

Item 2
27 Railway Road, Meadowbank – MOD2025/0032
S4.55(2) modification of LDA2021/0372 to modify the commercial building.

Report prepared by:	Assessment Officer- Town Planner
Report approved by:	Senior Coordinator Development Assessment and Manager Development Assessment

City of Ryde
Local Planning Panel Report

DA Number	MOD2025/0032
Site Address	27 Railway Road, Meadowbank Lot A DP 27200
Zoning	MU1- Mixed Use Zone
Proposal	S4.55(2) modification of LDA2021/0372 to modify the commercial building. This includes increasing the building height and amendments to the façade, internal floor layout, and rooftop layout. The proposal includes the conversion of a portion of the roof to a retractable awning to service an outdoor space on Level 2.
Property Owner	Wedge House Pty Ltd
Applicant	Wedge House Pty Ltd
Report Author	Gavin Zev
Lodgement Date	28 April 2025
Notification	28 April to 14 May 2025
No. of Submissions	1 in support of the development

Cost of Works	\$3,417,147.00 (QS report dated 16 June 2025)
Reason for Referral to LPP	Departure from development standards – <i>Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.</i> <i>Schedule 1, Part 3 of Local Planning Panels Direction.</i>
Recommendation	Approval
Attachments	Attachment 1 - Proposed Plans Attachment 2 - Comparison of Plans Attachment 3 - Ryde Development Control Plan 2014 Compliance Table Attachment 4 - Modified Conditions of Consent

1. Executive Summary

This report considers a Section 4.55(2) modification application to modify development consent No. LDA2021/0372 under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act) on land at 27 Railway Road Meadowbank, which is legally described as Lot A DP 27200.

The subject Section 4.55(2) application (MOD2025/0032) was lodged on 28 April 2025 and seeks to modify the approved commercial building. This includes increasing the building height and amendments to the façade, internal floor layout, and rooftop layout. The proposal also includes the conversion of a portion of the roof to a retractable awning to service an outdoor space on level 2.

The original development application (LDA2021/0372) was granted a deferred commencement consent by the Ryde Local Planning Panel on 14 April 2022. The applicant activated this consent on 2 December 2022. A separate Development Application No. LDA2024/0194 was granted development consent by Council on 2 January 2025 for the internal fit out and alterations to the approved three storey commercial building to provide a pub and café operating between 10:00am and 2:00am Mondays to Saturdays and 10:00am to 12:00 Midnight on Sundays.

In accordance with the Act, Section 9.1 – Directions by the Minister, this application is reported to the Ryde Local Planning Panel for determination as the development *contravenes a development standard imposed by an environmental planning instrument by more than 10%*.

LDA2021/0372 approved the commercial building on the site with a maximum building height of 10.34m, representing an 8.84% contravention to the height development standard in Clause 4.3 of the Ryde Local Environmental Plan 2014 (RLEP 2014). The proposed modifications include an increase in the floor to floor levels and amendments

to the rooftop layout, which result in a maximum height of 12.1m, representing a 27.36% contravention to the development standard.

As the subject application is lodged under Section 4.55 of the Act, a Clause 4.6 variation request does not need to accompany this application. Section 4.55 of the Act still requires the consent authority to consider Section 4.15 of the Act, which includes consideration of the provisions within any Environmental Planning Instrument.

The proposal is considered to achieve the relevant objectives of Clause 4.3 despite the height exceedance. The proposal is still in keeping with the character of nearby development, with minimal additional overshadowing and amenity impacts on neighbouring properties and the streetscape, and is compatible with the locality of Shepherd’s Bay, Meadowbank.

In accordance with Council’s Community Participation Plan, this application was notified between 28 April 2025 and 14 May 2025. One submission in support of the proposed modifications was received.

The applicant has appropriately responded to Council’s requests for information and provides an appropriate design response to the issues raised throughout the assessment.

Having regard to the matters for consideration under Section 4.15 of the Act, it is recommended that this Section 4.55(2) Modification of consent application No. MOD2025/0032 be approved subject to conditions.

2. The Site & Locality

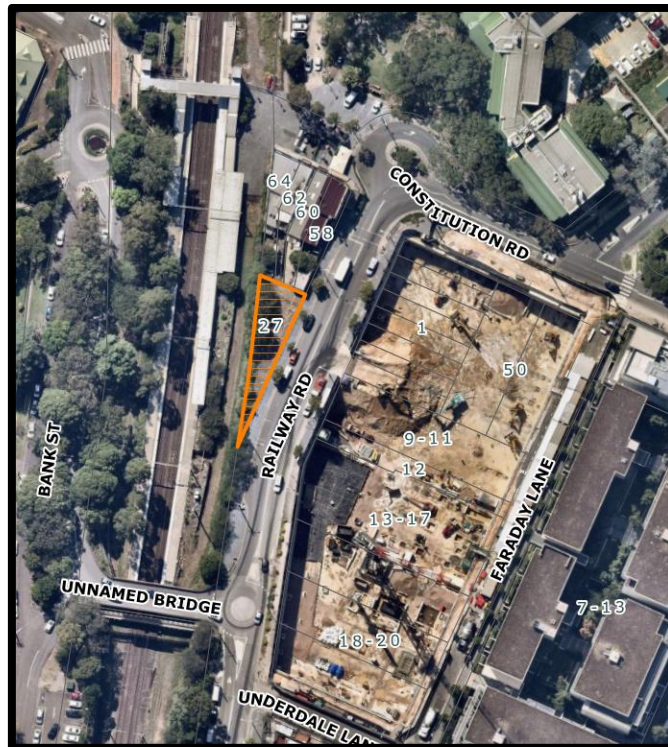


Figure 1- Aerial photograph of the site and locality.

The site is legally described as Lot A within DP 27200 and is known as 27 Railway Road, Meadowbank. The site is located on the western side of Railway Road with a frontage of 48.685m and a total area of 342.6m². The site is triangular in shape and is generally flat.

The site is currently vacant and is encumbered by a 3.05m wide right of carriageway at the northern end.

The site accommodates several trees which have been approved to be removed by LDA2021/0372. No additional trees are proposed to be removed under the subject Section 4.55 application.

The site is located within the Shepherd’s Bay, Meadowbank locality adjacent to the ‘Station Precinct’ (**Figure 2**). A local heritage item (number 37 in Part 1 of Schedule 5 of the Ryde Local Environmental Plan 2014) is adjacent to the north of the site at 58-64 Constitution Road, known as ‘Meadowbank shops’ (**Figures 5 and 6**). The heritage item consists of a series of two storey shop top housing developments.

The T9 heavy rail corridor adjoins the site to the west. The sites to the east on the opposite side of Railway Road are the subject of a development consent for a 6-7 storey mixed-use development consisting of four buildings of residential and commercial land uses. This development is currently in construction. The site is also in close proximity to TAFE NSW Meadowbank campus on See Street to the north.



Figure 2- Shepherd’s Bay Precinct Plan. The subject site is identified by the red star.

