

Attachment 1 – Draft Conditions

PART 1

DEFERRED COMMENCEMENT CONDITIONS

- (A) Pursuant to Section 4.16(3) of the EP&A Act, a deferred commencement consent is granted to LDA2024/0092 subject to the following conditions:

(1) Rutledge Street Maintenance Agreement.

Prior to this development consent being activated, an agreement between Council and the development owner must be formalised in liaison with Transport for NSW for the Rutledge Street opening to facilitate the future deceleration lane entry and exit into the development parking. Design drawings shall be submitted with is agreement and shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and line-marking, and other relevant details for the proposed civil works.

The land parcel must be restricted under a right of way easement arrangement allowing access to Council and Transport for NSW at all times.

All existing boundaries of the road reserve for Rutledge Street (Classified Road) must be maintained in the existing alignments. All costs associated with the future repair and extents of the land parcel reserved for public access inclusive of the footpath treatments, slip lane entry and exit pavements, kerb and gutter, stormwater assets, street lighting, pedestrian crossings and pedestrian fencing must be borne by the signing applicant of this agreement and development owner.

The endorsed agreement and the future right of way easement will be transferable to all future owners of the development site. The wording of the agreement must be submitted to Council's City Works and Infrastructure Directorate for approval.

A signed copy of the agreement must be submitted and accepted by Transport for NSW to development.sydney@transport.nsw.gov.au. The requirements of this condition must be satisfied prior to the activation of this Development Consent.

Condition Reason: To ensure that the applicant has a formalised agreement between Council to ensure a legal right of access into the development basement parking and all areas of the proposed deceleration lane entry and exist area of the development is dedicated as a right of way.

(2) Planning Agreement.

- a) Provide to Council an executed planning agreement that is generally consistent with the Applicant's offer dated 12 February 2025; and
- b) Register the executed planning agreement referred to in deferred commencement condition 2(a) above on the titles of the land; and
- c) Provide to Council any security required under the planning agreement referred to in deferred commencement condition 2(a) above.

Condition Reason: To ensure the planning agreement is executed.

(3) Resolution of Easements Burdening Lot.

The development works located upon 190 Rowe Street (Lot 201 in DP1134152) and 140 to 150 Rowe Street (Lot B in DP 340287, Lot A in DP 104376, Lot B in DP 104376, Lot C in DP 104376, Lot D in DP 104376, Lot B in DP 342118, and Lot C in DP 342118) are burdened by a number of easements which generally comprise of ROWs and permission to park vehicles (as defined in stratum). As the works in this region will potentially compromise on the enjoyment of the easement(s) by beneficiaries (neighbouring property owners), the following measures may be implemented:

- a) The levels of the development and the staging of construction in this region (i.e. ramp level and undercroft) could potentially be reconfigured so as to not compromise on an easement to be retained;
- b) The easement(s) be extinguished; and/or
- c) The easement be modified to the agreement of parties (e.g. the easement for parking may be altered to allow parking to occur elsewhere on site).

To ensure this matter is addressed, the applicant is to submit a survey report which audits the easements in the subject location and clarifies the resolution of each.

The report is to be submitted to Council for approval prior to the activation of the consent and must demonstrate that all easement matters burdening the subject lot have been resolved.

Where this may require the extinguishment or modification of easements, the submission must include receipts these actions have commenced with Land Registry Services or that all parties to the relevant easement have entered into a legal binding agreement which ensures the agreed terms are to be implemented prior to completion of the development.

Condition Reason: To ensure that the development works do not compromise on the enjoyment of easements benefitted by neighbouring property owners.

- (B) Written evidence that the matters identified in deferred commencement conditions under (A) above have been satisfied, must be submitted to Council within 12 months from the date of this development consent, failing which, this development consent will lapse pursuant to Section 4.53 (6) of the EP&A Act;
- (C) This development consent will not operate until such time that the Council notifies the applicant in writing that the deferred commencement conditions (A)(1), (A)(2) and (A)(3) above have been satisfied; and
- (D) Upon Council giving written notification to the applicant that deferred commencement conditions (A)(1), (A)(2) and (A)(3) have been satisfied, the development consent will become operative from the date of the written notification, subject to the following conditions of consent in Part 2.

PART 2

The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL CONDITIONS

	Condition
1.	Approved plans and supporting documentation

Condition				
Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.				
Approved plans				
Plan Number	Revision	Plan Title	Drawn by	Date of Plan
Architectural Plans				
DA1004	4	Demolition Plan	AJC	31/01/2025
DA1006	8	Site Plan	AJC	31/01/2025
DA2002	22	GA Plan – Basement 4	AJC	31/01/2025
DA2003	22	GA Plan – Basement 3	AJC	31/01/2025
DA2004	22	GA Plan – Basement 2	AJC	31/01/2025
DA2005	22	GA Plan – Basement 1	AJC	31/01/2025
DA2009	20	GA Plan – Lower Ground	AJC	31/01/2025
DA2010	20	GA Plan – Ground	AJC	31/01/2025
DA2011	23	GA Plan – Level 1	AJC	31/01/2025
DA2012	25	GA Plan – Level 2	AJC	31/01/2025
DA2013	22	GA Plan – Level 3	AJC	31/01/2025
DA2014	22	GA Plan – Level 4	AJC	31/01/2025
DA2015	21	GA Plan – Level 5	AJC	31/01/2025
DA2016	21	GA Plan – Level 6	AJC	31/01/2025
DA2017	21	GA Plan – Level 7	AJC	31/01/2025
DA2018	21	GA Plan – Level 8	AJC	31/01/2025
DA2019	21	GA Plan – Level 9	AJC	31/01/2025
DA2020	21	GA Plan – Level 10	AJC	31/01/2025
DA2021	22	GA Plan – Level 11	AJC	31/01/2025
DA2022	22	GA Plan – Level 12	AJC	31/01/2025
DA2023	22	GA Plan – Level 13	AJC	31/01/2025
DA2024	22	GA Plan – Level 14	AJC	31/01/2025
DA2025	20	GA Plan – Level 15	AJC	31/01/2025
DA2027	13	Roof Plan	AJC	31/01/2025
DA2028	4	GA Plan – Trelawney Street Entry	AJC	31/01/2025
DA2029	2	GA Plan – Lower Ground Mezzanine	AJC	31/01/2025
DA2030	2	GA Plan – Ground Mezzanine	AJC	31/01/2025
DA2031	2	GA Plan – Level 01 Mezzanine	AJC	31/01/2025
DA2032	2	Apartment Type 1 Bed – Sheet 1	AJC	31/01/2025
DA2033	2	Apartment Type 2 Bed – Sheet 1	AJC	31/01/2025
DA2034	2	Apartment Type 2 Bed – Sheet 2	AJC	31/01/2025
DA2035	2	Apartment Type 2 Bed – Sheet 3	AJC	31/01/2025
DA2036	2	Apartment Type 2 Bed – Sheet 4	AJC	31/01/2025
DA2037	2	Apartment Type 2 Bed – Sheet 5	AJC	31/01/2025
DA2038	2	Apartment Type 3 Bed – Sheet 1	AJC	31/01/2025
DA2039	2	Apartment Type 3 Bed – Sheet 2	AJC	31/01/2025
DA2040	2	Apartment Type 3 Bed & 4 Bed – Sheet 1	AJC	31/01/2025
DA3101	14	Elevations – North – Rowe Street	AJC	31/01/2025
DA3102	13	Elevations – East – West Parade	AJC	31/01/2025
DA3103	12	Elevations – South – Rutledge Street	AJC	31/01/2025
DA3104	11	Elevations – West – Trelawney Street	AJC	31/01/2025

Condition					
DA3105	10	Elevations Building AB – East – internal	AJC	31/01/2025	
DA3106	10	Elevations Building CD – West Internal	AJC	31/01/2025	
DA3201	11	Sections – North South	AJC	31/01/2025	
DA3202	14	Sections – North South	AJC	31/01/2025	
DA3203	11	Sections – North South	AJC	31/01/2025	
DA3204	11	Sections – East West	AJC	31/01/2025	
DA3205	13	Sections – East West	AJC	31/01/2025	
DA3206	2	Sections – East West – Neighbour Building	AJC	31/01/2025	
DA3207	2	Entry Ramp Sections	AJC	31/01/2025	
DA5101	4	Adaptable Apartments 1	AJC	31/01/2025	
DA5102	4	Adaptable Apartments 2	AJC	31/01/2025	
DA5103	2	Adaptable Apartments 3	AJC	31/01/2025	
DA5201	4	Livable Housing Apartments 1	AJC	31/01/2025	
DA6101	4	Materials Board 1	AJC	31/01/2025	
DA6102	4	Materials Board 2	AJC	31/01/2025	
DA6103	3	Façade Type – Commercial & Residential A – Rowe Street	AJC	31/01/2025	
DA6104	3	Façade Type – Residential E Lobby & Tower – W Parade	AJC	31/01/2025	
DA6105	3	Façade Type – Commercial & Residential B – Rutledge Street	AJC	31/01/2025	
DA6106	2	Façade Type – Commercial Central Pavilion – Rowe Street	AJC	31/01/2025	
DA6107	2	Façade Type – Residential D – Rutledge Street	AJC	31/01/2025	
Signage Plans					
XX.XX.00	A	Signage Key Plan	Stack Studio	04/09/2024	
XX.XX.00	A	Signage Key Plan Level 1	Stack Studio	04/09/2024	
XX.XX.00	A	Signage Elevation Rowe Street Side	Stack Studio	04/09/2024	
XX.XX.00	A	Signage Elevation Rutledge Street Side	Stack Studio	04/09/2024	
XX.XX.00	A	Signage Elevation West Parade Street Side	Stack Studio	04/09/2024	
Landscape Plans					
0001	A	Legend	Arcadia	28/02/2025	
0002	C	Key Plan - Ground	Arcadia	28/02/2025	
0003	A	Key Plan – Level 1	Arcadia	28/02/2025	
0004	C	Key Plan – Level 2	Arcadia	28/02/2025	
4000	C	Plant Schedule	Arcadia	28/02/2025	
4001	C	Softworks Plan 1 – Ground	Arcadia	28/02/2025	
4002	C	Softworks Plan 2 – Ground	Arcadia	28/02/2025	
4011	A	Softworks Plan 3 – Level 1	Arcadia	28/02/2025	
4012	A	Softworks Plan 4 – Level 1	Arcadia	28/02/2025	
4013	A	Softworks Plan 5 – Level 1	Arcadia	28/02/2025	
4014	A	Softworks Plan 6 – Level 1	Arcadia	28/02/2025	
4101	C	Softworks Plan 7 – Level 2	Arcadia	28/02/2025	
4102	C	Softworks Plan 8 – Level 2	Arcadia	28/02/2025	
4103	C	Softworks Plan 9 – Level 2	Arcadia	28/02/2025	

Condition					
4104	C	Softworks Plan 10 – Level 2	Arcadia	28/02/2025	
4105	C	Softworks Plan 11 – Level 2	Arcadia	28/02/2025	
4106	C	Softworks Plan 12 – Level 2	Arcadia	28/02/2025	
Civil Plans					
00011	D	General Arrangement Plan – External Works	TTW	04/10/2024	
01011	D	Geometry Alignment Control and Grading Plan	TTW	04/10/2024	
01031	E	Geometry Road Longitudinal Sections Sheet 1	TTW	04/10/2024	
01032	A	Geometry Road Longitudinal Sections Sheet 2	TTW	04/10/2024	
01033	A	Geometry Road Longitudinal Sections Sheet 3	TTW	04/10/2024	
01034	A	Geometry Road Longitudinal Sections Sheet 4	TTW	04/10/2024	
01035	A	Geometry Road Longitudinal Sections Sheet 5	TTW	04/10/2024	
01036	A	Geometry Road Longitudinal Sections Sheet 6	TTW	04/10/2024	
Stormwater Plans					
04011	D	Stormwater Subsoil Drainage Plan Ground Floor	TTW	31/07/2024	
04012	D	Stormwater Subsoil Drainage Plan Level 1	TTW	31/07/2024	
04021	C	Stormwater Catchment Plan Roof	TTW	10/07/2024	
04041	C	Stormwater Details Sheet 1	TTW	10/07/2024	
04042	C	Stormwater Details Sheet 2	TTW	10/07/2024	
04043	C	Stormwater Details Sheet 3	TTW	10/07/2024	
04044	C	Stormwater Details Sheet 4	TTW	10/07/2024	
Stratum Plans					
Sheet 2 of 22	-	Basement 4 & Below	LTS	18/03/2025	
Sheet 3 of 22	-	Basement 3	LTS	18/03/2025	
Sheet 4 of 22	-	Basement 2	LTS	18/03/2025	
Sheet 5 of 22	-	Basement 1	LTS	18/03/2025	
Sheet 6 of 22	-	Lower Ground	LTS	18/03/2025	
Sheet 7 of 22	-	Ground	LTS	18/03/2025	
Sheet 8 of 22	-	Level 1	LTS	18/03/2025	
Sheet 9 of 22	-	Level 2	LTS	18/03/2025	
Sheet 10 of 22		Level 3	LTS	18/03/2025	
Sheet 11 of 22	-	Level 4	LTS	18/03/2025	
Sheet 12 of 22	-	Level 5	LTS	18/03/2025	

	Condition				
	Sheet 13 of 22	-	Level 6	LTS	18/03/2025
	Sheet 14 of 22	-	Level 7	LTS	18/03/2025
	Sheet 15 of 22	-	Level 8	LTS	18/03/2025
	Sheet 16 of 22	-	Level 9	LTS	18/03/2025
	Sheet 17 of 22	-	Level 10	LTS	18/03/2025
	Sheet 18 of 22	-	Level 11	LTS	18/03/2025
	Sheet 19 of 22	-	Level 12	LTS	18/03/2025
	Sheet 20 of 22	-	Level 13	LTS	18/03/2025
	Sheet 21 of 22	-	Level 14	LTS	18/03/2025
	Sheet 22 of 22	-	Level 15 & Above	LTS	18/03/2025
Document Title			Prepared by	Date	
BASIX Certificate 1743721M-02			ADP Consulting	10/03/2025	
BASIX Certificate 1786823M			ADP Consulting	11/03/2025	
Preliminary Site Investigation			JK Environments Pty Ltd	12/04/2024	
Pedestrian Wind Environment Statement			Windtech	11/04/2024	
Solar Light Reflectivity Study			Windtech	11/04/2024	
Air Quality/Dispersion Assessment			Windtech	10/09/2024	
Noise Emissions - Consultant Advice Notice			ADP	31/07/2024	
Environmental Noise Impact Assessment			ADP	14/08/2024	
Waste Management Plan – Construction and Demolition			Elephants Foot	11/04/2024	
Operational Waste Management Plan			TTM	27/09/2024	
Geotechnical Assessment			JK Geotechnics Pty Ltd	11/04/2024	
SWMP and WSUD Report			TTW	31/07/2024	
Arboricultural Impact Assessment			Advanced Treescape Consulting	15/04/2024	
Eastwood Shopping Centre – Flood Study			Egis	22/10/2024	
Construction Management Plan			Alliance Project Group	Not dated	
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.					
Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development					
2.	Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989				
	(a) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.				

	Condition
	<p>(b) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.</p> <p>(c) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.</p> <p>(d) In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.</p> <p>(e) In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.</p> <p>(f) This section does not apply:</p> <ul style="list-style-type: none"> (i) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or (ii) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. <p>Condition Reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
3.	<p>Erection of signs</p> <p>(a) This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>(b) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:</p> <ul style="list-style-type: none"> (i) showing the name, address and telephone number of the principal certifier for the work, and (ii) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and (iii) stating that unauthorised entry to the work site is prohibited. <p>(c) The sign must be:</p> <ul style="list-style-type: none"> (i) maintained while the building work, subdivision work or demolition work is being carried out, and (ii) removed when the work has been completed. <p>(d) This section does not apply in relation to:</p> <ul style="list-style-type: none"> (i) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or (ii) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. <p>Condition Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
4.	<p>Notification of Home Building Act 1989 requirements</p> <p>(a) This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</p> <p>(b) It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following:</p> <ul style="list-style-type: none"> (i) for work that requires a principal contractor to be appointed: <ul style="list-style-type: none"> (1) the name and licence number of the principal contractor, and

	Condition
	<p>(2) the name of the insurer of the work under the Home Building Act 1989, Part 6,</p> <p>(ii) for work to be carried out by an owner-builder:</p> <p>(1) the name of the owner-builder, and</p> <p>(2) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.</p> <p>(c) If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</p> <p>(d) This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p> <p>Condition Reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
5.	<p>Shoring and adequacy of adjoining property</p> <p>(a) This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.</p> <p>(b) It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense:</p> <p>(i) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and</p> <p>(ii) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.</p> <p>(c) This section does not apply if:</p> <p>(i) the person having the benefit of the development consent owns the adjoining land, or</p> <p>(ii) the owner of the adjoining land gives written consent to the condition not applying</p> <p>Condition Reason: Prescribed condition under section 74 of the Environmental Planning and Assessment Regulation 2021.</p>
6.	<p>BASIX</p> <p>Compliance with all commitments listed in BASIX Certificate 1786823M dated 11 March 2025 and BASIX Certificate 1743721M-02 dated 10 March 2025.</p> <p>Condition reason: Statutory requirement.</p>
7.	<p>Site Maintenance</p> <p>The site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or subject to the leaving or dumping of waste.</p> <p>Condition reason: To protect the amenity of the locality.</p>
8.	<p>Hoardings</p> <p>A) A hoarding or fence must be erected between the work site and any adjoining public place.</p> <p>B) Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed.</p> <p>Condition reason: To ensure public safety.</p>
9.	<p>Illumination of Public Places</p> <p>Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.</p> <p>Condition reason: To ensure public safety.</p>
10.	<p>Development Application for commercial food premises and public health</p> <p>Separate development applications or CDC applications must be made relating to the fitout and operation of any food or public health related commercial activities on the premises.</p>

	Condition
	Condition reason: To ensure food and public health related activities obtain the appropriate approval.
11.	Noise Mitigation To minimise noise emitted from ancillary elements, such as air-conditioning units, the equipment must be installed in accordance with the manufacturer's specification and noise attenuation measures implemented so that noise emitted does not exceed 5dB(A) above the background noise level when measured on or within any other residential property boundary. Condition reason: To protect the amenity of the locality.
Development Engineer Conditions	
12.	Design and Construction Standards All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent. Condition Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.
13.	Public Utilities and Service Alterations All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. AusGrid, Sydney Water, Telstra, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development. Condition Reason: Protection of infrastructure and compliance with relevant Authorities requirements.
14.	Restoration Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council. Condition Reason: To ensure the amenity and state of the public domain is maintained.
15.	Protection of Public Domain The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. Condition Reason: To ensure public safety.
CI Traffic Conditions	
16.	Traffic Management Traffic management procedures and systems must be in place and practised during the works period to ensure safety and minimise the impact on adjoining pedestrian and vehicular traffic systems in accordance with AS 1742.3 - 2019 and Council's DCP Part 8.1 (Construction Activities). Condition reason: To ensure that appropriate procedures are in place to assist with the safety of all affected road users within the public domain when works are being undertaken.
17.	Road Activity Permits Prior to carrying out any work in, on or over a road reserve, consent from Council is required as per the Roads Act 1993. The person acting on the consent is required to review the "Road Activity Permits Checklist" (available from Council's website: https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-

	Condition
	<p>road-activity-permits-checklist.pdf) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required including Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb and Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply.</p> <p>Condition reason: To ensure the amenity and state of the public domain is maintained.</p>
18.	<p>Road and Active Transport Upgrades</p> <p>The following traffic mitigation works are required to be delivered by the person acting on this consent at no cost to Council:</p> <ol style="list-style-type: none"> 1. Traffic control signals at the site's access point with Rutledge Street and the associated slip lane onto the site in accordance with the requirements of TfNSW. 2. Upgrade of the existing at-grade pedestrian crossing at the intersection of Trelawney Street and Rowe Street to raised pedestrian crossing. 3. 'Keep Clear' pavement marking on Trelawney Street's southbound lanes at the site's access driveway. <p>Condition reason: To ensure appropriate traffic management works are completed.</p>
19.	<p>Oversize Overmass Vehicles Permit</p> <p>An Oversize Overmass approval from the National Heavy Vehicle Regulator (NHVR) must be submitted to the principal certifier. The person acting on this consent must submit an application for an Oversize Overmass Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Ryde LGA.</p> <p>Condition reason: To ensure maintenance of Council's assets.</p>
CI Public Domain Conditions	
20.	<p>Land Boundary / Cadastral Survey</p> <p>Where any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.</p> <p>The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.</p> <p>Condition reason: To ensure that the approved development is built in accordance with the stamped approved plans.</p>
CI Waste Conditions	
21.	<p>Onsite Litter Management</p> <p>All bins onsite must remain covered when not in use to reduce the potential for litter to escape.</p> <p>Condition reason: To ensure responsible management of litter onsite.</p>
Environmental Health Conditions	
22.	<p>Acoustic Report</p> <p>The recommendations provided in <i>Environmental Noise Impact Assessment prepared by ADP Consulting: Engineering dated 11 April 2024</i> Ref: SYD2652 and letter from ADP Consulting dated 31 July 2024 are to be implemented.</p> <p>Condition reason: To ensure the implementation of professional report recommendations.</p>
23.	<p>Storage and Removal of Waste</p> <p>All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.</p>

