



WESTERN SYDNEY UNIVERSITY BANKSTOWN CITY CAMPUS

SSD-9831

Operational Compliance Report (March 2023 – March 2024)

Version 1

21 March 2024

Compliance Report declaration:
Taylor Cole – Town Planner



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1. INTRODUCTION

1. The legal description of the development site is Lot 15 DP 1256167 at 74 Rickard Road, Bankstown. Canterbury Bankstown Council (Council) owns the site, subject to a lease agreement between Council and Western Sydney University (WSU).
2. SSD-9831, determined by the then Department of Planning, Industry and Environment on 18 February 2021, approves the construction of a 19-storey university (including the roof level) over two levels of basement car parking.
3. The development comprises the following:
 - Two basement levels including car and bicycle parking, a loading dock, back-of-house storage and plant equipment;
 - Ground floor retail tenancies, shared lobby, multi-purpose tiered space, showcase areas, amenities and plant equipment;
 - Above-ground levels comprising a mix of tertiary education uses, including conference facilities;
 - Landscaped podium terraces and balconies;
 - Ground-level landscaping and public domain works, including the provision of a pedestrian plaza along The Appian Way fronting the retail premises; and
 - External signage.
4. Walker Bankstown Developments Pty Ltd has prepared this report on behalf of Western Sydney University, who is the applicant for SSD-9831.
5. Construction of the tower was completed in February 2023, with the final outdoor works completed in August 2023. The construction phase was not staged; however, the operation phase was staged in three parts.
6. Stage 1 was for the university campus levels one to ten, Stage 2 was for the educational use floor levels 11 to 18, and Stage 3 was for the terrace level three Yarning Circle landscaping. Stages 1 and 2 were operational from March 2023, and Stage 3 was operational from July 2023.
7. This report has been prepared in accordance with condition A31 of development consent SSD-9831 and the *Compliance Reporting Post Approval Requirements (2020)*. The report has been prepared for a period of 12 months, commencing in March 2023. Condition A31 reads as follows.

A31. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).

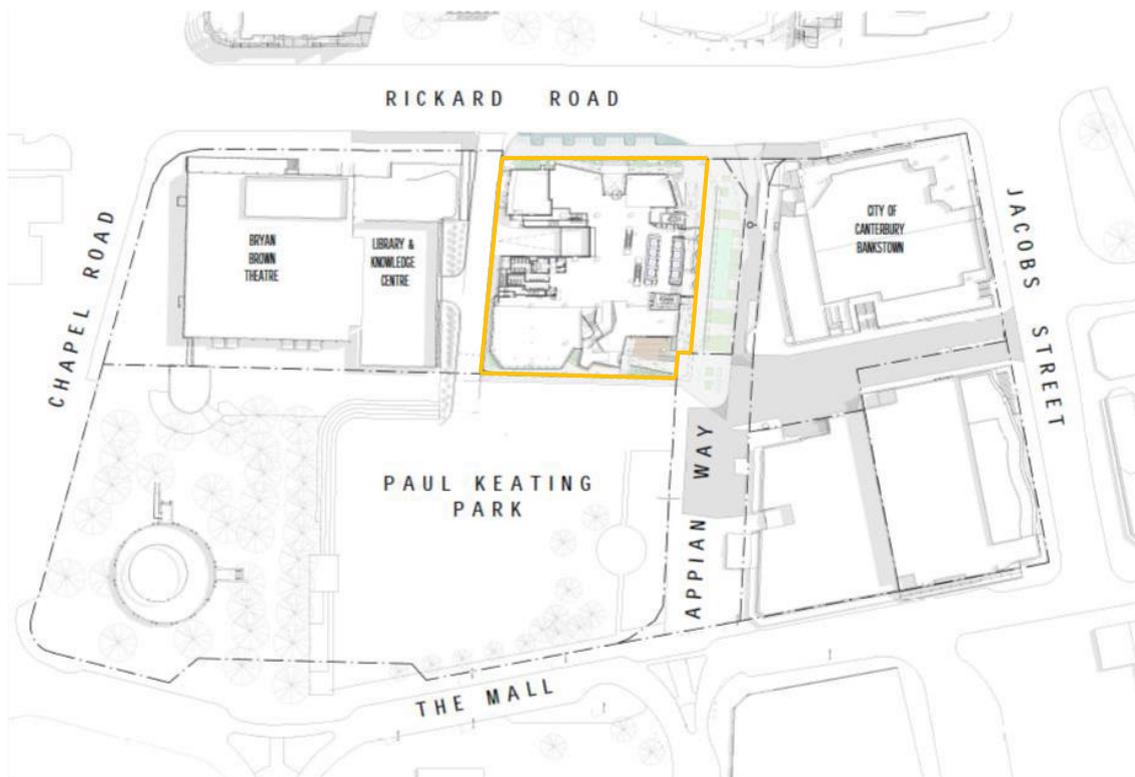


Figure 1: Development footprint and local context (Source: Lyons)

2. PREVIOUS ACTIONS

8. Table 1 below lists the previous actions identified in the operational Independent Environmental Audit from 15 December 2023.

Table 1: Previous actions status

Condition	Action Proposed	Proposed Completion Date	Status	Action Completed
A29	Review strategies, plans and programs within three months of submission of the IEA Report.	1 March 2024	Completed 6 March 2024	Strategies, plans and programs reviewed. The review period commenced on 21 December 2023. The letter was submitted to DPE on 6 March 2024 for notification within the three-month timeframe.
C42	Upload the IEA Report and response to the project website after the audit is closed.	18 December 2023	Completed 7 February 2024	The IEA Report and response were uploaded to the project's public website on 7 February 2024. This is within the 60-day timeframe after submission to DPE.
C40	Future operational audits before cessation must be conducted within three years of the current audit.	30 November 2026	Not triggered	N/A
E11	Monitor car parking through surveys and prepare a parking management strategy.	5 March 2024	Partially completed	A car parking survey has been undertaken across five days in March (1-5 March).

