate must be made as there may be assets to be built and this can take time. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

SYDNEY METRO CORRIDOR PROTECTION CONDITION – NOISE AND VIBRATION

- E46. Prior to the issue of an Occupation Certificate, an acoustic assessment report must be prepared and submitted to the Certifying Authority, Council and Sydney Metro certifying that the completed development meets the requirements of:
- (a) State Environmental Planning Policy (Transport and Infrastructure) 2021
 - (b) the Department of Planning, Infrastructure and Environment's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines"; and
 - (c) any other noise and vibration requirements imposed by this consent..
- E47. The acoustic report must demonstrate testing of external and internal noise levels for the completed development and ensure that external noise levels are representative of the typical maximum levels that may occur at the development and internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - DOCUMENTATION

- E48. Prior to the issue of an Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The Certifier must not issue an Occupation Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- E49. Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be provided to the Planning Secretary for information prior to the issue of any Occupation Certificate.

SYDNEY METRO CORRIDOR PROTECTION CONDITION - INSPECTIONS

- E50. If required by Sydney Metro, prior to the issue of an Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey will establish the extent of any existing damage and enable any deterioration during operation of the development to be observed. The Certifier is not to issue an Occupation Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

PART F – OCCUPATION AND ONGOING USE

ANNUAL FIRE SAFETY STATEMENT

- F1. During occupation and ongoing use of the building(s), the Applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 177 of the EP&A Regulation.

FIRE SAFETY CERTIFICATION

- F2. The development must operate in accordance with the Fire Safety Certificate obtained in accordance with this consent.

MAINTENANCE OF WASTEWATER AND STORMWATER TREATMENT DEVICE (IF APPLICABLE)

- F3. During occupation and ongoing use of the building, the Applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

STORAGE AND HANDLING OF WASTE

- F4. All waste collection services must be undertaken in accordance with this consent.
- F5. Waste must not be placed for collection in a public place e.g., footpaths, roadways and reserves under any circumstances.
- F6. Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of Council.

- F7. Trade/commercial waste materials must not be disposed via council's domestic garbage service. All trade/commercial waste materials must be collected by Council, or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed waste collection and disposal service are to be submitted to the Council prior to commencing operation of commercial uses of the Site.

LOADING/UNLOADING

- F8. All loading and unloading operations associated with the site must be carried out:
- (a) in accordance with the Loading and Servicing Management Plan approved under this consent;
 - (b) within the confines of the site, at all times and must not obstruct other properties or the public way; and
 - (c) in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.
- F9. The service vehicle docks, car parking spaces and repo driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.

ENVIRONMENTAL AMENITY AND ENVIRONMENTAL HEALTH

- F10. External lighting on the Site must be designed and located to minimise light-spill beyond the property boundary or cause a public nuisance. Notwithstanding this consent, should any outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.
- F11. The use and operation of the Site must not give rise to an environmental health or public nuisance.
- F12. There are to be no emissions or discharges from the Site which give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations.

NOISE CONTROL – MECHANICAL PLANT AND EQUIPMENT

- F13. 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* and Regulations.

OPERATION OF PLANT AND EQUIPMENT

- F14. 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.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- F15. Unless otherwise agreed by the Planning Secretary, within twelve months of commencement of operation, Green Star certification must be obtained demonstrating the development, operating in accordance with this consent achieves a minimum 5 Star Green Star As-Built rating (and target a 6 Star Green rating where reasonable and feasible). Evidence of the certification must be provided to the Certifier and the Planning Secretary.

GREEN TRAVEL PLAN

- F16. The Green Travel plan approved under this consent shall be implemented following occupation of the development. The Green Travel Plan is to be reviewed and updated annually as required by Condition E31.

AFFORDABLE HOUSING

- F17. A minimum of 15% of the gross floor area within the approved development (the affordable housing component) must be used for the purpose of affordable housing as defined by the State Environmental Planning Policy (Housing) 2021, for a minimum tenure of 15 years from the date of the issue of the occupation certificate.
- F18. The affordable housing component must be managed by a registered community housing provider during the relevant period.
- F19. Notice of any change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the Planning Secretary no later than 3 months after the change.
- F20. The registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.
- F21. The Applicant must use best endeavours to ensure the affordable housing component is at full occupancy and, by 30 June of each year, must submit to the Planning Secretary a report relating to the previous 12 month period as to:
- (a) the occupancy rate of the affordable housing component for that year, and
 - (b) compliance with the requirement in this condition to use best endeavours to achieve full occupancy.