	Condition
	Condition reason: To ensure compliance with relevant requirements and protect the environment.
24.	Handling of Asbestos Where asbestos is present during works, the work must be carried out in accordance with the guidelines for asbestos work published by SafeWork NSW. Condition reason: To ensure that all works are carried out in a safe manner
25.	Disposal of Asbestos All asbestos wastes must be disposed of at a landfill facility licensed by NSW Environment Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request. Condition reason: To ensure the protection of the environment.
26.	Contaminated Soils Any potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the Waste Classification Guidelines (DECCW 2009) before being transported from the site. Condition reason: Ensure compliance with relevant requirements.
27.	Dust Control All practical measures must be taken to prevent air pollution, including but not limited to the following: a) Erection and regular maintenance of dust screens around the perimeter of the site for the duration of the work. b) Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system. c) Soil and material stockpiles are to be kept damp or covered. d) Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets. e) Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours. Condition reason: To prevent the movement of dust outside the boundaries of the site.
28.	Pollution from Activities On-Site Any activity carried out in accordance with this approval is to be stored, handled and disposed of in such a manner to not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. Condition reason: To protect the environment and ensure compliance with Protection of the Environment Operations Act 1997.
29.	Duty to Notify Pollution Incidents The appropriate regulatory authority must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs. Condition reason: To comply with the requirements of the Protection of the Environment Operations Act 1997).
Tree Management Officer Conditions	
30.	Street Tree Removal and Replacement <u>Rowe Street Mall (Trees 1-8) and West Parade (Trees 28-32)</u> Replacement trees must be installed and maintained through establishment in keeping with Council's Street Tree Master Plan. The street trees shall be planted at

	Condition
	<p>a minimum pot size of 45 litres in the Council verge in front of the subject property in a location as specified by Council's Tree Management.</p> <p>That the landscape plan be amended to show the location of the tree within the streetscape</p> <p>To encourage works to be undertaken in a manner that ensures that public trees are preserved/replaced as necessary, a cash deposit or bank guarantee for shall be lodged with Council. The amount will be specified by Council's Tree Management</p> <p>The security deposit will not be released until Council has inspected the tree upon request (and no earlier than 12 months after the release of the Occupation Certificate) and is satisfied that the tree is in a sound and healthy condition.</p> <p>If upon inspection the tree is found to be unviable for retention the bond will not be refunded.</p> <p>Condition Reason: To authorise removal and replacement of street trees.</p>
31.	<p>Street Tree Protection (Prior to Works)</p> <p>To limit the potential for damage to any street tree(s) to be retained, tree protection measures must be implemented in accordance with Australian Standard AS 4970 Protection of Trees on Development Sites prior to the commencement of any site works.</p> <p>Details demonstrating compliance with the standard prepared and certified by an Australian Qualification Framework level 5 or higher qualified arborist shall be submitted with the Construction Certificate application.</p> <p>Where the Project Arborist determines that tree protection fencing cannot be installed, the tree protection fencing needs to be removed temporarily, access within or through the Tree Protection Zone is necessary, stem, branch and ground protection measures as per standard AS 4970-2009 Protection of Trees on Development Sites are to be implemented.</p> <p>To encourage works to be undertaken in a manner that ensures that public trees are preserved/replaced as necessary, a cash security deposit or bank guarantee for shall be lodged with Council. The amount will be specified by Council's Tree Management.</p> <p>Condition reason: To ensure the appropriate management of street trees.</p>
32.	<p>Street Tree Protection (During Works)</p> <p>No construction or excavation (including trenching for drainage or other services) shall occur within the Structural Root Zone (SRZ) of any retained and protected tree. Protective fencing at a minimum 1.8 metres in height along the perimeter of the Tree Protection Zone (TPZ) (outside of approved works) is to be installed. The TPZ is to be identified by signage placed around the edge of the TPZ which are visible from within the development site. The lettering on the sign is to comply with Australian Standard 1319 Safety Signs for the Occupational Environment and include the following wording 'Tree Protection Zone – Access Prohibited' and is to have the name and contact details of the appointed site Arborist. Where protective fencing is deemed not practicable by an Australian Qualification Framework (AQF) level 5 arborist, tree trunk and branch protection is to be installed.</p> <p>The building contractor shall ensure that at all times during site works no activities including (but not limited to) machine excavation (including trenching), excavation for silt fencing, storage, preparation of chemicals (including preparation of cement products), parking of vehicles and plant, refuelling, dumping of waste, wash down</p>

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	<p>and cleaning of equipment, placement of fill, soil level changes, temporary or permanent installation of utilities and signs, or physical damage to the tree occur within the Tree Protection Zone (TPZ) of any tree to be retained.</p> <p>Landscape works in the vicinity of the tree/s must be sympathetic to tree retention and existing ground levels within the TPZ must remain unchanged. Where tree roots are uncovered that are above 30mm diameter they shall remain in place and undamaged until a Council Arborist can inspect and determine if they can be severed or removed.</p> <p>In the event that major structural or feeder roots (>30mm diameter) are encountered within the tree protection zone, Council's Arborist are to be contacted to recommend appropriate measures to ensure the retention of the tree/s. If these measures involve structural alterations to the building or work, such measures must be certified by a practicing Structural Engineer that the modified plans/details comply with the relevant Building Code of Australia and/or Australian Standards.</p> <p>Condition reason: To ensure the appropriate management of street trees.</p>
33.	<p>Street Tree Protection (On Completion of Works)</p> <p>The security deposit will not be released until Council has inspected the tree upon request (and no earlier than 12 months after the release of the Occupation Certificate) and is satisfied that the tree is in a sound and healthy condition.</p> <p>If upon inspection the tree is found to be unviable for retention the bond will not be refunded.</p> <p>Condition reason: To ensure the appropriate management of street trees.</p>
WaterNSW General Terms of Approval	
34.	<p>WaterNSW General Terms of Approval (GTA) Ref: S4551159920</p> <p>The GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for the relevant approval after development consent has been issued and before the commencement of any work or activity.</p> <p>Dewatering</p> <p><u>GT0115-00001</u> Groundwater must only be pumped or extracted for the purpose of temporary construction dewatering at the site identified in the development application. For clarity, the purpose for which this approval is granted is only for dewatering that is required for the construction phase of the development and not for any dewatering that is required once construction is completed.</p> <p><u>GT0117-00001</u> A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity.</p> <p>Advisory Notes:</p> <ul style="list-style-type: none"> (a) This approval is not a water access licence. (b) A water year commences on 1 July each year. (c) This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW. (d) Note that certain water sources may be exempted from this requirement - see paragraph 17A, Schedule 4 of the Water Management (General) Regulation 2018.

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	<p><u>GT0118-00001</u></p> <p>If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must:</p> <ul style="list-style-type: none"> (a) record water taken for which the exemption is claimed, and (b) record the take of water not later than 24 hours after water is taken, and (c) make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and (d) keep the record for a period of 5 years, and (e) give the record to WaterNSW either via email to Customer.Helpdesk@waternsw.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124 <ul style="list-style-type: none"> (i) not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or (ii) if WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date. <p><u>GT0119-00001</u></p> <p>All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.</p> <p><u>GT0120-00001</u></p> <p>The design and construction of the building must prevent:</p> <ul style="list-style-type: none"> a) any take of groundwater, following the grant of an occupation certificate (and completion of construction of development), by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation. b) obstruction to groundwater flow, by using sufficient permanent drainage beneath and around the outside of the watertight structure to ensure that any groundwater mounding shall not be greater than 10 % above the pre-development level; and c) any elevated water table from rising to within 1.0 m below the natural ground surface. <p><u>GT0122-00001</u></p> <p>Construction Phase Monitoring programme and content:</p> <ul style="list-style-type: none"> (a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW): <ul style="list-style-type: none"> (i) Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW. (ii) Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;

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	<p>(iii) Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;</p> <p>(iv) QA: Include details of quality assurance and control.</p> <p>(v) Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.</p> <p>(b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme).</p> <p><u>GT0123-00001</u></p> <p>(a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.</p> <p>(b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW):</p> <p>(i) All results from the Approved Monitoring Programme; and</p> <p>(ii) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website.</p> <p>(c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/waterlicensing/dewatering</p> <p><u>GT0150-00001</u></p> <p>The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition.</p> <p>Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment.</p> <p>Advisory note: Any application to increase the extraction limit should include the following:</p> <ul style="list-style-type: none"> • Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation. • Survey plan showing ground surface elevation across the site. • Architectural drawings showing basement dimensions. • Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)). • Laboratory test results for soil sampling testing for ASS. • If ASS, details of proposed management and treatment of soil and groundwater. Testing and management should align with the NSW Acid Sulphate Soil Manual. <p><u>GT0151-00001</u></p> <p>Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval).</p> <p>Advisory note: An extension of this approval may be applied for within 6 months of the expiry of Term.</p>

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	<p><u>GT0152-00001</u> This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001.</p> <p>Advisory note: An extension of this approval may be applied for within 6 months of the expiry of Term.</p> <p><u>GT0155-00001</u> The following construction phase monitoring requirements apply (Works Approval):</p> <ul style="list-style-type: none"> a) The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW. b) The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme). c) The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report. <p><u>GT0174-00001</u> Construction phase monitoring bore requirements GTA:</p> <ul style="list-style-type: none"> (a) Monitoring bores are required to be installed and collecting data prior for at least 3 months prior to submitting a water supply work approval (b) A minimum of three monitoring bore locations are required at or around the subject property, unless otherwise agreed by WaterNSW. (c) The location and number of proposed monitoring bores must be submitted for approval, to WaterNSW and should be submitted prior to the application for a water supply work approval. (d) The monitoring bores should be used to develop a water table map for the site and its near environs. (e) The monitoring bores must be protected from construction damage. Advisory note: no approval under the Water Management Act 2000 is required for these monitoring bores provided that they extract less than 3ML/water year. <p><u>GT0241-00001</u> A construction certificate can be issued for excavation work in accordance with a valid development consent, however dewatering cannot take place without an Approval being granted by Water NSW for any water supply works required by the development. If the excavation work will or is likely to require dewatering, the applicant must apply and obtain, an approval under the Water Management Act 2000 prior to any dewatering taking place and notify WaterNSW of the programme for the dewatering activity including the commencement and proposed completion dates of the dewatering activity.</p> <p>Advisory Note: An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity. A water use approval may also be required, unless the use of the water is for a purpose for which a development consent is in force.</p> <p>SCHEDULE 1</p>

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	<p>The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with LDA2024/0092 as provided by Council:</p> <ul style="list-style-type: none"> Architectural Design Report Amending Development Application Issue. Prepared by Urbis. 31 January 2025. Geotechnical Assessment. Prepared by JKGeotechnics. 11 April 2024. Ref: 36643YrptRev1. Statement of Environmental Effects. Prepared by Urbis. 7 May 2025. Report Number: Final_17.04.2024 updated for re-submission 07.05.2024. <p>Condition reason: Statutory requirement.</p>
Sydney Water Conditions	
35.	<p>Sydney Water Conditions</p> <p>Prior to the issue of a Construction Certificate</p> <p><u>Building Plan Approval (including Tree Planting Guidelines)</u> The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in to apply.</p> <p>Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.</p> <p><u>Tree Planting</u> Certain tree species placed in proximity to Sydney Water’s underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees.</p> <p>For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal. For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages.</p> <p>For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water’s Technical guidelines – Building over and adjacent to pipe assets.</p> <p>Prior to the issue of an Occupation Certificate/Subdivision Certificate</p> <p><u>Section 73 Compliance Certificate</u> A compliance certificate must be obtained from Sydney Water, under Section 73 of the <i>Sydney Water Act 1994</i>. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.</p> <p>Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.</p>

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	<p>Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.</p> <p>Sydney Water Requirements for Commercial and Industrial Developments (for proponent's information)</p> <p><u>Trade Wastewater Requirements</u></p> <p>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</p> <p>A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.</p> <p>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.</p> <p><u>Backflow Prevention Requirements</u></p> <p>Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.</p> <p>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.</p> <p>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.</p> <p>Before you install a backflow prevention device:</p> <ul style="list-style-type: none"> (a) Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements. (b) 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. <p>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/backflowprevention.html</p> <p><u>Water Efficiency Recommendations</u></p> <p>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.</p>

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	<p>Some water efficiency measures that can be easily implemented in your business are:</p> <ul style="list-style-type: none"> • 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. <p>It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.</p> <p><u>Contingency Plan Recommendations</u></p> <p>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.</p> <p>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.</p> <p>Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.</p> <p>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.</p> <p>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.</p> <p>Condition reason: Statutory requirement.</p>
Ausgrid Conditions	
36.	<p>Ausgrid Conditions</p> <p>Ausgrid Underground Cables are in the vicinity of the development</p> <p>Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways.</p> <p>It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA)</p> <p>In addition to BYDA the proponent should refer to the following documents to support safety in design and construction:</p> <ul style="list-style-type: none"> • SafeWork Australia – Excavation Code of Practice

	Condition
	<ul style="list-style-type: none"> Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. <p>The following points should also be taken into consideration:</p> <ul style="list-style-type: none"> Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing. Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. <p>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.</p> <p>New or modified connection To apply to connect or modify a connection for a residential or commercial premises.</p> <p>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</p> <p>Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries</p> <p>Condition reason: Statutory requirement.</p>
NSW Police Conditions	
37.	<p>NSW Police Conditions</p> <p>Compliance with the following requirements of NSW Police:</p> <p>(a) <u>Surveillance</u></p> <p>(i) The applicant must install and maintain CCTV to monitor and record all entrance and exit points to the buildings within the development. CCTV should include the foyer area to the buildings. The cameras should also monitor the 50-meter vicinity outside the buildings, including but not limited to, the footpath area in-front of the premises. CCTV should also cover any communal areas and public spaces, car parks and the loading bay. Recordings should be made twenty-four (24) hours a day, seven (7) days a week.</p> <p>(ii) As a minimum, CCTV at entry and exit points MUST record footage of a nature and quality in which it can be used to identify a person recorded by the camera. Police strongly recommend that CCTV be a minimum of 30 frames per second. All other cameras MUST record footage of a nature and quality in which it can be used to recognise a person recorded by the camera.</p> <p>(iii) The time and date must automatically be accurately recorded on all recordings made whilst it is recording. All recordings are to be kept for a</p>

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	<p>minimum period of thirty (30) days before it can be reused and destroyed.</p> <ul style="list-style-type: none"> (iv) If requested by police, the applicant or body corporate is to archive any recording until such time it is no longer required. (v) Recordings made are to be in common media format, such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer. (vi) The CCTV control system should be located within a secure area of the premise and only accessible by authorised personnel. (vii) If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible. (viii) CCTV should be installed throughout the carpark area and loading dock, and should include the entry and exit points to the carpark and loading dock. <p>(b) <u>Lighting</u></p> <ul style="list-style-type: none"> (i) A lighting maintenance policy be established for the development. (ii) The areas around entrances and communal areas should be well lit and that all lighting should be designed to Australian and New Zealand lighting standards. (iii) Australian and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime and fear when selecting lamps and lighting levels. (iv) Sensor lighting should be installed into areas of concealment. (v) Attention should be paid to the lighting in communal open spaces, the carpark and service bay. The walls and ceilings of the carpark area and loading dock should be painted a light colour. While this can assist in reducing power consumption in order to comply with the Australian and New Zealand lighting standards, it also ensures that the lighting within the carpark and loading dock is consistent, without creating dark areas which can often be a target for criminal activity. <p>(c) <u>Access Control</u></p> <ul style="list-style-type: none"> (i) All areas should be fitted with doors that comply with Australian and New Zealand Standards. (ii) All locks fitted to the doors should be of a high quality to meet Australian and New Zealand Standards. (iii) Any glass within these doors should be laminated to enhance the physical security of the doors. (iv) Fire doors to the development should meet Australian and New Zealand Standard, to restrict unauthorised access throughout the development. (v) Access controls should be set in place to exclude unauthorised access to the buildings, as well as restricted areas. <p>(d) <u>Territorial Re-enforcement</u></p> <ul style="list-style-type: none"> (i) Signage needs to be provided at entry/exit points and throughout the development to assist users. Signs should be clear, legible, and useful. Good signage with clear instructions in relation to wayfinding should be erected at the main entrance and in carpark areas. (ii) To assist with wayfinding for emergency services, building/street numbers etc should be clearly displayed. (iii) Signage should be erected in carparks and near entry and exit points, which detail security measures and remind people to lock their vehicles and remove valuables. (iv) Clear signage should be used to indicate 'Restricted Areas'.

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	<p>(v) Clear signage indicating the use of CCTV recording and monitoring throughout the development.</p> <p>(e) <u>Environmental Maintenance</u></p> <p>(i) With the proposed higher volume of both vehicular and pedestrian traffic, we would recommend consideration be given to any future planning that safeguards are implemented where necessary as the exposure/mix of pedestrian, cycling and vehicular traffic is likely to increase. This includes any footpaths with driveways crossing the footpath leading into the location.</p> <p>(ii) As the proposal is for mixed use and 441 residential apartments, police raise the issue of potential parcel/mail theft. This can be mitigated by ensuring designated mail areas are only accessed by pin code or swipe cards. CCTV cameras inside this area will further mitigate the risk of parcel theft. An alternative is to recommend the use of Australia Post Lockers for parcel deliveries.</p> <p>(iii) Storage areas to be concealed so that the public cannot see private belongings in storage from driveways or doorways.</p> <p>(iv) Designated storage area for resident's bicycles, requiring swipe card, or pin code, access through an alarmed door.</p> <p>(v) Police note the proposal includes a Traffic Impact Statement, references rail services, bus services and a cycle network. With the push for residents to utilise public transport, police urge council to implement safeguards, such as sufficient lighting and CCTV, along footpaths and walkways.</p> <p>(vi) The inclusion of sufficient and highlighted 'Emergency Vehicle' parking aligned to the buildings. Building Manager contact details be provided to police, to ensure a point of contact should issues arise which require an emergency services response.</p> <p>Condition reason: Crime prevention through environmental design.</p>
Sydney Trains Conditions	
38.	<p>Sydney Trains Conditions</p> <ul style="list-style-type: none"> Unless amendments are required in order to obtain approval/certification/compliance from Sydney Trains in relation to any of the Sydney Trains related conditions of consent, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, and recommendations as detailed in the following documents: <ul style="list-style-type: none"> i. Preliminary Rail Tunnel Impact Assessment, prepared by Taylor Thomson Whitting (NSW) Pty Ltd, Revision 4, dated 30 January 2025. ii. Shoring Elevations, prepared by Taylor Thomson Whitting (NSW) Pty Ltd: <ul style="list-style-type: none"> ▪ Drawing TTW-00-DR-ST-10101, revision P6, dated 29 January 2025; ▪ Drawing TTW-00-DR-ST-10102, revision P6, dated 29 January 2025; ▪ Drawing TTW-00-DR-ST-10103, revision P6, dated 29 January 2025; ▪ Drawing TTW-00-DR-ST-00001, revision P7, dated 17 March 2025. iii. Detail Site Survey_3Linx, prepared by 3Linx as follows: <ul style="list-style-type: none"> ▪ Sheets 1 to 15, dated 16 August 2024. iv. Technical Memorandum, Preliminary TfNSW Asset Impact Assessment for the proposed mixed-use redevelopment, prepared by Stantec Australia Pty Ltd, Final Issue Rev 02, dated 17 March 2025.