E11	Nominate a Travel Demand coordinator and conduct an annual travel survey.	5 March 2024	On hold	<p>The annual Green Travel Plan update is underway and close to completion. This update will revisit the need for a specific Travel Demand role and will be managed by the management team instead.</p> <p>Arup has suggested the travel survey for 2024 be conducted later in the year due to the current Sydenham to Bankstown Metro work disruptions.</p>
E13	Conduct inspections of the pit and pipe network in accordance with the Stormwater Quality Management Plan.	5 March 2024	Completed 28 February 2024	Boone and Willard inspected the campus stormwater pit and pipe system on 27 February 2024. An inspection report was prepared for validation.

3. COMPLIANCE STATUS SUMMARY

9. Only two non-compliances were identified within this compliance reporting period. These were recognised by the operational Independent Environmental Audit in October 2023 and were closed out with the then Department of Planning and Environment (DPE) in Walker's audit response. The non-compliances are summarised in Table 2 below.

Table 2: Compliance status summary

Condition	Details	Agencies Notified	Any Formal Action	Response
A11	The auditors identified that the commencement of the Stage 1 operation (i.e., student occupying the building) (March 2023) appeared to have been conducted before Stages 2 and 3 were signed off. The final Occupation Certificate was issued on 8 August 2023.	DPE	No	<p>At the commencement of Basement 2 to Level 10 operation in 7 March 2023, the Completion Certificate for Levels 11 to 19 had been obtained, and the minor works still occurring were generally defect rectification.</p> <p>The Completion Certificate for the central atrium and outdoor terraces from level 5 upwards was obtained ten days later. The doors to these terraces and atrium were locked at all times until their completion on 16 March 2023.</p> <p>The design approval and delivery of the Yarning Circle took longer than anticipated. Hoarding was installed on the Level 3 terrace to secure the Yarning Circle and was not removed until the Completion Certificate was obtained.</p> <p>The Completion Certificate for the external areas immediately adjoining the building to the east and south was delivered later than planned due to the hoarding and public domain works occurring in Appian Way under the separate public domain DA. Hoarding was also installed along this area to prevent access to the construction areas.</p> <p>All areas where minor construction was still occurring were secured and isolated by hoarding or locked doors. The works still occurring under the SSD consent generally occurred at night and not while the building was occupied.</p>

C40	<p>The auditors identified that the first operational audit held in October 2023 was conducted more than 26 weeks after the commencement of the Stage 1 operation (March 2023).</p> <p>They also noted that a final construction audit was not conducted within 26 weeks of the last construction audit (20 December 2022), noting that the final OC was obtained on 8 August 2023.</p>	DPE	No	<p>There was a misunderstanding around the timing of the operational audit – Walker had understood that the audit would not be triggered until all stages of the building were operational. Hence, it was concluded in December and not September. The audit was completed within 26 weeks of the commencement of Stage 2 operation.</p> <p>A fifth construction audit was not conducted as Walker had understood that the commencement of Stage 1 operation triggered the end of construction audits. This was an administrative error that was interpreted incorrectly. This is not an operational compliance matter.</p>
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4. INCIDENTS

- 10. No incidents have been recorded during this compliance reporting period.

5. COMPLAINTS

- 11. No complaints have been recorded during this compliance reporting period.

6. APPENDIX A – Compliance Table

APPENDIX A – Compliance Table

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION	DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS	
Obligation to Minimise Harm to the Environment				
A1.	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and, if prevention is not reasonable and feasible, minimise any material harm to the environment that may result from the construction and operation of the development.	During each phase	Noted.	Ongoing
Terms of Consent				
A2.	The development may only be carried out: (a) in compliance with the conditions of this consent; (b) in accordance with all written directions of the Planning Secretary; (c) generally in accordance with the EIS, Response to Submissions, and Additional Information provided on 21 January 2021; (d) in accordance with the approved plans in the table below:	During each phase	Noted.	Ongoing
A3.	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to: (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; (b) any reports, reviews or audits commissioned by the Planning Secretary regarding compliance with this approval; and (c) the implementation of any actions or measures contained in any such document referred to in (a) above.	During each phase	The Planning Secretary has made no written directions.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
A4.	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.	During each phase	Noted.	Ongoing
Limits of Consent				
A5.	This consent lapses five years after the date of consent unless work is physically commenced.	During each phase	Noted. The building is now complete.	The building is complete.
Prescribed Conditions				
A6.	The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.	During each phase	These were addressed in the Completion Certificates.	Ongoing Under the new EP&A Regulation 2021, Part 4, Division 2 applies.
Planning Secretary as Moderator				
A7.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.	During each phase	Noted.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION	DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS	
Evidence of Consultation				
A8.	Where conditions of this consent require consultation with an identified party, the Applicant must: <ul style="list-style-type: none"> (a) consult with the relevant party prior to submitting the subject document for information or approval as required; and (b) provide details of the consultation undertaken including: <ul style="list-style-type: none"> (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved. 	During each phase	Condition E14 requires consultation with affected landowners should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers. However, there have not been any complaints regarding outdoor lighting.	Not triggered
Staging				
A9.	The project may be constructed and operated in stages. Where compliance with conditions is required to be staged due to staged construction or operation, a Staging Report (for either or both construction and operation as the case may be) must be prepared and submitted to the satisfaction of the Planning Secretary. The Staging Report must be submitted to the Planning Secretary no later than one month before the commencement of construction of the first of the proposed stages of construction (or if only staged operation is proposed, one month before the commencement of operation of the first of the proposed stages of operation).	During the operation phase	A Staging Report to stage the operation of the building in three parts was submitted to DPE on 1 November 2022 and was approved on 15 December 2022. The Report was submitted to DPE more than one month before the commencement of operation of Stage 1 in March 2023.	Compliant Satisfied before this reporting period

PART A – ADMINISTRATIVE CONDITIONS

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
A10.	<p>A Staging Report prepared in accordance with condition A9 must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>(b) if staged operation is proposed, set out how the operation of the whole of the project will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stages of the project; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	During the operation phase	<p>DPE approved the Staging Report on 15 December 2022.</p> <p>(a) Construction was not staged.</p> <p>(b) Provided in Sections 1 and 5 of the Staging Report.</p> <p>(c) Provided in Section 3 and Appendix A.</p> <p>(d) Provided in Section 4.</p>	<p>Compliant</p> <p>Satisfied before this reporting period</p>
A11.	<p>Where a Staging Report is required, the project must be staged in accordance with the Staging Report, as approved by the Planning Secretary.</p>	During the operation phase	<p>Minor construction did occur, while other parts of the building were occupied due to design approval and public domain delays. Refer to Table 2 of the Compliance Report. All areas where minor construction was still occurring were secured and isolated by hoarding or locked doors. The works occurring generally occurred at night and not while the building was occupied.</p>	<p>Non-compliant.</p> <p>Closed out with DPFI in Walker’s response to the IEA Report submitted on 15 December 2023 and satisfied on 24 January 2024.</p>
A12.	<p>Where construction or operation is being staged in accordance with a Staging Report, the terms of this consent that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time for that stage as identified in the Staging Report.</p>	During the operation phase	Noted.	Compliant