PART G – PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

REQUIREMENTS OF THE EP&A ACT – PART 4A CERTIFICATES

- G1. In undertaking the subdivision approved under this consent, the Applicant must comply with the requirements of Part 6 of the EP&A Act in relation to the issue of a Subdivision Certificate. For the purpose of this approval, the issue of a Subdivision Certificate/s is restricted to the development carried out in accordance with the documents set out in Condition A2.

SUBDIVISION CERTIFICATE

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

BUILDING MANAGEMENT STATEMENT

- G3. Prior to the issue of a Subdivision Certificate, a Building Management Statement must be prepared in the approved form prescribed by Schedule 8A of the *Conveyancing Act 1919* or a Strata Management Statement must be prepared in the approved form prescribed by Part 6 of the *Strata Schemes Development Act 2015* and submitted to the Certifier.
- G4. The Building Management Statement or Strata Management Statement (as applicable) is to apply to the development as a 'united building'. The Building Management Statement or Strata Management Statement (as applicable) must include details of the following:
- (a) the use, operation and arrangements for the supply of services, maintenance and upgrading of infrastructure of each stratum lot within the subdivision;
 - (b) the ongoing maintenance, upgrading, redevelopment and structural adequacy of each stratum lot within the subdivision;
 - (c) the use, operation and management of carshare spaces;
 - (d) any other matters which the Certifier considers relevant and pertinent to the issue of a Subdivision Certificate; and
 - (e) the implementation of the approved Flood Emergency Response Plan in accordance with Condition E47.

CREATION OF EASEMENTS

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

REGISTRATION OF EASEMENTS

- G6. Prior to the issue of a Subdivision Certificate, the Applicant must provide to the Certifier evidence that all matters required to be registered on title, including easements noted on the draft subdivision plans listed in Condition A2, are contained within the subdivision plan to be lodged for registration at the NSW Land Registry Services.

ENCROACHING AND/OR SHARED SERVICES

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

ACCESS EASEMENT – GROUND LEVEL

- G8. Prior to the registration of the stratum plan for the site, appropriate ground level access easement/s are to be created to provide access to the building from the public domain for each respective building owner/s, tenant/s and visitors, as relevant to the stratum lot/s the subject of the stratum plan to the satisfaction of the Certifier. Each easement is to address construction staging, including any restrictions to access as a result of the construction activities, including erecting hoardings as relevant.
- G9. Suitable easements for access or rights-of-way benefiting the public are to be created over the public domain areas of the residual lot at each stage in the stratum subdivision to ensure public access to the public domain areas. The rights of public access are to be triggered by an occupation certificate for the relevant public domain areas (temporary or permanent) within the site.

COMPLIANCE CERTIFICATE

- G10. Prior to issue of any Subdivision Certificate, a compliance certificate issued under Part 6, Division 9 of the *Sydney Water Act 1994* must be obtained from Sydney Water and must be provided to the Certifier demonstrating that the development has satisfied the detailed requirements of Sydney Water in respect to water and wastewater.
- G11. Prior to the issue of each Subdivision Certificate (as relevant), a Registered Surveyor has confirmed that the parcel boundary of the plan corresponds with floors, external walls and ceilings of the relevant building/structures as constructed or alternatively, has the benefit of an appropriate easement or is the subject of appropriate provisions in the Building Management Statement or Strata Management Statement, to enable the registration of the plan.

STATEMENT OF COMPLIANCE – COMPLETION IN ACCORDANCE WITH DEVELOPMENT CONSENT

- G12. Prior to the issue of a Subdivision Certificate for stratum subdivision, a Statement of Compliance shall be provided to the Certifying Authority demonstrating that the approved subdivision is consistent with relevant conditions of development consent.

ADVISORY NOTES

APPEALS

- AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.

OTHER APPROVALS AND PERMITS

- AN2. The Applicant shall apply to the relevant authority for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under section 68 (Approvals) of the *Local Government Act 1993* or section 138 of the *Roads Act 1993*.

RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS

- AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

TEMPORARY STRUCTURES

- AN4. An approval must be obtained from the relevant authority for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the NCC.
- AN5. Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Authority with the application to certify the structural adequacy of the design of the temporary structures.

DISABILITY DISCRIMINATION ACT

- AN6. 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*. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up 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* currently available in Australia.

COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

- AN7. The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (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 Commonwealth Environment Minister.
- AN8. 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 the Department of Climate Change, Energy, the Environment and Water, to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the EPBC Act does not have application. The EPBC Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

BUILDING PLAN APPROVAL

- AN9. You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the *Building Over or Next to Assets* page on the Sydney Water website (see plumbing, building and developing then *Building Over or Next to Assets*).

FIRE SAFETY CERTIFICATE

AN10. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

COPIES OF DOCUMENTS

AN11. A copy of all Construction Certificates and Occupation Certificates must be provided to the Planning Secretary and Council within 30 days of each being issued.

