Attachment A
Recommended amendments to Notice of Determination and conditions of consent

#### recommended Change to cover page on Notice of Determination

Amend the cost of development on the Notice of Determination from $144,900,000 to $137,400,000.

#### Recommended Changes to conditions of consent

## Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

|  |  |  |  |
| --- | --- | --- | --- |
| **Plan Revision/Issue** | **Plan Name** | **Date Issued** | **Prepared By** |
| “Amended SEE for LEC" | Amended Statement of Environmental Effects | 25 October 2022 | Ethos Urban |
| Various | Architectural plans dated November 2022:* DA-DA-01-00 Cover Sheet - Drawing Index, dated 10 November 2022, Revision E
* DA-DA-11-01 Site Analysis Plan, dated 8 November 2022, Revision C
* DA-DA-11-02 Proposed Site Plan, dated 8 November 2022, Revision C
* DA-DA-12-OG Ground floor existing plan, dated 8 November 2022, Revision C
* DA-DA-12-01 Level 1 existing plan, dated 8 November 2022, Revision C
* DA-DA-12-02 Level 2 existing plan, dated 8 November 2022, Revision C
* DA-DA-12-03, Roof existing plan, dated 8 November 2022, Revision C
* DA-DA-15-0G Ground Floor Demolition Plan, dated 8 November 2022, Revision C
* DA-DA-15-01 Level 1 Demolition Plan, dated 8 November 2022, Revision C
* DA-DA-15-02 Level 2 Demolition Plan, dated 8 November 2022, Revision C
* DA-DA-15-08 Roof Demolition Plan, dated 8 November 2022, Revision C
* DA-DA-20-98 Basement 2 Plan, dated 10 November 2022, Revision D
* DA-DA-20-99 Basement 1 Plan, dated 10 November 2022, Revision D
* DA-DA-21-0G Ground Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-01 Level 1 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-02 Level 2 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-03 Level 3 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-04 Level 4 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-05 Level 5 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-06 Level 6 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-07 Level 7 Floor Plan, dated 10 November 2022, Revision D
* DA-DA-21-08 Roof Plan, dated 10 November 2022, Revision D
* DA-DA-30-00 North-East Elevations, dated 8 November 2022, Revision C
* DA-DA-30-01 North-East Elevations, dated 8 November 2022, Revision C
* DA-DA-30-02 North-West Elevations, dated 8 November 2022, Revision C
* DA-DA-30-03 North-West Elevations, dated 8 November 2022, Revision C
* DA-DA-30-04 South-West Elevations, dated 8 November 2022, Revision C
* DA-DA-30-05 South-West Elevations, dated 8 November 2022, Revision C
* DA-DA-30-06 South-East Elevations, dated 8 November 2022, Revision C
* DA-DA-30-07 South-East Elevations, dated 8 November 2022, Revision C
* DA-DA-30-10 Streetscape elevations, dated 8 November 2022, Revision C
* DA-DA-40-00 Section 1 and 2, dated 8 November 2022, Revision C
* DA-DA-40-01 Section 3 and 4, dated 8 November 2022, Revision C
* ~~DA-~~DA-40-02 Screen detail sections, dated *24 May 2023* ~~10 November 2022~~, Revision *2* ~~B~~
* ~~DA-~~DA-40-03 *24 May 2023* ~~10 November 2022~~, Revision *2* ~~C~~
* ~~DA-~~DA-40-04 Miscellaneous details, dated *24 May 2023* ~~10 November 2022~~, Revision *2* ~~B~~
* ~~DA-~~DA-40-05 Miscellaneous details, dated *24 May 2023* ~~10 November 2022~~, Revision *2* ~~B~~
* ~~DA-~~DA-40-06 Miscellaneous details, dated *24 May 2023* ~~10 November 2022~~, Revision *2* ~~B~~
* DA-DA-83-00 SEPP65 Compliance Solar Diagrams, dated 8 November 2022, Revision C
* DA-DA-83-08 SEPP65 Compliance Cross Ventilation, dated 8 November 2022, Revision C