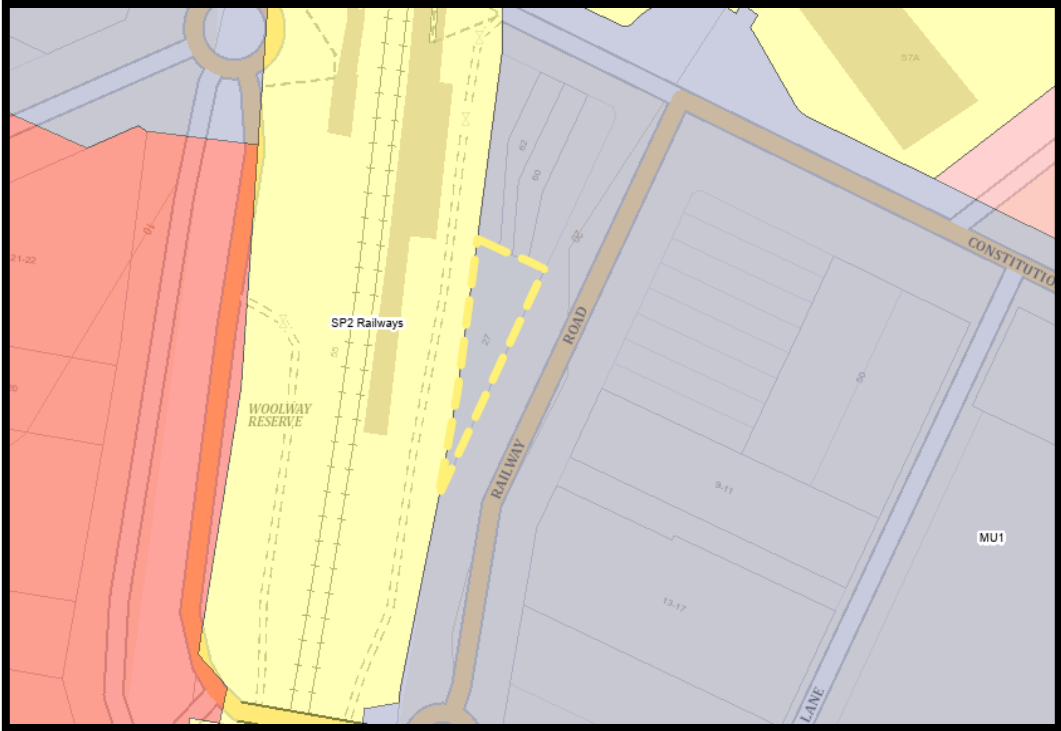


Figure 3 - Zoning Map

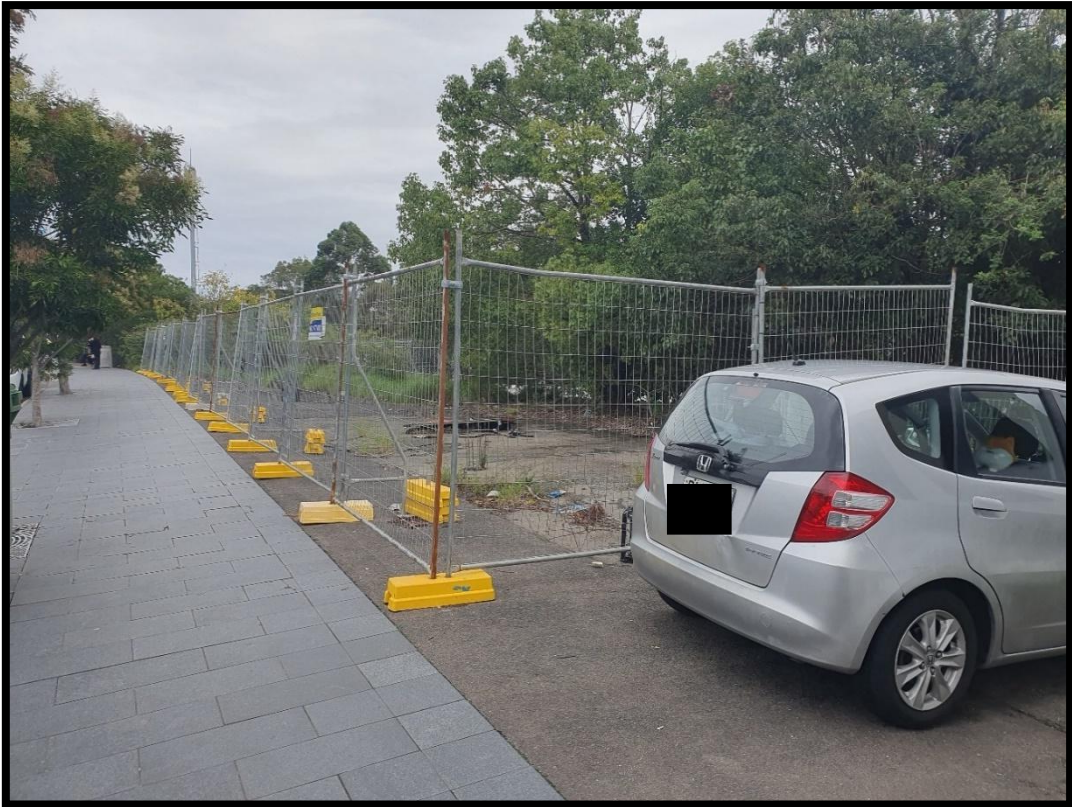


Figure 4 – Site as Viewed from the footpath along Railway Road. The car is located within the right of carriageway on the site.



Figure 5- The adjacent heritage item to the north of the subject site: 'Meadowbank shops' at 58-64 Constitution Road as viewed from Meadowbank Train Station.



Figure 6- Part of the adjacent heritage item to the north of the subject site: 'Meadowbank shops' at 58 Constitution Road as viewed from Railway Road.



Figure 7- TAFE NSW Meadowbank campus to the north of the subject site as viewed from Constitution Road.

3. The Proposal (as amended)

3.1 Background

The proposal involves the modification of development consent No. LDA2021/0372 for excavation and construction of a three-storey commercial development as deferred commencement consent. This deferred commencement consent was activated on 2 December 2022.

Local Development Application LDA2024/0194 was approved by Council on 2 January 2025 for the internal fit out and alterations to the approved three storey commercial building on the subject site to provide a pub and café operating between 10:00am and 2:00am Mondays to Saturdays and 10:00am to 12:00 Midnight on Sundays was approved by Council. LDA2024/0194 included the following minor alterations to the building as approved by LDA2021/0372:

North Elevation

Removal of doorway entries and bifold doors and the addition of louvres on the ground floor.

East Elevation

Removal of doorway entries to create one entry point through the lobby and the addition of frosted glass along the portion of the frontage that forms the gaming room.

Roof

Construction of a kitchen exhaust system consisting of a vertical discharge roof cowl.