APPENDIX 1 – INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: 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 the conditions of 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 project contact 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.

SCHEDULE 3 – MODIFICATIONS TO SSD-31576972

- (a) Schedule 1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck out~~ words/numbers as follows:

SCHEDULE 1

Application Number: SSD-31576972

Applicant: **The Trustee for the Think Planners Unit Trust**
~~Beecroft Property Developments Pty Ltd~~

Consent Authority: NSW Independent Planning Commission

Site: 242-244 Beecroft Road, Epping
 (Lots 220 and 222, DP 1251471)

Development: Construction of a mixed use development with a scale of **seven** ~~five~~ to **18** ~~45~~ storeys and containing:

- five residential flat buildings containing **479** ~~374~~ apartments including **81** ~~48~~ affordable housing dwellings
- commercial premises
- basement car parking
- infrastructure upgrades, civil and stormwater works
- outdoor public plaza and through-site link
- stratum subdivision of the site

- (b) Condition A2 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

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, RtS and any Response to Request for Information;
- (d) in accordance with the approved plans in the table below; and
- (e) in accordance with the plans approved by the Planning Secretary in accordance with Conditions B1 and B2.

<u>Amending Architectural Drawings prepared by Turner Studio</u>			
<u>Drawing Number</u>	<u>Drawing Name</u>	<u>Revision</u>	<u>Date</u>
<u>DA-001-001</u>	<u>Title Sheet</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-010-010</u>	<u>Site Plan</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-010-011</u>	<u>Site Analysis</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-012-001</u>	<u>Staging Diagram B2 – Ground</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-012-002</u>	<u>Staging Diagram Level 1</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-051-008</u>	<u>Demolition Plan</u>	<u>A</u>	<u>11/07/24</u>

<u>DA-110-005</u>	<u>Basement 03</u>	<u>B</u>	<u>08/11/24</u>
<u>DA-110-006</u>	<u>Basement 02</u>	<u>B</u>	<u>08/11/24</u>
<u>DA-110-007</u>	<u>Basement 01</u>	<u>B</u>	<u>08/11/24</u>
<u>DA-110-008</u>	<u>Lower Ground</u>	<u>B</u>	<u>08/11/24</u>
<u>DA-110-010</u>	<u>Ground Level</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-020</u>	<u>Level 01-05</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-030</u>	<u>Level 06</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-040</u>	<u>Level 07</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-050</u>	<u>Level 08-13</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-080</u>	<u>Level 14</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-090</u>	<u>Level 15</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-110</u>	<u>Level 16</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-120</u>	<u>Level 17</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-110-130</u>	<u>Roof Level</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-101</u>	<u>Building A West Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-201</u>	<u>Building B South Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-301</u>	<u>Building B North Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-401</u>	<u>Building C North Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-501</u>	<u>Building E North Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-601</u>	<u>Site East Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-701</u>	<u>Building C and E Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-801</u>	<u>Building C South Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-901</u>	<u>Building E South Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-210-1001</u>	<u>Site West Elevation</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-101</u>	<u>Section AA - North-South</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-201</u>	<u>Section BB - Building A & B</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-301</u>	<u>Section CC - Building C & D</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-401</u>	<u>Section DD - Building E</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-501</u>	<u>Section Across Ray Road, Building A & B</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-601</u>	<u>Section Across Ray Road, Building C & D</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-701</u>	<u>Section Across Ray Road, Building E</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-310-801</u>	<u>Public Domain Interface</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-730-001</u>	<u>Ground Level Deep Soil</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-730-002</u>	<u>Communal Open Space</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-810-001</u>	<u>Adaptable Plan Layouts</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-810-002</u>	<u>Adaptable Plan Layouts</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-810-003</u>	<u>Adaptable Plan Layouts</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-810-004</u>	<u>Adaptable Plan Layouts</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-810-005</u>	<u>Liveable Plan Layouts</u>	<u>A</u>	<u>11/07/24</u>