* DA-DA-83-09 SEPP6 Compliance Storage, dated 8 November 2022, Revision C
* DA-DA-83-10 SEPP65 Compliance Storage, dated 8 November 2022, Revision C
* DA-DA-83-11 SEPP65 Compliance Storage, dated 8 November 2022, Revision C
* DA-DA-84-00 Shadow Diagrams Winter, dated 8 November 2022, Revision C
* DA-DA-84-01 Shadow Diagrams Equinox, dated 8 November 2022, Revision C
* DA-DA-84-02 Shadow Diagrams Summer, dated 8 November 2022, Revision C
* DA-DA-90-00 Development Calculations GFA, dated 8 November 2022, Revision D
* DA-DA-90-01 Development Calculations GFA, dated 8 November 2022, Revision D
* DA-DA-90-02 Adaptable Unit Plans, dated 8 November 2022, Revision C
* DA-DA-90-04 Staging Diagrams, dated ~~8 November 2022~~ *9 February 2024*, Revision ~~C~~*8*
 | Various | Cox Architecture |
| Rev E | SEPP 65 Design Verification Statement | 24 October 2022 | Cox Architecture |
| Rev I | Landscape DA Package | 26 October 2022 | Arcadia |
| Rev C | ADG Compliance Table | 24 October 2022 | Cox Architecture |
| 240622 (post lodgement) | Preliminary Site Management Plan | 26 October 2022 | Ethos Urban |
| Rev 003 | Stormwater Management Plan and Drawings | 24 October 2022 | Stantec |
| V1.2 | CPTED Assessment | 25 October 2022 | Ethos Urban |
| Rev 11 | Noise and Vibration Impact Assessment | 4 November 2022 | E-lab Consulting |
|  | Arboricultural Impact Assessment | July 2022 | Bluegum |
| V2 Final | Transport Impact Assessment | 13 August 2021 | EMM |
| Rev 6 | Addendum Transport Impact Assessment | 18 July 2022 | EMM |
| Rev 9 | Construction traffic impact assessment/ Construction Traffic Management Plan | 12 July 2022 | EMM |
| Rev D | Construction Management Plan | 6 July 2022 | Home |
| Rev 4 | ESD DA Report | July 2022 | Stantec |
| Rev G | Operational Waste Management Plan | 8 July 2022 | Elephants Foot |
| "Amended DA for LEC" | Social Impact Statement | 14 July 2022 | Ethos Urban |
| Rev 5 | Detailed Site Investigation Report | 17 August 2017 | EI Australia |
| Rev 0 | Data Gap Sampling Analysis and Quality Plan | 25 August 2017 | JBS&G |
| Rev 1 | Remedial Work Plan | 5 July 2022 | Golder |
|  | Interim Audit Advice No. 8 | 12 July 2022 | Senversa |
|  | Site Audit Statement | 10 May 2022 | Senversa |
|  | Site Audit Report | 10 May 2022 | Senversa |
|  | Human Health and Environmental Risk Assessment | July 2022 | Golder |
|  | Soil Vapour Testing Memo | 30 June 2022 | Golder |
| Rev 1 | Geotechnical and Groundwater Report | 15 July 2022 | Douglas Partners |
| 113969 Access-r4 | Access Assessment Report | 8 July 2022 | BCA Access |
| Rev R1.2 | BCA Statement of Compliance | 6 July 2022 | Steve Watson & Partners |
|  | Public Art Strategy | July 2022 | Craft |
| Rev E | Construction and Demolition Waste Management Plan | 8 July 2022 | Elephants Foot |
| V2.0 | Qualitative Natural Ventilation Assessment | 5 July 2022 | SLR |
|  | Amended Structural Adequacy Statement | 7 July 2022 | Stantec |
| Rev 5 | External Lighting Report | 7 July 2022 | Stantec |
|  | Photomontages and Visual Amenity Statement | November 2022 | Scharp |
|  | BASIX Certificate 1192547M\_06 | 17 November 2022 | Stantec |
| 3 | BASIX Report | 17 November 2022 | Stantec |
|  | NaTHERS Certification No. LBJJ4KGUS8 | 17 November 2022 |  |
| ***24026\_H\_SK01\_1 Rev 1*** | ***Basement Hydraulic Drainage Concept Design***  | ***10 March 2024*** | ***JK*** |
| ***E26319.E99.001\_Rev 1*** | ***Conceptual Design of a Treatment System for Extracted Water in a Drained Basement, Site B, 73 Mary Street, St Peters, NSW*** | ***7 March 2024*** | ***EI Australia*** |

