DEFERRED COMMENCEMENT

This Development Application has been determined under Section 4.16(3) of the Environmental Planning and Assessment Act, 1979 by granting Deferred Commencement consent.

The following conditions shall be satisfied prior to the operation of the consent:

A. Land Acquisition – Roadway Purchase
The applicant must complete the purchase of any part of the roadway required to facilitate the development from Bayside Council, as the landowner. Evidence of the completed purchase must accompany the application.

REASON
To ensure the applicant has legal ownership of all land required for the development prior to assessment of any future application.

B. Planning Agreement Requirement
The applicant must enter into a Voluntary Planning Agreement (VPA) with Council and the Developer. The VPA must deliver an agreed upon public benefit to the satisfaction of Council.

REASON
To ensure any voluntary planning agreement is endorsed and supported by the elected members.

C. Design Amendments
The concept plan drawings must be amended to delete Plan Number DA-A-10503, titled *105 Envelope Drawings – Proposed Envelope Upper Ground Level and Ground Level*, prepared by Crone Architects, Issue F dated 20.11.2025. This plan currently shows the upper ground level at RL 6.5 accommodating 165 car spaces.

REASON
To require amendments to the plans endorsed by the consent following assessment of the development.

Evidence of compliance with the above conditions, sufficient to satisfy the Council as to those matters, must be provided within Twenty-Four (24) months of this notice. If satisfactory evidence is produced in accordance with this requirement, the Council shall give notice to the applicant of the date from which this consent operates.

If Council has not notified the applicant within a period of 28 days after the applicant's evidence is produced to it, the Council is, for the purposes only of section 8.7 of the Environmental Planning and Assessment Act 1979, taken to have notified the applicant that Council is not satisfied as to those matters on the date on which that 28 day period expires.

GENERAL CONDITIONS

1. **Building envelope and parking**
   Concept approval is granted under Section 4.16 of the Environmental Planning and Assessment Act to the development described below:

   - Building envelopes with podium (maximum 2 storeys) and five (5) tower zones with nine (9) levels and plant on the roof;
   - Maximum total gross floor area of 48,645sqm; and
   - Maximum total number of parking of 400.

   REASON
   To clearly define the scope of the concept approval.

2. **Land to Which This Consent Applies**
   This Consent relates to land, being Lot 21 DP 29697, Lot 22 DP 29697, Lot 23 DP 29697, Lot 24 DP 29697, Lot 25 DP 29697, Lot 26 DP 29697 Lot 19 DP 29697, Lot 20 DP 29697, Lot 11 DP 29697, Lot 12 DP 29697, Lot 13 DP 29697, Lot 14 DP 29697, Lot 15 DP 29697, Lot 16 DP 29697, Lot 17 DP 29697, Lot 18 DP 29697 and ROAD R8040A. Building works must not encroach onto adjoining lands or other public places apart from approvals granted for works beyond the site boundary.

   REASON
   To ensures that the development is carried out strictly within the boundaries of the land to which the consent applies

3. **Concept Plan Approval**
   This concept approval does not grant consent for any demolition, remediation, excavation or building works. This concept approval is limited to approval for the massing, modulation, siting and setbacks, maximum height of buildings, maximum gross floor area, and car parking provisions.

   REASON
   To avoid encroachment of the development beyond the site boundaries.

4. **Separate Approval for Demolition Works**
   Future development consent shall be sought for demolition of any structures and any civil and built development upon the subject site or adjoining public domain.

   REASON
   To ensure all demolition and construction works are appropriately assessed and approved.

5. **Plans and Approval Documents**

The development shall be undertaken in accordance with the documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plan No	Plan Title	Prepared by	Revision	Date
DA-A-10501	105 Envelope Drawings Proposed Envelope Lower Ground Level	Crone Architects	F	20.11.2025
DA-A-10502	105 Envelope Drawings Proposed Envelope Ground Level	Crone Architects	F	20.11.2025
DA-A-10504	105 Envelope Drawings Proposed Envelope Level 01	Crone Architects	F	20.11.2025
DA-A-10505	105 Envelope Drawings Proposed Envelope Level 02 – Podium	Crone Architects	F	20.11.2025
DA-A-10506	105 Envelope Drawings Proposed Envelope Level 03	Crone Architects	F	20.11.2025
DA-A-10507	105 Envelope Drawings Proposed Envelope Level 04	Crone Architects	F	20.11.2025
DA-A-10508	105 Envelope Drawings Proposed Envelope Level 05	Crone Architects	F	20.11.2025
DA-A-10509	105 Envelope Drawings Proposed Envelope Level 06	Crone Architects	F	20.11.2025
DA-A-10510	105 Envelope Drawings Proposed Envelope Level 07	Crone Architects	F	20.11.2025
DA-A-10511	105 Envelope Drawings Proposed Envelope Level 08	Crone Architects	F	20.11.2025

DA-A-10512	105 Envelope Drawings Proposed Envelope Level 09	Crone Architects	F	20.11.2025
DA-A-10513	105 Envelope Drawings Proposed Envelope Level 10	Crone Architects	F	20.11.2025
DA-A-10514	105 Envelope Drawings Proposed Envelope Roof	Crone Architects	F	20.11.2025
DA-A-10515	105 Envelope Drawings Proposed Envelope North & South Elevations	Crone Architects	F	20.11.2025
DA-A-10516	105 Envelope Drawings Proposed Envelope East & West Elevations	Crone Architects	F	20.11.2025
	Site Connection Plan Podium Floor Plan	Crone Architects		
	Site Connection Plan Ground Floor Plan	Crone Architects		

Approved Documents			
Document Title	**Version No.**	**Prepared By**	**Date of Document**
Commercial Development at 7–21 Chalmers Crescent, Mascot, NSW Stormwater Management Report	Rev 3A	WSP	October 2025
Arborist report		Urban Arbor	03 February 2025
7-9, 14-21 Chalmers Crescent Mascot DA - Traffic and Transport Impact Assessment	PS210815 -PAM-SYD-LTR-002 RevA	WSP	24 November 2025

In the event of any inconsistency between conditions of the Concept Plan approval identified in this document and drawings/documents referred to above, the conditions of the Concept Plan shall prevail.