PART A – ADMINISTRATIVE CONDITIONS

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Staging, Combining and Updating Strategies, Plans or Programs				
A13.	<p>The Applicant may:</p> <p>(a) prepare and submit any strategy, plan (including management plan, architectural or design plan) or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan (including management plan, architectural or design plan) or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan (including management plan, architectural or design plan) or program);</p> <p>(b) combine any strategy, plan (including management plan, architectural or design plan), or program required by this consent (if a clear relationship is demonstrated between the strategies, plans (including management plan, architectural or design plan) or programs that are proposed to be combined); and</p> <p>(c) update any strategy, plan (including management plan, architectural or design plan), or program required by this consent (to ensure the strategies, plans (including management plan, architectural or design plan), or programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).</p>	During each phase	No updates have been made to any plans under this consent during the compliance reporting period. The existing plans remain in place.	Ongoing
A14.	Any strategy, plan or program prepared in accordance with condition A13, where previously approved by the Planning Secretary under this consent, must be submitted to the satisfaction of the Planning Secretary.	During each phase	Noted.	Not triggered
A15.	If the Planning Secretary agrees, a strategy, plan (including management plan, architectural or design plan), or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.	During each phase	Noted.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
A16.	Updated strategies, plans (including management plan, architectural or design plan), or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan, program or drawing.	During each phase	Noted.	Not triggered
Structural Adequacy				
A17.	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.	During the construction phase	This was addressed in the Completion Certificates.	Compliant
External Walls and Cladding				
A18.	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	During the construction phase	This was addressed in the Completion Certificates.	Compliant
Applicability of Guidelines				
A19.	References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.	During each phase	Noted.	Ongoing
A20.	Consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.	During each phase	No written directions have been received from the Planning Secretary.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS			
CONDITION	DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Monitoring and Environmental Audits			
A21.	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Site audit report and independent auditing.	During each phase	These were reviewed and addressed through the operational IEA (required by condition C40) conducted in October 2023 and closed out in December 2023.
Access to Information			
A22.	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must: <p>(a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <p>(i) the documents referred to in condition A2 of this consent;</p> <p>(ii) all current statutory approvals for the development;</p> <p>(iii) all approved strategies, plans and programs required under the conditions of this consent;</p> <p>(iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</p> <p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p>	During each phase	The following information is found on the project website: <ul style="list-style-type: none"> architectural and civil plans; all statutory approvals, including SSD development consents, early works development consent, tower crane approval, Crown Building Certificates and Completion Certificates; all approved strategies, plans and programs, including Constructional Environmental Management Plan and Sub-Plans, Waste Management Plan, Stormwater Quality Management Plan, Heritage Interpretation Plan, Green Travel Plan, 6 Star Green Star rating, Community Communication Strategy, and Landscape Maintenance Manual; Post Occupation Mechanical Noise Monitoring, Waste Management Reporting, and IEA Reports and Responses;

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
	(viii) a complaints register, updated monthly; (ix) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; (x) any other matter required by the Planning Secretary; and (b) keep such information up to date, to the satisfaction of the Planning Secretary.		<ul style="list-style-type: none"> a summary of the current stage is provided (complete); a contact phone number and contact form are provided; and a Complaints Register. 	
Compliance				
A23.	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.	During each phase	The building is managed by Walker Facility Management, which informs employees and contractors of the consent. The Western Sydney University management team was also informed of the consent at the time it was granted and again at the approval of each modification.	Compliant
Incident Notification, Reporting and Response				
A24.	The Planning Secretary must be notified through the major projects portal immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	During each phase	There have been no incidents since November 2022.	Not triggered
A25.	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1 .	During each phase	There have been no incidents since November 2022.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Non-Compliance Notification				
A26.	The Planning Secretary must be notified through the major projects portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects portal within seven days after they identify any non-compliance.	During each phase	Walker notified DPE of non-compliance with condition C40 on 19 October 2023 in relation to the timing of the operational audit – refer to Table 2 of the Compliance Report.	Compliant
A27.	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	During each phase	The notification of the non-compliance addressed each of these requirements. The notification advised that more details of the non-compliance would be addressed in the response to the IEA Report. The IEA Report response addressed the non-compliance and DPHI closed out the response.	Compliant
A28.	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	During each phase	Noted.	Not triggered
Revision of Strategies, Plans and Programs				
A29.	<p>Within three months of:</p> <ul style="list-style-type: none"> (a) the submission of a compliance report under condition A32; (b) the submission of an incident report under condition A25; (c) the submission of an Independent Audit under condition C43; (d) the approval of any modification of the conditions of this consent; or (e) the issue of a direction of the Planning Secretary under condition A2 which requires a review, <p>the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and</p>	During each phase	The strategies, plans and programs were reviewed within three months of the operational IEA. Notification of the review was submitted to DPE on 21 December 2023. Notification of the review being complete was submitted to DPHI on 6 March 2024 and was closed out by DPHI on 13 March 2024.	Compliant

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
	the Certifier must be notified in writing that a review is being carried out.			
A30.	If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans, programs or drawings required under this consent must be revised, to the satisfaction of the Planning Secretary or Certifier (where previously approved by the Certifier). Where revisions are required, the revised document must be submitted to the Planning Secretary and / or Certifier for approval and / or information (where relevant) within six weeks of the review.	During each phase	Noted. The Green Travel Plan's annual update is underway and close to completion. It is expected to be submitted to DPHI this month.	Not triggered
Compliance Reporting				
A31.	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (2020).	During the operation phase	This Compliance Report is submitted to DPHI in accordance with the Compliance Reporting Post Approval Requirements (2020) (Requirements).	Compliant
A32.	Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed by the Planning Secretary.	During the operation phase	This Compliance Report is submitted to DPHI in accordance with the Compliance Reporting Post Approval Requirements (2020) (Requirements).	Compliant
A33.	The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary.	During the operation phase	This Compliance Report will be publicly available within 60 days of submission to DPHI.	Not triggered