	Condition
	<ul style="list-style-type: none"> v. Technical Memorandum, Groundwater inflow estimates and drainage advice for the proposed shopping centre, prepared by Stantec Australia Pty Ltd, revision Final Rev1, dated 5 February 2025. vi. Construction Management Plan, prepared by Alliance Project Group. vii. Geotechnical Assessment, prepared by JK Geotechnics Pty Ltd, revision 36643YrptRev1, dated 11 April 2024. <p>The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with the Sydney Trains related conditions of consent. The measures detailed in the documents approved/certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Certifier is to provide verification to Sydney Trains that this condition has been complied with.</p> <ul style="list-style-type: none"> • Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains' representative. • Prior to the issue of a Construction Certificate, the Applicant shall undertake a services search to establish the existence and location of any rail services. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the subject development site, the Applicant must discuss with Sydney Trains as to whether these services are to be relocated or incorporated within the development site. • If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains. • If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. • The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided

	Condition
	<p>to the Certifier and Council prior to the issuing of a Construction Certificate. The Certifier must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.</p> <ul style="list-style-type: none"> • Prior to the issue of a Construction Certificate, the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifier with the application for a Construction Certificate. The Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate. • Prior to the commencement of works, the applicant is to prepare and provide to Sydney Trains for review and endorsement a Hydrologic Assessment report demonstrating that the dewatering during construction will not have any adverse settlement impacts on the rail corridor. No works are to commence until this report has been endorsed by Sydney Trains. • If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Certifier is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed. • If required by Sydney Trains, a bridge abutment monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Certifier is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the bridge abutment monitoring plan, and if required, that it has been endorsed. • Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows, and other external features (e.g., roof terraces and external fire escapes) that are within 20 metres of, and face, the rail corridor, the development must have measures installed, to the satisfaction of Sydney Trains (e.g., awning windows, louvres, enclosed balconies, window restrictors etc.) which prevent the throwing of objects onto the rail corridor. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. • A risk analysis, which shall determine the required level of derailment protection (if any), shall be carried out in consultation with Sydney Trains. This risk analysis will determine the redundancy requirements or the minimum collision loads specified in Australian Standard AS5100 that needs to be complied with. The risk assessment is to be prepared in accordance with the Sydney Trains Safety Management System. The Certifier shall not issue the Construction Certificate until it has received written confirmation from Sydney Trains that the risk analysis has been prepared and the Certifier has also

	Condition
	<p>confirmed that the measures recommended in this risk analysis have been indicated on the Construction Drawings.</p> <ul style="list-style-type: none"> • The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. • If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. • Prior to the issuing of a Construction Certificate, the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains' requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains' requirements. The Certifier is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied. • Prior to the issue of a Construction Certificate, the Applicant shall include in their Construction Management Plan and Safe Working Method Statements (SWMS) adherence to the load restriction set in place for Routledge Street Overbridge, or as per the structural requirements set out in the Interface Agreement between Sydney Trains and Council. The Certifier shall not issue a Construction Certificate until these requirements have been met. • During all stages of the development, the Applicant must take extreme care to prevent any form of pollution entering the rail corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant. • Excess soil is not allowed to enter, be spread, or stockpiled within the rail corridor (and its easements) and must be adequately managed/disposed of. ☐ The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the rail corridor unless prior written approval has been obtained from Sydney Trains. • Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor. • Prior to the issuing of any Occupation Certificate the Applicant must provide to Sydney Trains for review and endorsement a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The Certifier is not to issue any Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

	Condition
	<p>The maintenance plan must be implemented for the life of the approved development.</p> <ul style="list-style-type: none"> • The Applicant/Developer shall not at any stage block corridor any access gates and should make provision for easy and ongoing 24/7 access by rail vehicles, plant, and equipment to support maintenance and emergency activities. • No scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the Applicant will be required to submit details of the scaffolding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels. • Sydney Trains advises there is a 33 and 11 kV High Voltage Aerial Transmission Line in close proximity to the proposed works. All works within 6 metres of the nearest transmission line conductor must comply with: <ul style="list-style-type: none"> i. ISSC 20 – Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure. ii. The Safe Approach Distances (SADs) in the Sydney Trains Document titled “SMS06-GD-0268 – Working Around Electrical Equipment”. iii. “WorkCover Code of Practice – Work near Overhead Power Lines (The Code)”. • Prior to the issuing of a Construction Certificate, the following final version rail specific items are to be submitted to Sydney Trains for review, comment, and written endorsement: <ul style="list-style-type: none"> ○ Machinery to be used during excavation/construction. ○ Demolition, excavation, and construction methodology and staging. <p>The Certifier is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.</p> • Sydney Trains or Transport for NSW, and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought. • Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into TAM (Transport Asset Manager of NSW, formerly TAHE) property or easements, unless agreed to by TAM (Transport Asset Manager of NSW, formerly TAHE). The Certifier is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

	Condition
	<ul style="list-style-type: none"> • If required, prior to the issue of a Construction Certificate, Sydney Trains' External Interface Management team is to be contacted to determine the need for public liability insurance cover. If insurance cover is deemed necessary, this insurance must be for a sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains External Interface Management team to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Certifier must witness written proof of this insurance in conjunction with Sydney Trains' written advice to the Applicant on the level of insurance required. • If required, prior to the issue of a Construction Certificate, Sydney Trains' External Interface Management team is to be contacted to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Certifier must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee. The Bond/Bank Guarantee must allow Sydney Trains to draw upon the Bond/Bank Guarantee to cover any amounts paid by Sydney Trains to address impacts of construction on the rail corridor and rail infrastructure. • The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who: <ul style="list-style-type: none"> ○ oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains; ○ acts as the authorised representative of the Applicant; and ○ is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant. • Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works. • Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is North Interface, and they can be contacted via email on North.Interface@transport.nsw.gov.au • Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager of NSW) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
	Condition reason: Development near rail infrastructure and statutory requirement.
Transport for NSW (TfNSW) Conditions	
39.	Transport for NSW Conditions
	Compliance with the following requirements of Transport for NSW:
	(a) The proposed traffic control signals shall operate with two phases as follows:

	Condition
	<ul style="list-style-type: none"> (i) Through movements only on Rutledge Street. (ii) Through and Right turn movements only on the Rutledge Street east approach and left turn exit movements out of the subject site.
	(b) No signalised pedestrian phase across Rutledge Street is permitted as part of this approval. However, cabling and ducting shall be installed on Rutledge Street to enable the pedestrian phase to be provided across Rutledge Street in the future (if required).
	(c) The left turn out of the proposed development needs to be fully signalised, with one continuous pedestrian crossing across the Rutledge Street site ingress / egress.
	(d) The pedestrian crossing on the left turn deceleration lane can remain unsignalised with a zebra crossing, and sufficient storage space needs to be provided in that island to cater for the number of pedestrians anticipated to use this crossing in the future.
	(e) The proposed right turn bay on Rutledge Street shall be physically separated from the Bus Only right turn bay immediately to the east.
	(f) To ensure that the flow of traffic into/out of the site via the proposed traffic control signals is not impacted by boom gates, storage for a minimum of 10-12 cars shall be provided on-site for entry movements from Rutledge Street on approach to any entry boom gate and similarly for exit movements a minimum of 10-12 cars shall be provided between the exit boom gate and the Rutledge Street exit. The minimum storage length is to be confirmed by the following additional information, which is to be included in the full detailed documentation package submitted post consent for construction approval of the proposed traffic control signals.
	(g) Traffic modelling / analysis is to show that the vehicular storage length is satisfactory in containing the 98 th percentile peak inbound queue along with confirmation of the impact that queues for exiting vehicles may have on entering vehicles.
	(h) A plan is to be provided to clearly show the inbound and outbound queuing distance between Rutledge Street and the entry / exit boom gates and the interaction between entering and exiting vehicle queues.
	(i) The post consent documentation package to TfNSW for construction approval of the proposed traffic control signals shall demonstrate to the satisfaction of the Agency that there are safe and efficient turn around facilities provided on-site when a motorist inadvertently enters the site off Rutledge Street when the retail premises and associated parking is closed (i.e. late at night) or a visitor to the residential component is unable to enter the basement car park.
	(j) An easement shall be provided within the subject site to enable TfNSW unfettered 24/7 access to maintain the signal hardware and assets. The full extent of this easement will be determined post consent as part of the Works Authorisation Deed (WAD) for the proposed Traffic Control Signals.
	(k) All buildings and structures (other than pedestrian footpath awnings), together with any improvements integral to the future use of the site are to be wholly within the future freehold property (unlimited in height or depth), along the future Rutledge Street boundary.
	(l) The developer will be required to provide an upfront fee to cover the first 10 years of maintenance for the proposed traffic control signals.
	(m) There is a section of timed parking permitted on the southern side of Rutledge Street to the west of West Parade (south). As part of the intersection design process, No Stopping restrictions may need to be installed on the southern side of Rutledge Street to meet design requirements. If this is determined to be the case by TfNSW, the parking will need to be removed prior to the operation of the traffic control signals and right turn into the proposed development and will require the applicant to undertake public consultation to the satisfaction of TfNSW.

	Condition
	<p>(n) The proposed signalised T intersection and left turn slip lane on Rutledge Street shall be designed to meet TfNSW requirements and endorsed by a suitably qualified practitioner. The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available on www.transport.nsw.gov.au). The civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of a Construction Certificate and commencement of road works. Please send all documentation to development.sydney@transport.nsw.gov.au. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works. The proposed TCS and associated civil works will require the applicant to enter a Major WAD with TfNSW, which shall be executed, prior to any Construction Certificate for any building structures on the subject site.</p> <p>(o) If a deceleration lane is proposed directly adjacent to the existing lane on Rutledge Street with no separation, a 3.5-metre-wide strip of land shall be dedicated as public road adjacent to the proposed deceleration lane. This land should be registered as a separate lot and dedicated at no cost to TfNSW.</p> <p>(p) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au. If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.</p> <p>(q) Any redundant driveways on the Rutledge Street boundary shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter and new vehicular crossing on Rutledge Street shall be in accordance with TfNSW requirements. Detailed design plans of the proposed kerb and gutter and vehicular crossing are to be submitted to TfNSW for approval prior to the issue of a construction certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.</p> <p>(r) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system on Rutledge Street are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.</p> <p>(s) Any proposed public utility adjustment/relocation works on the state road network will require detailed civil design plans for road opening/underboring to be submitted to TfNSW for review and acceptance prior to the commencement of any works. The developer must also obtain any necessary approvals from the various public utility authorities and/or their agents. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.</p> <p>(t) All vehicles are to enter and leave the site in a forward direction.</p>

	Condition
	<p>(u) All vehicles are to be wholly contained on site or off Rutledge Street before being required to stop.</p> <p>(v) A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.</p>
	Condition reason: To ensure road authority requirements are met.

DEMOLITION WORK

BEFORE DEMOLITION WORK COMMENCES

	Condition
40.	<p>Demolition deposit</p> <p>Before demolition work commences, Council must be provided with a security deposit as determined by Council's fees and charges current at the time of payment.</p> <p>Written evidence of the payment is to be provided to the principal certifier.</p> <p>Condition reason: Statutory requirement.</p>
41.	<p>Asbestos removal signage</p> <p>Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos</p> <p>Condition Reason: To alert the public to any danger arising from the removal of asbestos</p>
42.	<p>Demolition management plan</p> <p>Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person.</p> <p>The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:</p> <ul style="list-style-type: none"> A) The proposed demolition methods B) The materials for and location of protective fencing and any hoardings to the perimeter of the site C) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones D) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles E) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) (including in accordance with AS 4970-2009 Protection of trees on development sites F) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways G) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent

	Condition
	<p>H) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines</p> <p>I) Details of any bulk earthworks to be carried out</p> <p>J) Location of any reusable demolition waste materials to be stored on-site (pending future use)</p> <p>K) Location and type of temporary toilets onsite</p> <p>L) A garbage container with a tight-fitting lid</p> <p>Condition Reason: To provide details of measures for the safe and appropriate disposal of demolition waste and the protection of the public and surrounding environment during the carrying out of demolition works on the site</p>
43.	<p>Discontinue waste bins onsite</p> <p>Prior to demolition works the property owner must complete a discontinue waste services form and submit it to Council so bins can be removed from site. Forms are available on the Council website.</p> <p>Condition reason: To ensure bins are removed from site to reduce potential misuse, contamination, and damage</p>
44.	<p>Disconnection of services before demolition work</p> <p>Before demolition work commences, all services, such as water, telecommunications, gas, electricity and sewerage, must be disconnected in accordance with the relevant authority's requirements.</p> <p>Condition Reason: To protect life, infrastructure and services</p>
45.	<p>Hazardous material survey before demolition</p> <p>Before demolition work commences, a hazardous materials survey of the site must be prepared by a suitably qualified person and a report of the survey results must be provided to council at least one week before demolition commences. Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint.</p> <p>The report must include at least the following information:</p> <p>A) the location of all hazardous material throughout the site.</p> <p>B) a description of the hazardous material.</p> <p>C) the form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust.</p> <p>D) an estimation of the quantity of each hazardous material by volume, number, surface area or weight.</p> <p>E) a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials.</p> <p>F) identification of the disposal sites to which the hazardous materials will be taken.</p> <p>Condition Reason: To require a plan for safely managing hazardous materials</p>
46.	<p>Notice of commencement for demolition</p> <p>At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:</p> <p>A) Name.</p> <p>B) Address.</p> <p>C) contact telephone number.</p> <p>D) licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor.</p> <p>E) the contact telephone number of council.</p> <p>F) the contact telephone number of SafeWork NSW (4921 2900).</p> <p>Condition Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries</p>

	Condition
47.	<p>Site preparation</p> <p>Before demolition work commences the following requirements, as specified in the approved demolition management plan, must be in place until the demolition work and demolition waste removal are complete:</p> <ul style="list-style-type: none"> A) Protective fencing and any hoardings to the perimeter on the site B) Access to and from the site C) Construction traffic management measures D) Protective measures for on-site tree preservation and trees in adjoining public domain E) Onsite temporary toilets F) A garbage container with a tight-fitting lid <p>Condition Reason: To protect workers, the public and the environment</p>
48.	<p>Demolition, Excavation, Construction Noise and Vibration Management Plan</p> <p>A site specific Noise Management Plan shall be developed and submitted to the Principal Certifying Authority prior to the commencement of any demolition, excavation and construction works on site.</p> <p>The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current membership of the Australian Acoustical Society or the Association of Australasian Acoustical Consultants.</p> <p>The Plan must include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Identification of any noise sensitive receivers near to the site; b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers; c) A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of this noise criteria then details of the following must be included in the plan: <ul style="list-style-type: none"> i. Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and ii. Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum. d) Confirmation of the level of community consultation that has/is and will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases; e) Details of the noise and vibration monitoring that is to be undertaken during works; f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact. <p>Condition reason: To ensure noise generated as a result of the development does not impact on the surrounding receivers.</p>

DURING DEMOLITION WORK

	Condition
49.	<p>Handling of asbestos during demolition</p> <p>While demolition work is being carried out, any work involving the removal of asbestos must comply with the following requirements:</p>

	Condition
	<p>A) Only an asbestos removal contractor who holds the required class of Asbestos Licence issued by SafeWork NSW must carry out the removal, handling and disposal of any asbestos material;</p> <p>B) Asbestos waste in any form must be disposed of at a waste facility licensed by the NSW Environment Protection Authority to accept asbestos waste; and</p> <p>C) Any asbestos waste load over 100kg (including asbestos contaminated soil) or 10m² or more of asbestos sheeting must be registered with the EPA on-line reporting tool WasteLocate.</p> <p>Condition Reason: To ensure that the removal of asbestos is undertaken safely and professionally</p>
50.	<p>Site maintenance</p> <p>While demolition work is being carried out, the following requirements, as specified in the approved demolition management plan, must be maintained until the demolition work and demolition waste removal are complete:</p> <p>A) Protective fencing and any hoardings to the perimeter on the site</p> <p>B) Access to and from the site</p> <p>C) Construction traffic management measures</p> <p>D) Protective measures for on-site tree preservation and trees in adjoining public domain</p> <p>E) Onsite temporary toilets</p> <p>F) A garbage container with a tight-fitting lid</p> <p>Condition Reason: To protect workers, the public and the environment</p>
51.	<p>Classification of Waste</p> <p>Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA's Waste Classification Guidelines, Part1: Classifying Waste (2014). The materials must also be transported and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the requirements of their relevant classification.</p> <p>Condition reason: To ensure compliance with relevant requirements and protect the environment.</p>
52.	<p>Disposal of site materials</p> <p>Any materials requiring off-site disposal must be classified, managed and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the NSW Environment Protection Authority's Waste Classification Guidelines.</p> <p>Condition reason: To protect the environment.</p>
53.	<p>Noise control for work sites</p> <p>Any noise generated during demolition must not exceed the limits specified in the Protection of the Environment Operations Act 1997 and in accordance with the NSW EPA Draft Construction Noise Guidelines. Works are to follow the below hours:</p> <ul style="list-style-type: none"> Monday to Friday - 7.00am and 7.00pm (other than public holidays). Saturday - 8.00am and 4.00pm. <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p> <p>Condition reason: To protect the amenity of surrounding properties and the general public.</p>
54.	<p>Asbestos (Handled & Disposed of by Licensed Facility)</p> <p>All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the</p>

	Condition
	Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.
	Condition reason: To ensure appropriate disposal of asbestos materials.
55.	Asbestos (Records of Disposal & Licensed Waste Facility) Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts. Condition reason: To ensure appropriate disposal of asbestos materials.
56.	Demolition - Asbestos <u>Asbestos to be Removed by a Licensed Asbestos Removalist</u> All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (Catalogue No. WC03561). No asbestos products are to be re-used on site. No asbestos laden skips or bins are to be left in any public place without the approval of Council. Notes: a) Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal licence is permitted if the asbestos being removed is 10 m2 or less of non-friable asbestos (approximately the size of a small bathroom). b) Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license. c) To find a licensed asbestos removalist please see www.workcover.nsw.gov.au <u>Compliance with Applicable Legislation, Policies and Codes of Practice</u> Asbestos removal works are to be undertaken in accordance with the following: <ul style="list-style-type: none"> • NSW Work Health and Safety Act and Regulation 2011; • Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)] • NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos;NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace. Condition reason: To ensure compliance with the relevant legislation and to ensure public and work safety.
57.	Site Management All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works. Condition reason: To protect the local amenity.
58.	Importation of Fill All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes. Validation shall take place by one or both of the following methods:

	Condition
	<ul style="list-style-type: none"> Provision of documentation from the supplier certifying that the material is not contaminated based upon analyses of the material for the known past history of the site from where the material was sourced; and/or Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines. <p>Condition reason: To ensure controls are in place for contamination management</p>
59.	<p>Unexpected Finds Protocol</p> <p>A site specific 'Unexpected Finds Protocol' is to be prepared, implemented and made available for reference for all occupants and/or site workers in the event unanticipated contamination is discovered, including asbestos.</p> <p>Condition reason: To ensure waste materials are disposed of safely.</p>
60.	<p>Notification of New Contamination Evidence</p> <p>Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.</p> <p>Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.</p> <p>Where a NSW accredited Site Auditor is engaged in compliance with part (b) above, an occupation certificate must not be issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.</p> <p>Condition reason: To ensure controls are in place for contamination management.</p>
61.	<p>Supervision of remediation works</p> <p>An appropriately qualified environmental consultant must be engaged to supervise all aspects of site remediation and validation.</p> <p>Condition reason: To ensure remediation works are appropriately supervised.</p>
CI Waste Conditions	
62.	<p>Waste resource management</p> <p>While demolition work is being carried out, the waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Development Control Plan for Waste Minimisation and Management must be implemented.</p> <p>Condition reason: To ensure responsible and sustainable disposal and/or recovery of materials generated during works.</p>
63.	<p>Tipping Dockets (demolition)</p> <p>Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.</p> <p>Condition reason: To ensure responsible and sustainable disposal of materials generated during demolition works.</p>

ON COMPLETION OF DEMOLITION WORK

	Condition
64.	<p>Waste disposal verification statement</p> <p>On completion of demolition work:</p>

	Condition
	<p>A) a signed statement must be submitted to the principal certifier verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent, and</p> <p>B) if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to the principal certifier within 14 days of completion of the demolition work.</p>
	Condition Reason: To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
65.	<p>Design amendments</p> <p>Before the issue of the relevant construction certificate, the principal certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:</p> <p>Architectural.</p> <p>a) Awnings are to be amended to be a minimum of 3m depth for the Rowe Street, Rutledge Street and West Parade frontages. The only exception is where the awning would extend beyond the public footpath in which instance it can terminate at the kerbline. All awnings are to comply with the requirements of Clause 3.5.3 in Part 4.1 of the Ryde Development Control plan 2014.</p> <p>b) The Level 02 Podium is to be free of any mechanical plant or equipment including but not limited to air conditioning units on the western edge of the Level 02 podium.</p> <p>c) A 3m wide non-trafficable zone is to be provided adjacent to No. 7 Rutledge Street at the Level 02 Podium of the subject site. The balustrade is to be set back 3.0m from the common boundary to demarcate the non-trafficable zone. The balustrade on the common boundary is to be deleted. The non-trafficable zone can comprise green roof planting only as per the approved landscape plans.</p> <p>d) All plant rooms and lift overruns are to be concealed from public view by architectural designed and compatible screening.</p> <p>Landscaping.</p> <p>The proposed trees in the Public Domain along Rutledge Street and West Parade need increased soil volume to support the proposed species. Soil Cells (such as Strata-Vault) are to be incorporated into the paving design in the Public Domain in these areas.</p> <p>Plant species selected for inclusion within and adjacent to the slip lane off Rutledge Street are not to achieve a height (at maturity) of greater than 0.6m.</p> <p>Engineering (Stormwater).</p>