<u>DA-820-001</u>	<u>Affordable Housing</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-820-002</u>	<u>Affordable Housing</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-820-003</u>	<u>Affordable Housing</u>	<u>A</u>	<u>11/07/24</u>
<u>DA-890-001</u>	<u>Materials</u>	<u>A</u>	<u>11/07/24</u>
Amending Landscape Drawings prepared by Site Image			
<u>Drawing Number</u>	<u>Drawing Name</u>	<u>Revision</u>	<u>Date</u>
<u>SS21-4819-000</u>	<u>Landscape Coversheet</u>	<u>O</u>	<u>31.10.24</u>
<u>SS21-4819-001</u>	<u>Landscape Plan - Schedule Landscape Legend</u>	<u>L</u>	<u>31.10.24</u>
<u>SS21-4819-002</u>	<u>Landscape Plan – Ground Floor Masterplan</u>	<u>O</u>	<u>19.06.24</u>
<u>SS21-4819-003</u>	<u>Landscape Plan – Tree Retention and Removal Plan</u>	<u>L</u>	<u>20.03.24</u>
<u>SS21-4819-101</u>	<u>Landscape Plan – Ground Floor</u>	<u>N</u>	<u>31.10.24</u>
<u>SS21-4819-102</u>	<u>Landscape Plan – Ground Floor</u>	<u>N</u>	<u>31.10.24</u>
<u>SS21-4819-103</u>	<u>Landscape Plan – Ground Floor</u>	<u>M</u>	<u>31.10.24</u>
<u>SS21-4819-104</u>	<u>Landscape Plan – Ground Floor</u>	<u>N</u>	<u>31.10.24</u>
<u>SS21-4819-105</u>	<u>Landscape Plan – Ground Floor</u>	<u>N</u>	<u>31.10.24</u>
<u>SS21-4819-106</u>	<u>Landscape Plan – Ground Floor</u>	<u>P</u>	<u>31.10.24</u>
<u>SS21-4819-110</u>	<u>Landscape Plan – Level 1-5 Masterplan</u>	<u>F</u>	<u>19.06.24</u>
<u>SS21-4819-111</u>	<u>Landscape Plan – Level 1-5</u>	<u>F</u>	<u>19.06.24</u>
<u>SS21-4819-120</u>	<u>Landscape Plan – Level 6 Masterplan</u>	<u>E</u>	<u>13.06.24</u>
<u>SS21-4819-121</u>	<u>Landscape Plan – Level 06 Rooftop</u>	<u>E</u>	<u>13.06.24</u>
<u>SS21-4819-122</u>	<u>Landscape Plan – Level 06 Rooftop</u>	<u>E</u>	<u>31.10.24</u>
<u>SS21-4819-130</u>	<u>Landscape Plan – Level 7 Masterplan</u>	<u>D</u>	<u>13.06.24</u>
<u>SS21-4819-131</u>	<u>Landscape Plan – Level 7 Rooftop</u>	<u>E</u>	<u>31.10.24</u>
<u>SS21-4819-132</u>	<u>Landscape Plan – Level 7 Rooftop</u>	<u>E</u>	<u>31.10.24</u>
<u>SS21-4819-140</u>	<u>Landscape Plan – Level 15 Masterplan</u>	<u>B</u>	<u>13.06.24</u>
<u>SS21-4819-141</u>	<u>Landscape Plan – Level 15</u>	<u>C</u>	<u>31.10.24</u>
<u>SS21-4819-150</u>	<u>Landscape Plan – Level 16 Masterplan</u>	<u>B</u>	<u>13.06.24</u>
<u>SS21-4819-151</u>	<u>Landscape Plan – Level 16 Landscape Plan</u>	<u>C</u>	<u>31.10.24</u>
<u>SS21-4819-152</u>	<u>Landscape Plan – Level 16 Landscape Plan</u>	<u>C</u>	<u>31.10.24</u>
<u>SS21-4819-160</u>	<u>Landscape Plan – Level 17 Masterplan</u>	<u>B</u>	<u>13.06.24</u>
<u>SS21-4819-161</u>	<u>Landscape Plan – Level 17 Masterplan</u>	<u>C</u>	<u>31.10.24</u>
<u>SS21-4819-500</u>	<u>Landscape Plan – Maintenance Plan</u>	<u>A</u>	<u>20.03.23</u>
<u>SS21-4819-501</u>	<u>Landscape Details</u>	<u>A</u>	<u>20.06.22</u>
<u>SS21-4819-502</u>	<u>Landscape Details</u>	<u>B</u>	<u>29.06.22</u>
<u>SS21-4819-503</u>	<u>Landscape Planting Matrix Details</u>	<u>B</u>	<u>29.06.22</u>
<u>SS21-4819-601</u>	<u>Landscape Sections</u>	<u>D</u>	<u>02.03.23</u>
<u>SS21-4819-602</u>	<u>Landscape Sections</u>	<u>E</u>	<u>31.10.24</u>
<u>SS21-4819-603</u>	<u>Landscape Sections</u>	<u>D</u>	<u>05.04.23</u>
<u>SS21-4819-604</u>	<u>Landscape Sections</u>	<u>E</u>	<u>15.05.23</u>
<u>SS21-4819-605</u>	<u>Landscape Sections</u>	<u>F</u>	<u>15.11.23</u>
<u>SS21-4819-606</u>	<u>Landscape Sections</u>	<u>C</u>	<u>15.05.23</u>
<u>SS21-4819-607</u>	<u>Landscape Sections</u>	<u>A</u>	<u>31.10.24</u>