***(Table 1 amended under MOD/2023/0326 on 26 June 2024)***

*Except where superseded by design changes (as outlined in the changes index referenced in the table below) shown in the following documents* ***and except the basement 1 and basement 2 plans, which are to be constructed as shown in the table below****:*

|  |  |  |  |
| --- | --- | --- | --- |
| *Plan Revision/Issue* | *Plan Name* | *Date Issued* | *Prepared By* |
| *1.0* | *Statement of environmental Effects* | *28 June 2023* | *Ethos Urban* |
| *Various* | *Architectural plans dated May 2023:** *DA-DA-01-00 Cover Sheet – Drawing Index, dated 24 May 2023, Revision 11*
* *DA-01-01 S4.56 Changes Index, dated 24 May 2023 Revision 2*
* *DA-DA-11-01 Site Analysis Plan, dated 24 May 2023, Revision 9*
* *DA-DA-11-02 Proposed Site Plan, dated 24 May 2023, Revision 10*
* *DA-DA-12-OG Ground floor existing plan, dated 24 May 2023, Revision 9*
* *DA-DA-12-01 Level 1 existing plan, dated 24 May 20232, Revision 9*
* *DA-DA-12-02 Level 2 existing plan, dated 24 May 2023, Revision 9*
* *DA-DA-12-03, Roof existing plan, dated 24 May 2023, Revision 9*
* *DA-DA-15-0G Ground Floor Demolition Plan, dated 24 May 2023, Revision 12*
* *DA-DA-15-01 Level 1 Demolition Plan, dated 24 May 2023, Revision 12*
* *DA-DA-15-02 Level 2 Demolition Plan, dated 24 May 2023, Revision 12*
* *DA-DA-15-08 Roof Demolition Plan, dated 24 May 2023, Revision 12*
* *~~DA-DA-20-98 Basement 2 Plan, dated 24 May 2023, Revision 26~~*
* *~~DA-DA-20-99 Basement 1 Plan, dated 24 May 2023, Revision 26~~*
* ***DA-20-96 Alternative Basement 2 Plan, dated 31 August 2023, Revision 3***
* ***DA-20-97 Basement 1 Plan, dated 31 August 2023, Revision 3***
* *DA-DA-21-0G Ground Floor Plan, dated 24 May 2023, Revision 34*
* *DA-DA-21-01 Level 1 Floor Plan, dated 24 May 2023, Revision 28*
* *DA-DA-21-02 Level 2 Floor Plan, dated 24 May 2023, Revision 27*
* *DA-DA-21-03 Level 3 Floor Plan, dated 24 May 2023, Revision 27*
* *DA-DA-21-04 Level 4 Floor Plan, dated 24 May 2023, Revision 27*
* *DA-DA-21-05 Level 5 Floor Plan, dated 24 May 2023, Revision 27*
* *DA-DA-21-06 Level 6 Floor Plan, dated 24 May 2023, Revision 27*
* *DA-DA-21-07 Level 7 Floor Plan, dated 24 May 2023, Revision 26*
* *DA-DA-21-08 Roof Plan, dated 24 May 2023, Revision 23*
* *DA-DA-30-00 North-East Elevations, dated 24 May 2023, Revision 15*
* *DA-DA-30-01 North-East Elevations, dated 24 May 2023, Revision 16*
* *DA-DA-30-02 North-West Elevations, dated 24 May 2023, Revision 16*
* *DA-DA-30-03 North-West Elevations, dated 24 May 2023, Revision 15*