As part of the development consent LDA2024/0194, Condition 26 was imposed requiring a Section 4.55 Modification of Development Consent application be lodged and approved seeking amendments to LDA2021/0372 such that the plans approved under LDA2021/0372 were amended to align with the plans approved under LDA2024/0194. Particular reference was made to the ground floor facades and roof alterations approved through Local Development Application LDA2024/0194.

3.1 This proposal

Pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (the Act), this application seeks to amend the plans to align with the plans approved under LDA2024/0194. This application also seeks to modify the approved building by increasing floor to floor heights and the overall building height, minor amendments to the northern and eastern facades, basement footprint, overall internal floor layout and rooftop layout, and converting a portion of the concrete roof to a canvas retractable awning to service an outdoor dining area on the second floor. The amendments will result in an overall building height of 12.1m, which is an increase of 1.85m from the originally approved development. However, the amendments do not alter the approved building footprint above ground level and will maintain a three storey built form when viewed from Railway Road.

The proposed modifications make further internal and external amendments to the building as approved under LDA2024/0194. As a result, it is recommended that an additional condition is imposed requiring a Section 4.55 Modification of Development Consent application be submitted and approved by Council seeking amendments to LDA2024/0194 to align with the plans approved under this application. This recommended condition has been included as Condition 113C in the modified consent.

The modifications proposed include the following:

Basement Level

- Reduced basement footprint;
- Revised internal layout including amended lift and stair location, amenities, storage rooms, keg room, bin room and office space;
- Relocated underground rainwater tank with the addition of an underground grease arrestor and on-site detention (OSD) tank; and
- Revised basement floor RL from the approved level of RL17.85 to RL18.00.

Ground Floor

- Revised layout including modified lift and stair location, relocated amenities, and new layout of gaming room and bar compared with LDA2024/0194;
- Relocated building services including gas, OSD tank and grease arrestor;

- New 1.8m high open vertical blade gate at the rear;
- Facades changed to complement revised layout including relocated building entry, and dark bronze louvres on northern façade to obscure the gaming room;
- Lift door opening to Railway Road frontage for loading purposes only and not for public use (Note: lift door is proposed to be finished with colourback (painted) glass to hide lift from public view when not in use for loading).

Level 1

- Revised layout including modified lift and stair location, relocated amenities, new layout of dining area, kitchen, bar and servery compared with LDA2024/0194;
- Revised first floor RL from the approved level of RL24.40 to RL25.00; and
- Revised eastern façade including fixed windows to Railway Road, fixed colour back glass windows to kitchen and WC, louvres to WC exhaust.

Level 2

- Revised layout including modified lift and stair location, relocated amenities, new outdoor dining area and bar, and new private dining area;
- Revised first floor RL from the approved level of RL27.40 to RL28.500; and
- Revised façade including fixed windows to Railway Road around the outdoor dining area, and fixed colour back glass windows to WC.

Roof

- Revised layout including modified lift overrun, retractable awning over outdoor dining area below and mechanical plant enclosure;
- Revised roof RL from the approved level of RL30.40 to RL32.00.

North Elevation

- Revised roof layout including modified lift overrun, retractable awning and mechanical plant enclosure;
- North façade changes including replacement of clear glazing with brick;
- New louvres to ground floor gaming area;
- Revised RLs.

East Elevation

- Revised roof layout including modified lift overrun, retractable awning and mechanical plant enclosure;
- Fixed windows to Railway Road including fixed colourback (painted) glass to windows in Level 1 kitchen and WC, Level 2 WC and Level 2 bar;

- Glazing and door changed to suit revised ground floor layout including brass framed entry door, colour back glass to lift and FBVC doors;
- Revised RLs.

West Elevation

- Revised roof layout including modified lift overrun, retractable awning and mechanical plant enclosure;
- Fixed colour back glass windows to Level 1 kitchen and part of the Level 2 outdoor dining area;
- New louvres to ground floor gaming area and Level 1 kitchen; and
- Revised RLs.

Sections

- New plant enclosure and modified lift overrun;
- New internal layouts; and
- Revised RLs.

Attachment 1 shows the proposed plans.

Attachment 2 compares the approved plans and proposed modified plans.

Condition Amendments

The applicant seeks to amend Condition 1 to reference the modified plans and reports.

4. History

4.1 Site History

Date	Event
14 April 2022	Local Development Application LDA2021/0372 for excavation and construction of a three-storey commercial development was granted a deferred commencement consent by the Ryde Local Planning Panel.
31 May 2022	Section 4.55(1) Modification of Development Consent Application MOD2022/0086 was approved by Council. This application deleted condition 41 relating to the waste collection point and condition 148 relating to access control; and amended condition 67 relating to a Demolition Pedestrian and Traffic Management Plan, condition 86 relating to a Construction Pedestrian and Traffic Management Plan, and condition 91 relating to the Defects Security Bond charged for public domain works.
2 December 2022	Operational consent was granted for Local Development Application LDA2021/0371.

2 January 2025	Local Development Application LDA2024/0194 for internal fit out and alterations to the approved three storey commercial building to provide a pub and café operating between 10:00am and 2:00am Mondays to Saturdays and 10:00am to 12:00 Midnight on Sundays was approved by Council.
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4.2 Application History

Date	Event
28 April 2025	The subject Section 4.55(2) Modification of Development Consent Application was lodged.
28 April 2025- 14 May 2025	The application was notified to neighbouring properties. One submission was received in support of the proposal.
30 April 2025	A site inspection was conducted by the Assessment Officer.
12 May 2025	A request for an Acoustic Report was uploaded to the NSW Planning Portal.
20 May 2025	An Acoustic Report was uploaded by the Applicant to the NSW Planning Portal.
4 June 2025	A request for additional information letter was uploaded to the NSW Planning Portal seeking to clarify the height variation, overshadowing and adequacy of the bin rooms.
11 June 2025	The applicant uploaded additional information to the NSW Planning Portal. The additional information was not required to be notified.

5. PLANNING ASSESSMENT

5.1 Environmental Planning and Assessment Act 1979

Section 4.55(2): Modification of consents- Other Modifications

Section 4.55(2) of the Act allows a consent authority to modify a development consent granted by it if:

- (a) *it is satisfied that the development to which the consent as modified relates is the same or substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) *it has notified the application in accordance with—*
 - (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or*

advertising of applications for modification of a development consent, and
 (d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

In considering the above:

- It is considered that the proposal as modified is substantially the same development for which consent was originally granted. The general external appearance of the development will remain substantially the same in terms of its contemporary architectural style and materiality as the original design approved by the Ryde Local Planning Panel.

The application was notified in accordance with the Ryde Community Participation Plan and one submission was received expressing support of the proposed modifications.