Architectural drawings prepared by Turner Studio			
<u>Drawing Number</u>	<u>Rev</u>	<u>Name of Plan</u>	<u>Date</u>
<u>DA-012-001</u>	<u>03</u>	<u>Staging Diagram B2 – Ground</u>	<u>15.05.23</u>

DA-012-002	03	Staging Diagram Level 1	15.05.23
DA-051-008	03	Demolition Plan	15.05.23
DA-110-001	06	GA Plans—Basement 02	15.05.23
DA-110-002	08	GA Plans—Basement 01	15.05.23
DA-110-003	08	GA Plans—Lower Ground	15.05.23
DA-110-004	07	GA Plans—Ground	15.05.23
DA-110-010	06	GA Plans—Level 01-04	15.05.23
DA-110-020	06	GA Plans—Level 05	15.05.23
DA-110-040	05	GA Plans—Level 06	15.05.23
DA-110-030	06	GA Plans—Level 07-11	15.05.23
DA-110-025	06	GA Plans—Level 12	15.05.23
DA-110-100	06	GA Plans—Level 13	15.05.23
DA-110-101	06	GA Plans—Roof Level	15.05.23
DA-210-101	07	GA Elevations—Building A West Elevation	15.05.23
DA-210-201	07	GA Elevations—Building B South Elevation	15.05.23
DA-210-301	07	GA Elevations—Building B North Elevation	15.05.23
DA-210-401	07	GA Elevations—Building C North Elevation	15.05.23
DA-210-501	07	GA Elevations—Building E North Elevation	15.05.23
DA-210-601	07	GA Elevations—Site East Elevation	15.05.23
DA-210-701	07	GA Elevations—Building C and E Elevation	15.05.23
DA-210-801	07	GA Elevations—Building C South Elevation	15.05.23
DA-210-901	07	GA Elevations—Building E South Elevation	15.05.23
DA-210-1001	06	GA Elevations—Site West Elevation	15.05.23
DA-310-101	04	GA Sections—Section AA North-South	15.05.23
DA-310-201	04	GA Sections—Section BB Building A & B	15.05.23
DA-310-301	04	GA Sections—Section CC Building C & D	15.05.23
DA-310-401	04	GA Sections—Section DD Building E	15.05.23
DA-310-501	03	GA Sections—Section Across Ray Road, Building A & B	15.05.23
DA-310-601	03	GA Sections—Section Across Ray Road, Building C & D	15.05.23
DA-310-701	03	GA Sections—Section Across Ray Road, Building E	15.05.23
DA-310-801	04	GA Sections—Public Domain Interface	15.05.23
DA-730-001	03	Deep Soil and Communal Open Space Diagrams—Ground Level-Deep Soil	15.05.23
DA-730-002	03	Deep Soil and Communal Open Space Diagrams—Communal Open Spaces	15.05.23
DA-810-001	03	Adaptable Plan Layouts	15.05.23
DA-810-002	04	Adaptable Plan Layouts	15.05.23
DA-810-003	04	Adaptable Plan Layouts—Liveable Plan Layouts	15.05.23
DA-820-001	03	Affordable Housing	15.05.23
DA-820-002	03	Affordable Housing	15.05.23
DA-890-001	03	Materials & Finishes Board—Materials	15.05.23
DA-890-002	02	Materials & Finishes Board—Podium Materials	15.05.23