	Condition
	<p>a) Stormwater Management Plan – The OSD2 storage is located such that it lacks a clear and open failure mode which ensures the conveyance of surcharging stormwater (which may arise due to the blockage of the OSD system) to the public domain. To address this, the storage must have dual line piped overflow directly to a surface pit adjoining the road frontage of Rowe Street at the far western end (i.e. just inside the property, in the fire stairwell exit).</p> <p>b) Stormwater Management Plan – The details for OSD1 are unclear in regard to the provision of a clear and open failure mode which ensures the conveyance of surcharging stormwater (which may arise due to the blockage of the OSD system) to the public domain. With the location of the system adjoining a fire services pump room on the West Parade frontage, the tank is to be reconfigured so as to provide an overflow weir to convey surcharging flows to West Parade.</p> <p>Signage Plans.</p> <p>The signage plans are to be amended to be consistent with the approved architectural drawings, with no increase in signage area, deletion of any business identification signage, and being limited to building identification signage or wayfinding signage only (ref signs: SI01, SI03, SI05, SI07, SI08, SI09 and SI10).</p> <p>Murals to Buildings A and C.</p> <p>The public art strategy is to be updated to also include art murals on the western end of Building A and eastern end of Building C as they abut neighbouring property boundaries. The murals are to be referred to Council for approval.</p> <p>Vehicle Noise Emissions (Trelawney Street Ramp and Driveway Ramp Void) - Acoustic Treatments.</p> <p>Vehicle noise emissions generated from the use of the Trelawney Street vehicle entry and exit ramp, and from the void area above the internal exit ramp from the carpark, are not to result in a noise level that exceeds 5dB(A) above the existing ambient background noise level at surrounding noise-sensitive receivers at 7 Rutledge Street, and are not to generate 'Offensive Noise' as defined in the Protection of the Environment Operations Act 1997".</p> <p>Should the development be unable to satisfy the above requirement, a fixed acoustic screen is to be installed around the void area above the vehicle exit ramp adjacent to the western property boundary to 7 Rutledge Street and the Trelawney Street ramp. The screen may comprise vertical screens around the entire perimeter of the void or a horizontal screen/cover over the entire void area. The screen is to be certified by a qualified Acoustic Engineer and to be rated to limited noise at the property boundary to 5dB(A) above the existing ambient background noise level at surrounding noise-sensitive receivers. Certification is to be provided to the Certifier prior to the issue of a construction certificate.</p> <p>Condition Reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development</p>
66.	<p>Pedestrian Wind Assessment</p> <p>Prior to the issue of the relevant construction certificate, documentation from a wind engineer is to be submitted to the principal certifier demonstrating compliance with the applicable wind criteria as detailed in the Pedestrian Wind Environment Statement prepared by Windtech dated 11 April 2024 submitted with the development application including, but not limited to, implementation of</p>

	Condition						
	<p>an unbroken continuous awning (with the exception of street tree cut-outs and essential service clearance requirements) to entire site frontage to a public road (Rowe Street mall, West Parade and Rutledge Street).</p> <p>The documentation provided by the engineer is to incorporate quantitative wind modelling.</p> <p>Condition Reason: Public amenity.</p>						
67.	<p>Housing and productivity contribution</p> <p>Before the issue of any construction certificate related to Stage 1 as shown in the approved Construction Management Plan comprising:</p> <ul style="list-style-type: none"> • Basement excavation and shoring • The Construction of Basement 1-4 lower ground, ground floor, level 1 and the podium level 2 • Handover of Residential and Retail carparking space • Cold shell handover of Lower Ground Floor commercial tenancies • Cold shell handover of Ground Floor commercial tenancies • Cold Shell handover over of level 1 commercial tenancies • Construction and handover of Buildings A & B • Handover of slip lane along Rutledge Street for vehicle access into site • Handover over of Public Domain Works • Pedestrian Access from Rutledge Street to podium level 2. <p>the housing and productivity contribution (HPC) set out in the table below is required to be made:</p> <table border="1"> <thead> <tr> <th>Housing and productivity contribution</th><th>Amount</th></tr> </thead> <tbody> <tr> <td>Housing and productivity contribution (base component)</td><td>\$4,579,438.74</td></tr> <tr> <td>Total housing and productivity contribution</td><td>\$4,579,438.74</td></tr> </tbody> </table> <p>The HPC must be paid using the NSW planning portal.</p> <p>At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).</p> <p>The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.</p> <p>4</p> <p>The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.</p> <p>The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.</p> <p>Condition Reason: Statutory requirement and to ensure contributions are paid prior to commencement of above ground site works.</p>	Housing and productivity contribution	Amount	Housing and productivity contribution (base component)	\$4,579,438.74	Total housing and productivity contribution	\$4,579,438.74
Housing and productivity contribution	Amount						
Housing and productivity contribution (base component)	\$4,579,438.74						
Total housing and productivity contribution	\$4,579,438.74						
68.	<p>Construction Site Management Plan</p> <p>Before the issue of the relevant construction certificate, a construction site management plan must be prepared, and provided to principal certifier.</p> <p>The plan must include the following matters:</p>						

	Condition
	<p>A) The location and materials for protective fencing and hoardings on the perimeter of the site;</p> <p>B) Provisions for public safety;</p> <p>C) Pedestrian and vehicular site access points and construction activity zones;</p> <p>D) Details of construction traffic management including:</p> <ul style="list-style-type: none"> i. Proposed truck movements to and from the site; ii. Estimated frequency of truck movements; and iii. Measures to ensure pedestrian safety near the site; <p>E) Details of bulk earthworks to be carried out;</p> <p>F) The location of site storage areas and sheds;</p> <p>G) The equipment used to carry out works;</p> <p>H) The location of a garbage container with a tight-fitting lid;</p> <p>I) Dust, noise and vibration control measures;</p> <p>J) The location of temporary toilets;</p> <p>K) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:</p> <ul style="list-style-type: none"> i. AS 4970 – Protection of trees on development sites; ii. An applicable Development Control Plan; iii. An arborist's report approved as part of this consent <p>A copy of the construction site management plan must be kept on-site at all times while work is being carried out.</p> <p>Condition Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction</p>
69.	<p>Long Service Levy</p> <p>Before the issue of any construction certificate related to Stage 1 as shown in the approved Construction Management Plan, the long service levy of 0.25% of the cost of works must be paid to the Long Service Corporation of Council under the <i>Building and Construction industry Long Service Payments Act 1986</i>, section 34, and evidence of the payment is to be provided to principal certifier.</p> <p>Condition Reason: To ensure the long service levy is paid</p>
70.	<p>Payment of security deposits</p> <p>Before the issue of any construction certificate related to Stage 1 as shown in the approved Construction Management Plan, the applicant must:</p> <p>A) make payment for a security deposit to the consent authority under the category of: <i>other buildings with delivery of bricks or concrete or machine excavation</i>, and</p> <p>B) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.</p> <p>Condition Reason: To ensure any damage to public infrastructure is rectified and public works can be completed</p>
71.	<p>Waste Management Plan – an approved document of this consent</p> <p>Before the issue of a construction certificate, a waste management plan for the development must be provided to principal certifier</p> <p>Condition Reason: To ensure resource recovery is promoted and local amenity protected during construction</p>
72.	<p>Utilities and services</p> <p>Before the issue of the relevant construction certificate, written evidence of the following service provider requirements must be provided to the principal certifier:</p>

	Condition
	<p>A) a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity</p> <p>B) a response from Sydney Water as to whether the plans accompanying the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met</p> <p>C) other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them.</p> <p>Condition Reason: To ensure relevant utility and service providers' requirements are provided to the certifier</p>
73.	<p>Clear public access ways</p> <p>Before issue of the relevant construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway.</p> <p>Condition Reason: To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles</p>
74.	<p>Equal access to the premises</p> <p>Before the issue of the relevant construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier.</p> <p>Condition Reason: To ensure safe and easy access to the premises for people with a disability</p>
75.	<p>External lighting</p> <p>Before the issue of the relevant construction certificate, plans detailing external lighting must be prepared by a suitably qualified person.</p> <p>The lighting plan must be consistent with the approved plans and documents, and the following requirements:</p> <p>A) comply with AS 1158: Lighting for Roads and Public Spaces;</p> <p>B) comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting</p> <p>C) lighting must be placed at all entrances to, and exits from the premises</p> <p>D) lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas;</p> <p>E) lighting must not interfere with traffic safety;</p> <p>F) lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and</p> <p>G) external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance.</p> <p>H) Relevant council development control plan</p> <p>The lighting plan must be submitted to the certifier.</p> <p>Note: All above documents refer to the version in effect at the time the consent is granted</p> <p>Condition Reason: To ensure external lighting is provided for safety reasons and to protect the amenity of the local area</p>
76.	<p>Electrical vehicle charging</p> <p>Before the issue of any construction certificate, car parking detailed plans are required to be prepared, and provided to the principal certifier. The plan must include the following matters:</p>

	Condition												
	<p>A) Compliance with Section J9D4 of the NCC 2022</p> <p>B) Electric Vehicle Charging infrastructure to a minimum rate of 10% (rounded up) to each parking category (residential, visitor and commercial/retail).</p> <p>Condition reason: To ensure compliance with the NCC and that the development adequately caters for owners of electric vehicles.</p>												
77.	<p>Fire hydrant enclosure</p> <p>Before the issue of the relevant construction certificate for works above ground/podium slab level, the principal certifier must be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed in a manner that compliments the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.</p> <p>Condition reason: To ensure essential services are appropriately screened.</p>												
78.	<p>Energy efficiency</p> <p>Before the issue of the relevant construction certificate, plans must ensure that all fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) comply with the requirements of Council's DCP Part 7.1 (Energy Smart, Water Wise), to the satisfaction of the principal certifier.</p> <p>Condition reason: To encourage energy efficient buildings.</p>												
79.	<p>Section 7.11 Contribution</p> <p>Before the issue of any construction certificate related to Stage 1 as shown in the approved Construction Management Plan comprising:</p> <ul style="list-style-type: none"> • Basement excavation and shoring • The Construction of Basement 1-4 lower ground, ground floor, level 1 and the podium level 2 • Handover of Residential and Retail carparking space • Cold shell handover of Lower Ground Floor commercial tenancies • Cold shell handover of Ground Floor commercial tenancies • Cold Shell handover over of level 1 commercial tenancies • Construction and handover of Buildings A & B • Handover of slip lane along Rutledge Street for vehicle access into site • Handover over of Public Domain Works • Pedestrian Access from Rutledge Street to podium level 2. <p>a monetary contribution for the services as detailed in the table below must be paid to Council in Column A and for the amount in Column B must be made to Council as follows:</p> <table border="1"> <thead> <tr> <th>Column A – Contribution Type</th><th>Column B – Contribution Amount</th></tr> </thead> <tbody> <tr> <td>Community & Cultural Facilities</td><td>\$2,351,575.41</td></tr> <tr> <td>Open Space & Recreation Facilities</td><td>\$4,049,302.41</td></tr> <tr> <td>Roads & Traffic Management Facilities</td><td>\$1,243,122.06</td></tr> <tr> <td>Plan Administration</td><td>\$114,659.94</td></tr> <tr> <td>Total Contribution</td><td>\$7,758,659.82</td></tr> </tbody> </table> <p>These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.</p> <p>The above amounts are current at the date of this consent and are subject to quarterly adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue</p>	Column A – Contribution Type	Column B – Contribution Amount	Community & Cultural Facilities	\$2,351,575.41	Open Space & Recreation Facilities	\$4,049,302.41	Roads & Traffic Management Facilities	\$1,243,122.06	Plan Administration	\$114,659.94	Total Contribution	\$7,758,659.82
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	Condition
	<p>No 5206.0) – and may result in contribution amounts that differ from those shown above.</p> <p>Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Ryde. Personal or company cheques will not be accepted.</p> <p>A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website http://www.ryde.nsw.gov.au.</p> <p>Details are to be provided to the principal certifier.</p> <p>Condition reason: Statutory requirement and to ensure contributions are paid prior to commencement of above ground site works.</p>
80.	<p>Reflectivity of materials</p> <p>Before the issue of the relevant construction certificate, the principal certifier must ensure that the construction certificate plans demonstrate the roofing and other external materials and finishes are of low glare and reflectivity in accordance with the recommendations of the solar light reflectivity study prepared by Windtech dated 11 April 2024 and submitted with the development application.</p> <p>Condition reason: To ensure the use of appropriate material.</p>
81.	<p>Excavation adjacent to adjoining land</p> <p>Before the issue of the relevant construction certificate, if the development involves excavation that is lower than the base of the footings of a building on adjoining land, the following is required:</p> <ul style="list-style-type: none"> • The person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage. • The person acting on the consent must give notice of at least 7 days to the adjoining owner(s) prior to excavating. <p>An owner of the adjoining land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the land being excavated or on the adjoining land.</p> <p>Details are to be provided to the principal certifier.</p> <p>Condition reason: To protect adjoining land.</p>
Landscape Conditions	
82.	<p>Soil depth over structures</p> <p>Before the issue of the relevant construction certificate, where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements are required to be submitted and approved by the principal certifier.</p> <p>Condition reason: To ensure the sufficient soil depth for plants on structures.</p>
83.	<p>Irrigation</p> <p>Before the issue of the relevant construction certificate, an automatic irrigation system must be notated on the landscape plan. The automatic irrigation system is to be supplied to all landscape areas to ensure adequate water is available to lawns and vegetation. The systems must be fully automated and capable of seasonal adjustments. Details are to be submitted and approved by the principal certifier.</p>

	Condition
	Condition reason: To provide sufficient water for approved lawns and vegetation.
Development Engineer Conditions	
84.	<p>Vehicle Access & Parking</p> <p>All internal driveways, vehicle access ramp, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Off-street Parking standards) for all types of vehicles accessing the parking area.</p> <p>With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for a Construction Certificate:</p> <ol style="list-style-type: none"> All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle. Adaptable parking spaces are to be configured as per the requirements of AS2890.6 wherever possible. That is, where there are adjoining adaptable spaces occupying a net width of 7.2m or more OR an adaptable space is located where there is a clear width of 4.8m available, <p>These amendment(s) must be clearly marked on the plans submitted to the principal certifier prior to the issue of a Construction Certificate.</p> <p>Condition Reason: To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.</p>
85.	<p>Stormwater Management</p> <p>To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and discharged to the approved point of discharge in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management), associated annexures, and generally in accordance with the approved Stormwater Management. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for a Construction Certificate.</p> <p>Condition Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2.</p>
86.	<p>Stormwater Management (Onsite Stormwater Detention)</p> <p>In accordance with Council's community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.</p> <p>As a minimum, the OSD system must:</p> <ol style="list-style-type: none"> provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management).

	Condition
	<p>b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service,</p> <p>c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and</p> <p>d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.</p> <p>Detailed engineering plans and certification demonstrating compliance with this condition & Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) are to be submitted with the application for a Construction Certificate.</p> <p>Condition Reason: To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2.</p>
87.	<p>Stormwater Management (Pump System)</p> <p>The basement pump system must be dual submersible and must be sized and constructed in accordance with Section 9.3 of AS 3500.3 (Stormwater drainage).</p> <p>The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3 (Stormwater drainage), except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council's DCP - Part 8.2 (Stormwater and Floodplain Management).</p> <p>Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.</p> <p>The subsurface drainage system must be designed such to prevent constant, ongoing discharge to the public drainage network. In the presence of constant subsurface seepage which would result in the tank having to discharge frequently (every 2 or 3 days in dry periods) the stormwater system must either discharge directly to the inground public drainage infrastructure or the sump volume increased to accommodate at least 7 days of such seepage.</p> <p>Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the principal certifier, prior to the release of a Construction Certificate for construction of the basement level.</p> <p>Condition Reason: To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards.</p>
88.	<p>Geotechnical Design, Certification and Monitoring Program</p> <p>Before the issue of the relevant Construction Certificate, a suitably qualified and practicing engineer having experience in the geotechnical and hydrogeological fields is to prepare the following documentation:</p> <p>a) Certification that the civil and structural details of all subsurface structures are designed to:</p> <ol style="list-style-type: none"> provide appropriate support and retention to neighbouring property, ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,

	Condition
	<p>iii. ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.</p> <p>b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that:</p> <ul style="list-style-type: none"> i. is based on a geotechnical investigation of the site and subsurface conditions, including groundwater, ii. details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard; iii. details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer, iv. details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded, and v. is in accordance with the recommendations of any approved Geotechnical Report. <p>Details are to be provided to the principal certifier for approval.</p> <p>Condition Reason: To ensure there are no adverse impacts arising from excavation works.</p>
89.	<p>Site Dewatering Plan</p> <p>A Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.</p> <p>The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following:</p> <ul style="list-style-type: none"> a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation. b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated. c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where possible. d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb. e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater. g) Any details, approval or conditions concerning dewatering (e.g. dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation. h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act 1993.

	Condition
	<p>Condition Reason: To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems.</p>
90.	<p>Erosion and Sediment Control Plan</p> <p>An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by NSW Department – Office of Environment and Heritage and must contain the following information;</p> <ul style="list-style-type: none"> a) Existing and final contours. b) The location of all earthworks, including roads, areas of cut and fill. c) Location of all impervious areas. d) Location and design criteria of erosion and sediment control structures. e) Location and description of existing vegetation. f) Site access point/s and means of limiting material leaving the site. g) Location of proposed vegetated buffer strips. h) Location of critical areas (drainage lines, water bodies and unstable slopes). i) Location of stockpiles. j) Means of diversion of uncontaminated upper catchment around disturbed areas. k) Procedures for maintenance of erosion and sediment controls. l) Details for any staging of works. m) Details and procedures for dust control. <p>The ESCP must be submitted with the application for a Construction Certificate.</p> <p>Condition Reason: To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.</p>
91.	<p>Dilapidation Survey</p> <p>A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include:</p> <ul style="list-style-type: none"> a) 140, 142, 144, 148-150, 192, 194, 196 and 200 Rowe Street. b) 7 Rutledge Street. c) Vehicle access ramp from Trelawney Street frontage. <p>A copy of the dilapidation survey is to be submitted to the principal certifier and City of Ryde prior to the release of the Construction Certificate.</p> <p>Condition Reason: To clarify any claims of damage made by adjoining property owners.</p>
92.	<p>Service Vehicle Access</p> <p>Before the issue of the relevant Construction Certificate, a suitably qualified Traffic Engineer must submit a vehicle swept path analysis and overhead clearance profile based on the final structural plans, demonstrating that the largest/longest vehicle required to access the site can enter, turnaround within the internal loading/manoeuvring areas and exit the site in a safe and efficient manner.</p> <p>These plans are to be submitted to the principal certifier and include the following information:</p> <ul style="list-style-type: none"> a) Ramp grades;

	Condition
	<ul style="list-style-type: none"> b) Transitions and height clearance for the safe forward in and forward out access of an AV design vehicle (as per AS2890.2); c) The minimum clearance height of 4.5m, measured from the floor level to the lowest point of any overhead structures/services; and d) Swept paths diagrams including details of the road, kerb line, line marking, signs, traffic devices, power poles, other structures, and neighbouring driveway. <p>Condition Reason: To ensure service vehicles are provided with the necessary access and clearance.</p>
CI Drainage Conditions	
93.	<p>Stormwater - Council drainage (reflux valve)</p> <p>Before the issue of any construction certificate, a design certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, must be prepared and provided to the principal certifier.</p> <p>The design certificate must confirm that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 1% AEP (100 year ARI).</p> <p>Condition reason: To ensure no water from Council's stormwater drainage network enters the site.</p>
94.	<p>Stormwater - Council Drainage – Pit Connection Details</p> <p>Before the issue of any construction certificate, a detailed stormwater plan prepared by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, must be prepared and provided to the principal certifier demonstrating the proposed site drainage connection to the {existing Council kerb inlet pit} shall be made via a uPVC pipe. The site drainage connection pipe shall be cut flush with the internal wall of the pit and should enter the pit perpendicular to the pit wall.</p> <p>Amended stormwater plans complying with this condition shall be submitted to and approved by Council's City Infrastructure Department prior to the issue of the Construction Certificate. The plans shall be prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng).</p> <p>Condition reason: To ensure connection to pit compliance with Council's DCP and Australian Standards.</p>
95.	<p>Stormwater (drainage design submission)</p> <p>Before the issue of any construction certificate, drainage design plans are to be prepared and certified by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) and provided to Council's City Infrastructure Department for approval. The plans must include the following:</p> <ul style="list-style-type: none"> a) Location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e., utility services). b) A drainage system longitudinal section showing the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e., utility services). c) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on Civil Plans prepared by TTW Pty Ltd, (Project No. 231727, Revision D and dated 31 July 2024) is to be confirmed by a suitably qualified surveyor.