PART A – ADMINISTRATIVE CONDITIONS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
A34.	Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.	During the operation phase	An application to cease annual operational compliance reports will likely be submitted to DPPI after this Compliance Report satisfies condition A31.	Not triggered

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Notification of Occupation				
D1.	At least one month before commencement of operation, the date of commencement of the operation of the development must be notified to the Planning Secretary in writing. If the operation of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Before the operation phase	Notification of occupation for Stage 1 was submitted to DPE on 2 November 2022. Notification of occupation for Stages 2 and 3 was submitted to DPE on 2 May 2023. Each notification letter was submitted at least one month before the commencement of operation of each stage.	Compliant
External Walls and Cladding				
D2.	Prior to commencement of operation, the Applicant must provide the Certifier with documented evidence that the products and systems used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Before the operation phase	The Façade Engineering and External Wall System Disclosure Certificates were submitted to the Certifier on 15 February 2023. The Certifier confirmed the condition was satisfied on 16 February 2023.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
D3.	The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.	Before the operation phase	A copy of the documentation provided under D2 was submitted to DPE on 16 January 2023 and DPE confirmed the condition was satisfied on 17 February 2023.	Compliant
Post-construction Dilapidation Report				
D4.	<p>Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report must:</p> <ul style="list-style-type: none"> (a) ascertain whether the construction created any structural damage to adjoining buildings or infrastructure; (b) be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifier must: <ul style="list-style-type: none"> (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads. (c) be forwarded to Council. 	Before the operation phase	The Post-Construction Dilapidation Report was submitted to the Certifier on 25 July 2023, and the Certifier confirmed satisfaction on 27 July 2023. The report includes building elevations, surrounding grounds and exterior landscape features. The report was forwarded to Council on 27 July 2023.	Compliant
D5.	Prior to commencement of operation, a post-construction CCTV report on the Council's infrastructure through the proposed development site must be submitted to Council.	Before the operation phase	The CCTV and dilapidation report were provided to Council on 7 August 2023. Council confirmed the matter was closed on 8 August 2023.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
D6.	Prior to commencement of operation, a post-construction CCTV report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) must assess the condition of the existing drainage line adjacent to the site and submit to, and be accepted by, Council's City Assets Directorate.	Before the operation phase	The CCTV of the existing culvert was submitted to Council on 27 July 2023 and Council confirmed the matter was closed on 8 August 2023.	Compliant
D7.	Prior to commencement of operation, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report for designated haul roads at the completion of construction. This report must be submitted to Council, and the Certifier, and must include road pavement conditions of designated haul roads post development between the development site and the State roads recorded on a video. Videos must be provided in a DVD format. The full costs of the Video Survey must be borne by the developer.	Before the operation phase	The dilapidation report and videos were submitted to Council on 7 August 2023 and Council confirmed the matter was closed on 8 August 2023. The report and videos were also submitted to the Certifier on 27 July 2023, who confirmed the matter was closed on 29 July 2023.	Compliant
Protection of Public Infrastructure				
D8.	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: <ul style="list-style-type: none"> (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development. 	Before the operation phase	No repairs have taken place.	Not triggered

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Protection of Property				
D9.	Unless the Applicant and the applicable owner agree otherwise, the Applicant must repair, or pay the full costs associated with repairing any property that is damaged by carrying out the development.	Before the operation phase	No repairs have taken place.	Not triggered
Road Damage				
D10.	Prior to the commencement of operation, the cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Site as a result of construction works associated with the approved development must be met in full by the Applicant.	Before the operation phase	No repairs have taken place.	Not triggered
Easements				
D11.	Prior to occupation, an easement under section 88A and/or restriction or public positive covenant under section 88E of the <i>Conveyancing Act 1919</i> naming the Council as the prescribed authority must be registered on title of Lot 15, DP 1256167 and can only be revoked, varied or modified with the consent of the Council.	Before the operation phase	The easement was registered on 20 December 2022, confirmed by a letter from Land Registry Services on 20 December 2022 – Plan Number DP 129051. Council is named as the prescribed authority.	Compliant
D12.	The easement or covenant required by condition D11, must provide for pedestrian access or right of way to publicly accessible areas at ground level around the site, including the footpath on the western side of the building.	Before the operation phase	The easement was registered on 20 December 2022. The 88B Instrument identifies the easement for public access.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Utilities and Services				
D13.	Prior to commencement of operation, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the <i>Sydney Water Act 1994</i> .	Before the operation phase	Sydney Water Section 73 Certificate obtained on 7 July 2021.	Compliant Satisfied before this reporting period
Works as Executed Plans				
D14.	Prior to the commencement of operation, works-as-executed drawings in both hard and soft copies (AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program) signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed. The Works-as-Executed Plans must note all departures clearly in red on a copy of the approved Construction Certificate drawings, and certification from a suitably qualified Civil Engineer must be submitted to support all variations from the approved plans.	Before the operation phase	The works-as-executed plans were submitted to Council and confirmed concurrence on 13 January 2023.	Compliant Satisfied before this reporting period
Green Travel Plan				
D15.	Prior to the commencement of operation, a Green Travel Plan (GTP) must be submitted to the satisfaction of the Planning Secretary to promote the use of active and sustainable transport modes. The plan must: <ul style="list-style-type: none"> (a) be prepared by a suitably qualified traffic consultant in consultation with City of Canterbury Bankstown Council and (Sydney Coordination Office) Transport for NSW; (b) include objectives and modes share targets (i.e. Site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP; 	Before the operation phase	The GTP was submitted to DPE on 20 September and approved on 7 October 2022.	Compliant Satisfied before this reporting period