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

6. Lapsing of Consent

Approval of the Concept Plan shall lapse 5 years after the determination date shown, unless a development application is submitted to carry out a project or development for which concept approval has been given.

REASON
To ensure the concept approval remains contemporary and progresses to a detailed development application within a reasonable timeframe

7. Through site links

Through site links are to generally be provided as per the approved plans listed in Condition No. 5. The through site link towards Coward Street through the neighbouring properties is to be investigated and provided as part of future development applications.

REASON
To improve permeability and walkability within the neighbourhood and provide convenient access to public transport.

8. Contributions

a) Future Development Applications will be required to pay local monetary contribution equivalent to s7.11 contributions to Bayside Council towards the provision or improvement of public amenities and services in accordance with any executed VPA for the site.
b) Where nil executed VPA applies to the subject site, the relevant s7.11 shall be levied to all future Development Applications in accordance with the Botany Bay Section 7.11.
c) Future Development Applications may be required to pay a Housing and Productivity Contribution, subject to the applicable legislative requirements in force at the time of approval.

REASON
To ensure contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

9. Crime Prevention Through Environmental Design

Future Development Applications shall be accompanied by an assessment against Crime Prevention Through Environmental Design (CPTED) principles.

REASON
To ensure compliance with the Crime Prevention Through Environmental Design (CPTED) principles.

10. Services

Future Development Applications shall provide for utility infrastructure, including but not limited to fire hydrants, substations and the like within the building footprint. Where this is not possible, infrastructure shall be located

outside of the public domain and appropriately screened from the public view to the satisfaction of the relevant authority.

REASON
To improve the public domain in accordance with Council's Development Control Plan.

11. Subdivision
Future development consent must be obtained for any subdivision of land within the subject site.

REASON
To ensure subdivision works are appropriately assessed and approved in accordance with the relevant regulations.

12. Property Address
All determination of address numbers is in accordance with AS/NZS 4819:2011 Rural and Urban Addressing Standard and Section 5.2 of the NSW Address Policy and User Manual October 2024.

REASON
To ensure property addresses are allocated in accordance with relevant standards.

GFA AND FSR CONDITIONS

13. Maximum Gross Floor Area
The maximum gross floor area of the site is referred to in Condition 1 of this consent.

REASON
To provide certainty in the application of the Concept Plan approval and avoid ambiguity in interpretation.

14. Location of Gross Floor Area
Gross Floor Area (GFA) must not be located above the applicable maximum height development standard as outlined in Clause 4.3 of the Bayside Local Environmental Plan.

REASON
To provide certainty in the application of the Concept Plan approval and avoid ambiguity in interpretation.

15. Transfer of Unutilised Gross Floor Area
Where the maximum gross floor area (GFA) allocated to a tower is not fully utilised within any future tower, the unused GFA must not be transferred to another tower. The maximum permitted GFA for each tower is as approved, and any change requires a formal modification to the consent.

REASON

To ensure the approved distribution of gross floor area across towers is maintained and any changes are properly assessed through a formal modification process.

DESIGN CONDITIONS

16. Design Excellence

a) Future Development Applications shall be subject to a further design excellence review process review by Council as required by Clause 6.10 of Bayside Local Environmental Plan 2021.
b) Future Development Applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation / articulation of buildings and a range of high quality materials and finishes.
c) Future Development Applications that are or will higher than 40 metres or 12 storeys (or both), the applicant must undertake a competitive design process in accordance with the Design Competition Guidelines as required by Clause 6.10(5)(b)(i) of Bayside Local Environmental Plan 2021.

REASON
To ensure design quality is achieved in accordance with the approved plans and documentation.

17. Materials, Finishes and Treatment of Building Forms

Detailed materials, finishes, and treatment of building forms are subject to future Development Applications. Notwithstanding this, the development must ensure compliance with the approved design excellence principles and maintain active street frontages as endorsed in the concept approval.

REASON
To ensure design quality is achieved in accordance with the approved plans and documentation.

18. Active street frontage

To ensure all future Development Applications achieve active street frontage, proposals must:

a) Provide an active street frontage at ground level by incorporating uses such as building lobbies, coffee shops, and end-of-trip facilities. These areas should feature glazed walls facing Chalmers Crescent, covering at least 65% of the length of each façade along Chalmers Crescent.
b) Design the lobby for Tower 1 to address both the vehicular driveway and Chalmers Crescent, creating active frontages to the west and south.