5.2 State Environmental Planning Instruments

Instrument	Proposal	Compliance
State Environmental Planning Policy (Resilience and Hazards) 2021		
Chapter 4- Remediation of land		
<p>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</p> <p>The aims are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.</p>	<p>Pursuant to Clause 4.6(1) considerations, the development application for the construction of the three storey commercial development and café (LDA2021/0372) on the site was accompanied by a Detailed Site Investigation (DSI) and a Remediation Action Plan (RAP) to outline remediation works and validation proposed to make the site suitable for the construction of the building. Council's Environmental Health Officer imposed appropriate contamination related conditions for LDA2021/0372, which the applicant is required to comply with in order to remediate the site to be suitable for the proposed use. The proposed modifications do not result in any implications on the compliance of the development with this SEPP.</p>	<p>Yes</p>

State Environmental Planning Policy (Biodiversity and Conservation) 2021		
Chapter 2- Vegetation in non-rural areas		
The objective of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.	The proposal does not involve any additional tree removal from the site.	Yes
Chapter 6- Water Catchments		
This Plan applies to the whole of the Ryde Local Government Area. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.	Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal.	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2- Infrastructure		
Division 15 Railways		
Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors		
2.98- Development adjacent to rail corridors Pursuant to Section 2.98(1) the proposed development is on land that is in or adjacent to a rail corridor and (a) is likely to have an adverse effect on rail safety, or (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or (c) involves the use of a crane in air space above any rail corridor, or (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.	The proposal was referred to Transport for NSW as the subject site is adjacent to the T9 heavy rail corridor. Transport for NSW have raised no objections to the proposed modifications subject to recommended conditions of consent (Conditions 113A and 113B).	Yes

<p>2.99- Excavation in, above, below or adjacent to rail corridors</p> <p>This section applies to development (other than development to which section 2.101 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land (a) within, below or above a rail corridor, or (b) within 25m (measured horizontally) of a rail corridor, or (c) within 25m (measured horizontally) of the ground directly below a rail corridor, or (d) within 25m (measured horizontally) of the ground directly above an underground rail corridor.</p>	<p>The proposal was referred to Transport for NSW as the proposed development involves excavation of the ground to a depth of more than 2m below ground level (existing) on land that is located within 25m of a rail corridor. Transport for NSW have raised no objections to the proposed modifications, subject to recommended conditions of consent. These conditions are included in the modified consent as condition 113A.</p>	<p>Yes</p>
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5.3 Ryde Local Environmental Plan 2014 (RLEP 2014)

LDA2024/0194 granted development consent to change the use of the commercial building to a cafe and pub. Under the provisions of the RLEP 2014, the subject site is zoned MU1 Mixed Use, and the proposed modifications do not alter the use of the building as approved by LDA2021/0372 or LDA2024/0194.

The proposed modifications do not result in any further RLEP 2014 non-compliances beyond that already considered and approved under LDA2021/0372 except for the following further variation:

Ryde LEP 2014	Proposal	Compliance
<p>4.3(2) Height of Buildings Maximum 9.5m</p>	<p>12.1m</p>	<p>No. Variation sought as addressed below.</p>

Merit Assessment of Variation- Clause 4.3 Height of Buildings

As the subject application has been lodged pursuant to Section 4.55 of the Act, a Clause 4.6 variation request does not need to accompany this application. Section 4.55(3) of the Act still requires the consent authority to consider Section 4.15(1) of the Act, which includes consideration of the provisions within any Environmental Planning Instrument (EPI). As such, an assessment of Clause 4.3(2) of the RLEP 2014 has been undertaken below.

Under the provisions of Clause 4.3 of the RLEP 2014, the subject site is mapped as having a maximum permitted building height of 9.5 metres. The approved development under LDA2021/0372 had a maximum height of 10.34m measured to the lift overrun (RL31.20), representing an 8.84% contravention to the development standard.

The proposed modifications increase the maximum building height to 12.1m representing a 2.6m (27.37%) contravention to the development standard. The

modification is the result of increasing the floor to floor heights from 3.3m on the ground floor to 3.9m and from 3m on the first and second floors to 3.5m. The proposed modifications also amend the rooftop layout, notably the addition of a retractable roof and revision of the mechanical plant enclosure, which the applicant has stated has been designed to enclose with a 1m high preliminary equipment selection of air conditioning condensers. The original development approval proposed the air conditioning units to align with the height of the lift overrun. The proposed modified plans now show the mechanical plant enclosure to encroach approximately 300mm higher than the lift overrun. The mechanical plant enclosure is wholly set back from all elevations.

The amended rooftop layout has increased the levels of the rooftop elements as follows:

- Concrete roof: Approved at RL30.40 - Proposed to be modified to RL32.00
- Parapet: Approved at RL30.55 - Proposed to be modified to RL32.15
- Lift overrun: Approved at RL31.20 - Proposed to be modified to RL32.65
- Canvas retractable roof: RL32.65 (new addition)
- Mechanical plant enclosure: RL33.00 (new addition)

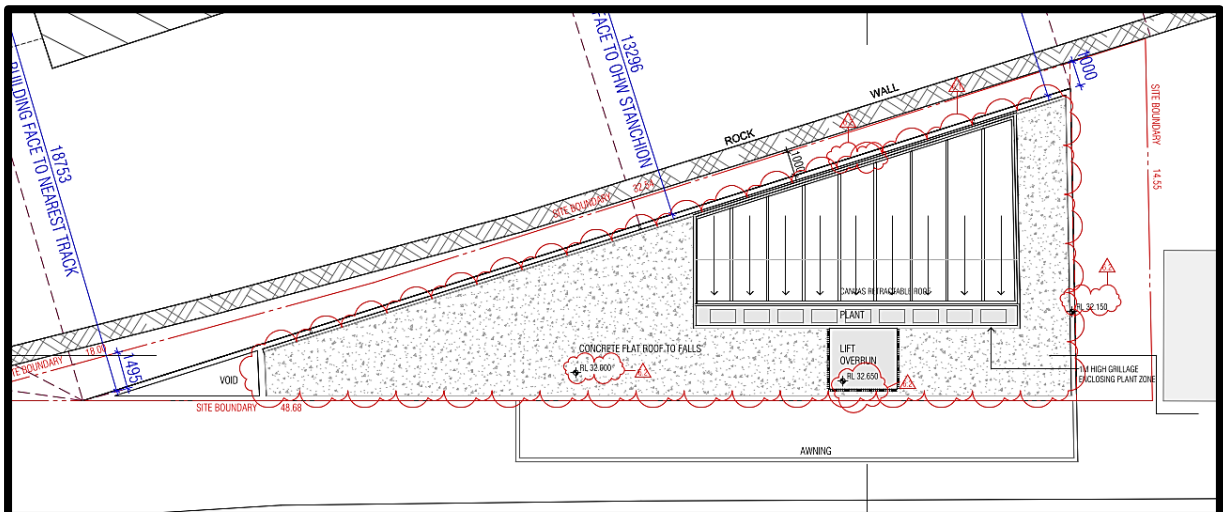
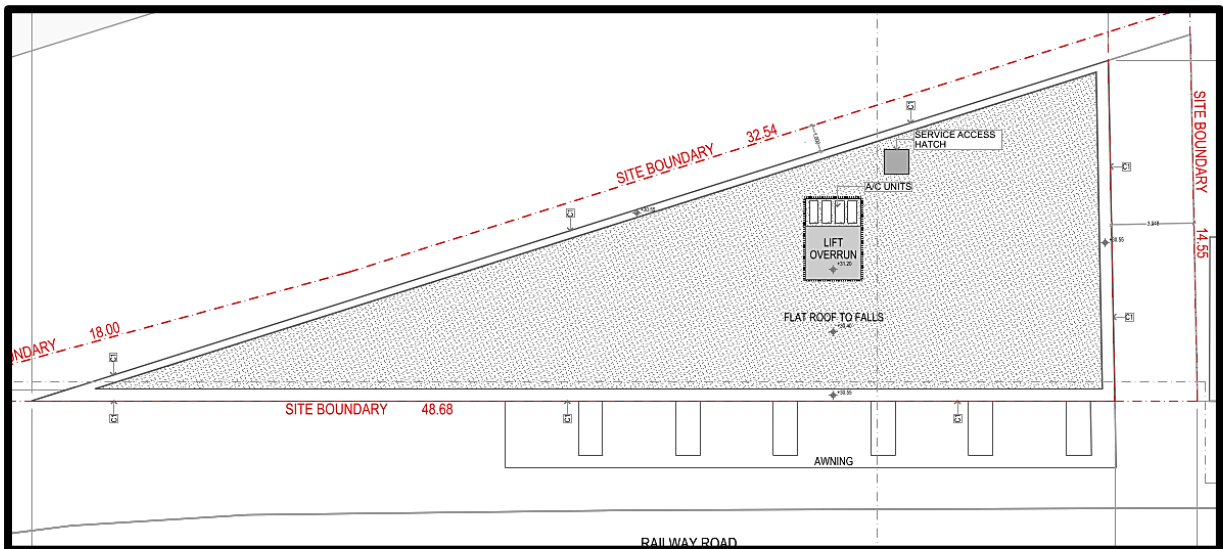