* *DA-DA-30-04 South-West Elevations, dated 24 May 2023, Revision 16*
* *DA-DA-30-05 South-West Elevations, dated 24 May 2023, Revision 17*
* *DA-DA-30-06 South-East Elevations, dated 24 May 2023, Revision 17*
* *DA-DA-30-07 South-East Elevations, dated 24 May 2023, Revision 16*
* *DA-DA-30-10 Streetscape elevations, dated 24 May 2023, Revision 4*
* *DA-DA-40-00 Section 1 and 2, dated 24 May 2023, Revision 20*
* *DA-DA-40-01 Section 3 and 4, dated 24 May 2023, Revision 19*
* *DA-DA-83-00 SEPP65 Compliance Solar Diagrams, dated 24 May 2023, Revision 13*
* *DA-DA-83-08 SEPP65 Compliance Cross Ventilation, dated 24 May 2023, Revision 13*
* *DA-DA-83-09 SEPP65 Compliance Storage, dated 24 May 2023, Revision 8*
* *DA-DA-83-10 SEPP65 Compliance Storage, dated 24 May 2023, Revision 7*
* *DA-DA-83-11 SEPP65 Compliance Storage, dated 24 May 2023, Revision 7*
* *DA-DA-84-00 Shadow Diagrams Winter, dated 24 May 2023, Revision 9*
* *DA-DA-84-01 Shadow Diagrams Equinox, dated 24 May 2023, Revision 9*
* *DA-DA-84-02 Shadow Diagrams Summer, dated 24 May 2023, Revision*
* *DA-DA-90-00 Development Calculations GFA, dated 24 May 2023, Revision 13*
* *DA-DA-90-01 Development Calculations GFA, dated 24 May 2023, Revision 3*
* *DA-DA-90-02 Adaptable Unit Plans, dated 24 May 2023, Revision 12*
* *DA-DA-90-04 Staging Diagrams, dated 24 May 2023, Revision 7*
 | *Various* | *Cox Architecture* |
| *Rev L* | *Landscape DA Package* | *May 2023* | *Arcadia* |
| *H* | *SEPP 65 Design Verification Statement Section 4.56* | *24 May 2023* | *Cox Architecture* |
| *C* | *ADG Compliance Table* | *24 May 2023* | *Cox Architecture* |
| *008* | *Revised Stormwater Management Plan and Civil Engineering Drawings* | *26 May 2023* | *Stantec* |
| *J* | *Revised Operational Waste Management Plan* | *25 May 2023* | *Elephants Foot* |
| *5* | *Revised Access Assessment Report* | *7 June 2023* | *BCA Access* |
| *1.4* | *Revised BCA Statement of Compliance* | *8 June 2023* | *Steve Watson & Partners* |
|  | *Revised BASIX Certificate 1192547m\_09* | *26 May 2023* | *Stantec* |
| *6* | *Revised BASIX Report* | *26 May 2023* | *Stantec* |
|  | *NaTHERS Certification No. FHK43IQOMQ* | *12 May 2023* | *Stantec* |

as amended by the conditions of consent. In the event of an inconsistency between the plans or approved documentation and the conditions, the conditions will prevail. To the extent of inconsistency in the documents listed above, relating to the same subject matter, the later dated document shall prevail to the extent of any inconsistency.