DA 890-003	02	Materials & Finishes Board — Podium Materials 2	15.05.23
Landscape drawings prepared by Site Image			
Drawing Number	Rev	Name of Plan	Date
SS21-4819-000	K	Landscape Coversheet	15.05.23
SS21-4819-001	H	Landscape Plant Schedule and Legend	15.05.23
SS21-4819-002	K	Ground Floor Masterplan	15.05.23
SS21-4819-003	J	Tree Retention and Removal Plan	15.05.23
SS21-4819-101	I	Ground Floor Landscape Plan	15.05.23
SS21-4819-102	I	Ground Floor Landscape Plan	15.05.23
SS21-4819-103	H	Ground Floor Landscape Plan	15.05.23
SS21-4819-104	I	Ground Floor Landscape Plan	15.05.23
SS21-4819-105	I	Ground Floor Landscape Plan	15.05.23
SS21-4819-106	K	Ground Floor Landscape Plan	15.05.23
SS21-4819-110	C	Level 1-4 Masterplan	02.03.23
SS21-4819-111	C	Level 1-4 Landscape Plan	02.03.23
SS21-4819-120	C	Rooftop Masterplan	02.03.23
SS21-4819-121	C	Level 05 Landscape Plan	02.03.23
SS21-4819-122	B	Level 05 Landscape Plan	02.03.23
SS21-4819-123	B	Level 05 Landscape Plan	02.03.23
SS21-4819-131	B	Level 13 Landscape Plan	02.03.23
SS21-4819-132	B	Level 13 Landscape Plan	02.03.23
SS21-4819-500	A	Landscape Maintenance Plan	20.03.23
SS21-4819-501	A	Landscape Typical Details	20.06.22
SS21-4819-502	B	Landscape Typical Details	29.06.22
SS21-4819-503	B	Landscape Planting Matrix Details	29.06.22
SS21-4819-601	D	Landscape Sections	02.03.23
SS21-4819-602	D	Landscape Sections	02.03.23
SS21-4819-603	D	Landscape Sections	05.04.23
SS21-4819-604	E	Landscape Sections	15.05.23
SS21-4819-605	E	Landscape Sections	10.05.23
SS21-4819-606	C	Landscape Sections	15.05.23
Draft stratum subdivision plans prepared by LTS			
Drawing Number	Rev	Name of Plan	Date
Sheet 1 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22
Sheet 2 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22
Sheet 3 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22
Sheet 4 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22
Sheet 5 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22
Sheet 6 of 6	A	Plan of Subdivision of Lots 220 and 222 in DP 1251471	17.08.22

- (c) Condition B10 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

MAXIMUM BUILDING HEIGHTS

B10. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the satisfaction of the Certifier details confirming the maximum height of the buildings does not exceed the following, including plant and lift overruns, but excluding communication devices, antennas, satellite dishes, masts, flagpoles, chimneys, flues and the like.

<u>Building</u>	<u>Maximum height</u>
<u>A</u>	<u>RL 108.16</u>
<u>B</u>	<u>RL 145.02</u>
<u>C</u>	<u>RL 143.81</u>
<u>D</u>	<u>RL 110.96</u>
<u>E</u>	<u>RL 142.96</u>

<u>Building</u>	<u>Maximum height</u>
A	RL 105.31
B	RL 133.86
C	RL 131.21
D	RL 103.86
E	RL 130.96

- (d) Condition B12 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~struck out~~ words/numbers as follows:

GROSS FLOOR AREA CERTIFICATION

B12. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the satisfaction of the Certifier details confirming the gross floor area of the development does not exceed **49,829m²** ~~38,613m²~~.

- (e) Conditions B14A, B14B, B14C, B14D and B14E are added by the insertion of the **bold and underlined** words/numbers as follows:

DEVELOPER CONTRIBUTIONS - HOUSING AND PRODUCTIVITY CONTRIBUTIONS

B14A. Prior to the issue of the Construction Certificate or the issue of any subdivision certificate, whichever occurs first, the Applicant must obtain evidence of receipt confirming the Housing and Productivity Contribution (HPC) set out in the table below has been made:

<u>Housing and Productivity Contribution</u>	<u>Amount</u>
<u>Housing and productivity contribution (base component)</u>	<u>\$407,005.22</u>
<u>Total housing and productivity contribution</u>	<u>\$407,005.22</u>

B14B. At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2024 (HPC Order).

B14C. The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A Act 1979 agrees.

B14D. The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act 1979 to the development, or the HPC Order exempts the development from the contribution.

B14E. The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

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

- (f) Condition B31(a) is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

CAR AND MOTORCYCLE PARKING

B31. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier plans demonstrating compliance with the following traffic and parking requirements:

- (a) on site car parking spaces provided as follows:

- (i) **474 residential spaces, comprising 433 market apartment spaces and 41 affordable housing spaces**
- (ii) **68 visitors spaces**
- (iii) **12 commercial spaces**
- (iv) **4 motorcycle spaces**
- (v) **1 carshare space**
- (vi) **1 car wash bay**
- (i) ~~299 residential spaces~~
- (ii) ~~53 visitors spaces~~
- (iii) ~~13 commercial spaces~~
- (iv) ~~4 motorcycle spaces~~
- (v) ~~1 carshare space~~
- (vi) ~~1 car wash bay~~

- (g) Condition B33 is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

BICYCLE PARKING

B33. Prior to the issue of the relevant Construction Certificate, the Applicant must submit to the satisfaction of the Certifier plans demonstrating compliance with the following traffic and parking requirements:

- (a) a minimum of **479** ~~374~~ residential bicycle parking spaces
- (b) a minimum of **48** ~~40~~ residential visitor bicycle parking spaces
- (c) a minimum of **4** ~~8~~ non-residential bicycle parking spaces
- (d) end-of-trip facilities for non-residential floor space comprising a minimum of 4 showers and 8 lockers.