PART D – PRIOR TO COMMENCEMENT OF OPERATION

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
	<ul style="list-style-type: none"> (c) include specific tools and actions to help achieve the objectives and mode share targets; (d) include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP; (e) include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development; (f) include strategies to encourage students to utilise The Appian Way to the Mall and deter unsafe movement across Jacobs Street, including provisions promoting safe movement across Jacobs Street at crossings and signalised intersections; and (g) include consideration of incorporating car share and carpooling parking spaces in the basement carpark. 			
Heritage Interpretation Plan				
D16.	<p>Prior to the commencement of operation, the Applicant must consult with Registered Aboriginal Parties about the potential of interpretation of the Aboriginal history and cultural heritage values of the Bankstown area on the site.</p>	Before the operation phase	<p>Consultation with Registered Aboriginal Parties was conducted in July and November 2022 through Urbis. WSU has additional Aboriginal representatives that were consulted with for the Level 3 Yarning Circle.</p>	<p>Compliant Satisfied before this reporting period</p>
D17.	<p>The Applicant must submit a Heritage Interpretation Plan based on the above consultation to the satisfaction of the Planning Secretary. The plan must:</p> <ul style="list-style-type: none"> (a) be prepared by a suitably qualified and experienced expert in consultation with Heritage NSW and Council; (b) include provision for naming elements within the development that acknowledges the site’s heritage; and (c) incorporates interpretive information on the site. 	Before the operation phase	<p>The HIP was submitted to DPE on 14 November 2022 and approved on 15 December 2022.</p>	<p>Compliant Satisfied before this reporting period</p>

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Mechanical Ventilation				
D18.	<p>Prior to commencement of operation, the Applicant must provide evidence to the satisfaction of the Certifier that the installation and performance of the mechanical ventilation systems complies with:</p> <p>(a) <i>AS 1668.2-2012 The use of air-conditioning in buildings – Mechanical ventilation in buildings</i> and other relevant codes; and</p> <p>(b) any dispensation granted by Fire and Rescue NSW.</p>	Before the operation phase	The mechanical ventilation installation certificate was submitted to the Certifier on 13 March 2023 as part of Completion Certificate 3.	Compliant
Operational Noise – Design of Mechanical Plant and Equipment				
D19.	<p>Prior to the commencement of operation, the Applicant must submit evidence to the Certifier that the noise mitigation recommendations in the Acoustic Services Report dated 12 August 2020 and prepared by Norman Disney & Young have been incorporated into the design to ensure the development will not exceed the recommended operational noise levels identified in the Environmental Noise Assessment and as required by condition B27.</p>	Before the operation phase	The mechanical plant and equipment installation certificate was submitted to the Certifier on 13 March 2023 as part of Completion Certificate 3.	Compliant
Bicycle Parking and End-of-Trip Facilities				
D20.	<p>Prior to occupation, compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifier:</p> <p>(a) the provision of 56 staff and 80 visitor/student bicycle parking spaces on the site and 20 spaces in the public domain adjacent to the site;</p> <p>(b) the layout, design and security of bicycle facilities must comply with the minimum requirements of the latest version of <i>AS 2890.3:2015 Parking facilities - Bicycle parking</i>, and be located</p>	Before the operation phase	The works-as-executed plans for bicycle parking and the Traffic Engineering Services for OC1 from Arup were submitted to the Certifier and confirmed closed on 13 January 2023. The Traffic Engineering Services for OC2 from Arup was submitted to the Certifier and closed out on 16 March 2023.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
	<p>in easy to access, well-lit areas that incorporate passive surveillance;</p> <p>(c) the provision of end-of-trip facilities for staff; and</p> <p>(d) appropriate pedestrian and cyclist advisory signs.</p>			
D21.	All works/regulatory signposting associated with the proposed development must be at no cost to the relevant roads authority.	Before the operation phase	Noted.	Compliant
Fire Safety Certification				
D22.	Prior to the commencement of occupation, a Fire Safety Certificate must be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and Council. The Fire Safety Certificate must be prominently displayed in the building.	Before the operation phase	The final Fire Safety Certificate was submitted to the Certifier on 27 July 2023 and confirmed closed on 29 July 2023.	Compliant
Structural Inspection Certificate				
D23.	<p>Prior to the commencement of occupation of the relevant parts of any new or refurbished buildings, a Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the Certifier. A copy of the Certificate with an electronic set of final drawings must be submitted to the Planning Secretary and the Council after:</p> <p>(a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and</p> <p>(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.</p>	Before the operation phase	The Structural Certificates and associated drawings for OC1 and OC2 were submitted to the Certifier on 16 December 2022 and 9 February 2023, respectively. The Certifier confirmed closed on 9 January 2023 and 10 February 2023, respectively. The certificates and drawings were submitted to DPE on 21 November 2023 and to Council on 27 November 2023.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Compliance with Food Code				
D24.	Prior to the commencement of operation, the Applicant must obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the <i>AS 4674 Design, construction and fit-out of food premises</i> and provide evidence of receipt of the certificate to the satisfaction of the Certifier.	Before the operation phase	There is not yet a commercial kitchen on-site, as the retail premises were delivered as cold shell spaces to accommodate fit-outs for future retail tenants.	Not triggered
Stormwater Quality Management Plan				
D25.	Prior to the commencement of operation, a Stormwater Operation and Maintenance Plan (SOMP) must be submitted to the satisfaction of the Certifier. The SOMP must ensure the proposed stormwater quality measures remain effective and contain the following: (a) maintenance schedule of all stormwater quality treatment devices; (b) record and reporting details; (c) relevant contact information; and (d) Work Health and Safety requirements.	Before the operation phase	The SOMP was submitted to the Certifier on 6 December 2022 and confirmed closed on 7 December 2022. (a) Refer to Sections 3 and 4 of the SOMP. (b) Refer to Section 4.2. (c) Refer to Section 7.1. (d) Refer to Section 5.	Compliant Satisfied before this reporting period
Warm Water Systems and Cooling Systems				
D26.	The installation of warm water systems and water cooling systems (as defined under the <i>Public Health Act 2010</i>) must comply with the <i>Public Health Act 2010</i> , Public Health Regulation 2012 and Part 1 (or Part 3 if a Performance-based water cooling system) of <i>AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance</i> and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	Before the operation phase	Installation certificates for hydraulic and mechanical services from Boone & Willard (13 December 2022 and 11 January 2023) and Climatech (3 November 2023) confirm compliance with this condition.	Compliant