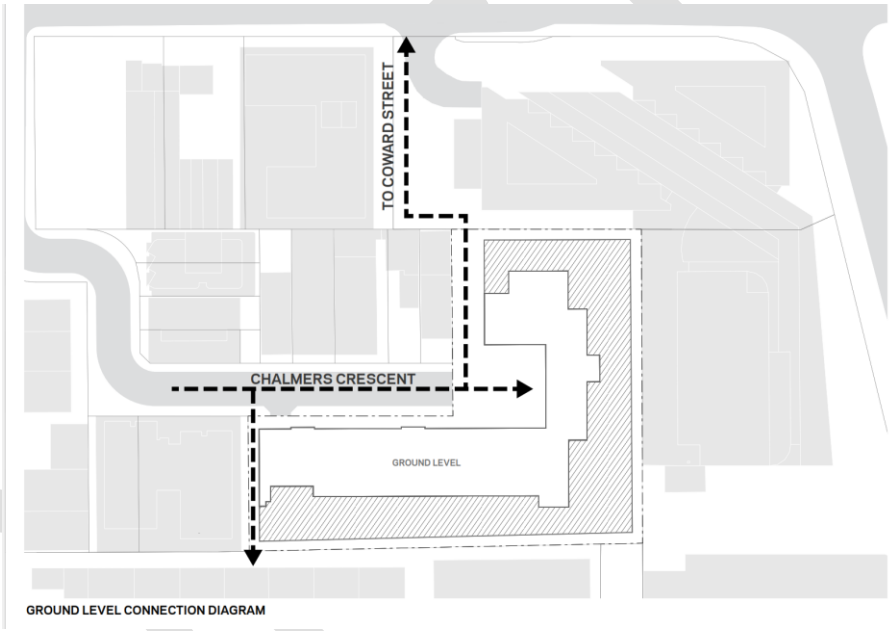
REASON
To ensure that design of the building maintains the active street front requirement stipulated on the site.

19. Design Amendments

To ensure all future Development Applications can endeavour facilitate a potential site link connection between Coward Street, Chalmers Crescent, and the Quanta service roads, the development must be amended as follows:

a) Increase the building setback adjoining No. 12 Chalmers Crescent to 7 metres, measured from the boundary, to allow for a future pedestrian connection to Coward Street. In addition, provide an adjacent 6-metre-wide vehicle entry driveway, open to the sky, resulting in a combined setback of 13 metres. This driveway must provide access to the parking podium located at the north-western corner of the building.

b) Increase the building setback adjoining No. 1–5 Chalmers Crescent to 6 metres, measured from the boundary, to allow for a potential future pedestrian connection to the south. This setback must be landscaped until such time as a pedestrian pathway is established.



GROUND LEVEL CONNECTION DIAGRAM

REASON

To safeguard opportunities for future pedestrian and vehicular connectivity across the precinct.

TRANSPORT CONDITIONS

20. Car Parking Rates

Future Development Applications shall provide a maximum combined number of parking spaces on site of 400 spaces to limit the traffic generation of the development. A car parking provision greater than the maximum rate is not permitted.

REASON

To restrict the number of car parking spaces to manage the traffic impacts of the development.

21. Loading and Unloading

The future development applications shall comply with the following loading/unloading requirements:

a) Provisions shall be made for adequate loading and unloading facilities for service vehicles, suitably sized and designed for the proposed use to the satisfaction of Bayside Council. The loading docks shall be designed in accordance with the requirements of Bayside DCP section 3.5.6.
b) A loading study shall study undertaken of at least three similarly located and sized commercial premises buildings to determine the number of service bays required (including the anticipated maximum size vehicle likely to access the site which is to be a minimum of MRV as denoted in AS2890.2). This study is to be submitted with future development applications.
c) All waste collection, furniture removal or retail / commercial servicing or deliveries must be undertaken wholly within the building on the site and concealed from public view. No bins are permitted to be presented to the street or placed on footpath for waste collection.
d) A loading dock management plan is to be provided for all loading docks.

REASON

To ensure loading provisions are included in the development.

22. Car Share

Future Development Applications shall provide car share spaces are to be provided at a rate of 1 space per 50 car spaces. These car share spaces must be designed to ensure that they are publicly accessible and can only be operated by a recognized commercial car share operator.

REASON

To ensure sustainable transport alternatives are used.

23. Electric Vehicle (EV) Charging

Future development applications shall make provision for 20% of the car parking spaces to be equipped with an EV charger that is ready to use on completion of the development (i.e., the spaces are fully equipped with the circuitry and charger directly for use). At minimum, the charger(s) will need to be ‘Level 2’ charger with 7-22kW power or greater as defined by NSW Electric and Hybrid Vehicle Plan.

REASON

To ensure sustainable transport alternatives are used.

24. Bicycle Facilities

Future development applications shall adhere to the following minimum bicycle parking provision:

a) A minimum of 1 bicycle space per 150m2 GFA.
b) A minimum of 1 visitor bicycle space per 450m2 GFA
c) End of trip facilities for cyclists shall be provided as per the below:

i. 1 personal locker for each bike parking space
ii. 1 shower and change cubicle for every 10 bicycle spaces or part thereof
iii. A bicycle repair toolkit and pump for each bicycle parking area.
iv. Toilets, drying rooms, and hand washing facilities.

d) Bicycle parking areas are to be provided with electrical outlets at a rate of 1 power point per 20 bicycle spaces.
e) All bicycle parking facilities shall be in safe, convenient and well illuminated locations.

REASON
To ensure bicycle parking spaces and cyclist provisions are provided.

25. Motorbike Facilities

Future development applications shall provide motorbike parking at the minimum rate of 1 space per 15 car parking spaces.

REASON
To ensure motorcycle spaces are provided.