- (h) Condition B45 is amended by the deletion of the ~~struck-out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

SYDNEY METRO CONDITIONS – ENGINEERING

B45. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:

- (a) **Geotechnical Investigation Report prepared by PSM, dated 27 May 2022.**
- (b) **Structural Drawings prepared by JSBC Consulting, as listed below:**
 - (i) **Shoring and Early Works Plan, Revision A, dated 16 October 2024.**
 - (ii) **Shoring Elevations - Sheet 1, Revision, dated 16 October 2024.**
 - (iii) **Shoring Infrastructure Sections – Sheet 1, dated 16 October 2024.**
 - (iv) **Shoring Infrastructure Sections – Sheet 2, dated 16 October 2024.**

- (v) Shoring Infrastructure Sections – Sheet 3, dated 16 October 2024.
- (vi) Shoring Infrastructure Sections – Sheet 4, dated 16 October 2024.
- (vii) Shoring Adjacent to Beecroft Road Construction Methodology, dated 16 October 2024.
- (c) 242-244 Beecroft Road, Epping – Sydney Metro Tunnel Structural Assessment, Revision F, prepared by Hyve Designs, dated 31 March 2025.
- (d) Risk Assessment, prepared by ArchArtifex, dated 18 November 2024.
- (e) Noise and Vibration Impact Assessment, Revision 4, prepared by Acoustic Logic dated 6 November 2024.
- (f) Electrolysis Risk Assessment Report, Revision 1, prepared by Corrosion Control Engineering, dated 1 November 2024.
- (g) Finite Element Analysis for Sydney Metro 242-244 Beecroft Road, Epping, prepared by EI Australia, dated 19 November 2024.
- (h) Geotechnical Letter for Endorsement of Additional Basement, prepared by EI Australia, dated 19 November 2024.
- (i) Structural Sydney Metro Report – Endorsement for Additional Basement, prepared by JSBC Consulting, dated 19 November 2024.

subject to any amendments to those documents required by Sydney Metro in accordance with this consent.

~~B45. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:~~

- ~~(a) Preliminary Sydney Metro Geotechnical Impact Assessment (Ref. PSM4547 – 007R) prepared by PSM dated 07 July 2022, including but not limited to the appended documentation:~~
 - ~~(i) Section A – Run01 & Run02 – Model Geometry prepared by PSM dated 05 July 2022~~
 - ~~(ii) Section B – Run01 & Run02 – Model Geometry prepared by PSM dated 05 July 2022~~
 - ~~(iii) Section C – Run01 & Run02 – Model Geometry prepared by PSM dated 06 July 2022~~
 - ~~(iv) Section A – Run01 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(v) Section A – Run01 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(vi) Section A – Run02 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(vii) Section A – Run02 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(viii) Section B – Run01 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(ix) Section B – Run01 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(x) Section B – Run02 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xi) Section B – Run02 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xii) Section C – Run01 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xiii) Section C – Run01 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xiv) Section C – Run02 – Horizontal Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xv) Section C – Run02 – Vertical Displacement prepared by PSM dated 05 July 2022~~
 - ~~(xvi) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 1 of 11) Revision B prepared by LTS dated 20 December 2021~~
 - ~~(xvii) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 2 of 11) Revision B prepared by LTS dated 20 December 2021~~
 - ~~(xviii) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 3 of 11) Revision B prepared by LTS dated 20 December 2021~~
 - ~~(xix) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 4 of 11) Revision B prepared by LTS dated 20 December 2021~~

- ~~(xx) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 5 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxi) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 6 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxii) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 7 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxiii) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 8 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxiv) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 9 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxv) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 10 of 11) Revision B prepared by LTS dated 20 December 2021~~
- ~~(xxvi) Plan of Detail and Levels over Lot 220 DP 125471 (Sheet 11 of 11) Revision B prepared by LTS dated 20 December 2021~~
- (b) ~~Structural Report for Sydney Metro (Ref. 21074) Revision 01 prepared by JSBC Consulting dated 01 July 2022, including but not limited to the appended documentation:~~
 - ~~(i) Dwg. SK01 Revision 01 prepared by JSBC Consulting dated 16 June 2022~~
 - ~~(ii) Dwg. SK02 Revision 01 prepared by JSBC Consulting dated 16 June 2022~~
 - ~~(iii) Dwg. SK03 Revision 01 prepared by JSBC Consulting dated 16 June 2022~~
 - ~~(iv) Dwg. SK04 Revision 01 prepared by JSBC Consulting dated 16 June 2022~~
 - ~~(v) Dwg. SK05 Revision 01 prepared by JSBC Consulting dated 16 June 2022~~
- (c) ~~Email correspondence, subject title 'RE: Sydney Metro Submission PSD4547' prepared by Daniel De Cataldo (Senior Geotechnical Engineer, PSM) dated 12 December 2022~~