*(Condition 1 amended under MOD/2023/0211 on 6 March 2024)*

***(Condition 1 amended under MOD/2023/0326 on 26 June 2024)***

1. **Construction Staging**

The development approved under this development consent is to be undertaken in two construction stages as follows:

* + 1. Main Works Stage 1:
			1. Construction of new Buildings A, B, C, reconstruction of Building 8, and construction of associated basement.
			2. Construction of the Council Artist’s Studio in Building 7.
			3. Construction of The Commons and The Garden public open spaces.
			4. Restoration and make good of 67 Mary Street.
			5. Re-finishing of Makers Way.
			6. Ongoing operation of the Stage 2 site.
1. ***Construction of the substation in Building 7, including Construction of Building 7 Ground Floor.***
	* 1. Main Works Stage 2:
			1. Alterations and additions to existing Buildings 1, 2, 6 and 7 including partial demolition.
			2. Construction of new levels and extensions.
			3. Reconfiguration(s) for BCA compliance.

***(Condition 6 amended under MOD/2023/0326 on 26 June 2024)***

## Main Works Stage 1

Construction works to be undertaken in Main Works Stage 1 **~~are to follow the following phased approach.~~** ***may be phased.* ~~Each Phase to be the subject of a separate Construction Certificate.~~ *Phases may be undertaken concurrently, or as required to suit construction activities.***

|  |  |
| --- | --- |
| Phase 1 | Demolition and enabling works |
| Phase 2 | Bulk excavation and remediation |
| Phase 3 | Substructure |
| Phase 4 | Superstructure |
| Phase 5 | Services |
| Phase 6 | Fitout |
| Phase 7 | Landscaping and public domain |

The Main Works Stage 1 Phase 1 works are to be undertaken concurrent with the Early Works Phase 1 works approved under DA 2021/0799 (Early Works DA). Further, the Main Works Phase 7 works are to be undertaken concurrent with the Early Works DA Phase 2 works.

***(Condition 7 amended under MOD/2023/0326 on 26 June 2024)***

## Commencement of Main Works Stage 2

Construction works to be undertaken in Main Works Stage 2 **~~are to follow the following phased approach.~~** ***may be phased.*** **~~Each Phase to be the subject of a separate Construction Certificate.~~ *Phases may be undertaken concurrently, or as required to suit construction activities.***

|  |  |
| --- | --- |
| Phase 1 | Demolition and soft strip out of retained buildings |
| Phase 2 | Superstructure |
| Phase 3 | Services |
| Phase 4 | Fitout |
| Phase 5 | Landscaping and public domain works |

***(Condition 8 amended under MOD/2023/0326 on 26 June 2024)***

## *45A. Disposal of Treated Groundwater*

1. ***Prior to the commencement of any demolition works, the Certifying Authority is required to ensure approval has been granted through Sydney Water or WaterNSW if there is any disposal of treated groundwater.***
2. ***Prior to the issue of a Construction Certificate, the Principal Certifier must be provided with a copy of the Sydney Water Trade Waste Agreement or WaterNSW General Terms of Approval if there is any disposal of groundwater from the development.***

***(Condition 45A added under MOD/2023/0326 on 26 June 2024)***

## Pre-conditions to occupation

Prior to any works commencing under this development consent the Principal Certifier and Council are to be provided with architectural plans nominating the areas to be occupied during the Main Works Stage 1 works construction period. Once works commence on site, no part of the retained buildings can be occupied by tenants unless the following matters have been satisfied:

1. 15 car spaces have been provided on site, **~~with access from Roberts Street, as shown in Figure 4.5 of the Construction Traffic Impact Assessment dated July 2022 prepared by EMM;~~ *as detailed in the 'Construction Traffic Management Plan – Detailed' to be submitted to the General Manager of Council for approval under Condition 39;***
2. The Green Travel Plan has been prepared and is implemented in accordance with **Condition 51**; and
3. A shuttle bus is operated as set out in Part 4.14.1 of the Construction Traffic Impact Assessment dated July 2022 prepared by EMM which operates between the site and Sydenham Station during AM and PM peak hours which are revised as set out below:
4. between 6:30am and 8:30am and 4:30pm and 6:30pm on a typical weekday; and
5. between 6:30am and 7:30am and 12:30pm and 1:30pm on a Saturday

Only upon the satisfaction of the above matters, and their implementation can the maximum 1,925 sqm GFA within the retained buildings on site be occupied.