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Outdoor Lighting				
D27.	<p>Prior to the commencement of operation, the Applicant must submit evidence from a suitably qualified practitioner to the Certifier that demonstrates that installed lighting associated with the development achieves the objective of minimising light spillage to any adjoining or adjacent sensitive receivers and:</p> <p>(a) complies with the latest version of <i>AS 4282-2019 - Control of the obtrusive effects of outdoor lighting</i> (Standards Australia, 1997); and</p> <p>(b) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.</p>	Before the operation phase	The electrical installation certificate from EDP (15 December 2022) was submitted to the Certifier on 16 December 2022 and confirmed closed on 9 January 2023. The certificate confirms lighting compliance with <i>AS 4282-2019</i> .	Compliant Satisfied before this reporting period
Signage				
D28.	Prior to the commencement of operation, way-finding signage and signage identifying the location of staff car parking must be installed.	Before the operation phase	Signage is provided within the building at the vehicular entrance to the car park. Council has removed the requirement for wayfinding and signage in public domain areas as Council has now taken on this responsibility.	Not triggered
D29.	Prior to the commencement of operation, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.	Before the operation phase	Council has removed the requirement for wayfinding and signage in public domain areas as Council has now taken on this responsibility.	Not triggered
D30.	Prior to the commencement of operation, wayfinding signage must be approved by Council and installed by the Applicant along The Appian Way to encourage students to walk along The Appian Way and The Mall and to cross Jacobs Street at crossings and signalised intersections.	Before the operation phase	Condition D30 is no longer relevant to SSD-9831 as DA-969/2021 is for the public domain improvement works to The Appian Way. This was confirmed by Council on 14 December 2022.	Not triggered

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
D31.	Prior to the commencement of operation, appropriate line-marking and signage must be approved by Council and installed on the BLaKC driveway to encourage appropriate and safe MRV truck movements.	Before the operation phase	The BLaKC driveway wayfinding plans were submitted to Council on 25 July 2022 and Council confirmed they had no comments on 11 November 2022.	Compliant Satisfied before this reporting period
Operational Waste Management Plan				
D32.	<p>Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan for the development and submit it to the Certifier. The Waste Management Plan must:</p> <ul style="list-style-type: none"> (a) detail the type and quantity of waste to be generated during operation of the development; (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the <i>Protection of the Environment Operations Act 1997</i>, <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and the <i>Waste Classification Guideline</i> (Department of Environment, Climate Change and Water, 2009); (c) detail the materials to be reused or recycled, either on or off site; (d) incorporate measures to reduce food waste generation (including composting or similar arrangements or innovative food waste collection); and (e) include the Management and Mitigation Measures included in the Amended DA / RtS Appendix U. 	Before the operation phase	<p>The WMP was submitted to the Certifier and confirmed closed on 12 January 2023.</p> <ul style="list-style-type: none"> (a) Refer to Section 3 of the WMP. (b) Refer to Sections 4 and 5. (c) Refer to Section 5. (d) Refer to Section 6. (e) Refer to Section 7. 	Compliant Satisfied before this reporting period
Landscaping				
D33.	Prior to commencement of operations, all landscape and public domain works must be completed in accordance with the plans approved under conditions B30 and B31.	Before the operation phase	Landscape certification from Fresh Landscape Group was issued on 21 December 2022.	Compliant Satisfied before this reporting period

PART D – PRIOR TO COMMENCEMENT OF OPERATION

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
D34.	<p>Prior to the commencement of operation, the Applicant must prepare an Operational Landscape Management Plan to manage the revegetation and landscaping on-site, to the satisfaction of the Certifier. The plan must:</p> <p>(a) describe the ongoing monitoring and maintenance measures to manage revegetation and landscaping; and</p> <p>(b) be consistent with the Applicant’s Management and Mitigation Measures at Appendix O of the Amended DA / RtS and Appendix E of the additional information submitted on 21 January 2021.</p>	Before the operation phase	The Maintenance Manual (10 October 2022) from Fresh Landscape Group was submitted to the Certifier on 9 January 2023 and confirmed closed on 10 January 2023.	Compliant Satisfied before this reporting period
D35.	The Applicant must not commence operation until the Operational Landscape Management Plan is submitted to the Certifier.	Before the operation phase	The Maintenance Manual (10 October 2022) from Fresh Landscape Group was submitted to the Certifier on 9 January 2023 and confirmed closed on 10 January 2023.	Compliant Satisfied before this reporting period
Pick-up and Drop-off Zone				
D36.	Prior to commencement of operations, the pick-up and drop-off zone required by condition B33 must be completed.	Before the operation phase	The pick-up and drop-off zone along Rickard Road were delivered under the public domain improvement works DA-969/2021.	Not triggered

PART D – PRIOR TO COMMENCEMENT OF OPERATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Civic Loading Dock Management Plan				
D37.	Prior to commencement of operations, a Civic Loading Dock Management Plan must be approved by Council. The plan must outline procedures for the management of deliveries and pick-ups within the basement, including provision for advance bookings with the building manager, access hours, details of how restrictions on vehicle size in accordance with this consent will be managed and details of how traffic flow conflicts within the driveway will be managed (noting MRV access will require vehicles to manoeuvre into the path of oncoming vehicles in the driveway).	Before the operation phase	Condition D37 is no longer relevant to SSD-9831 as DA-969/2021 has caused Council's Civic Tower Loading Dock to be relocated. Council confirmed this matter was closed on 14 December 2022.	Not triggered Satisfied before this reporting period

PART E – POST OCCUPATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Operation of Plant and Equipment				
E1.	All plant and equipment used on site must be maintained in a proper and efficient condition and operated in a proper and efficient manner.	During operation	The BOSS Maintenance System is in place to enable contractors to upload maintenance records. The BOSS system sends a reminder when a maintenance action is required. The HydroChem reporting is also up to date, with the most recent maintenance undertaken on 23 February 2024.	Compliant Ongoing