Figure 8- Approved Roof Plan (above) and Proposed Modified Roof Plan (below).

The applicant has submitted a letter from their consultant Mechanical Engineer providing the following justification for increasing the floor to floor heights of the approved development:

We have advised Wedge House Pty Ltd (the applicant) that additional floor to floor height was necessary for the pub usage to accommodate a finished ceiling space of approximately 800mm to house mechanical, electrical, hydraulic, and fire services. This allowance is typical amongst hospitality usages and is essential to ensure suitable spatial separation, serviceability, and compliance with NCC and industry standards.

Hospitality projects can have areas of higher complexity—such as kitchens, bathrooms, beer tap pythons and service risers, which require particularly careful coordination due to the concentrated nature of services in these zones.

Reducing the finished ceiling space below 800mm can present significant design and construction challenges and may result in long-term maintenance issues such as cleaning of kitchen exhaust ductwork etc.

We therefore seek Council’s support for a minor increase in building height to provide sufficient ceiling space for coordinated services. This approach supports a more practical and compliant design outcome while allowing for serviceability and better building performance.

For reference, we have attached a diagram illustrating typical ceiling service coordination (Figure 9). Please note this does not reflect the higher complexity present in key areas such as kitchens and bathrooms.

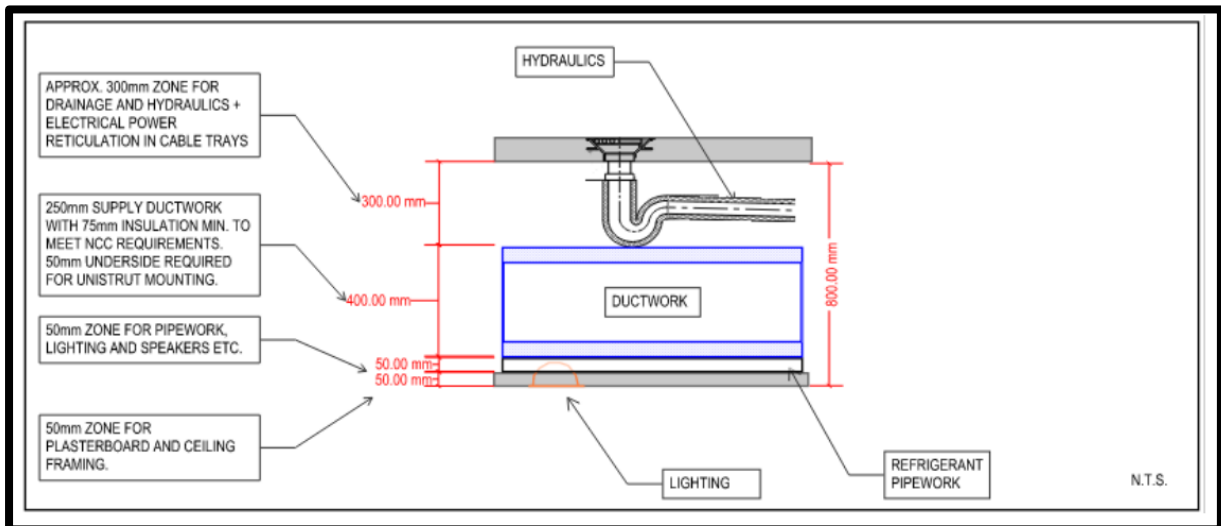


Figure 9- Typical Ceiling Service Coordination showing 800mm finished ceiling space.

It is noted that Part F5D2 of Volume One of the NCC 2022 requires a minimum height for rooms and other spaces in Class 5, 6, 7 and 8 buildings of 2.4m. Given that the applicant’s Mechanical Engineer has proposed a space of 800mm high to house the services required for the approved use of the development as a pub and that the floor slab will be approximately 300mm thick, the proposed floor to floor heights comply with the NCC 2022 provision.

The applicant stated in the original Development Application that the maximum height of the building was 10.25m, however the Assessment Officer of LDA2021/0372

calculated the maximum building height to be 10.34m. The applicant has stated in their submitted Statement of Environmental Effects that the proposed modifications result in a maximum building height of 11.9m. However, it is unclear as to how they have calculated this height as an overlay of the submitted Roof Plan and Survey Plan have found that the Survey level closest to the highest level of the building (the mechanical plant enclosure at RL33.00) is RL20.90 (**Figure 10**). This results in an increased maximum building height of 12.1m representing a 2.6m (27.37%) contravention to the development standard.