***(Condition 47 amended under MOD/2023/0326 on 26 June 2024)***

## Structural and Geotechnical Report

Prior to the issue of a Construction Certificate for Main Works Stage 1, Phase 2, the Certifying Authority must be provided with an integrated structural and geotechnical report and structural plans that address the design of the proposed basement, prepared certified as compliant with the terms of this condition by a qualified practicing Structural and Geotechnical Engineer(s) who holds current Chartered Engineer qualifications with the Institution of Engineers Australia

(CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The report and plans must be prepared/ amended to make provision for the following:

1. **~~The basement must be fully tanked (water tight) to prevent the ingress of subsurface flows as required by the General Terms of Approval from WaterNSW dated 30/08/22;~~**
2. Retaining walls must be entirely self-supporting in the event that excavation is undertaken within the road reserve adjacent to the property boundary to the depth of the proposed structure;
3. Any existing or proposed retaining walls that provide support to the road reserve must be adequate to withstand the loadings that could be reasonably expected from within the constructed road and footpath area, including normal traffic and heavy construction and earth moving equipment, based on a design life of not less than 50 years;
4. All components of the basement, including footings, must be located entirely within the property boundary;
5. No adverse impact on surrounding properties including Council’s footpath and road;
6. The existing subsurface flow regime in the vicinity of the development must not be significantly altered as a result of the development;
7. Recommendations regarding the method of excavation and construction, vibration emissions and identifying risks to existing structures or those on adjoining or nearby property; and
8. Provide relevant geotechnical/ subsurface conditions of the site, as determined by a full geotechnical investigation.

***(Condition 63 amended under MOD/2023/0326 on 26 June 2024)***

## Basement/Retaining Wall Signoff – Major Development

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with certification from a suitably experienced structural and geotechnical engineer, who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng), that the basement and driveway has been constructed in accordance with the development consent and relevant Australian Standards **~~and that the~~** **~~basement is fully tanked construction such that pump-out of subsurface flows is not required~~**.

***(Condition 110 amended under MOD/2023/0326 on 26 June 2024)***

## Water NSW GTAs

The development is to be carried out in accordance with the conditions contained in the General Terms of Approval issued by WaterNSW dated **~~30 August 2022~~** ***20 December 2023*** below, subject to any amendments made by Water NSW in the issue of any subsequent approval pursuant to the Water Management Act 2000 in respect of this development DA 2021/0800.

***The attached GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for a Water Supply Work approval after consent has been issued by Council and before the commencement of any work or activity.***

***(Condition 138 amended under MOD/2023/0326 on 26 June 2024)***

**~~Reference Number: IDAS1145000~~**

**~~Issue date of GTA: 30 August 2022~~**

**~~Type of Approval: Water Supply Work~~**

**~~Description: 80mm submersible pump~~**

**~~Location of work/activity: 73 Mary Street, St Peters NSW 2044~~**

**~~DA Number: DA/2021/0800~~**

**~~LGA: Inner West Council - Marrickville~~**

**~~Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011~~**

|  |
| --- |
| **~~The GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.~~** |
| **~~Condition Number~~** | **~~Details~~** |
|  | **~~Dewatering~~** |
| **~~GT0115-00001~~** | **~~Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.~~** |
| **~~GT0115-00001~~** | **~~Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.~~** |
| **~~GT0117-00001~~** | **~~A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence.~~****~~2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018.~~** |
| **~~GT0118-00001~~** | **~~If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after~~****~~water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep~~** |