26. Site Specific Sustainable Travel Plan

A Green Travel Plan and Transport Access Guide is to be provided in future development applications and shall address, but not be limited to, the following.

a) Encourage people to cycle and/or walk to the development;
b) Encourage people to use public transport to travel to development ;
c) Adopt car sharing and car pool scheme;
d) Provide bike storage area and end-of-trip facilities in the convenient locations;
e) Include clear and time bound targets, actions, measurements and monitoring framework;
f) Develop Transport Access Guides (TAGs) to TfNSW requirements for residents / visitors with information on how to reach the site via public transport, walking or cycling.

REASON
To ensure sustainable transport alternatives are used.

ENGINEERING CONDITIONS

27. Basement Levels & Groundwater Management

Future Development Applications shall ensure that:

a) Basement levels are to be located below the building footprint and must not encroach into street setback & side/rear setback areas.
b) A maximum of one (1) basement level is permitted to reduce the amount of excavation and dewatering required for the proposal.
c) All basement levels must be fully tanked and waterproofed structures. No groundwater is permitted to enter the basement structures.
d) Provide a report prepared by a qualified Geotechnical and Hydrogeological Engineer that models the consequences of the

basement construction (dewatering) of the development will have on groundwater flow, building stability including buildings nearby to the development site and groundwater levels. If this modelling and investigation give rise to adverse consequences to any or all the nominated issues, the onus is upon the applicant to respond to and address the consequences in a manner that negates adverse impact on the neighbourhood. Such measures are to be detailed in the development applications.

REASON
To ensure that structural designs are adequate and that damage to adjoining land is minimised.

28. Stormwater Management

Future Development Applications shall include a Stormwater Management Plan & Report. The management for stormwater in the development shall be in accordance with the Bayside Technical Specification Stormwater Management requirements for the site, generally in accordance with the recommendations made in the Stormwater Management Report prepared by WSP, ref PS210815_Civil Report Rev 3A, and dated 24/10/25.

The following stormwater requirements shall be adhered to in the future development application:

a) All stormwater run-off from the site shall be connected to an underground drainage system in Chalmers Crescent. This requires an extension of the underground drainage system in Kent Road to the site frontage of Chalmers Crescent generally as shown in the stormwater management report.
b) An OSD system compliant with section 6 of Bayside Technical Specification Stormwater Management is required to be provided supported by DRAINS modelling provided to the satisfaction of Council.
c) A water quality improvement system (WSUD/SQID) must be provided for the development to ensure the pollution reduction targets outlined in section 7 of Bayside Technical Specification Stormwater Management are met. The design must be supported by MUSIC modelling provided to the satisfaction of Council.
d) A minimum 10,000L rainwater tank shall be provided for each tower, connected to all toilet flushing and the entire landscape irrigation system for non-potable stormwater re-use.
e) An oil separator shall be provided for the car park run-off as per section 3.6.1 of Bayside Technical Specification Stormwater Management.

REASON
To ensure compliance with Council's Stormwater Management Technical Guidelines / Specifications.

29. Undergrounding of all Overhead Wires

Future Development Applications shall comply with the following:

a) All existing above ground utilities and services (including all overhead high and low voltage electricity reticulation cables plus any telecommunication cables) or those proposed, along the entire length of all frontages of the development site must be relocated and/or

provided underground. This undergrounding includes the underground placement of all above ground electricity and telecommunication cables in Chalmers Crescent.

b) Existing lighting, and power poles/lines along these frontages will need to be decommissioned and new underground supplied lighting poles and associated infrastructure, shall be constructed along the entire frontage, public domain areas within the site and internal roads, satisfying the relevant lighting requirements. Undergrounding is required for all open space lots.
c) Works must be completed and the electricity authority's approval for the works met to the satisfaction of Bayside Council prior to the issue of the Occupation Certificate of the future building. The applicant is responsible for all relocation costs, including costs associated with other cables such as telecommunications cables.
d) Where the road reserve along the frontage(s) of the site is congested with underground utility services and/or street trees, the person acting on the consent must design the undergrounding works around the congestion to the requirements of Ausgrid.
e) In the event that any existing street trees are lost as a result of trenching related to undergrounding works, suitable replacements must be planted in keeping with Bayside Council's street tree masterplan to the site frontages.

REASON
To improve the public domain in accordance with Council's Development Control Plan.

30. Public Domain Requirements

Future development applications shall provide a public domain civil and landscape plans that address the following matters:

a) The public domain of the entire frontage of the site shall be upgraded with new public domain improvements including full width paved footpath, kerb and gutter and landscape street tree planting to the satisfaction of Bayside Council. The through site link footpath shall also be paved.
b) Furthermore, the frontages of the 2-12 Chalmers Crescent & 253 Coward Street shall be provided with a full width paved footpath to ensure sufficient provisions are in place for the increased pedestrians that will walk along this path from Mascot Train station to the site. All works shall be consistent with the Mascot Station Precinct Public Domain Plan.
c) The intersection of Chalmers Crescent and Kent Road shall be modified to adjust the priority and remove street parking on Kent Road (between Chalmers Crescent and Coward Street) generally as per table 5.4 of Traffic and Transport Impact Assessment report prepared by WSP, Rev D, dated 19/09/2025, ref PS210815-PAM-SYD-REP-001 Rev D. This requires approval from Council via the Bayside Local Transport Forum.
d) A raised pedestrian crossing of Chalmers Crescent on the site frontage shall be investigated to be provided to improve road safety given the

substantially increased pedestrian movements associated with the development.

e) The new turning head of Chalmers Crescent shall be designed to facilitate the movements of HRV (coach) vehicles supported by swept path analysis.
f) Suitable easements benefiting Bayside Council shall be provided for the entirety of the through site link and turning head of Chalmers Crescent.
g) The through site link and turning head shall be designed as a low-speed shared zone with pedestrian priority.