~~subject to any amendments to these documents required by Sydney Metro in accordance with this consent.~~

- (i) Condition B45A is added by the insertion of the **bold and underlined** words/numbers as follows:

B45A. The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro, and Sydney Metro has provided written approval of, the following items:

- (a) Final design construction drawings with details of internal props, foundations of bracing system for the Construction Certificate;**
- (b) Latest instrumentation and monitoring plan with trigger levels and actions; and**
- (c) A risk assessment in accordance with Section 7.3 of Sydney Metro Underground Corridor Protection Technical Guidelines and/or Sydney Metro At Grade and Elevated Sections Corridor Protection Guidelines, including the consideration of likelihood, consequences, mitigation measures and risk levels.**

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

- (j) Condition B50 is amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

B50. The Applicant must incorporate as part of the development all the measures recommended in the acoustic assessment report Noise and Vibration Impact Assessment, prepared by Acoustic Logic, Revision 4, dated 6 November 2024. A copy of the acoustic assessment report is to be provided to the Certifier and Council prior to a Construction Certificate being issued by the Certifier. The Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development.

~~B50. The Applicant must incorporate as part of the development all the measures recommended in the acoustic assessment report Noise and Vibration Impact Assessment (Ref 20220102.1/0302A/R3/AR) Revision 3 prepared by Acoustic Logic dated 03 February 2023. A copy of the acoustic assessment report is to be provided to the Certifier and Council prior to a Construction Certificate being issued by the Certifier. The~~

Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development

- (k) Condition B50A is added by the insertion of the **bold and underlined** words/numbers as follows:

B50A. The development must:

- (a) **comply with State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines;**
- (b) **be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and**
- (c) **not have any noise or vibration impacts on the rail corridor or rail infrastructure.**

- (l) Condition B51 is amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

B51. Prior to the issue of a Construction Certificate, the Applicant is to engage an electrolysis expert to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the electrolysis report to control that risk. A copy of the electrolysis report is to be provided to the Certifier with the application for a Construction Certificate.

~~B51. The Applicant must incorporate as part of the development all the measures recommended in the electrolysis assessment report Electrolysis Risk Report (Ref. W22971/NSW-P100071) Revision 0 prepared by Corrosion Control Engineering dated 20 December 2022. A copy of the electrolysis report is to be provided to the Certifier prior to the issue of a Construction Certificate by the Certifier. The Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development~~

- (m) Condition B51A is added by the insertion of the **bold and underlined** words/numbers as follows:

B51A. Prior to issuing a Construction Certificate for the development, the Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation.

- (n) Condition B51B is added by the insertion of the **bold and underlined** words/numbers as follows:

SYDNEY METRO CONDITION - DESIGN

B51B. The roots and foliage of trees planted beside the rail corridor as part of the development must not impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Metro. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied

- (o) Conditions E38 and E39 are amended by the deletion of the ~~struck out~~ words/numbers and insertion of the **bold and underlined** words/numbers as follows:

AFFORDABLE HOUSING

E38. A minimum of **15% of the gross floor area** ~~49 dwellings~~ within the approved development must be used for the purpose of affordable housing as defined by **State Environmental Planning Policy (Housing) 2021** ~~State Environmental Planning Policy (Affordable Rental Housing) 2009~~, for a minimum tenure of 15 years from the date of the issue of the occupation certificate. All affordable housing at the site must be managed by a registered community housing provider.

E39. Prior to the issue of an occupation certificate, a covenant must be registered on the title of the property providing that 15% of the gross floor area is provided as affordable housing for a minimum of 15 years. ~~evidence demonstrating compliance with the affordable housing covenant registered against the title of the property must be submitted to the Certifier.~~

- (p) Condition E39A is added by the insertion of the **bold and underlined** words/numbers as follows:

E39A. Notice of any change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the Planning Secretary no later than 3 months after the change.

- (q) Condition E39B is added by the insertion of the **bold and underlined** words/numbers as follows:

E39B The registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.

- (r) Condition E39C is added by the insertion of the **bold and underlined** words/numbers as follows:

E39C The Applicant must use best endeavours to ensure the affordable housing component is at full occupancy and, by 30 June each year, must submit to the Planning Secretary a report relating to the previous 12 month period as to:

(a) the occupancy rate of the affordable housing component for that year, and

(b) compliance with the requirement in this condition to use best endeavours to achieve full occupancy.