**~~Reference Number: IDAS1145000~~**

**~~Issue date of GTA: 30 August 2022~~**

**~~Type of Approval: Water Supply Work~~**

**~~Description: 80mm submersible pump~~**

**~~Location of work/activity: 73 Mary Street, St Peters NSW 2044~~**

**~~DA Number: DA/2021/0800~~**

**~~LGA: Inner West Council - Marrickville~~**

**~~Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011~~**

|  |  |
| --- | --- |
|  | **~~the record for a period of 5 years, and (e) give the record to WaterNSW either via email to~~** **~~Customer.Helpdesk@waternsw.com.au~~** **~~or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.~~** |
| **~~GT0119-00001~~** | **~~All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.~~** |
| **~~GT0120-00001~~** | **~~The design and construction of the building must prevent: (a)any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation; (b)obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and (c)any elevated water table from rising to within 1.0 m below the natural ground surface.~~** |
| **~~GT0121-00001~~** | **~~Construction phase monitoring bore requirements GTA: a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. c) The monitoring bores must be installed and maintained as required by the water supply work approval. d) The monitoring bores must be protected from construction damage.\~~** |
| **~~GT0122-00001~~** | **~~Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab~~****~~assurance: Include a requirement for the testing by National Association of Testing~~** |

**~~Reference Number: IDAS1145000~~**

**~~Issue date of GTA: 30 August 2022~~**

**~~Type of Approval: Water Supply Work~~**

**~~Description: 80mm submersible pump~~**

**~~Location of work/activity: 73 Mary Street, St Peters NSW 2044~~**

**~~DA Number: DA/2021/0800~~**

**~~LGA: Inner West Council - Marrickville~~**

**~~Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011~~**

|  |  |
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|  | **~~Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme)~~** |
| **~~GT0123-00001~~** | **~~(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on~~****~~WaterNSW website~~** [**~~www.waternsw.com.au/customer-service/water-~~**](http://www.waternsw.com.au/customer-service/water-licensing/dewatering)[**~~licensing/dewatering~~**](http://www.waternsw.com.au/customer-service/water-licensing/dewatering) |
| **~~GT0150-00001~~** | **~~The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment.~~****~~Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual~~** |
| **~~GT0151-00001~~** | **~~Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.~~** |
| **~~GT0152-00001~~** | **~~This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term.~~** |
| **~~GT0155-00001~~** | **~~The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise~~** |

**~~Reference Number: IDAS1145000~~**

**~~Issue date of GTA: 30 August 2022~~**

**~~Type of Approval: Water Supply Work~~**

**~~Description: 80mm submersible pump~~**

**~~Location of work/activity: 73 Mary Street, St Peters NSW 2044~~**

**~~DA Number: DA/2021/0800~~**

**~~LGA: Inner West Council - Marrickville~~**

**~~Water Sharing Plan Area: Greater Metropolitan Region Groundwater Sources 2011~~**

**~~agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report~~**

**~~SCHEDULE 1~~**

**~~The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with DA/2021/0800 as provided by Council:~~**

* **~~Proposed Mixed-Use Development 75-85 Mary Street, St Peters - Dewatering Management Plan (209825.00.R.001.Rev1)~~**
* **~~Geotechnical Investigation Report (209825.00.R.002.Rev0)~~**
* **~~Douglas Partners Pty Ltd - Memorandum Groundwater Level Monitoring~~**