	Condition
	<p>d) Special details including non-standard pits, pit benching and transitions must be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.</p> <p>e) Any stormwater pit with a depth greater than 1.8 metres.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges current at the time of payment).</p> <p>Condition reason: To ensure the stormwater civil design complies with the Australian Standards and Council's requirements and has sufficient details to obtain a construction certificate.</p>
96.	<p>Flood and overland flow protection</p> <p>Before the issue of any construction certificate, A compliance certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, confirming the development is in accordance with the requirements of this condition must be submitted to the principal certifier. The certificate must state that: In accordance with the floodplain management controls stated within Council's DCP Part 8.2 (Stormwater and Floodplain Management), the following measures will be implemented in the development:</p> <p>a) All recommendations provided in the approved Flood and Overland Flow Report.</p> <p>b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed lower than the approved Flood and Overland Flow Report.</p> <p>c) All structures subject to flooding and overland flows must be constructed of flood compatible building components.</p> <p>d) All electrical service outlets and junctions must be elevated at least 500mm above the immediate 100yr ARI flood level.</p> <p>e) External structures subject to flooding and overland flows must be structurally designed to withstand the forces imposed by these flows, including forces imposed by floating debris and buoyancy.</p> <p>f) All basement carpark areas must be designed to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.</p> <p>g) flood gates may be used to protect the basement; however, they do not replace the required basement crest levels to meet the PMF (Probable Maximum Flood) standard.</p> <p>Condition reason: To ensure that the development implements measures to minimise the risk of flood inundation and flood impacts.</p>
CI Public Domain Conditions	
97.	<p>Design Certificate for Public Domain Improvements</p> <p>Before the issue of the relevant construction certificate, public domain plans are required to be prepared and approved by Council. The plan must include:</p> <p>(a) Footpath paving as specified in the condition of consent for public infrastructure works.</p> <p>(b) Street trees to be provided in accordance with the Eastwood Street Tree Master Plan. The designated species are "Acer negundo" (Box Elder) for Rowe Street and West Parade, and "Angophora floribunda" (Rough-barked Apple) for Rutledge Street. Any replacement and newly designated tree species are subject to the approval of Council's tree management officer.</p> <p>Note: In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no</p>

	Condition
	<p>conflicts with the proposed street lights, utilities and driveway accesses. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.</p> <p>(c) All telecommunication and utility services are to be placed underground along the Rutledge Street, West Parade, Rowe Street and Trelawney Street frontages. The extent of works required to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.</p> <p>For the undergrounding of existing overhead electricity network, the requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.</p> <p>The existing high voltage power transmission lines along Rutledge Street must be undergrounded as per option 2 of the Electrical Consultant Advice report prepared by Triplex Electrical Services, Project TE313, dated 07/04/24.</p> <p>(e) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158 Lighting for Roads and Public Spaces. Subject to design with a minimum vehicular and pedestrian luminance category for each frontage, minimum lighting luminaires to be provided as follows:</p> <ul style="list-style-type: none"> (i) Rutledge Street: six new street lights, with a minimum vehicular luminance category V3 and pedestrian luminance category P2 (ii) West Parade: four new street lights, with a minimum vehicular luminance category V5 and pedestrian luminance category P2 (iii) Rowe Street: three new street lights, with a minimum vehicular luminance category V5 and pedestrian luminance category P2 (iv) Trelawney Street: Minimum vehicular luminance category V5 and pedestrian luminance category P2 (v) All raised pedestrian crossings to be designed to achieve PX3 subcategory luminance. <p>Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 3 – Eastwood. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.</p> <p>Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges).</p> <p>The approval public domain plans and documentation are to be presented to the Principal Certifier.</p>

	Condition
	Condition Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments.
98.	<p>Design Certificate for Public Infrastructure Improvements</p> <p>Before the issue of the relevant construction certificate, public infrastructure plans are required to be prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to and approved by Council's City Infrastructure Directorate. Confirmation of Council approval is to be provided to the principal certifier. The plans shall be in accordance with City of Ryde DCP 2014 Part 8.5 — Public Civil Works, and DCP 2014 Part 8.2 — Stormwater Management, where applicable and must include:</p> <p>The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and line-marking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed road and footpath works into the remaining street scape for the following infrastructure works.</p> <ol style="list-style-type: none"> (a) The full road reconstruction of the following street frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 – Public Civil Works, Clause 1.1.4. <ol style="list-style-type: none"> (i) Rutledge Street – 1 Lane width, full depth road reconstruction in liaison with TfNSW for the frontage of the site. (ii) West Parade– Full Road width, full depth road reconstruction. (iii) Rowe Street – Half Road width, full depth road reconstruction for the frontage of the development works. (iv) Trelawney Street - Half Road width, full depth road reconstruction for the frontage of the development driveway width. (b) The reconstruction of all kerb and gutter along all 4 street frontages of the development site. Proposed kerb profiles and realigned kerb setbacks are to be provided to ensure proper connections to existing kerb and gutter along the street frontage. A long section plan demonstrating the kerb invert, back of kerb and adjacent footpath levels needs to be provided to demonstrate adequate stormwater drainage along the kerb gutter. (c) Construction of granite footway along the Rutledge Street, West Parade and Rowe Street frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual. The driveway crossover along Trelawny Street must be reconstructed and upgraded in accordance with the City of Ryde Public Domain Technical Manual. (d) Stormwater drainage installations in the public domain in accordance with the DA approved plans. (e) Upgrade of Street lighting luminaires and columns to Multi-Function Poles in accordance with the City of Ryde Street Lighting requirements to comply with AS/NZS 1158. (f) Stormwater drainage installations in the public domain in accordance with the DA approved plans. (g) Upgrade of Street lighting luminaires and columns to Multi-Function Poles in accordance with the City of Ryde Street Lighting requirements to comply with AS/NZS 1158. (h) Any VPA requirements involving the upgrade of the Rowe Street Mall precinct Public Domain must be harmonised as part of this development's Public Domain Civil drawings at the time of Construction Certificate approval. Any design levels and civil specifications set out in the Rowe Street Mall masterplan must be included within the final Design Drawings package submitted to Council. Where the VPA agreement between Council is a

	Condition
	<p>monetary contribution, the development applicant will not be required to undertake any design or construction of the Mall upgrade.</p> <p>Notes:</p> <ol style="list-style-type: none"> 1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building. 2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks. 3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8–5 - Public Civil Works, Section 5 "Standards Enforcement". A checklist has also been prepared to provide guidance and is available upon request to Council's City Infrastructure Directorate. 4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however, Council's title block shall not be replicated. <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges). The approval public domain plans and documentation are to be presented to the Principal Certifier.</p> <p>Condition Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments.</p>
99.	<p>Public domain works – Defects Liability Bond</p> <p>To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development.</p> <p>The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period.</p> <p>Before the issue of the construction certificate, a public domain defects and security bond must be paid to Council in the form of a cash deposit or Bank Guarantee of \$1,000,000 with details provided to the principal certifier</p> <p>Note: The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the 12 months defects liability period.</p> <p>Condition reason: To ensure compliance with specifications and identification of defects not visible at final inspection.</p>
100.	<p>Anticipated assets register (changes to council assets)</p> <p>Before the issue of any construction certificate, an anticipated asset register is to be prepared to the satisfaction of Council's City Infrastructure Department with confirmation provided to the principal certifier. The anticipated asset register must include but not limited to the following:</p> <ul style="list-style-type: none"> • New road pavement. • New Multi-Function Poles (MFPs). • New concrete and/or granite footways. • New street trees and tree pits.

	Condition
	<ul style="list-style-type: none"> • Street furniture. • Kerb and gutter. • Driveways crossovers and laybacks. <p>Condition reason: To record the anticipated civil works to be completed with the development.</p>
101.	<p>Retaining Walls within Public Land</p> <p>Before the issue of the relevant construction certificate, any proposed retaining wall design plans prepared by an appropriately qualified and practising structural engineer must be provided to Council for approval with confirmation provided to the principal certifier. The design plan must note that:</p> <ul style="list-style-type: none"> • Retaining walls greater than 1000 mm high or retaining more than 600 mm of cut or fill proposed to be located within public land are to be designed by a Structural Engineer and must have subsoil drainage connected to the public drainage system. <p>Generally, the construction of any retaining wall structures within the Council public domain must be prevented, and the components of any boundary retaining walls, including subsoil drainage, must be located entirely within private property. The subsoil drainage lines of the retaining walls must be shown on the stormwater drainage concept plan.</p> <p>Condition reason: To ensure public safety and protection of infrastructure.</p>
CI Traffic Conditions	
102.	<p>Road safety audit</p> <p>Before the issue of the relevant construction certificate, a detailed design Road Safety Audit report on any new traffic and road upgrades must be submitted to the satisfaction of Council's Traffic Services Department. The Audit report must include the following information, at a minimum:</p> <ul style="list-style-type: none"> (a) Civil design of any new traffic and road upgrade; and (b) Identification of any deficiencies in the design representing a safety risk to the public. <p>The person acting on this consent is required to address all deficiencies identified within the Audit report to the satisfaction of Council. Confirmation of Council approval is to be provided to the principal certifier.</p> <p>Condition reason: To ensure safety and amenity of all road users.</p>
103.	<p>Construction pedestrian and traffic management plan</p> <p>Before the issue of a construction certificate, a Construction Pedestrian and Traffic Management Plan (CPTMP) shall be prepared by a suitably qualified traffic engineer and submitted to and approved by Council's Traffic Services Department. Confirmation of Council's acceptance of the CPTMP is to be provided to the principal certifier.</p> <p>Truck movements are to be restricted to outside of peak weekday commuter periods between 7:00am – 9:00am and 4:00pm – 6:00pm to minimise impact on Eastwood Town Centre Precinct. Truck movements must be agreed with Council's Traffic Services Department prior to submission of the CPTMP.</p> <p>All fees and charges associated with the review of this plan are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Traffic Services Department for the CPTMP.</p> <p>The CPTMP must include but not limited to the following:</p>

	Condition
	<p>(a) Provision for all construction materials to be stored on site, at all times.</p> <p>(b) Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.</p> <p>(c) Make provision for parking onsite once the basement level parking is constructed. All Staff and contractors are to use the basement parking once available.</p> <p>(d) Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing / queuing in a public roadway / domain in the vicinity of the site are not permitted unless approved by Council's Traffic Services Department.</p> <p>(e) Include Traffic Control Plan(s)/Traffic Guidance Scheme(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.</p> <p>(f) Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.</p> <p>(g) Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.</p> <p>(h) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.</p> <p>(i) Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.</p> <p>(j) Specify spoil management process and facilities to be used on site.</p> <p>(k) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.</p> <p>(l) Comply with relevant sections of the following documents:</p> <ul style="list-style-type: none"> (i) The Australian Standard <i>Manual of Uniform Traffic Control Devices</i> (AS1742.3-2019), (ii) TfNSW' <i>Traffic Control at Work Sites</i> technical manual; and (iii) Part 8.1 of City of Ryde <i>Development Control Plan 2014: Construction Activities</i>.
	Condition reason: To ensure safety and amenity of all road users.
104.	<p>Traffic control device(s) (approval)</p> <p>Before the issue of the relevant construction certificate, detailed engineering design plans must be prepared to the satisfaction of Council's Traffic Services Department for endorsement for Ryde Traffic Committee and subsequent approval by Council (by Council Resolution). Details of this approval are to be provided to the principal certifier.</p> <p>The engineering design plans must include:</p> <p>(a) Traffic control signals at the site's access point with Rutledge Street and the associated slip lane onto the site in accordance with the requirements of TfNSW.</p>

	Condition
	<p>(b) Upgrade of the existing at-grade pedestrian crossing at the intersection of Trelawney Street and Rowe Street to raised pedestrian crossing.</p> <p>(c) 'Keep Clear' pavement marking on Trelawney Street's southbound lanes at the site's access driveway.</p> <p>Note: The person acting on the consent is advised that Ryde Traffic Committee generally meets once a month. As such, adequate time should be allowed for the review and approval process.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's fees and charges).</p> <p>Condition reason: To ensure maintenance of traffic flow and safety on the surrounding road network.</p>
CI Waste Conditions	
105.	<p>Waste storage areas</p> <p>Before the issue of the relevant construction certificate, the principal certifier must be satisfied the construction certificate plans ensure that all waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through the opening including the door as follows:</p> <ul style="list-style-type: none"> • 1,100L bins - width 1.4m, depth 1.1m, height 1.4m; • 660L bins - width 1.3m, depth 0.8m, height 1.3m; and • 240L bins - width 0.6m, depth 0.8m, height 1.1m. <p>Condition reason: To ensure all bins fit through the required storage doorway.</p>
106.	<p>Waste storage within apartments</p> <p>Before the issue of the relevant construction certificate, the principal certifier must be satisfied the Construction Certificate plans ensure two separate receptacles must be provided inside each dwelling to store up to two days' worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables.</p> <p>Condition reason: To ensure residents are provided with dedicated spaces for waste and recycling bins for source separation.</p>
107.	<p>Waste storage (design)</p> <p>Before the issue of the relevant construction certificate, the principal certifier must be satisfied the Construction Certificate plans ensure that all general, recycling, and bulky item waste rooms are in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) The rooms must be of adequate dimensions to accommodate all waste containers, and allow easy access to the containers for users and servicing purposes; (b) The floor must be of concrete construction with a smooth and even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewer system; (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water; (d) The walls must be constructed of brick, concrete blocks, or similar solid material, and cement rendered to a smooth even surface and painted with a light-coloured washable paint; (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light-coloured washable paint; (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;

	Condition
	<p>(g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;</p> <p>(h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;</p> <p>(i) The room must be provided with adequate artificial lighting; and</p> <p>(j) A hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.</p> <p>Condition reason: To ensure waste collection areas are appropriately designed during building operations.</p>
108.	<p>Waste management plan (changes)</p> <p>Before the issue of the relevant construction certificate, the Waste Management Plan prepared by TTM Consulting, dated 27/09/2024 and submitted 4/10/2024 must be updated to remove:</p> <p>(a) references to BCC as this development is contained within the City of Ryde</p> <p>(b) inconsistency with domestic recycling collection references which state thrice weekly, domestic recycling is collected twice weekly</p> <p>(c) references to domestic food organics collection frequency, the number of bins will remain.</p> <p>Changes must be approved by Council's Waste Department.</p> <p>Condition reason: To ensure appropriate waste management</p>
109.	<p>Architectural plans (changes)</p> <p>Before the issue of the relevant construction certificate, the approved Architectural plans prepared by AJC Architects, must be updated to:</p> <p>(a) Ensure food waste storage areas are not shared with the chute discharge room. Residents must not have access to the chute discharge rooms.</p> <p>(b) Provide sufficient space for bins to be move from the commercial waste room to the collection area. Currently, the space between the residential bulky waste storage room and the wall don't provide efficient access for bins to be regularly moved.</p> <p>Changes must be approved by Council's Waste Department.</p> <p>Condition reason: To ensure appropriate waste management</p>
110.	<p>Waste collection on private driveways and roads</p> <p>Prior to issue of the relevant construction certificate, details of the private roads and driveways used for waste collection are to be submitted to Council's Waste Department to confirmed that they are rated for 24 tonne trucks. Confirmation of Council approval is to be provided to the principal certifier.</p> <p>Condition reason: To ensure driveways are designed for continues impact from heavy waste collection vehicles.</p>
Environmental Health Conditions	
111.	<p>Detailed Site Investigation Report</p> <p>The applicant must submit a detailed site investigation report for Council's consideration.</p> <p>The detailed site investigation report must comply with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2020) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.</p> <p>If remediation is required the report should also set out the remediation options available for the site.</p>

	Condition
	Condition reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021
112.	Remediation Action Plan A Remediation Action Plan prepared by a suitably qualified person shall be provided to the Certifying Authority and Council. The Remedial Action Plan should be prepared in accordance with the requirements of “Managing Land Contamination Planning Guidelines SEPP No. 55 Remediation of Land”. Note: No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation Condition Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021
113.	Validation Report A validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates: a) compliance with the approved RAP. b) that the remediation acceptance criteria (in the approved RAP) have been fully complied with. c) that all remediation works undertaken comply with the contaminated lands planning guidelines, Contaminated Lands Management Act 1997, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council’s Management of Contaminated Lands Policy. and includes: d) Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor. e) a “notice of completion of remediation work” as required under Clause 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021; and f) a statement confirming that the site following remediation of contamination is suitable for the intended use. Condition Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997
114.	Site Audit Statement A NSW Environment Protection Authority accredited Site Auditor must review the validation report and submit to Council a Site Audit Statement. The Site Audit Statement must verify that the remediation and validation was carried out in accordance with the guidelines mentioned below and that the site is suitable for the proposed use: a) NSW Environment Protection Authority’s <i>Guidelines for Consultants Reporting on Contaminated Sites</i> b) NSW Environment Protection Authority’s Sampling Design Guidelines – Part 1 (Application) Part 2 (Interpretation). c) NSW Environmental Protection Authority’s Contaminated Sites: Guidelines for NSW Site Auditor Scheme 3rd edition. d) National Environment Protection Council (NEPC) National Environment Protection (Assessment of Site Contamination Measure) as amended. e) NSW Environment Protection Authority’s Waste Classification Guidelines, Part 1: Classifying Waste Condition reason: To ensure the site is suitable for the proposed development.
115.	Erosion and sediment control plan

	Condition
	<p>Before the issue of the relevant construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to principal certifier:</p> <ul style="list-style-type: none"> a) Council's relevant development control plan, b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). <p>Condition Reason: To ensure no substance other than rainwater enters the stormwater system and waterways</p>
116.	<p>Provision of detailed plans for construction certificate application</p> <p>Before the issue of the relevant construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.</p> <p>Detailed plans must also show the following:</p> <ul style="list-style-type: none"> a) Acoustic measures. b) Mechanical ventilation. <p>Condition reason: To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation.</p>
117.	<p>Noise impact on residential building</p> <p>Prior to the issue of the relevant Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:</p> <ul style="list-style-type: none"> a) In any bedroom in the building: 35dB(A) between 10pm – 7am. b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time. <p>Condition reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP</p>
118.	<p>Apartment Noise Attenuation Design</p> <p>Before the issue of the relevant construction certificate, a qualified acoustical engineer with membership of the Association of Australasian Acoustical Consultants (AAAC) must certify that the internal party walls between the bedroom and the living room of adjoining separate apartments has been designed to minimise the noise intrusion from any internal or external noise source and when constructed achieve a 5 star rating under the AAAC Guideline for Apartment and Townhouse Acoustic rating Version 1.0.</p> <p>Details of compliance are to be submitted with the relevant plans for a Construction Certificate to the satisfaction of the principal certifier.</p> <p>Condition reason: To comply with the best practice standards for residential acoustic amenity.</p>
119.	<p>Detailed acoustic review</p> <p>Prior to the issue of the relevant Construction Certificate, a detailed assessment is to be undertaken by a suitably qualified* acoustic consultant, to determine the appropriate acoustic treatments required to control noise emissions from mechanical plant and other operational noise sources to ensure the project</p>