REASON
To ensure that public domain works are designed and constructed in accordance with relevant requirements and standards.

LANDSCAPING CONDITIONS

31. Tree removal

Due to the removal of thirty-three (33) trees, the following shall be considered at the lodgement of any into future Development Applications.

a) lodge a Tree Location Plan with Council nominating the location and species of all replacement trees on private land at a 3:1 ratio (99 trees), or
b) enter into a Deed of Agreement with Council under s4.16 of the Environmental Planning and Assessment Act to provide funding for offset planting on public land in accordance with Bayside Development Control Plan 2020, Clause 3.8.2

Where the applicant elects option (b), the Deed of Agreement must be executed prior to the issue of any future Construction Certificate.

REASON
To ensure tree offset requirements are met and environmental outcomes maintained.

32. Landscape & Design Objectives

The following design objectives shall be incorporated into future Development Applications.

c) The design will perform an important role in appropriately defining the open space of development. The tower will also establish a landmark to aid place-recognition and wayfinding.
d) The detailed design of the development shall be coherent with the wider plan regarding material selection, construction details and spatial arrangement.
e) The unique and special status of the development will be made clear in the design, including but not limited to high quality materials, elements to bring delight and interest and integrated public art.
f) Design characteristics must be suitable for a neighbourhood commercial centre, not a CBD mall or private shopping centre. This includes providing intimately scaled spaces, maintaining a sense of

enclosure, and selecting warm, textured materials and carefully placed elements.

g) Edges of the space to be made habitable and comfortable with seating and shade and activated with good passive surveillance.
h) The design will achieve a balance between flexibility of uncluttered open, paved space while providing amenity such as seating and shade and greening.
i) Deep soil appropriate to healthy growth of canopy trees shall be accommodated.
j) The number of residential units with direct ground level access shall be maximized, albeit not at the expense of non-residential area.

REASON
To ensure the most optimised landscape performance in the future.

33. Landscaping Requirements

a) Future Development Applications must include detailed landscape plans covering all public and private open space areas, street setback zones, pedestrian connections across roadways, and the landscape treatment of adjoining public domain areas and road reserves, in accordance with approved documents.
b) Future Development Applications must provide landscape plans that demonstrate compliant, accessible paths of travel for all users, consistent with relevant accessibility standards.
c) Façade Greening: Future Development Applications must demonstrate a high level of façade greening across all visible building levels, including internal podium façades, to achieve meaningful landscape outcomes. Planting on balconies must be maximised and supported by appropriate soil depths, structural allowances, and irrigation systems to ensure long-term health and viability. All planting soil depths and volumes are to be benchmarked against the minimum requirements set out in the ADG soil volume tables, and maintenance provisions must be clearly identified to support sustained growth.
d) Green Roofs: Future Development Applications must provide green roofs occupying no less than 30% of rooftop areas of the towers. These green roofs must support long-term viability, contribute to Bayside's ecological green corridor, and function as a biodiversity link providing genuine urban greening benefits. Green roof planters must be designed with maximised soil depths and dimensions, and planting selections must align with Council's expectations and the recommendations of the Landscape Design Report.
e) WSUD: Future Development Applications should incorporate WSUD strategies that support passive irrigation throughout public and private landscape areas. This may include directing roof and hardstand runoff into planting zones, using rain gardens or bio-retention systems to improve stormwater quality, and designing soil profiles that maximise infiltration and reduce potable water demand. These measures should contribute to improved hydrological performance, ecological function, and long-term landscape resilience.

f) Podium Landscaping: The roof of the podium shall be fully landscaped with pedestrian pathways connecting to each tower and to external through site links. Landscaping shall include canopy trees in planter boxes at minimum 200L pot size.
g) All landscaped areas must be designed to ensure long-term viability, with planting volumes, soil depths, irrigation systems, and drainage configured for sustained growth. Development Applications should include a maintenance and management regime addressing pruning, irrigation, replacement planting, and system upkeep. Materials and plant species should be selected for durability, climate resilience, and low ongoing maintenance requirements.
h) Planting palettes should prioritise native species known to support local biodiversity, particularly birds, pollinators, and small fauna. Layered planting structures (canopy, mid-storey, groundcover) should be used where possible to create micro-habitats and food sources throughout the site. Plant selection must reinforce Buyside's ecological objectives and strengthen connections to broader biodiversity corridors.
i) Landscape design should actively contribute to microclimate moderation. This includes the strategic placement of shade trees to reduce heat gain, wind-mitigation planting to soften prevailing winds, and cooling landscapes that use vegetation, water permeability, and shaded zones to improve thermal comfort. These measures should enhance liveability and reduce the urban heat island effect across pedestrian areas and open spaces.
j) Urban Ecology: Future Development Applications must demonstrate how the landscape design contributes to urban ecology by incorporating habitat features such as logs, native grasses, understory planting, microhabitat niches, and water sources suitable for native bird and pollinator species. Landscaping should support movement corridors by ensuring continuous vegetation links between deep soil zones, podium planting, and green roofs.
k) Public Art: Future Development Applications must explore and clearly demonstrate high-quality opportunities for integrating public art within the landscape. This may include sculptural elements, bespoke paving patterns, interpretive planting, artist-designed screening or furniture, and other design interventions that reinforce site identity and contribute meaningfully to place-making. Public art integration should be detailed to a high level to ensure it is cohesive, durable, and aligned with the overall design excellence objectives of the development.
l) Accessibility: Landscape areas must incorporate inclusive design features such as rest points, wheelchair-accessible seating nodes, legible pedestrian paths, tactile indicators, and intuitive wayfinding. These should ensure the landscape is usable, comfortable, and navigable for all members of the community.
m) CPTED: Landscape plans must include a coordinated lighting strategy that enhances visibility, highlights key landscape features, and improves legibility and safety, while avoiding unnecessary light spill that may impact wildlife. All lighting must comply with best-practice dark-sky and biodiversity-sensitive guidelines. Lighting within the Through Site Link (TSL) must be designed strictly in accordance with these

principles to ensure a safe, well-lit, and environmentally responsive pedestrian environment.