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| **Reference Number:** | S4551152120 |
| **Issue date of GTA:** | 20 December 2023 |
| **Type of Approval:** | Water Supply Work |
| **Description:** | 80mm submersible pump |
| **Location of work/activity:** | 73 Mary Street, St Peters NSW 2044 |
| **DA Number:** | MOD/2023/0326 |
| **LGA:** | Inner West Council - Marrickville |
| **Water Sharing Plan Area:** | Greater Metropolitan Region Groundwater Sources 2023 |
| **The GTA issued by WaterNSW do not constitute an approval under the *Water Management Act 2000*.** The development consent holder must apply to WaterNSW for the relevant approval **after development consent** has been issued by Council **and before** the commencement of any work or activity. |
| **Condition Number** | **Details** |
|  | **Dewatering** |
| GT0116-00001 | Before any construction certificate is issued for any excavation under the development consent, the applicant must: 1. apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and 2. notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity Advisory Note: 3. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. 4. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force. |
| GT0117-00001 | A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity. Advisory Notes: 1. This approval is not a water access licence. 2. A water year commences on 1 July each year. 3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. 4. Note that certain water sources may be exempted from this requirement - see paragraph17A, Schedule 4 of the Water Management (General) Regulation 2018. |
| GT0118-00001 | If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must: (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date. |
| GT0119-00001 | All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any |

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| **Reference Number:** | S4551152120 |
| **Issue date of GTA:** | 20 December 2023 |
| **Type of Approval:** | Water Supply Work |
| **Description:** | 80mm submersible pump |
| **Location of work/activity:** | 73 Mary Street, St Peters NSW 2044 |
| **DA Number:** | MOD/2023/0326 |
| **LGA:** | Inner West Council - Marrickville |
| **Water Sharing Plan Area:** | Greater Metropolitan Region Groundwater Sources 2023 |
|  | applicable trade waste agreement. |
| GT0121-00001 | Construction phase monitoring bore requirements GTA: a) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. b) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW with the water supply work application. c) The monitoring bores must be installed and maintained as required by the water supply work approval. d) The monitoring bores must be protected from construction damage. |
| GT0122-00001 | Construction Phase Monitoring programme and content: a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater; iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW; iv. QA: Include details of quality assurance and control v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories. b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme) |
| GT0123-00001 | (a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW. (b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW): 1) All results from the Approved Monitoring Programme; and 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website. c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website [www.waternsw.com.au/customer-service/water-](http://www.waternsw.com.au/customer-service/water-) licensing/dewatering |
| GT0150-00001 | The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment. |

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| **Reference Number:** | S4551152120 |
| **Issue date of GTA:** | 20 December 2023 |
| **Type of Approval:** | Water Supply Work |
| **Description:** | 80mm submersible pump |
| **Location of work/activity:** | 73 Mary Street, St Peters NSW 2044 |
| **DA Number:** | MOD/2023/0326 |
| **LGA:** | Inner West Council - Marrickville |
| **Water Sharing Plan Area:** | Greater Metropolitan Region Groundwater Sources 2023 |
|  | Advisory note: Any application to increase the extraction limit should include the following: - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation - Survey plan showing ground surface elevation across the site - Architectural drawings showing basement dimensions - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)) - Laboratory test results for soil sampling testing for ASS - If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual |
| GT0151-00001 | Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval). Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term. |
| GT0152-00001 | This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001. Advisory note: an extension of this approval may be applied for within 6 months of the expiry of Term. |
| GT0155-00001 | The following construction phase monitoring requirements apply (Works Approval): a. The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b. The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c. The applicant must submit all results from the ApprovedMonitoring Programme, to WaterNSW, as part of the Completion Report |

**SCHEDULE 1**

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with MOD/2023/0326 as provided by Council:

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| * Amended Architectural Plans prepared by Cox Architecture - dated 31 August 2023.
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| * Revised Groundwater Assessment prepared by Douglas Partners - dated 28 August 2023.
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| * Dewatering Management Plan (DMP) prepared by Douglas Partners - dated 8 November 2021.
 |
| * Memo on Additional Investigations prepared by Douglas Partners - dated 17 April 2023.
 |
| * WaterNSW Submission on Main Works DA (WAMS report 13790) - dated 25 August 2022.
 |
| * Contamination Statement prepared by WSP - dated 24 August 2023.
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***(GTAs amended under MOD/2023/0326 on 26 June 2024)***