	Condition
	<p>specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in the consent will be complied with.</p> <p>Note: Suitably qualified Acoustic Consultant means a consultant who holds a current member grade of the Australian Acoustics Society.</p> <p>Condition reason: To ensure appropriate noise attenuation measures are used.</p>
120.	<p>Compliance with Acoustic Report</p> <p>Prior to the issue of the relevant Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified Acoustic Consultant* to be in accordance with any requirements and recommendations of the approved acoustic report.</p> <p>*Note: Suitably qualified Acoustic Consultant means a consultant who holds a current member grade of the Australian Acoustics Society.</p> <p>Condition reason: To ensure appropriate noise attenuation measures are used.</p>
121.	<p>Demolition, Excavation, Construction Noise and Vibration Management Plan</p> <p>A site specific Noise Management Plan shall be developed and submitted to the Principal Certifying Authority and Council prior to the commencement of any demolition, excavation and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.</p> <p>The Plan must include but not be limited to the following:</p> <ol style="list-style-type: none"> Identification of any noise sensitive receivers near to the site; A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers; A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of this noise criteria then details of the following must be included in the plan: <ol style="list-style-type: none"> Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum. Confirmation of the level of community consultation that has/is and will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases; Details of the noise and vibration monitoring that is to be undertaken during works; The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact. <p>Condition reason: Environmental and residential protection</p>
122.	<p>Mechanical Ventilation - Certification of Compliance</p> <p>Details of any mechanical ventilation and/or air handling system must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the National Construction Code 2019, to the satisfaction of the Council or Registered Certifier prior to the issue of a Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings and relevant Australian Standards.</p> <p>Condition reason: To ensure adequate mechanical ventilation is provided.</p>

	Condition
123.	<p>Food Premises - Detailed Plans</p> <p>Detailed and scaled plans of all kitchens, bar, food preparation, waste and storage areas, food handler toilets and all areas associated with the food business must be prepared in accordance with the Australia New Zealand Food Standards Code - 3.2.3 - Food Premises and Equipment under the Food Act 2003 and AS 4674 - Design, Construction and Fit-out of Food Premises.</p> <p>A copy of these plans must be submitted to and approved by Council or Registered Certifier as being compliant with the required standards prior to the issue of the Construction Certificate.</p> <p>Condition reason: To ensure the food premises fit-out complies with relevant food safety legislation and standards.</p>
124.	<p>Sydney Water Tap in Approvals</p> <p>The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.</p> <p>The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.</p> <p>Condition reason: Statutory requirement.</p>
125.	<p>Dewatering</p> <p>A Site Dewatering Plan (SDP) must be prepared and submitted with the application for a construction certificate. The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following:</p> <ol style="list-style-type: none"> All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation. Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated. Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where possible. The maximum rate of discharge is to be limited to the sites determined SDP rate or 30L/s if discharging to the kerb. Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP Part 8.2 (Stormwater and Floodplain Management) and associated annexures. Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater. Any details, approval or conditions concerning dewatering (e.g., Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation. Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act 1993. <p>Condition reason: To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and</p>

	Condition
	without detrimental impacts to neighbouring properties and downstream water systems.
126.	<p>Dewatering Management Plan</p> <p>The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the construction certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan."</p> <p>The requirements of Council in regard to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under Water Act 1912 in association with the works must be implemented. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.</p> <p>Condition reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.</p>
127.	<p>Public Arts Plan.</p> <p>A Public Arts Plan is to be provided as part of the proposed development. A Public Arts Plan is to be submitted for approval by Council prior to the issue of Construction Certificate (for above ground works).</p> <p>The public art shall be equal to approximately 0.1% of the estimated total construction cost and is to be prepared by an arts and cultural planner and will be required to address the following:</p> <ul style="list-style-type: none"> • Identify opportunities for the integration of public art in the proposed development. • Identify themes for public art consistent with Part 4.2 of DCP 2014 & options considered. • Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area. • The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate. • The proposal should provide engineer's drawings and demonstrate: <ul style="list-style-type: none"> ○ Australian building standards requirements and codes for the structural design. ○ Sound practices for fabrication and construction, and materials appropriate for application. ○ Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work. <p>Condition reason: Public amenity and to ensure the delivery of public art.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
128.	<p>Sediment and Erosion Control</p> <p>Before any site work commences, the principal certifier, must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place.</p> <p>These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>

	Condition
129.	<p>Dilapidation report</p> <p>Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier.</p> <p>Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier, that all reasonable steps were taken to obtain access to the adjoining properties.</p> <p>No less than 14 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to Council at the same time.</p> <p>Condition Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report</p>
130.	<p>Safety fencing</p> <p>Before any site works commences, the site must be fenced and maintained throughout demolition and construction and must comply with SafeWork NSW requirements and be a minimum of 1.8m in height</p> <p>Condition reason: Statutory requirement.</p>
131.	<p>Proposed property addressing</p> <p>Before any site work commences an "Addressing of New Developments" form must be lodged with Council. Details are to be provided to the principal certifier.</p> <p>Condition reason: To ensure the address of the development meets Council's requirements.</p>
132.	<p>Provision of contact details and neighbour notification</p> <p>Before any site work commences, (at least 7 days) City of Ryde must be notified of the following particulars:</p> <ul style="list-style-type: none"> a) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and b) The date the work is due to commence and the expected completion date. <p>A written notice must be placed in the letter box of each adjoining property advising of the date the work is due to commence.</p> <p>Condition reason: To ensure Council and adjoining properties are notified of demolition works.</p>
133.	<p>Demolition work method statement</p> <p>Before site demolition works commence, a Demolition Work Method Statement prepared by a licensed demolisher who is registered with SafeWork NSW in accordance with AS 2601-2001: The Demolition of Structures, or its latest version must be provided to principal certifier.</p> <p>Condition reason: To ensure work is carried out in an appropriate manner.</p>
134.	<p>Property above/below footpath level</p> <p>Before site works commence, where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken, either by means of constructing approved retaining structures or batters entirely on the subject property, to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.</p> <p>Condition reason: To preserve public safety.</p>
CI Drainage Conditions	
135.	Stormwater (pre-construction CCTV report)

	Condition
	<p>Before any site work commences, an electronic closed circuit television report (track mounted CCTV camera footage) must be prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site, to the satisfaction of Council.</p> <p>Note: The person acting on the consent must contact Council's City Infrastructure Department to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.</p> <p>All fees and charges associated with the review of the report must be in accordance with Council's fees and charges and must be paid at the time that the report is submitted.</p> <p>Condition reason: To verify the structural integrity of the stormwater network.</p>
136.	<p>Stormwater (council drainage - structural adequacy)</p> <p>Before any site work commences, structural stormwater pit certification must be prepared and provided to the principal certifier. The certification must include the following items:</p> <ul style="list-style-type: none"> (a) Survey of Council's stormwater pit to which connection will occur; and (b) Certification that the stormwater pit is structurally capable of received upstream connection. (c) If any stormwater pit is deemed appropriate to be replaced, the stormwater pit and kerb inlet pits must be cast in-situ and conform to Council's standard drainage pit details. <p>Condition reason: To verify the structural integrity of the stormwater network.</p>
137.	<p>Notice of intention to commence (council drainage works)</p> <p>Before any drainage works commence, Council's City Infrastructure Department is to be notified a minimum of 2 weeks prior to the proposed commencement date.</p> <p>The notification must include:</p> <ul style="list-style-type: none"> (a) Details of the Contractor performing for works. (b) Details of the Supervising Engineer responsible for certification of works during construction. (c) Details of all relevant Road Activity Permits. <p>Condition reason: To ensure Council's City Infrastructure Department is notified about the intention of commencing drainage works.</p>
138.	<p>Notification to adjacent properties (council drainage works)</p> <p>Before any drainage works commence, written notification to adjoining owners and occupiers must be provided a minimum 2 weeks prior to commencement of works. The notice must include a contact person name and number, should adjoining owners and occupiers have any enquiries in relation to the works.</p> <p>All structures and surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner(s).</p> <p>Condition reason: To ensure adjacent properties are notified about the intention of commencing drainage works.</p>
CI Public Domain Conditions	
139.	<p>Pre-Construction Dilapidation Report</p> <p>To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The</p>

	Condition
	<p>report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.</p> <p>(a) Road pavement, (b) Kerb and gutter, (c) Footpath, (d) Drainage pits, (e) Traffic signs, and (f) Any other relevant infrastructure.</p> <p>The report is to be dated and submitted to, and approved by Council's City Infrastructure Directorate, prior to any work commencing.</p> <p>All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time of the Dilapidation Report is submitted. An acknowledgement notification will be issued by Council once the relevant fees are received and the report is considered satisfactory.</p> <p>Condition reason: To ensure protection of Council's infrastructure.</p>
140.	<p>Ground anchors</p> <p>Before any site works commences, if ground anchors are required to be installed as part of the development, approval from Council's City Infrastructure Directorate is required under section 138 of the Roads Act 1993 with confirmation provided to the principal certifier. As part of this approval detailed structural engineering plans must be prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. Approval will be subject to:</p> <p>(a) Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met; (b) The payment of all fees in accordance with Council's fees and charges at the time of the issue of the approval; and (c) The provision of a copy of the Public Liability insurance cover of not less than \$20 million with Council's interest noted on the policy. The policy must remain valid until the de-commissioning of the ground anchors.</p> <p>Condition reason: To ensure public services and public domain are not adversely impacted.</p>
CI Traffic Conditions	
141.	<p>Road occupancy licence</p> <p>Before any site works commences, a Road Occupancy Licence (ROL) obtained from NSW Transport Management Centre must be submitted to Council's Traffic Services Department and the principal certifier for any works that may impact on traffic flows on a State Road (e.g., lane closures, etc.) and/or within 100m of a signalised intersection.</p> <p>Condition reason: To satisfy Transport for NSW requirements.</p>
Landscape Conditions	
142.	<p>Recommendations from expert report</p> <p>The recommendations provided in the Arboricultural Impact Assessment prepared by Advanced Treescape Consulting dated 15/04/2024 outlined in: "Section 5.4 Discussion of Impacts", are to be implemented.</p>

	Condition
	Condition reason: To ensure the recommendations of the expert report are implemented.
143.	Tree Retention Before any site work commences, the following trees as identified in the Arboricultural Impact Assessment (AIA) prepared by Advanced Treescape Consulting dated 15/04/2024 shall be retained and protected: Trees 28 to 32. Condition Reason: To ensure the health of existing trees to be retained.
144.	Tree Protection Before any site work commences, all tree protection works including installation of any fencing is to be undertaken which include the following as indicated in the Arboricultural Impact Assessment "Section 6 Tree Protection Plan" prepared by Advanced Treescape Consulting dated 15/04/2024. Condition reason: To protect existing trees to be retained before any works on site commences.
145.	Project Arborist Before any site work commences, a Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. All work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. Condition Reason: To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site.
146.	Project Arborist – Contact Details Before any site work commences, City of Ryde is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, City of Ryde is to be notified, in writing, within 7 working days. Condition Reason: To ensure the Project Arborist can be readily contacted in regard to the required tree protection measures.

DURING BUILDING WORK

	Condition
147.	Hours of work Site work must only be carried out between the following times: <ul style="list-style-type: none"> Monday to Friday - 7.00am and 7.00pm (other than public holidays). Saturday - 8.00am and 4.00pm. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority. Condition Reason: To protect the amenity of the surrounding area
148.	Noise and vibration – an approved document of this consent While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan. Condition Reason: To protect the amenity of the neighbourhood during construction
149.	Noise and Vibration requirements With exception to demolition and excavation works (such as jackhammering and rock breaking works), while remaining site work is being carried out, noise

	Condition
	generated from the site must not exceed an LAeq (15 min) of 5db(A) above background noise, when measured at a lot boundary of the site.
	Condition Reason: To protect the amenity of the neighbourhood during construction
150.	Sediment and dust control
	During site works, no sediment, dust, soil or similar material must leave the site.
	Condition reason: To protect the amenity of the area.
151.	Excavation/Detention Basin Pump Out
	Water that has accumulated in any excavation and/or detention basin is not to be pumped into any stormwater disposal system unless the prior approval of Council is obtained.
	The analytical results of any discharge must comply with relevant EPA and ANZECC standards for water quality and be made available to Council upon request.
	Any water to be discharged to Council's stormwater must ensure:
	<ul style="list-style-type: none"> • a concentration of suspended sediment not exceeding 50mg/L, • a pH of between 6.5-8.0 and • shall comply with the ANZECC Guidelines for Fresh and Marine Water Quality, and Landcom Managing Urban Stormwater: Soils and Construction – Volume 1 2004, and the DPHI's Guidelines for Erosion and Sediment Control on Building Sites 2024.
	Water testing shall be carried out by a suitably qualified environmental scientist.
	Water that does not comply with the above standards shall not be discharged to the stormwater system and shall be disposed of using alternative approved means.
	Results of water testing shall be provided to Council or, if a validation report is required, within that report. Where water is disposed of by alternate means, details of the off-site disposal shall be provided to Council or, if a validation report is required, included within that report.
	Note: Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
	Condition reason: The ensure the appropriate management of a water detention basin.
152.	Construction materials
	While site work is being carried out, all materials associated with construction must be retained within the site.
	Condition reason: To ensure the public domain is not affected during construction.
153.	Excavation
	While site work is carried out, all excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
	Condition reason: To ensure work is completed in an appropriate manner.
154.	Consent documents available on site
	At all times during the construction, a copy of the development consent and approved stamped plans are to be kept on site. These documents are to be made available to any Council Officer as requested.
	Condition reason: To ensure Council Officers are able to access the consent during any site inspection.

	Condition
155.	<p>Truck shaker</p> <p>While site work is being carried out, a truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.</p> <p>Condition reason: To prevent soil and sediment spill in the public domain.</p>
156.	<p>Tipping Dockets (construction)</p> <p>While site work is being carried out, Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation and Management Plan for spot inspections.</p> <p>Condition reason: To ensure responsible and sustainable disposal of materials generated during demolition works.</p>
157.	<p>Site maintenance (waste)</p> <p>While site work is being carried out, the area surrounding the construction site must be secured and maintained, including the nature strip, to reduce incidences of illegal dumping and litter.</p> <p>Condition reason: To ensure the waste is contained onsite for responsible disposal and impact to street amenity is reduced.</p>
CI Development Engineer Conditions	
158.	<p>Construction pedestrian and traffic management plan (implementation)</p> <p>While site work is being carried out, all construction works are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP).</p> <p>All controls in the CPTMP must be maintained at all times and all traffic management controls must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council's Traffic Services Department for approval.</p> <p>A copy of the approved CPTMP is to be kept onsite at all times and made available to the principal certifier or Council on request.</p> <p>Condition reason: To ensure that the controls stated in the approved CPTMP are carried out by the builder during construction.</p>
159.	<p>Traffic Management</p> <p>Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (Construction Activities).</p> <p>Condition Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.</p>
160.	<p>Stormwater Management (Construction)</p> <p>The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan and any requirements of Council in relation to the connection to the public drainage system.</p> <p>Condition Reason: To ensure the stormwater system is constructed as approved.</p>
161.	<p>Erosion and Sediment Control Plan (Implementation)</p> <p>The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site.</p>

	Condition
	<p>Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.</p> <p>Condition Reason: To prevent soil erosion and the discharge of sediment over the land.</p>
162.	<p>Geotechnical Monitoring Program (Implementation)</p> <p>The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate.</p> <p>All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.</p> <p>Condition Reason: To ensure that the excavation works are undertaken appropriately throughout the period of construction.</p>
163.	<p>Site Dewatering Plan (Implementation)</p> <p>The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regard to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works.</p> <p>A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.</p> <p>Condition Reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.</p>
CI Drainage Conditions	
164.	<p>Stormwater - hold points during construction (council drainage works)</p> <p>While site work is being carried out, certification from the Site Engineer must be prepared and lodged within 24 hours to Council at the completion of each stage of construction below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications. The certification must include photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.</p> <ul style="list-style-type: none"> (a) Upon excavation of trenches shown on the approved drainage drawings. (b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits. (c) Upon installation of pipes and other drainage structures prior to backfilling. (d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface. (e) Upon connection to Council's existing pit.\ (f) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb and gutters, footpaths and driveways) with all disturbed areas satisfactorily restored. <p>Note: Any stormwater pit with a depth greater than 1.8 metres must be certified by a suitably qualified Structural Engineer.</p> <p>Condition reason: To ensure construction works satisfy Council's DCP and Australian Standard requirements.</p>

	Condition
CI Public Domain Conditions	
165.	<p>Notice of intention to commence public domain works</p> <p>Before any public domain works commence, a Notice of Intention to Commence Public Domain Works must be submitted to Council's City Infrastructure Department and the principal certifier.</p> <p>This Notice must include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.</p> <p>Condition reason: To ensure compliance and record of works.</p>
166.	<p>Notification of adjoining owners and occupiers (public domain works)</p> <p>Before any public domain works commence, written notification must be provided to the adjoining owners and occupiers of the public domain works a minimum of two weeks prior to commencement of construction and copy of this letter is to be provided to the principal certifier.</p> <p>The notice is to include a contact name and number should they have any enquiries in relation to the construction works.</p> <p>The duration of any interference to neighbouring driveways must be minimised; and driveways must be returned to the operational condition as they were prior to the commencement of works, at no cost to the adjoining owners.</p> <p>Condition reason: To ensure compliance and record of works.</p>
167.	<p>Pre-construction inspection</p> <p>Before any public domain works commence, a joint inspection to the discuss the proposed scope of public domain civil work with Council's Activation and Compliance Engineer from City Infrastructure Department prior to commencement of any public domain works.</p> <p>Note: Minimum 48-hour notice is required when booking the joint inspection.</p> <p>Condition reason: To ensure compliance and communicate Council's requirements.</p>
168.	<p>Temporary footpath crossing</p> <p>Before any site works commence, a temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.</p> <p>Condition reason: To ensure public amenity and safety.</p>
169.	<p>Hold points during construction (public domain)</p> <p>While site work is being carried out, inspections are to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for public domain works, at the following hold points with certification from the Engineer provided to Council and the principal certifier, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates must contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken. Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.</p> <p>(a) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.</p>

Condition		
	(b) Upon compaction of the applicable sub-base course. (c) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course). (d) Upon installation of any formwork and reinforcement for footpath concrete works. (e) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored. Condition reason: To ensure the progress of works is appropriately completed and recorded.	
170.	Tipping Dockets (construction) While site work is being carried out, Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation and Management Plan for spot inspections. Condition reason: To ensure responsible and sustainable disposal of materials generated during demolition works.	
171.	Site maintenance (waste) While site work is being carried out, the area surrounding the construction site must be secured and maintained, including the nature strip, to reduce incidences of illegal dumping and litter. Condition reason: To ensure the waste is contained onsite for responsible disposal and impact to street amenity is reduced.	
172.	Waste vehicle access to neighbouring lots While site work is being carried out, the roadway must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Unobstructed access to neighbouring lots must be maintained to ensure waste collection can be provided during 5.00AM to 11.00AM on waste collection days. Condition reason: To ensure waste collection services can be provided to neighbouring lots of construction sites.	
Landscape Conditions		
173.	Excavation for services within tree protection zone (TPZ) Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist. Condition Reason: To ensure any excavation works are not detrimental to the health of the tree.	
174.	Tree Removal While site work is being carried out, as identified in the Arboricultural Impact Assessment prepared by Advanced Treescape Consulting dated 15/04/2024. The following trees on site are to be removed: Trees 1 to 27. Condition Reason: To ensure only the specified trees approved for removal are removed.	
175.	Project Arborist Inspections While site work is being carried out, the Project Arborist is to issue Certificates of Compliance to the principal certifier verifying that inspections have been undertaken at each relevant project phase as required by Section 5 Monitoring and Certification of AS4970-2009 as follows.	
	PROJECT PHASE	ACTIVITIES
	Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil
		PROJECT ARBORIST to
		Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage.

	Condition		
		rehabilitation for all trees to be retained.	Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken
	Construction work	Liaison with site manager, compliance, and any deviation from approved plan	Maintain or amend protective measures. Supervision and monitoring formal notification of any deviation from approved tree protection plan
	Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works. Issue a Certificate of Compliance
	Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures. Certification of tree protection and soil rehabilitation for Protected Trees
	Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works. Certification of tree protection if necessary
	Condition Reason: To ensure the timing and frequency of inspections by the Project Arborist is appropriate to maintain the health of existing trees to be retained.		
176.	Tree works (Australian Standards)		
	While site work is being carried out, all tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007)		
	Condition Reason: To ensure that any tree work is carried out by a qualified Arborist		

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
177.	Installation of Public Art
	Before the issue of any occupation certificate, all public art is to be installed in accordance with the construction certificate public art design.
	Condition Reason: To ensure public art is provided for in accordance with the approved plans and documents.
178.	Certification of acoustic measures
	Before the issue of any occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent
	Condition reason: To protect the amenity of the local area
179.	Final Assessment of Trees
	At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any Occupation Certificate for the development.