n) Water Harvesting: Where feasible, landscape areas should incorporate passive water harvesting such as kerb cuts, infiltration trenches, or raingarden inlets to direct stormwater into trees and planting zones. This must align with WSUD principles and improve drought resilience.

REASON

The specify the landscape controls that need to be addressed in the detailed design.

34. Landscape Setbacks/ Deep Soil Zones

a) Deep soil zones must be designed to maximise soft landscaping and canopy cover, providing genuine opportunities for trees and vegetation to establish at ground level. These areas must remain free of buildings, overhangs, structures or hardstand, other than essential elements such as footpaths, driveways, fire egress routes, or required service infrastructure—each of which must be minimised in extent. Deep soil areas must be dimensioned and located to support the healthy long-term growth of canopy trees in accordance with the ADG and Bayside DCP requirements. Future Development Applications must include detailed landscape plans demonstrating compliant deep soil zones, planting opportunities, and tree species capable of achieving an appropriate scale relative to the built form.

b) All podium setbacks shown in the approved plans must be provided as deep soil zones with no structures permitted in these areas.

c) Setbacks above the 2–4 storey podium levels must incorporate meaningful soft landscape treatments through well-designed, built-in planter boxes that soften the building massing and enhance the overall streetscape character. These planters must provide adequate soil depths and volumes, structural capacity, drainage, and irrigation to ensure long-term plant health and viability. Planting within these upper-level setbacks should contribute to façade greening, reduce perceived building bulk, improve microclimate conditions, and visually integrate the podium with the surrounding public domain. Future Development Applications must clearly demonstrate how these elevated landscape areas will deliver resilient, functional, and well-maintained planting outcomes that complement both the architectural intent and broader public realm. Staggered planters are strongly encouraged and must demonstrate design excellence in their configuration, detailing, and landscape response.

d) Deep Soil Landscaping: a minimum of 15% of the total development site area must be provided as deep soil landscaping. Deep soil does not include any landscaping in structure. Deep soil is a landscaped area that is unimpeded above and below ground. It can support larger trees and a healthy canopy.

REASON

The specify the landscape setback/deep soil controls that need to be addressed in the detailed design.

35. Tree Canopy Cover and Species Selection

a) A minimum 30% tree canopy cover must be achieved across the entire site. Future Development Applications shall include detailed landscape plans and canopy cover diagrams demonstrating how the proposed planting, both at maturity and at establishment, meets or exceeds this requirement. Canopy trees must be located within true deep soil zones where possible, and species selected must be capable of reaching mature sizes that meaningfully contribute to shading, microclimate improvement, and streetscape amenity.

b) Proposed landscape palette must comprise a cohesive mix of Australian endemic, native, and low-water-use plant species to strengthen ecological resilience and support Bayside's broader biodiversity objectives. Planting must achieve the following minimum ratio:

- Minimum 100% native trees
- Minimum 80% native vegetation (shrubs and ground covers)
- Landscape plans submitted with all future development applications shall demonstrate compliance with this condition.

REASON

The ensure the longevity of any trees planted on site.

36. Wayfinding Signage Strategy

a) A wayfinding signage strategy is to be provided as part of each development lot and submitted to Bayside Council for approval prior to the occupation of the last tower.

b) The wayfinding signage strategy required in (a) must demonstrate a connection of the development to its surrounding streets and facilities (e.g. parks, stations, bus stops etc.). It must be linked to a green travel plan/transport access guide and provide assistance in finding transport options in the surrounding area along with points of interest.

c) All wayfinding within the Through Site Link must be designed in accordance with the Public Domain Technical Specifications and delivered to Council's satisfaction. The wayfinding design must align with relevant safety guidelines, ensure clear and intuitive navigation, and meet the expectations of Council's public domain and traffic safety teams.

REASON

To ensure the development provides a clear, legible, and consistent wayfinding system that facilitates safe and efficient movement for all users, including pedestrians, cyclists, and persons with disabilities

37. Public Domain Upgrades

The following design objectives shall be incorporated into any future Development Application relevant to the development, to the satisfaction of Bayside Councils Design Excellence Panel.

a) All proposed public domain trees are to be provided at a minimum 200 L pot size.

b) Through Site Link must incorporate appropriate wayfinding strategies and be supported by a safety report prepared to Council's satisfaction.
c) Through Site Link adjacent to the cul-de-sac must operate as a genuine low-speed shared zone, with appropriate safety measures implemented to support pedestrian priority
d) Through Site Link must include a minimum of 400L large canopy trees and incorporate suitable feature trees within 6 metres of the development site boundary. These elements must support future extensions and connections and be designed to Council's satisfaction.
e) All public domain tree species must be carefully selected in accordance with the Botany Bay Street Tree Master Plan 2014 and ensure long-term viability.
f) Public domain Landscape plans shall be submitted with the future development applications and include detailed landscape documentation (plans and specifications).
    i. Further design resolution is required to integrate landscaping, levels, design of pedestrian walkways and any car parking areas with all spur / dead end roads on site. Details are to include but not be limited to existing / proposed levels, species selection, materials, finishes, and the like.
    ii. The cul-de-sac turning head shall include a large 1000L feature tree.
    iii. The public domain design shall be consistent with the mascot station precinct public domain plan.