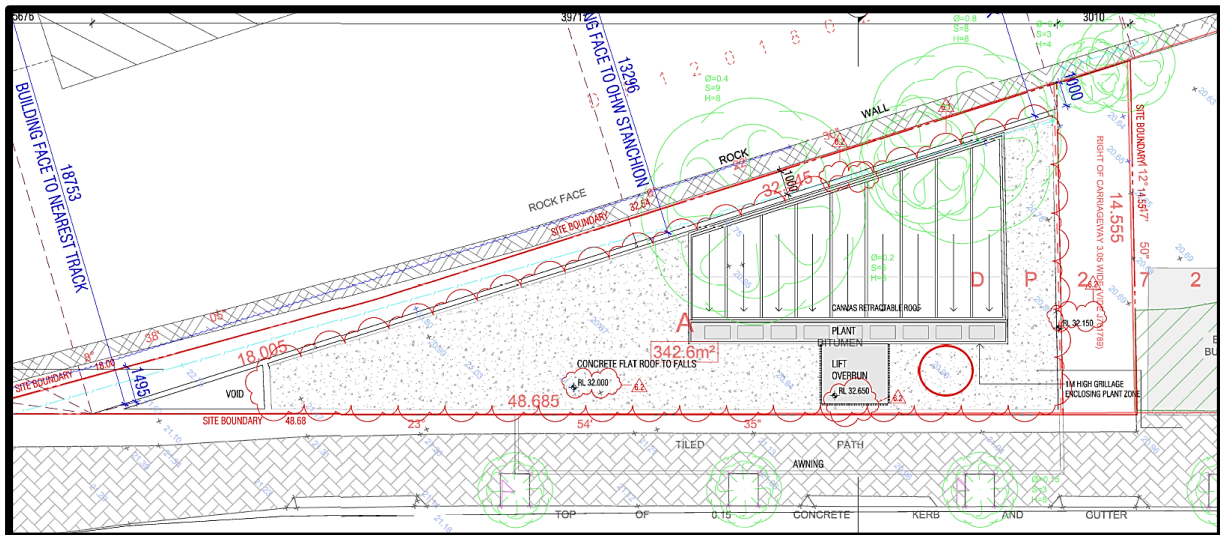


Figure 10- Overlay of the submitted Roof Plan and Survey Plan. The level closest to the mechanical plant enclosure (RL20.90) is circled in red.

The applicant’s Statement of Environmental Effects has provided the following assessment against the objectives of Clause 4.3 of the RLEP 2014:

a) to ensure that street frontages of development are in proportion with and in keeping with the character of nearby development

The proposed development will continue to be compatible with the size of the subject site and its surrounding built and natural environment. The additional height proposed is a result of the increased floor to floor heights, ensuring compliance with the NCC, and rooftop services, and is considered to be relatively minor when compared to the scale of the approved development. The continued breach in height is not considered to impact the character of the approved built form or relationship to the prevailing character of surrounding development.

The proposed modifications will maintain the approved 3 storey scale of development. Overall, the additional height will not create an overdevelopment of the site and will not be at odds with other development, both existing and approved within the immediate locality.

Indeed, land surrounding the site contains either constructed or approved developments under construction of up to 7 storeys in height. Of note is the development at No. 1-20 Railway Road, which was approved under MOD2024/0191 with a building height variation of 8.59m, equating to a numerical variation of 46.4% to the permissible building height on that site of 18.5m. Whilst it is acknowledged that the

subject site has a maximum permissible building height of only 9.5m, the proposed height variation is far less than what has been considered acceptable by Council within this location, opposite of the Meadowbank Railway Station. Furthermore, given the site’s location adjacent to the railway line and distance from residential development, the site is suitably located to accommodate the proposed height variation, with no adverse impacts resulting from the additional height, as discussed throughout this Statement.

Overall, given the context, despite the breach in building height, the development will continue to sit comfortably on the site and continue to provide for a built form which is articulated and proportionate in bulk and scale, being reflective of the immediate locality.

Additionally, the proposed development, as modified, continues to be of a scale and form that is characteristic of the high density streetscape within the precinct and is compatible with other developments in the locality. The proposed modifications will not significantly alter the general appearance of the site and wider streetscape and continues to provide a high quality development that exhibits design excellence.

Therefore, despite the non-compliance, objective (a) is achieved.

Assessment Officer’s Comments: It is agreed that the proposed modifications to the built form retain the three storey presentation of the building that was approved by the original development consent. The subject site is adjacent to the heritage item at 58-64 Constitution Road to the north (**Figures 5-6 above**) and the heavy rail corridor to the west. The heritage item ranges in height from single storey to two storeys along Railway Road increasing in height from south to north. There are no changes to the setbacks of the approved development proposed and as a result the development retains a sufficient visual separation distance between the approved commercial building and the adjoining heritage item (**Figure 11**). This ensures that the development is in keeping with the character of nearby development and maintains an appropriate relationship with the heritage item that is similar to the relationship set by the approved development.

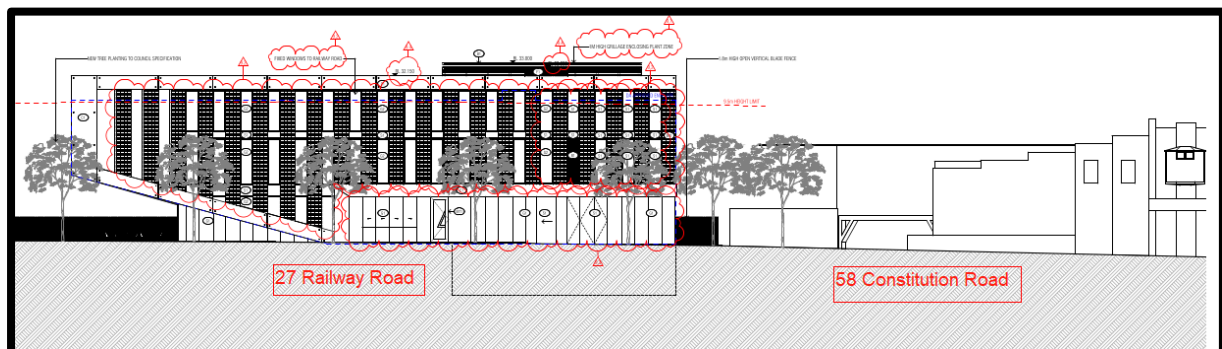


Figure 11- East Elevation with the modified development on the left and the heritage item at 58 Constitution Road on the right.

This relationship with the adjoining heritage item has been commented on further by Council’s Heritage Advisor who reviewed the application and has supported the proposed modifications:

The form, scale, and materiality of the building have been carefully considered to ensure an appropriate relationship with the adjoining heritage item. The building will not visually dominate or detract from the significance of the heritage site, nor will it obscure primary views from Constitution Road or Railway Road.

The contemporary design will positively contribute to the vibrancy of the streetscape while maintaining a respectful contrast between new and old. The material finishes and architectural elements will ensure that the development integrates seamlessly into the broader heritage setting, reinforcing the area's character without compromising heritage values.

Across the road on the eastern side of Railway Road, a mixed use development consisting of four 6-7 storey buildings is being constructed at 1-20 Railway Road. The two buildings that have frontages to Railway Road (Building A and B), which form part of this mixed use development have seven storey frontages to Railway Road. The proposed modifications will continue to provide a building that is of a much smaller scale than the mixed use developments on the opposite side of Railway Road.