	Condition
	<p>The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.</p> <p>Condition Reason: To ensure the existing trees have been maintained in a viable condition.</p>
180.	<p>Completion of landscape and tree works</p> <p>Before the issue of any occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent</p> <p>Condition Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)</p>
181.	<p>Completion of public utility services</p> <p>Before the issue of any occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier</p> <p>Condition Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation</p>
182.	<p>Removal of waste upon completion</p> <p>Before the issue of any Occupation Certificate:</p> <p>a) all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and</p> <p>b) written evidence of the waste removal must be provided to the satisfaction of the principal certifier.</p> <p>Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.</p>
183.	<p>Repair of infrastructure</p> <p>Before the issue of any Occupation Certificate:</p> <p>A) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or</p> <p>B) if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>
184.	<p>Water authority certification</p> <p>Before the issue of any occupation certificate, a certificate of compliance must be obtained in relation to the proposed use(s) from the Sydney Water.</p> <p>Condition reason: To ensure compliance with the water supply authority's requirements</p>
185.	<p>BASIX</p> <p>Before the issue of any occupation certificate, documentary evidence of compliance with all commitments listed in the approved BASIX Certificate(s) is to be provided to the principal certifier.</p> <p>Condition reason: Statutory requirement.</p>
186.	Fire safety matters

	Condition
	At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relevant standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW. Condition reason: Statutory requirement.
187.	Apartment noise attenuation design Before the issue of any occupation certificate, an Association of Australasian Acoustical Consultants (AAAC) 5 Star Certificate must be submitted by a qualified member of the AAAC demonstrating that the construction of the internal party walls ensures that all sound between apartments (being the internal party walls between the bedroom and the living room of adjoining separate apartments), sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems has sufficient acoustical attenuation. Details of compliance must be to the satisfaction of the principal certifier before the issue of the relevant occupation certificate. Condition reason: To comply with best practice standards for residential acoustic amenity.
188.	Sydney Water – Section 73 compliance certificate Before the issue of any occupation certificate, a compliance certificate must be obtained from Sydney Water under Section 73 of the Sydney Water Act 1994. Condition reason: Statutory requirement.
189.	Letterboxes and house/unit numbering display Before to the issue of any occupation certificate, the principal certifier must be satisfied that all house/unit numbering is displayed in accordance with the official property addressing allocated by Council's Spatial Data Services section. The principal certifier must ensure that the display of the street address must be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage must be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. Condition reason: To assist in way finding.
190.	Agreement with a car share provider Before to the issue of any occupation certificate, documentary evidence is to be provided to City of Ryde that an agreement with a car share provider has been entered into for the car share spaces on site. The agreement must ensure appropriate insurance and vehicle maintenance is in place including public liability. Condition reason: To ensure the effective operation of the car share arrangement.
191.	Disused vehicular crossing Before the issue of any occupation certificate, all disused gutter and footpath crossings must be removed, and the kerb and footpath reinstated to the satisfaction of Council's City Infrastructure Department. Condition reason: To maximise on-street parking capacity and avoid confusion relating to the enforcement of parking restrictions.
192.	Acoustic and vibration verification report Prior to the issue of any occupation certificate, a suitably qualified acoustic consultant* must prepare an acoustic verification report to the satisfaction of the Private Certifier that confirms the following:

	Condition
	<p>A) All recommendations contained in the Environmental Noise Impact Assessment prepared by ADP, and dated 14 August 2024, have been implemented; and</p> <p>B) The project specific noise criteria established in the approved acoustic report and any other noise and vibration criteria specified in this consent are being complied with.</p> <p>A copy of this report is to be submitted to the City of Ryde prior to the issue of any occupation certificate.</p> <p>Should the noise and vibration levels exceed the relevant criteria, additional noise mitigation or management measures may be required to be implemented subject to approval by Council's Environmental Health Officer. Once implemented, further testing is to be done to ensure compliance with (a) and (b) above.</p> <p>*Note: Suitably qualified Acoustic Consultant being a consultant who holds a current member grade of the Australian Acoustical Society or Association of Australasian Acoustic Consultants.</p> <p>Condition reason: To demonstrate compliance with submitted acoustic reports.</p>
193.	<p>Public Art Plan</p> <p>Prior to the issue of the final Occupation Certificate, the approved works contained in the Public Art Plan approved by this consent shall be implemented.</p> <p>Condition reason: To ensure the delivery of public art.</p>
CI Development Engineer Conditions	
194.	<p>Stormwater Management (Work-as-Executed Plan)</p> <p>A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.</p> <p>Condition Reason: To clarify the configuration of the completed stormwater management system.</p>
195.	<p>Stormwater Management (Covenants)</p> <p>Positive covenant(s) must be registered on the title of the subject property pursuant to the relevant section 88 of the Conveyancing Act (1919) in relation to the following stormwater components, wherever these are present in the constructed Stormwater Management system:</p> <ul style="list-style-type: none"> a) onsite detention system, b) pump/ sump, c) charged/ siphonic configuration (where the system discharges against the fall of the land), and, d) onsite disposal/ absorption system. <p>Engineering certification must be submitted with the "Application Form for Endorsement of Title Encumbrances" (available from Council's website), with the drafted version of the terms so as to ensure the components are completed as per the approved plans. The terms of the covenant(s) are to be in accordance with the Council's standard terms. Any variation to the terms is at the discretion of Council.</p> <p>The positive covenant(s) must be registered on the title prior to the release of any Occupation Certificate for areas of the development reliant upon these component(s).</p>

	Condition
	<p>Condition Reason: This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).</p>
196.	<p>Drainage System Maintenance Plan</p> <p>A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development. The DSMP must contain the following:</p> <ol style="list-style-type: none"> All matters listed in Section 1.4.9 of Council's DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual). The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component. The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule. Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (e.g. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule. Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required. Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP. <p>The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.</p> <p>Condition Reason: To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development.</p>
197.	<p>Positive Covenant (Onsite Waste Collection)</p> <p>A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), ensuring that future owners provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council.</p> <p>The terms of the instrument are to be generally in accordance with Council's current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances), to Council's satisfaction.</p> <p>The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances so as to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this.</p> <p>The instrument and works-as-executed plans are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.</p>

	Condition
	Condition Reason: To ensure that Council's Waste Service can safely access the site for the purpose of waste collection.
198.	<p>Engineering Compliance Certificates</p> <p>Before the issue of any Occupation Certificate, a compliance certificate prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing:</p> <ul style="list-style-type: none"> a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls). b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site. c) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities). d) Compliance certificate from Council confirming that all external works in the public road reserve and any alteration to Council assets located in the property (if applicable) have been completed to Council's satisfaction. e) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of the condition "Flood and Overland Flow Protection" have been satisfied. f) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris. g) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 (Stormwater drainage), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions. h) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes. <p>Condition Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.</p>
199.	<p>Lot and Easement Amalgamation</p> <p>The subject lots occupied by the development must be amalgamated as a single lot. This undertaking will also require the extinguishment of any redundant easements/ title encumbrances (including ROW's, covenants and the like).</p>

	Condition
	<p>A statement prepared by a Surveyor which identifies the relevant lots and encumbrances and confirms that these have been resolved in accordance with this condition is to be submitted to the principal certifier prior to the issue of the Occupation Certificate.</p> <p>Condition Reason: To ensure orderly subdivision of the land and property conveyance.</p>
200.	<p>On-Site Stormwater Detention System (Marker Plate)</p> <p>To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site.</p> <p>The plate construction, wordings and installation shall be in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at 1 Pope Street – Ryde (Top Ryde City Shopping Centre).</p> <p>Condition Reason: To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development.</p>
201.	<p>Right of Way (Public Road)</p> <p>A Public Right of Way must be registered on the lot which accommodates the vehicle deceleration lane from the Rutledge Street access.</p> <p>The definition of the Right of Way must:</p> <ul style="list-style-type: none"> • Encompass the provided road carriageway and an adjoining footpath as depicted on the approved plans. • Be defined in stratum where there is any structures over or under the region. The stratum must have sufficient overhead clearance to accommodate the type of pedestrian and vehicle traffic the Right of Way is to convey. <p>The terms of the Right of Way must be generally in accordance with Council's standard terms, to Council's satisfaction and must include provisions to ensure:</p> <ul style="list-style-type: none"> • The surface and condition of the Right of Way is to be maintained at all times by the owner of the site, to provide safe, unobstructed access to the public. • The owner must Comply with any request from Council, to correct deficiencies within reasonable timeframe, • The Right of Way must be illuminated after hours. • All costs related to lighting and maintenance of the Right of Way to be borne by the registered proprietor of the land, • Council is to be indemnified from any public liability claims arising from use of the Right of Way and such matters are to be borne by the registered proprietor of the land. <p>Additional terms may be considered warranted following Council's review and following completion of the development.</p> <p>The terms of the Right of Way together with works-as-executed plans of the works (to confirm the infrastructure correlate with the plan definition of the Right of Way) must be submitted to Council for review and endorsement. All costs associated with the review and registration of the Right of Way must be borne by the applicant and it must be registered at the Lands and Property Information Office, prior to the issue of any Occupation Certificate.</p> <p>Condition Reason: To ensure that the part of the development site available for public vehicle access can be safely utilised and maintained.</p>
CI Drainage Conditions	

	Condition
202.	<p>Stormwater (post-construction CCTV report)</p> <p>Before the issue of any occupation certificate, a post-construction electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator, is to be submitted to the satisfaction of Council's City Infrastructure Department. The report must detail:</p> <ul style="list-style-type: none"> (a) Date and time of inspection (b) Condition of the existing drainage line adjacent to the site (c) Comparison of the pre-commencement condition of the existing drainage line to the current condition (d) If required rectification works required to Council's drainage network. <p>Note: The person acting on the consent must contact Council's City Infrastructure Department to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.</p> <p>All fees and charges associated with the review of the report must be paid in accordance with Council's fees and charges, at the time that the report is submitted.</p> <p>Condition reason: To verify the post-construction condition of Council's drainage assets and ensure proper sedimentation and erosion.</p>
203.	<p>Final inspection (Council drainage assets handover)</p> <p>Before the issue of any occupation certificate, a final inspection of the trunk drainage asset(s) must be conducted by Council's Engineer from the City Infrastructure Department at the completion of works to assess if any defects are present. If defects are present, works are required to the trunk drainage asset(s) to rectify the issues present.</p> <p>Note: An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's fees and charges at the time of inspection.</p> <p>Additional inspections, if required, must be subject to fees payable in accordance with Council's fees and charges at the time of the inspection</p> <p>Condition reason: To verify the new drainage asset/s have been built as per Council's standards.</p>
204.	<p>Flooding – Engineering Compliance Certificate</p> <p>Before the issue of any occupation certificate, a compliance certificate prepared by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, to the satisfaction of Principal Certifying Authority, confirming that all requirements of condition "<i>Flooding - Flood and Overland Flow Protection</i>" have been satisfied.</p> <p>Condition Reason: To ensure that all flood and overland flow protection requirements are satisfied.</p>
205.	<p>Stormwater – (Council Drainage Works) - Works-as-Executed Plans</p> <p>Before the issue of any occupation certificate, a Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be prepared to the satisfaction of Council, with confirmation provided to the principal certifier.</p> <p>The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.</p>

	Condition
	Condition Reason: to ensure drainage and its consequent restoration works have been conducted as per Australian and Council's standards.
206.	<p>Compliance Certificate – (Council Drainage Works)</p> <p>Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all Council drainage and associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings.</p> <p>Note: The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.</p> <p>Condition Reason: to ensure drainage and its consequent restoration works have been conducted as per Australian and Council's standards.</p>
CI Public Domain Conditions	
207.	<p>Right of Way (Public Road)</p> <p>Prior to the issue of any Occupation Certificate, a Right of Way (ROW) shall be created over the Rutledge Street opening in favour of Council for public access.</p> <p>The Public Right of Way must be registered on the land parcel being dedicated to facilitate the future deceleration lane entry and exit into the development site from Rutledge Street. The Right of Way must be in accordance with the formalised agreement between Council and the development owner, in liaison to TfNSW requirements, prepared at the commencement of this development consent.</p> <p>The Right of Way must be completed so as to provide unrestricted public vehicle access and pedestrian amenity.</p> <p>The definition of the Right of Way must:</p> <ul style="list-style-type: none"> (i) Encompass the provided road carriageway and any adjoining footpath. (ii) Be defined in stratum where there is any structures over or under the region. The stratum must be defined to ensure there is sufficient overhead clearance to accommodate the type of traffic the Right of Way is to convey, inclusive of any maintenance vehicles operated by TfNSW and/or Council. (iii) Have a minimum width no less than 3.5 wide and 1.5m in depth below the finished surface level of the proposed deceleration lane entrance and exist. <p>The terms of the Right of Way must be generally in accordance with to Council's satisfaction and must include provisions to ensure:</p> <ul style="list-style-type: none"> (i) The surface and condition of the Right of Way is to be maintained at all times by the owner of the site, to provide safe, unobstructed access to the public. (ii) The owner must Comply with any request from Council, to correct deficiencies within reasonable timeframe, (iii) The Right of Way must be illuminated after hours. (iv) All costs related to lighting maintenance and stormwater maintenance of the Right of Way to be borne by the registered proprietor of the land, (v) Council is to be indemnified from any public liability claims arising from use of the Right of Way and such matters are to be borne by the registered proprietor of the land.

	Condition
	<p>Additional terms may be considered warranted following Council's review and following completion of the development.</p> <p>The terms of the Right of Way together with works as executed plans of the works (to confirm the infrastructure correlate with the plan definition of the Right of Way) must be submitted to Council for review and endorsement.</p> <p>All costs associated with the review and registration of the Right of Way must be borne by the applicant and it must be registered at the Lands and Property Information Office, prior to the issue of any Occupation Certificate.</p> <p>Condition Reason: To ensure that the part of the development site available for public vehicle access can be safely utilised and maintained.</p>
208.	<p>Public domain improvements and infrastructure works (completion)</p> <p>Prior to the issue of any occupation certificate, all public domain improvements and infrastructure works must be completed to the satisfaction of Council's City Infrastructure Department, in accordance with the approved public domain plans and at no cost to the Council.</p> <p>Condition reason: To ensure compliance with all approved documents and plans.</p>
209.	<p>Restoration (supervising engineer's certificate)</p> <p>Prior to the issue of any occupation certificate, a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP Part 8.5 (Public Civil Works), or the Transport for NSW' standards and specifications, where applicable.</p> <p>Condition reason: To ensure public safety and protection of infrastructure.</p>
210.	<p>Electricity accounts for new street lighting</p> <p>Prior to the issue of any occupation certificate, a Certificate of Compliance - Electrical Work (CCEW) from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant must be prepared to the satisfaction of Council confirming that the street lighting in the public domain has been constructed in accordance with the approved drawings and City of Ryde standards and specifications.</p> <p>Condition reason: To ensure all works completed are compliant with relevant standards.</p>
211.	<p>Compliance certificate (external landscaping works)</p> <p>Prior to the issue of any occupation certificate, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the approved drawings and City of Ryde standards and specifications must be prepared to the satisfaction of Council.</p> <p>Condition reason: To ensure compliance with approved documents and plans.</p>
212.	<p>Post-Construction Dilapidation Report</p> <p>To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable:</p> <p>(a) Road pavement, (b) Kerb and gutter,</p>

	Condition
	<p>(c) Footpath, (d) Drainage pits, (e) Traffic signs, and (f) Any other relevant infrastructure.</p> <p>The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure.</p> <p>The report is to be dated and submitted to, and approved by Council's City Infrastructure Directorate, prior to issue of the Occupation Certificate.</p> <p>The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Compliance Certificate for External Works and Public Infrastructure Restoration.</p> <p>All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted.</p> <p>Condition reason: To ensure protection of public assets and no dilapidation to Council assets as a result of the development works.</p> <p>Condition reason: To ensure that all works completed are recorded.</p>
213.	<p>Registered surveyor final certificate</p> <p>Upon completion of all construction works, and before the issue of any occupation certificate, Certification from a Registered Surveyor must be prepared to the satisfaction of Council, stating that all works (above and below ground) are contained within the site's boundary.</p> <p>Condition reason: To ensure compliance with approved plans and documents and to ensure that the development has no encroachments.</p>
214.	<p>Supervising engineer final certificate</p> <p>Prior to the issue of any occupation certificate, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the approved drawings, City of Ryde standards and specifications must be prepared to the satisfaction of Council.</p> <p>The certificate must include commentary to support any variations from the approved drawings.</p> <p>Condition reason: To ensure compliance with approved plans and documents.</p>
215.	<p>Decommissioning of ground anchors</p> <p>Prior to the issue of any occupation certificate, a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve must be prepared to the satisfaction of Council.</p> <p>Condition reason: To ensure compliance and protection of public assets.</p>
216.	<p>Council road pavement dilapidation fee</p> <p>Prior to the issue of any occupation certificate, a Road Pavement Dilapidation Fee is payable to Council (as per Council's fees and charges).</p> <p>This payment is to offset the significant acceleration of the serviceable lifespan of Council road pavement resulting from dilapidation during demolition and construction phases of the development works.</p>

	Condition
	<p>The following documentation is to be provided to Council to enable calculation of the fee:</p> <ul style="list-style-type: none"> (a) Approved Construction Traffic Management Plan (CTMP) detailing approved routes of heavy vehicles to and from the site during the demolition and construction phases. (b) Documentation detailing the Gross Floor Area (GFA) of any structures to be demolished as part of the development works. (c) Documentation detailing the Gross Floor Area (GFA) of the proposed or completed structures, constructed on the development site, in accordance with the approved development plans. <p>The fees calculated by Council from the above documentations must be paid by the Applicant prior to issue of any occupation certificate.</p> <p>Condition reason: To protection and maintenance of Council's road pavement assets.</p>
217.	<p>Final Inspection – Assets Handover</p> <p>For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.</p> <p>A minimum 48 hours' notice will be required when booking for the final inspection.</p> <p>Condition reason: To ensure compliance and protection of public assets.</p>
218.	<p>Compliance Certificate – External Works and Public Infrastructure Restoration</p> <p>Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.</p> <p>Condition reason: To ensure compliance of all newly built infrastructure within the road reserve and protection of public assets.</p>
CI Traffic Conditions	
219.	<p>Road Safety Audit</p> <p>Before the issue of any occupation certificate, a post construction (pre-opening) Road Safety Audit report on any new traffic and road upgrades must be prepared and submitted to the satisfaction of Council's Traffic Services Department. The person acting on this consent is required to address all deficiencies identified within the Audit report to the satisfaction of Council. Confirmation of Council approval is to be provided to the principal certifier.</p> <p>Condition reason: To ensure safety and amenity of all affected road users.</p>
220.	<p>Signage and linemarking (external - approval)</p> <p>Before the issue of an occupation certificate, a signage and linemarking plan must be prepared by a suitably qualified traffic engineer to the satisfaction of Council's Traffic Services Department for any traffic and parking changes proposed on the public road network.</p>

	Condition
	<p>Note: The person acting on this consent is advised that traffic and parking changes may need to be referred to the Ryde Traffic Committee, which generally meets once a month. As such, adequate time should be allowed for the review and approval process.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges current at the time of payment).</p> <p>Condition reason: To ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity.</p>
221.	<p>Signage and linemarking (external - implementation)</p> <p>Before the issue of any occupation certificate, the installation of the signage and linemarking, as per the plan approved by Council, is to be carried out by the person acting on this consent. All costs associated with the supply and construction of the signage and linemarking are to be borne by the person acting on this consent (at no cost to Council).</p> <p>Condition reason: To ensure that the works approved in the signage and linemarking plan are installed.</p>
222.	<p>Traffic control devices (implementation)</p> <p>Before the issue of any occupation certificate, the person acting on this consent is to construct the traffic control signals at the site's access point with Rutledge Street and the associated slip lane onto the site in accordance with the requirements of TfNSW as well as the upgrade of the existing at-grade pedestrian crossing at the intersection of Trelawney Street and Rowe Street to raised pedestrian crossing and the 'Keep Clear' pavement marking on Trelawney Street's southbound lanes at the site's access driveway, as per the approved plan at their own cost (at no cost to Council). These works must be completed to the satisfaction of Council with confirmation provided to the principal certifier.</p> <p>Condition reason: To ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied.</p>
223.	<p>Loading dock management plan</p> <p>Before the issue of the occupation certificate, a Loading Dock Management Plan must be prepared to the satisfaction of Council, providing the following information at a minimum:</p> <ul style="list-style-type: none"> (a) Vehicle types permitted to access the loading dock. (b) Management of the loading dock to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users and the efficiency of traffic movements on the public road (including the verge); (c) Delivery requirements and service schedules; (d) Operational aspects on how to use facilities; (e) Management duties and responsibilities; and (f) Photos showing line-markings, Intercom system and/or other traffic control devices as required. <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges current at the time of payment).</p> <p>Condition reason: To assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads.</p>
224.	<p>Framework Travel Plan</p> <p>Before the issue of any occupation certificate, a final Framework Travel Plan (FTP) must be prepared to the satisfaction of Council's Traffic Services Department</p>