REASON
To ensure the design provides exemplary accessibility and creates a safe, comfortable, and inclusive public environment consistent with best-practice urban design principles.

38. Public Domain Tree Canopy Cover
A minimum 30% tree canopy cover, of which 100% shall be native trees, shall be provided to all public domain landscaped areas within the site.

REASON
The ensure the longevity of any trees planted on public domain area.

WASTE CONDITIONS

39. Waste Management Requirements
A Waste Management Plan must accompany any future application. The plan and associated drawings must demonstrate compliance with the following requirements:
a) Waste and Recycling Storage
    i. Identify the location of designated waste and recycling storage rooms or areas, sized to meet the needs of all tenants.
    ii. Identify temporary waste and recycling storage areas within each tenancy, sized to store at least one day's worth of waste.

b) Collection and Access

i. Show the collection point for emptying waste, recycling, and organics bins.
ii. Indicate the path of travel for moving bins from the storage area to the collection point (if collection occurs away from the storage area).
iii. Show the on-site path of travel for collection vehicles. On-site collection is required for a development of this size.

c) Design Standards
    i. Waste and recycling storage areas or rooms must be designed and constructed in accordance with the Building Code of Australia.
d) Operational Arrangements
    i. Provide arrangements for waste separation into the following streams: paper and cardboard, recyclables, general waste, and (where applicable) industrial process waste.
    ii. Ensure bins for recycling and general waste can be moved to the main waste and recycling storage room or area.
    iii. For multi-storey buildings, a goods lift may be required to transport bins to the main waste and recycling storage area.

REASON
To ensure waste management arrangements are consistent with Council's technical specifications and provide for the ongoing effective management of waste generated by the development.

40. Bin Storage and Collection Points

Any future applcation must provide bin storage areas and collection points designed and constructed in accordance with Section 4 Operational Waste Management Plan – Waste Management Systems of Council's Waste Management Technical Specification 2022, and the following requirements:

a) Bin Storage Areas must:
    i. Be located to minimise adverse visual impact on the public domain, positioned behind the front building line or screened if within the front setback.
    ii. Avoid nuisances such as odour and noise to adjoining residential properties.
    iii. Be capable of accommodating all required bins.
    iv. Provide unobstructed and convenient access to the collection point.
    v. Be communal and designed to Council's specifications.
b) Waste, Recycling and Organics Rooms/Areas must:
    i. Provide direct and convenient access for occupants.
    ii. Not impact the amenity of occupants or adjoining properties in relation to visual amenity, noise, or odour.
    iii. Not obstruct car parking, driveways, footpaths, landscaping, or trees, and must comply with Australian Standards.
    iv. Comply with the Building Code of Australia.

v. Be located so that occupants do not carry waste more than 30 metres (excluding vertical distance).
vi. Have a minimum door width of 1.5 metres.
vii. Provide a minimum unobstructed clearance height of 4 metres, inclusive of attachments such as vents, signage, and piping.

c) On-site Collection Points must:
   i. Be located where bins are usually stored or in an on-site temporary holding area.
   ii. Be positioned so that collection vehicles do not obstruct driveways while servicing bins.
   iii. Be at street level or within a basement.

d) Bin Movement Requirements:
   i. Bins up to 360 L capacity – no more than 30 m to collection point.
   ii. Bins 360–1100 L capacity – no more than 5 m.
   iii. Bins over 1100 L capacity – no more than 3 m.

e) Bin Carting Routes must:
   i. Be as direct and short as possible.
   ii. Avoid kerbs and steps.
   iii. Have gradients not steeper than 1:14 (or 1:30 where 660 L or 1100 L bins are used).
   iv. Be a minimum of 2 m wide with a hard, non-slip surface.

REASON
To ensure waste storage and collection facilities are appropriately designed, accessible, and consistent with Council's Waste Management Technical Specification and the Building Code of Australia.

41. Collection Vehicle Access

The development must provide on-site waste collection in accordance with Section 11 of Council's Waste Management Technical Specification 2022. The Ongoing Waste Management Plan and architectural drawings shall nominate the collection point(s) and method of waste collection.

a) Collections may be undertaken by Council or a licensed private waste/recycling contractor, but all collections must occur on-site within the property boundary from a designated loading area.
b) Details of any private collection arrangements must be included in the Ongoing Waste Management Plan submitted to Council.
c) The development must provide safe vehicle access enabling collection vehicles to manoeuvre and load all allocated bins.
d) On-site collection point(s) must:
   i. Ensure all allocated bins are collected on-site without impeding access for vehicles or pedestrians.
   ii. Provide a minimum height clearance of 4.5 metres, inclusive of all ceiling or roof attachments such as vents, signage, and piping.
   iii. Provide a minimum unobstructed carriageway width of 3.5 metres to the collection point(s), inclusive of all attachments.
   iv. Enable vehicles to enter and exit the site in a forward driving direction.

v. Provide a swept path of 21 metres and a turning circle of 25 metres to accommodate the length of a collection vehicle and allow safe manoeuvring within the development.