PART E – POST OCCUPATION				
CONDITION	DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS	
Warm Water Systems and Cooling Systems				
E2.	The operation and maintenance of warm water systems and water cooling systems (as defined under the Public Health Act 2010) must comply with the Public Health Act 2010, Public Health Regulation 2012 and Part 2 (or Part 3 if a Performance-based water cooling system) of AS/NZS 3666.2:2011 Air handling and water systems of buildings – Microbial control – Operation and maintenance and the NSW Health Code of Practice for the Control of Legionnaires' Disease.	During operation	The HydroChem reporting is up to date, and Council has confirmed that the Cooling Water System Inspection Report was satisfactory.	Compliant Ongoing
Community Communication Strategy				
E3.	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	During operation	Contact details and a feedback form are provided on the project website. Signs in the basement and lobby display contact details for feedback, enquiries and complaints. The complaints register shows no complaints have been received since the operation of the building.	Compliant The 12-month minimum implementation is now complete
Heritage Interpretation Plan				
E4.	The Applicant must implement the most recent version of the Heritage Interpretation Plan approved under condition D16.	During operation	The HIP recommends the following interpretive elements be implemented within the campus: <ul style="list-style-type: none"> • Acknowledgement of Country – provided in the reception area on the ground level. • Landscaping on the ground level or on Level 3 Terrace – provided a Yarning Circle on Level 3 Terrace. 	Compliant

PART E – POST OCCUPATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
			<ul style="list-style-type: none"> • Façade treatment – the concept of ‘earth, sun and skin’ is reflected in the colour scheme of the building. • Public art (murals and art displays) – the Wall of Hands is provided on Level 3 along with other Aboriginal art. • Digital media - Council confirmed the removal of the Digital Art Creation from the reception area on 10 December 2021. • Naming Strategy – WSU has advised that the process for naming the building is in progress. <p>Refer to items G212 to G218 of the IEA Report dated December 2023 confirming the implementation.</p>	
Operational Noise Limits				
E5.	The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Acoustic Services Report dated 12 August 2020 and prepared by Norman Disney & Young, as amended by the requirements of condition B27.	During operation	Post Occupation Mechanical Noise Monitoring (8 June 2023) was undertaken by Acoustic Logic. Section 2 of the report addresses the noise limits prepared by Norman Disney & Young.	Compliant
E6.	The Applicant must undertake short term noise monitoring in accordance with the Noise Policy for Industry where valid data are collected following the commencement of use of each stage of the development. The monitoring program must be carried out by an appropriately qualified person and a monitoring report must be submitted to the Planning Secretary within two months of commencement of use of each stage of the development to verify that operational noise levels do not exceed the recommended noise levels for mechanical plant identified Acoustic Services Report dated 12 August 2020 and prepared by Norman Disney & Young as	During operation	Post Occupation Mechanical Noise Monitoring was undertaken by Acoustic Logic. The report was submitted to DPE on 15 June 2023 and DPE confirmed it had no comments on 21 July 2023.	Compliant

PART E – POST OCCUPATION

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
	amended by the requirements of condition B27. Should the noise monitoring program identify any exceedance of the recommended noise levels referred to above, the Applicant must implement appropriate noise attenuation measures so that operational noise levels do not exceed the recommended noise levels or provide attenuation measures at the affected noise sensitive receivers.			
Operational Noise Limits – Use of Outdoor Terraces				
E7.	Outdoor balconies and terraces on the site are not to be used after 10pm.	During operation	Noted. No complaints have been made in regard to this.	Compliant Ongoing
Unobstructed Driveways and Parking Areas				
E8.	All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.	During operation	Noted.	Compliant Ongoing
Deliveries and Service Vehicles				
E9.	All loading and unloading of goods associated with the use of the site must be undertaken within the basement loading dock and in accordance with the Civic Loading Dock Management Plan required by condition D37.	During operation	Noted. The Civic Loading Dock Management Plan under condition D37 was not required as DA-969/2021 caused Council's Civic Loading Dock to be relocated.	Compliant Ongoing

PART E – POST OCCUPATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
E10.	The Applicant must ensure all service vehicles accessing the site, including waste collection vehicles, are restricted to medium rigid vehicles or smaller with a height of less than 3.4 metres.	During operation	Noted.	Compliant Ongoing
Green Travel Plan				
E11.	The Green Travel Plan required by condition D15 of this consent must be updated annually and implemented unless otherwise agreed by the Planning Secretary.	During operation	The annual update of the GTP is underway and will be submitted to DPPI by the end of this week (22 March 2024).	Underway
Ecologically Sustainable Development				
E12.	Unless otherwise agreed by the Planning Secretary, within six months of commencement of operation, Green Star certification must be obtained demonstrating the development achieves a minimum 5 star Green Star Design & As Built rating. If required to be obtained, evidence of the certification must be provided to the Certifier and the Planning Secretary. If an alternative certification process has been agreed to by the Planning Secretary under condition B11, evidence of compliance of implementation must be provided to the Planning Secretary and Certifier.	During operation	A 6 Star Green Star Design & As Built rating was obtained within six months of operation and submitted to DPE on 24 July 2023 and to the Certifier on 2 November 2023.	Compliant
Stormwater Operation and Maintenance Plan				
E13.	The SOMP required by condition D25 of this consent must be implemented for the duration of occupation of the development.	During operation	Noted. Boone & Willard undertook stormwater system maintenance on 27 February 2024 in accordance with the SOMP required by condition D25.	Compliant Ongoing

PART E – POST OCCUPATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Outdoor Lighting				
E14.	Notwithstanding condition D27, should outdoor lighting result in any residual impacts on the amenity of surrounding sensitive receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.	During operation	Noted. No complaints have been received regarding outdoor lighting.	Not triggered Ongoing
Landscaping				
E15.	The Applicant must maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition D34 for the duration of occupation of the development.	During operation	Fresh Landscapes Group undertakes landscaping maintenance for 12 months after practical completion of Appian Way in accordance with the Maintenance Manual required by condition D34.	Compliant Ongoing
Dangerous Goods				
E16.	The Applicant must ensure that the quantities of dangerous goods stored and handled at the site or transported to and from the development remain below the screening threshold quantities listed in the Department's <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> at all times.	During operation	A hazardous chemical register is maintained. The diesel fuel stored on site is classed as C1 Combustible Liquid; however, the SEPP 33 threshold level is not applicable, provided no flammable liquids are stored with the diesel.	Compliant Ongoing