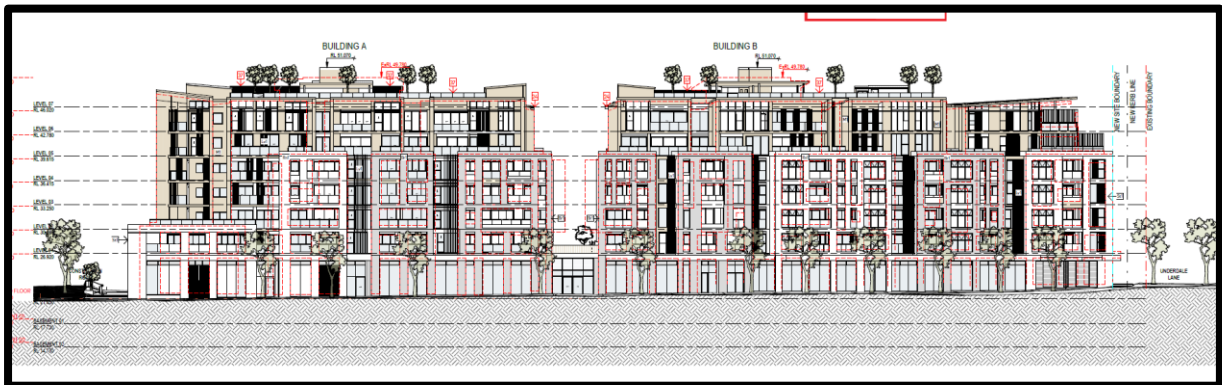


Figure 12- The Approved North-Western (Railway Road) Elevation of Buildings A and B at 1-20 Railway Road.

Given the context of the surrounding locality, the proposed increase in the height variation is considered to be in keeping with the existing and emerging mixed use character of nearby development and provides a building with a height and scale that maintains appropriate proportions with the neighbouring developments that are established by Clause 4.3 of the RLEP 2014. As such, the non-compliance is considered to be consistent with objective a).

b) to minimise overshadowing and to ensure that development is generally compatible with or improves the appearance of the area

Despite the height non-compliance, the proposed development will not give rise to significant adverse overshadowing impacts on neighbouring properties, over and above those created by the approved development.

Due to the orientation of the site, the majority of shadows cast by the proposed development fall on the adjoining railway corridor and street. The site does not directly adjoin any existing residential development, and the proposed height breach is considered to not result in additional significant adverse impacts to adjoining properties.

Thus, the level of overshadowing caused by the development is consistent with that which is reasonably expected by the building envelope controls that apply to the site and will not adversely impact on the existing levels of residential amenity on neighbouring sites.

Therefore, despite the non-compliance, objective (b) is achieved.

Assessment Officer's Comments: Due to the site's orientation the majority of overshadowing is cast over Railway Road to the east and the railway corridor to the west. The applicant has submitted shadow diagrams, which demonstrate that the proposed development as modified will not cast any shadows over the approved mixed-use development at 1-20 Railway Road from 9am until 2pm on 21 June. This is generally consistent with the approved development as the modified proposal results in a minor increase in the length of shadows cast from the development when compared with those cast from the approved development. The differences in the shadows are shown in **Attachment 2**. As such, the non-compliance is considered to be consistent with objective b).

c) to encourage a consolidation pattern and sustainable integrated land use and transport development around key public transport infrastructure

The proposal utilises a small and constrained site to provide a high quality commercial development in close proximity to Meadowbank Railway Station. This proposal is of a scale and type that is compatible with other development in the Shepherds Bay, Meadowbank precinct and that is encouraged by the planning controls that apply to the site.

The development provides for a significant uplift in employment generation on the site and is car free, being located within excellent access to public transport. As such, the proposal will encourage sustainable modes of transport that demonstrate a transit-orientated development.

Therefore, despite the non-compliance, objective (c) is achieved.

Assessment Officer's Comments: It is agreed that the development continues to provide a high quality contemporary development on a highly constrained site that will generate employment and provide a commercial land use in close proximity to public transport infrastructure and other residential and commercial land uses. As such, the development continues to achieve objective c).

d) to minimise the impact of development on the amenity of surrounding properties

The proposed height breach does not result in any unreasonable amenity impacts on neighbouring properties. No changes are proposed to the approved setbacks and separation, which are compliant with the provisions of the RDCP 2014.

Consequently, the development has been designed to not introduce any new visual or acoustic privacy impacts above that of which was approved. Furthermore, as set out in Objective (c) above, the level of overshadowing caused by the additional height

breach is minor and considered to be reasonable and in accordance with what is anticipated for the site.

With regard to visual impacts, the height non-compliance will not be overly visible to the casual observer when viewed from the public domain as a result of the articulated form and architectural style which is maintained in accordance with the approved development on the site.

Therefore, despite the non-compliance, objective (d) is achieved.

Assessment Officer's Comments: As mentioned above, the increase in height of the building does not cause any significant overshadowing over the mixed use development at 1-20 Railway Road.

The increase in the height variation does not create any new adverse visual privacy impacts for the occupants of 1-20 Railway Road compared with the originally approved development. The dark bronze colourback glass and dark bronze louvres on the northern elevation of the approved development have been amended to be an entirely brick façade from the first floor and above. This will provide additional visual privacy to any existing and future development to the north of the subject site.

The application has been accompanied by an Acoustic Impact Assessment Report, which has assessed the acoustic impacts of the proposed modifications including the addition of a retractable awning roof to service an outdoor dining area on the second floor of the approved commercial building. The Acoustic Report has been reviewed by Council's Environmental Health Officer who have stated that *the cumulative noise to the surrounding residential receivers has been predicted and found to comply with the Project Noise Trigger Levels. The cumulative noise levels to the surrounding commercial and educational establishments have also been predicted and with attenuation factors from distance and barriers have also been found to comply with the Project Noise Trigger Levels.*

Furthermore, the increase in the height variation has no impact on any views obtained from neighbouring properties. As such, the development continues to achieve objective d).

e) emphasise road frontages along road corridors

The additional height proposed will not impact upon how the development, as approved, responds to the road frontages and public domain. The additional height breach will not impact the essence of the approved development, which is a 3 storey commercial building. The development will continue to follow the alignment of surrounding roads, with level access provided on the ground floor from Railway Road, emphasising the road frontage. The form of the development will continue to follow these road alignments.

Therefore, despite the non-compliance, objective (e) is achieved.

Assessment Officer's Comments: As mentioned above, it is agreed that the development will continue to present as a three storey building when viewed from the public domain along Railway Road. The eastern elevation continues to have a nil

setback to the eastern boundary along Railway Road and the development continues to have ground level access, which aligns with the footpath fronting the site. Therefore, it is considered that the increase in the height variation does not adversely impact upon the road frontage and public domain presentation along Railway Road. As such, the development continues to achieve objective e).

Concluding Comments

The justification provided by the applicant above is considered to be well founded in demonstrating that compliance with Clause 4.3 of the RLEP 2014 or the retention of the existing approved height variation is considered to be unnecessary in this particular circumstance. The proposed increase in the height variation remains consistent with the zone objectives, which seek to facilitate a diverse mixed-use environment, that successfully manages relationships between land uses inside and outside the zone.