REASON
To ensure waste collection is safely and efficiently managed on-site, consistent with Council's Waste Management Technical Specification and without adverse impacts on vehicle or pedestrian access.

42. Ongoing Waste Management Plan

As part of any future development application, the applicant must submit an Ongoing Waste Management Plan prepared in accordance with Council's Waste Management Technical Specification 2022. The plan shall:

i. Refer to the table in Section 11.2 to estimate the amount of waste and recycling generated by the development.
ii. Use these estimates to determine the number and size of bins required, and the frequency of collection.
iii. For a development of this scale, incorporate 1,100L bins to minimise bin movements on collection days and to provide capacity for unforeseen increases in waste generation.
iv. Demonstrate that waste/bin storage areas are of sufficient size to accommodate the required number of bins.

REASON
To ensure waste management arrangements are consistent with Council's technical specifications and provide for the ongoing effective management of waste generated by the development.

CONTAMINATION CONDITIONS

43. Contaminated Land – Detailed Investigation and Remediation

Prior to the lodgement of any future application, a Detailed Site Investigation (DSI) must be completed by a suitably qualified and experienced environmental consultant in accordance with:

a) NSW EPA 'Consultants reporting on contaminated land' (2020);
b) NSW EPA approved guidelines under the 'Contaminated Land Management Act 1997';
c) Chapter 4 of the 'State Environmental Planning Policy (Resilience and Hazards) 2021'; and
d) Section 3.11 Contamination of the 'Bayside Development Control Plan 2022'.

The DSI must include, but not limited to:

i. Site-wide ground penetrating radar survey to fully assess the presence/absence of Underground Storage Tanks (USTs) of fuel, including in the south-east portion of the site, and if USTs are identified, targeted sampling of media should be completed;

ii. Additional soil sampling of adequate site coverage to meet the minimum sampling density (~23 total boreholes) defined in the NSW EPA 'Sampling design part 1 – application' (2022) based on the total site area, and that is reflective of maximum proposed excavations (3.0m BGL);
iii. Further analysis of groundwater directional flow through additional monitoring wells to assess the potential for migration of contaminated groundwater, including hydrocarbons associated with the UST located 20m north-west of the site, which is considered to be up-gradient; and
iv. Details of the final basement design and recommended groundwater management measures, as well as the expected volume of groundwater to be dewatered during excavation works to determine if the proposal is an integrated development, requiring a WaterNSW dewatering license under the 'Water Management Act 2000'.

The DSI must make a clear conclusion about site suitability without being subject to the completion of significant investigations that would negate the site suitability conclusion. Following completion of the DSI, if remediation is required to make the site suitable, a Remedial Action Plan (RAP) must be prepared and submitted to Council with the DSI.

REASON
To protect human health and the environment and ensure remediation of land is in accordance with legislative requirements.

44. Section B Site Audit Statement – DSI and RAP

To ensure that the DSI has been completed appropriately and any RAP proposed for the site will result in the land being made suitable for the proposed use, a Section B SAS, completed by an accredited Site Auditor under the 'Contaminated Land Management Act 1997', must be submitted to Council, Prior to the lodgement of any future application.

The SAS must clearly demonstrate that the DSI and any RAP required to be prepared has been completed in accordance with the NSW guidelines, and that the land can be made suitable for the proposed use, and if required, by implementation of a specified RAP. This SAS must be provided to the accredited certifier, and Bayside Council for written concurrence.

REASON
To protect human health and the environment and ensure remediation of land is in accordance with legislative requirements.

45. Acid Sulfate Soils Management Plan

Prior to the lodgement of any future application, an Acid Sulfate Soils Management Plan (ASSMP) must be prepared by a suitably qualified and experienced environmental consultant, and submitted to Council. The ASSMP must include any site-specific procedures and mitigation measures required to

manage Potential Acid Sulfate Soils (ASS), and must be implemented during works on the site.

The plan shall provide details of the following:

i. Site specific mitigation measures to both minimise the disturbance of ASS as well as any measures relating to acid generation and acid neutralisation of the soil;
ii. Management of acid sulfate affected excavated material;
iii. Measures required to neutralise the acidity of any acid sulfate affected material including groundwater; and
iv. Run-off control measures for the acid sulfate affected soil.

REASON
To protect the natural and the built environment in accordance with legislative requirements.

EXTERNAL AGENCY CONDITIONS

46. Sydney Airport Corporation Limited (SACL)

The relevant requirements of SACL and the Civil Aviation Safety Authority shall be considered in the preparation of any future development application for the site and submitted with any development application.

Any development on site shall not exceed a maximum height of 51m AHD. Details confirming compliance with the aforementioned shall be submitted with all future development applications.

REASON
To ensure compliance with requirements of Sydney Airports.

47. Sydney Water

As part of any future application the following is to be considered:

a) Trade Wastewater Requirements
If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au
A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater

reuse. Find out from Business Customer Services if this is applicable to your development.

b) Backflow Prevention Requirements
Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.
All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property 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.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

i. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
ii. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow- prevention.html

c) Water Efficiency Recommendations
Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, http://www.waterrating.gov.au/
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to https://www.sydneywater.com.au/your-business/managing- your-water-use/water-efficiency-tips.html
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

- It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

d) Contingency Plan Recommendations
Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.
Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at: https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial- trade-wastewater.html or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

48. Ausgrid

As part of any future application the following is to be considered:

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

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

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

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains

may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

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

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

REASON
To ensure compliance with requirements of Ausgrid.