PART E – POST OCCUPATION				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
E17.	<p>The Applicant must store all chemicals, fuels and oils used on-site in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards; and (b) the EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Manual</i> if the chemicals are liquids.</p> <p>In the event of an inconsistency between the requirements of (a) and (b) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	During operation	The diesel tanks are self-bunded tanks and are located on a hardstand surface. There are labels and spill kits present.	Compliant Ongoing
Ground Level Façade Details				
E18.	No opaque glass, film or security roller doors are permitted at any time on any retail tenancy facing the public domain.	During operation	Noted. No opaque glass, film, or security roller doors are on the retail tenancies facing the public domain.	Compliant

APPENDIX 1 – WRITTEN INCIDENT NOTIFICATION AND REPORTING REDQUIREMENTS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Written Incident Notification Requirements				
1.	A written incident notification addressing the requirements set out below must be provided to the Planning Secretary through the major projects portal within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition A24 or, having given such notification, subsequently forms the view that an incident has not occurred.	During each phase	No incidents were identified during this compliance reporting period.	Not triggered

APPENDIX 1 – WRITTEN INCIDENT NOTIFICATION AND REPORTING REDQUIREMENTS

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
2.	<p>Written notification of an incident must:</p> <ul style="list-style-type: none"> a. identify the development and application number; b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident); c. identify how the incident was detected; d. identify when the Applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent; f. describe what immediate steps were taken in relation to the incident; g. identify further action(s) that will be taken in relation to the incident; and h. identify a project contact for further communication regarding the incident. 	During each phase	No incidents were identified during this compliance reporting period.	Not triggered
3.	<p>Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.</p>	During each phase	No incidents were identified during this compliance reporting period.	Not triggered

APPENDIX 1 – WRITTEN INCIDENT NOTIFICATION AND REPORTING REDQUIREMENTS				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
4.	<p>The Incident Report must include:</p> <ul style="list-style-type: none"> a. a summary of the incident; b. outcomes of an incident investigation, including identification of the cause of the incident; c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and d. details of any communication with other stakeholders regarding the incident. 	During each phase	No incidents were identified during this compliance reporting period.	Not triggered

APPENDIX 2 – ADVISORY NOTES				
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
General				
AN1.	All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.	During each phase	<p>The only approvals required to be obtained during this compliance reporting period were the following Completion Certificates:</p> <ul style="list-style-type: none"> • Completion Certificate 3 GDL180335.2 • Completion Certificate 4 GDL180335.3 • Completion Certificate 5 GDL180335.4 	Compliant

APPENDIX 2 – ADVISORY NOTES

APPENDIX 2 – ADVISORY NOTES					
CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS	
Long Service Levy					
AN2.	For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.	Before the construction phase	The Long Service Levy was paid in instalments as agreed to by the Long Service Corporation.	Not triggered Satisfied before this reporting period	
Legal Notices					
AN3.	Any advice or notice to the consent authority must be served on the Planning Secretary.	During each phase	All notices to the consent authority are submitted to the Planning Secretary via the Major Projects Portal.	Compliant Ongoing	
Access for People with Disabilities					
AN4.	The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA. Prior to the commencement of construction, the Certifier must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.	During each phase	The Accessibility Completion Statement was issued by Group DLA on 31 July 2023.	Compliant	
Utilities and Services					
AN5.	Prior to the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.	Before the construction phase	This is not relevant to the operation of the building.	Not triggered	

APPENDIX 2 – ADVISORY NOTES

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
AN6.	Prior to the commencement of above ground works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.	Before the construction phase	This is not relevant to the operation of the building.	Not triggered
Road Design and Traffic Facilities				
AN7.	All roads and traffic facilities must be designed to meet the requirements of Council or TfNSW(RMS) (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.	Before the construction phase	DA-969/2021 covers this condition as it is for the public domain improvements along The Appian Way.	Not triggered
Road Occupancy Licence				
AN8.	A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.	During the construction phase	This is not relevant to the operation of the building.	Not triggered
SafeWork Requirements				
AN9.	To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork requirements.	During the construction phase	This is not relevant to the operation of the building.	Not triggered
Hoarding Requirements				
AN10.	The Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.	During the construction phase	This is not relevant to the operation of the building.	Not triggered

APPENDIX 2 – ADVISORY NOTES

CONDITION		DEVELOPMENT PHASE	EVIDENCE / COMMENTS	STATUS
Handling of Asbestos				
AN11.	The Applicant must consult with SafeWork NSW concerning the handling of any asbestos waste that may be encountered during construction. The requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 – ‘Transportation and management of asbestos waste’ must also be complied with.	During the construction phase	This is not relevant to the operation of the building.	Not triggered
Fire Safety Certificate				
AN12.	The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council’s Fire Safety Statement.	Post occupation	The final Fire Safety Certificate was issued on 24 July 2023. An Annual Fire Safety Certificate is not required until July 2024.	Not triggered

7. APPENDIX B – Compliance Report Declaration Form

APPENDIX B – Compliance Report Declaration Form

Project Name	Western Sydney University Bankstown City Campus
Project Application Number	SSD-9831
Description of Project	<p>A new campus building including:</p> <ul style="list-style-type: none">• construction of a 19-storey building over two levels of basement parking;• use as a University including learning spaces, research, library, administration and ground floor retail;• landscaping works, including plantings on terraces within the building and ground level plantings;• associated road and public domain works, including upgrade of The Appian Way and upgrade of Rickard Road footpath; and• four signage zones.
Project Address	74 Rickard Road, Bankstown NSW 2200
Proponent	Walker Bankstown Developments Pty Ltd
Title of Compliance Report	Operational Compliance Report (March 2023 – March 2024) Version 1
Date	21 March 2024
	<p>I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:</p> <ol style="list-style-type: none">the Compliance Report has been prepared in accordance with all relevant conditions of consent;the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;the findings of the Compliance Report are reported truthfully, accurately and completely;due diligence and professional judgement have been exercised in preparing the Compliance Report; andthe Compliance Report is an accurate summary of the compliance status of the development. <p>Notes:</p> <ul style="list-style-type: none">• Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and• The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).
Name of Authorised Reporting Officer	Taylor Cole
Title	Town Planner
Signature	
Qualification	Bachelor of City Planning (Hons)
Company	Walker Corporation
Company Address	Level 21, 1 Farrer Place, Sydney NSW 2000