	Condition
	<p>detailing:</p> <ul style="list-style-type: none"> (a) Adopted targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode; (b) Develop measures to achieve the targets including a list of specific tools or actions; (c) Develop monitoring scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey; (d) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the mode share target for the development for the journey-to-work; (e) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-sitelinks where required; and (f) Provide, to Council satisfaction, supportive infrastructure for: <ul style="list-style-type: none"> (i) Taxi drop-off areas or parking (as appropriate) and carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development. (ii) Walking and cycling (lockers and end-of-trip facilities). <p>It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents to encourage use of public transport.</p> <p>The FTP must be incorporated into or annexed to the strata management plan for the residential or commercial units in perpetuity.</p> <p>All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges).</p> <p>Condition reason: To assist in reducing future traffic congestion and promote alternative transport options.</p>
CI Waste Conditions	
225.	<p>Waste rooms (universal key)</p> <p>Before the issue of an occupation certificate, all lockable doors which provide access to bin collection/storage rooms or bulky waste storage room must have Council's universal key system installed so Council contractors can access the room for servicing.</p> <p>Condition reason: To ensure unobstructed access is available to waste collection contractors.</p>
226.	<p>Waste servicing (inspection)</p> <p>Before the issue of an occupation certificate, approval from an authorised Officer from Council's Waste Department is required to confirm the development can be accessed and serviced in accordance with the approved Waste Management plan.</p> <p>Condition reason: To ensure that the development is built according to the plans used to assess waste collection.</p>
227.	<p>Waste servicing arrangements</p> <p>Before the issue of an occupation certificate, suitable arrangements must be made with the City of Ryde Council for the provision of waste services to the premises.</p> <p>Condition reason: To ensure that adequate Council waste services are provided to the development.</p>
228.	<p>Waste servicing (key fobs)</p>

	Condition
	<p>Before the issue of an occupation certificate, where there will be secure access in place to the loading dock area, Council's Waste Department must be provided with three (3) access fobs or the relevant access code for use by the contractor to enable service.</p> <p>Condition reason: To ensure unobstructed access is available to waste collection contractors.</p>
229.	<p>Waste servicing (lockbox)</p> <p>Before the issue of an occupation certificate, where there will be secure access in place to access the basement loading dock area, a lock box accessed by the Council universal key must be provided on the outside of the roller shutter doors. The building access fob will be housed in the lock box for use by the contractor to enable access to service the bins.</p> <p>Condition reason: To ensure unobstructed access is available to waste collection contractors.</p>
230.	<p>Positive Covenant (onsite waste collection)</p> <p>Before the issue of any occupation certificate, a positive covenant for onsite waste collection must be placed on the property title in accordance with section 88 of the Conveyancing Act 1919.</p> <p>The positive covenant requires the property owner provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council.</p> <p>The terms of the instrument are to be generally in accordance with Council's current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (<i>Title Encumbrances</i>), to Council's satisfaction.</p> <p>The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this.</p> <p>The instrument and works-as-executed plans are to be submitted to Council with a completed "<i>Application Form for Endorsement of Title Encumbrances</i>" (available from Council's website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.</p> <p>Condition reason: To ensure continually maintained access is provided for waste collection.</p>
231.	<p>Commercial Waste (clinical waste)</p> <p>Prior to the issue of any Occupation Certificate, the future occupier must enter into an agreement with a licensed waste transporter for the collection and disposal of clinical waste generated on the premises, and a copy of the service contract must be provided to principal certifier and Council</p> <p>Condition reason: To ensure appropriate management clinical and hazardous waste.</p>
232.	<p>Waste Services (unknown future occupier)</p> <p>Prior to the issue of any Occupation Certificate, the future occupier must enter into an agreement with a licensed waste transporter for the collection and disposal for specialised waste generated on the premises (clinical, hazardous, excess meat, etc.) and a copy of the service contract must be provided to principal certifier and Council.</p> <p>Condition reason: To ensure specific waste streams are removed by the appropriate collector for responsible disposal.</p>
Environmental Health Conditions	

	Condition
233.	<p>Hazardous Material Survey</p> <p>All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.</p> <p>Condition reason: To verify the site is safe for occupation.</p>
234.	<p>Hazardous Material Clearance Certificate</p> <p>Before the issue of an occupation certificate, a clearance certificate must be submitted to the satisfaction of the principal certifier. The certificate must be prepared by a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.</p> <p>Condition reason: To verify the site is safe for occupation.</p>
235.	<p>Compliance with Hazardous Materials Survey Report</p> <p>All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.</p> <p>Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the approved Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.</p> <p>Condition reason: To ensure controls are in place for hazardous materials.</p>
236.	<p>Mechanical Ventilation – Compliance</p> <p>Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, certification must be provided to the satisfaction of the Principal Certifier confirming that the system has been designed, installed and has been tested to show it is operating in accordance with the National Construction Code 2019.</p> <p>Condition reason: To ensure correct installation of mechanical ventilation systems.</p>
237.	<p>Acoustic Verification Report</p> <p>Prior to the issue of any Occupation Certificate, a suitably qualified acoustic consultant* must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:</p> <ul style="list-style-type: none"> a) All recommendations contained in the approved acoustic report prepared by have been implemented, and b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with, and c) Vehicle noise emissions generated from the use of the Trelawney Street vehicle entry and exit ramp, and from the void area above the internal exit ramp from the carpark, do not result in a noise level that exceeds 5dB(A) above the existing ambient background noise level at surrounding noise-sensitive receivers at 7 Rutledge Street. <p>Note: Suitably qualified Acoustic Consultant being a consultant who holds a current member grade of the Australian Acoustical Society.</p> <p>Condition reason: To ensure compliance with relevant noise requirements.</p>

OCCUPATION AND ONGOING USE

	Condition
238.	Hours of Operation The centre may operate during the following hours: <ul style="list-style-type: none"> • Supermarkets: 7.00am to 11.00pm (7 days a week); • Through Site Link: 7.00am to Midnight (7 days a week); and • Tenancies: 7.00am to Midnight (7 days a week). Condition Reason: Operational.
239.	Use of the Trelawney Street Vehicle Ramp The Trelawney Street access ramp to only allow access to residential vehicles during non-operating hours (via security gate). Condition Reason: To limit impact on amenity to 7 Rutledge Street.
Development Engineer Conditions	
240.	Stormwater Management (Implementation of maintenance program) The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP). Condition Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.
241.	Parking Allocation Both the owner and occupier of the development must provide and maintain the following parking allocation on the site: <ul style="list-style-type: none"> • 420 residential spaces (including 44 adaptable spaces). • minimum 83 resident visitor spaces. • 9 carshare spaces. • 22 commercial parking spaces. • minimum 602 retail parking spaces. • 53 motorbike parking spaces; and • 110 bicycle parking spaces. Condition Reason: To ensure the development maintains the capacity and allocation of parking spaces on the site.
CI Drainage Conditions	
242.	Flood emergency response matters The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation certificate for this development. The FERP must include details of the 'on-site' refuge area(s). Permanent signage must be installed in the common areas informing the future occupants/users of the emergency evacuation procedures and refuge area(s). Implementation and maintenance of the FERP must be the responsibility of building management. All owners, tenants and users of the building must be made aware of the FERP. Condition reason: To ensure Flood Emergency Response Plan is implemented and maintained for the life of the development.
CI Traffic Conditions	
243.	Plant Species – Rutledge Street Slip Lane Plantings within and adjacent to the slip lane off Rutledge Street are to be regularly inspected and pruned to a maximum height of 0.6m to ensure adequate vehicle sightlines are maintained. Condition reason: Traffic and pedestrian safety.
244.	Implementation of loading dock management plan

	Condition
	All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) or outside of the loading dock is not permitted.
	Condition reason: To ensure compliance with the approved loading dock management plan.
245.	Review report of framework travel plan
	One year from the issue of the occupation certificate, and every year for 5 years thereafter, the person acting on this consent must submit to the satisfaction of Council's Traffic Services Department a Review Report on the effectiveness of the Framework Travel Plan (FTP). The reviews must include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review must also include any recommendations for improving the effectiveness of the FTP. Any recommendations made to improve the effectiveness of the plan must be incorporated into an updated FTP.
	All fees and charges associated with the review of this plan are to be paid (as per Council's Fees and Charges current at the time of payment).
	Condition reason: To ensure the effective management of the Framework Travel Plan.
CI Waste Conditions	
246.	Waste education
	Signage must be maintained within the bin area to encourage correct recycling and reduce contamination. Signage is provided by City of Ryde.
	Condition reason: To ensure occupants are aware of the correct procedures for recycling and source separation.
247.	Waste servicing
	Staff must be employed to take and return bins from the storage room to the nominated emptying/collection point.
	Condition reason: To ensure the appropriate management of bins.
248.	Waste servicing (provider)
	Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.
	Condition reason: To ensure consistency of waste services across the local government area and resident access to all Council's waste services.
249.	Waste storage (returning bins)
	All bins must always be stored onsite between collections.
	Condition reason: To ensure local amenity is protected from impacts of waste management, including odour, litter, and obstruction.
250.	Waste storage (maintenance)
	All waste storage and collection areas must be maintained in a clean and tidy condition.
	Condition reason: To ensure contractors can safely and efficiently conduct waste collection.
251.	Waste services (bulky waste presentation)
	All material in the bulky items/hard waste storage rooms is to be taken to the collection area stipulated by Council, by the staff or contractors. The material is to be placed so that it will not impede access to any bins from a waste collection vehicle or pedestrian access.
	Condition reason: To ensure contractors can safely and efficiently conduct waste collection.
252.	Waste disposal (all developments)
	All waste generated on the premises must be stored and disposed of in an environmentally acceptable manner.

	Condition
	Condition reason: To ensure waste is appropriately managed onsite.
253.	Waste services (bulky waste) Unwanted household items must be stored onsite until the night prior to a pre-booked household cleanup collection. Condition reason: To ensure appropriate management of bulky waste and reduce potential illegal dumping at the kerbside.
254.	Waste service (booking household clean-ups) The building manager or Strata Manager will be required to pre-book household clean-up collections for the building. Condition reason: To ensure appropriate management of bulky waste and reduce potential illegal dumping at the kerbside.
255.	Commercial Waste (sharps) Used sharps must be placed into a sharps container immediately after use. The container must comply with the requirements of Australian Standards AS 4031-1992 'Non-reusable containers for the collection of sharp medical items used in health care areas' or AS 4261-1994 'Reusable containers for the collection of sharp medical items used in health care areas' and be securely sealed with a lid before disposal. Condition reason: To ensure appropriate management clinical and hazardous waste.
256.	Commercial Waste (Clinical waste) All clinical waste must be stored in a cool and dry secure place until collected by the waste transporter. Condition reason: To ensure appropriate management clinical and hazardous waste.
257.	Commercial Waste (liquid waste) All liquid waste generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal. Condition reason: To ensure appropriate management wastewater.
258.	Commercial waste (wastewater) The Wastewater Source Control Branch of Sydney Water Corporation must be contacted on Tel. 13 20 92 to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system. Condition reason: To ensure appropriate management wastewater.
Environmental Health Conditions	
259.	Compliance with Waste Management Plan All control measures and procedures nominated in the Operational Waste Management Plan prepared by Elephants Foot Consulting Pty Ltd, dated 29 October 2024 must be implemented. Condition reason: To ensure compliance with submitted documents.
260.	General Noise Emission Criteria a) Cumulative noise from the development must not exceed any required project amenity/intrusiveness noise level or maximum noise level as determined in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI). b) Background noise monitoring for the purpose of ensuring compliance with the NPfI must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI. c) An LAeq,15 minute (noise level) emitted from the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time. Further:

	Condition
	<p>i. The noise level and the background noise level shall both be measured with all external doors and windows of the affected residence closed.</p> <p>ii. Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.</p> <p>d) In the event of Council receiving noise complaints resulting from the use of the premises, further acoustic testing may be required at no cost to Council. Further mitigation measures may be required as a result of the acoustic testing.</p> <p>e) Consideration must be given to any annoying characteristics of the noise in accordance with Fact Sheet C of the NPfI.</p> <p>Condition reason: To protect residential amenity.</p>
261.	<p>Noise - Residential buildings</p> <p>Air conditioners/mechanical ventilation systems/water tank pumps must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2017 and shall not:</p> <p>a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):</p> <p>i. before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or</p> <p>ii. before 7.00am and after 10.00pm on any other day; and</p> <p>b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.</p> <p>Condition reason: To protect residential amenity.</p>
262.	<p>Deliveries and Waste Collection</p> <p>No deliveries or waste collections are to be made during the following times:</p> <ul style="list-style-type: none"> Between 10:00pm and 6.00am on Monday to Friday. Between 10:00pm and 7:00am on Saturday, Sunday and public holidays. <p>Condition reason: To maintain appropriate amenity to nearby residents and occupants.</p>
263.	<p>Mechanical ventilation</p> <p>The premises must be suitably ventilated in accordance with the National Construction Code 2019 and AS1668.1 and 2 - 2012. The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.</p> <p>Condition reason: To ensure compliance with ventilation standards.</p>
264.	<p>Ongoing use of mechanical ventilation</p> <p>During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5 dB(A) above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.</p> <p>Condition reason: To protect the residential amenity of neighbouring properties</p>
265.	<p>Noise mitigation</p> <p>During ongoing use of the premises, the premises must be operated in accordance with any approved acoustic report.</p> <p>Condition reason: To ensure operational noise levels comply with the approved acoustic report and do not unreasonably impact on residential amenity of neighbouring properties.</p>
266.	<p>Storage and disposal of waste materials during ongoing use</p> <p>During ongoing use of the premises:</p>

	Condition
	<ul style="list-style-type: none"> a. Bins of adequate number and size must be used on the premises for the storage of any waste that is generated (including recycling). b. All garbage and recyclable materials generated from the premises must be stored wholly within any approved storage area and must not be stored outside the premises (including any public place) at any time c. Arrangements must be implemented for the separation of recyclable materials from garbage d. Any approved waste storage area must be appropriately maintained to prevent litter and the entry of pests. e. Where council does not provide commercial garbage and recyclable materials collection services: f. a contract must be entered into with a licensed contractor to provide these services for the premises; and g. A copy of the contract must be kept on premises and provided to relevant authorities including council officers on request. h. Where the collection of commercial garbage and recyclable materials from the premises is undertaken by a licensed contractor, it must only occur between 6.00 am and 10.00 pm on weekdays (excluding public holidays) i. All liquid trade waste discharged to sewerage system must comply with the trade waste approval issued by the relevant water authority. <p>All liquid trade waste pre-treatment devices must be regularly maintained to remain effective in accordance with the conditions of the liquid trade waste approval issued by the relevant water authority.</p> <p>Condition reason: To ensure proper handling of waste, garbage and recyclable materials generated during operation of the premises</p>
267.	<p>Registration of warm water or water-cooling system</p> <p>Where any warm water or water-cooling system is installed, the following must be undertaken:</p> <ul style="list-style-type: none"> a. A Compliance Certificate must be obtained certifying that the system has been installed in accordance with the provisions of the Public Health Act 2010, the Regulations thereunder, the NSW Code of Practice for the Control of Legionnaires Disease and Australian Standards 3666. b. The occupier of the premises must be given both an operation and maintenance manual by the installer. The system must be maintained monthly. All inspection results must be kept on site. c. Submit a Registration form to City of Ryde. <p>Condition reason: To ensure cooling tower installation requirements</p>
268.	<p>Ongoing use of mechanical ventilation</p> <p>During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5 dB(A) above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises.</p> <p>Condition reason: To protect the residential amenity of neighbouring properties</p>

BEFORE THE ISSUE OF A SUBDIVISION CERTIFICATE

	Condition
269.	<p>Final plan of subdivision - Title Details</p> <p>The final plan of subdivision shall note all existing and/or proposed easements, positive covenants and restrictions of the use of land relating to the title.</p>

	Condition Reason: To disclose any easements or covenants burdening the land.
270.	<p>Vehicle Right of Way(s)</p> <p>Prior to the issuing of a subdivision certificate, a Right of Way / Carriageway easement must be defined for any area of a lot which is traversed by vehicle when accessing the alternate lot. In the case of the subdivision of a dual occupancy, this is required for any shared driveway and will warrant it to be defined as a triangular area, no less than 2m wide (on each lot) by 2.4m depth, centred over the new joint boundary. The easement must accommodate the vehicle swept path and height clearances of the largest vehicles utilising the access.</p> <p>These elements must be in accordance with the relevant section of AS 2890 and any deviations from this requirement will require a statement of support from a suitably qualified Traffic Engineer to justify the discrepancy, subject to City of Ryde consideration.</p> <p>Condition Reason: To ensure the definition of such easements can accommodate the intended vehicle sizes.</p>
271.	<p>88B Instrument</p> <p>Prior to the issuing of a subdivision certificate, the submission of an instrument under Section 88B of the Conveyancing Act 1919 creating any Easements, Positive Covenants and Restrictions on use (where required) noting the "Council of the City of Ryde" being the authority empowered to release vary or modify the same.</p> <p>Condition Reason: To facilitate the registration of any instrument accompanying the subdivision certificate.</p>
272.	<p>Subdivision Certificate (Compliance Certificates)</p> <p>Prior to the issuing of a subdivision certificate, the following compliance certificates must be provided to the City of Ryde:</p> <ul style="list-style-type: none"> a) Surveyor Certification – A registered surveyor must certify that necessary easements are capable of being created or listed as shared facilities in the Schedule attached to the Strata Management Statement for all services and structures which encroach into adjacent lots and that all remaining services, dwellings and structures are contained wholly within their respective allotments. The certification must state that the stratum levels coincide with the constructed building levels. b) Sydney Water (Section 73 Compliance Certificate) - A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. c) Ausgrid (Notification of Arrangements for the Provision of Electricity Supply) - A completed Notification of Arrangements (NOA) notice must be obtained from Ausgrid to confirm that satisfactory arrangements have been made with Ausgrid for the provision of an adequate electricity supply in relation to the proposed development/subdivision <p>Condition Reason: To ensure the newly created lots have access to and can maintain essential services.</p>
273.	<p>Stormwater Management (Proof of Positive/ Restrictive Covenant(s))</p> <p>Prior to the issue of a subdivision certificate, any Positive or Restrictive Covenant(s) relating to particular stormwater components, system configurations and flood measures as required by the City of Ryde DCP Part 8.2 Stormwater and Floodplain Management must be registered on the subject lot. Copies of the endorsed instruments (including terms) and the Title Certificate must be provided with the application for the Subdivision Certificate for City of Ryde approval.</p>

	Condition Reason: This is to ensure that the drainage system and / or flood mitigation measures will be maintained throughout the life of the development by the owner of the site(s).
274.	Building Code of Australia Prior to the issuing of a subdivision certificate, certification from a suitably qualified accredited building consultant is required to be submitted to the principal certifier confirming that the development is compliant with the current version of the National Construction Code (NCC) for the following items: <ul style="list-style-type: none"> a) Separating Wall. The wall separating the two dwellings has an FRL (Fire Resistance Level) of not less than 60/60/60 extending from the ground to the underside of the roof cladding, or as per the relevant NCC and BCA requirements at the time. b) Smoke Alarms. The smoke alarms in each dwelling are connected to the consumer mains power and are interconnected as there are alarms on both floor levels, or as per the relevant NCC and BCA requirements at the time. Condition Reason: To ensure that the building complies with the Building Code of Australia requirements.
275.	Official Property Addressing Prior to the issuing of a subdivision certificate, the administration sheet or strata plan shall be prepared in accordance with the official address provided by Council's Spatial Data Service. Condition Reason: To assist in way finding.
276.	Subdivision Parking Allocation Before the issue of a subdivision certificate, a plan depicting the subdivision alignment overlaying plans of the parking area must be provided so as to ensure the defined ROW and parking areas are appropriate. This plan is to be accompanied by a parking schedule which summarises the allocation of parking on each level to each of the respective lots to be created. Any parking allocation imbalances or impractical / inadequate vehicle access paths may require the reconfiguration of the definition of lots and ROW's on the plan of Subdivision. Condition Reason: To ensure the subdivision of parking spaces and creation of ROW's is aligned with the original approved development in terms of parking allocation and vehicle access.

End of Conditions