The proposal will only result in a negligible amount of additional overshadowing relative to the approved development and will not result in adverse impact on residential amenity or the surrounding streetscape. Furthermore, the proposed increase in floor to floor heights will improve the level of amenity enjoyed by future occupants/patrons of the development and the addition of the retractable awning and mechanical plant enclosure on the rooftop supports the functionality of the development and its associated services. For these reasons, the variation to the development standard is supported in this particular circumstance.

5.4 Draft Environmental Planning Instruments

Nil.

5.5 Development Control Plans

Ryde Development Control Plan 2014 (RDCP 2014)

The following additional non-compliances with the RDCP 2014 have been identified as a result of the modifications proposed:

Part 4.2- Shepherd's Bay, Meadowbank

Section 4.2.1- Height

Control 4.2.1(a) of Part 4.2 of the RDCP 2014 states that *the maximum building height is to comply with the heights shown in Ryde Local Environmental Plan 2014 Height of Buildings Map.*

Comment: This non-compliance has been addressed in the RLEP 2014 section of the report above.

Control 4.2.1(c) of Part 4.2 of the RDCP 2014 states that *the ground floor height shall be 4 m floor to floor regardless of use.*

Comment: The modified ground floor height has a floor to floor height of 3.9m. LDA2021/0372 approved the floor to floor height at 3.3m. As the degree of variation

to the control has been decreased, thereby increasing the level of internal amenity for the occupants of the approved commercial use and improving the functionality of the development, the non-compliance is considered to be supportable.

With the exception of the above variations, the proposed modifications do not result in any further RDCP 2014 non-compliances beyond that already considered and approved under LDA2021/0372.

5.6 Planning Agreements OR Draft Planning Agreements

There are no planning agreements or draft planning agreements for this development.

5.7 City of Ryde Section 7.12 Fixed Rate Levy Development Contributions Plan 2020

The *City of Ryde Fixed Rate Levy (Section 7.12) Development Contributions Plan 2020* (Fixed Rate Plan) applies to non-residential development outside of the Macquarie Park precinct that propose an increase in GFA. The Fixed Rate Plan imposes a 1% levy on the construction value of all non-residential development consents for developments over a \$350,000 construction value threshold. The accompanying Quantity Surveyors Cost Report (dated 16 June 2025) nominates a cost of works of \$3,417,147.00. Therefore, the associated levy payable is \$34,171.47. Condition 69 is amended accordingly.

5.8 Any matters prescribed by the regulations

Environmental Planning and Assessment Regulation 2021

The proposed modified development satisfies the relevant requirements of the Environmental Planning and Assessment Regulation 2021.

6. The likely impacts of the development

All relevant issues regarding environmental impacts of the proposed development are discussed throughout this report.

The modifications proposed by this application will not exacerbate any environmental impacts already considered and supported under LDA2021/0372.

The development is considered satisfactory in terms of environmental impacts.

7. Suitability of the site for the development

The site continues to be suitable for the three storey commercial building development. The adjustments to the floor to ceiling heights and mechanical plant enclosure and addition of the retractable roof promote the good design and amenity of the building.

As such, the site remains suitable for the development.

8. Submissions

In accordance with the Ryde Community Participation Plan the proposal was notified to owners of surrounding properties between 28 April 2025 to 14 May 2025. During the notification period, one submission was received in support of the proposal. No submissions were received objecting to the proposal.

Renotification

The amended plans and additional information were not required to be notified as they did not result in any greater impact upon adjoining properties or the streetscape.

9. The Public Interest

As has been discussed in this report, the increase in the floor to floor levels and the addition of a retractable awning and mechanical plant enclosure on the roof to service an outdoor dining area on Level 2 will improve the functionality of the development and the level of amenity enjoyed by the future occupants of the development while having minimal visual and amenity impacts on the streetscape and neighbouring developments. Having regard to the assessment contained in this report, it is considered that approval of the modified development is not contrary to the public interest.

10. Referrals

The application was referred to the following stakeholders for comments:

NSW Local Police

No objections subject to ensuring compliance with the Acoustic Report. This is addressed by new Conditions 113D and 209A imposed by Council's Environmental Health Officer (see below).

Transport for NSW

No objections subject to retaining the Transport for NSW (as Rail Authority / Sydney Trains operational conditions from LDA2021/0372 (Deferred Commencement Condition Part 1A [satisfied on 2 December 2022] and Operational Conditions 43 to 54, 102 to 113, 133 to 134, 173, 205 to 209) and impose additional operational conditions. (See new Conditions 113A and 113B).

Council's Environmental Health Officer

No objections. The conditions in the original development consent (LDA2021/0372) relate to the proposed construction of the development as a commercial premises with food and drink premises. Condition 25 is required to be amended to reflect the Acoustic Report which accompanies this modification application. Two additional conditions are recommended to reflect the acoustic report which considers the modifications, including the Level 2 dining space with retractable roof as follows:

113D. Compliance with Acoustic Report

209A. Acoustic Certification Report

Council’s Senior Development Engineer

No objections. No amendments to conditions required.

Council’s Landscape Architect

No objections. No amendments to conditions required.

Council’s Heritage Advisor

No objections. No amendments to conditions required.

11. Conclusion

The application has been assessed under the matters for consideration of Section 4.15 and Section 4.55 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions. The site continues to be suitable for commercial development and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The modification satisfies the provisions of Section 4.55 of the Environmental Planning and Assessment Act 1979.
- The development continues to be a permissible use and is consistent with the objectives of the zone and relevant development standards under RLEP 2014.
- The amended proposal still achieves the objectives of Clause 4.3 despite the height exceedance.
- The modification is substantially the same as the original approval.
- The proposal is not contrary to the public interest.

12. Recommendation

That the RLPP grant consent to MOD2025/0032 to modify the consent for Local Development Application No. LDA2021/0372 on land at 27 Railway Road, Meadowbank as follows:

Condition 1 is amended as follows:

Approved Plans/Documents. Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and the recommendations and requirements of the following support documents:

Document Description	Plan No./ Reference	Date
Cover Sheet	DA000 Rev D prepared by Curzon + Partners	13.01.2022
Site Plan	DA008 Rev D prepared by Curzon + Partners	13.01.2022

Site Plan	DA008 Rev E prepared by Curzon + Partners	16.04.2025
Demolition Plan	DA009 Rev D prepared by Curzon + Partners	13.01.2022
Basement Floor Plan	DA090 Rev D prepared by Curzon + Partners	13.01.2022
Basement Floor Plan	DA090 Rev E prepared by Curzon + Partners	16.04.2025
Ground Floor Plan	DA100 Rev D prepared by Curzon + Partners	13.01.2022
Ground Floor Plan	DA100 Rev F prepared by Curzon + Partners	06.06.2025
First Floor Plan	DA101 Rev D prepared by Curzon + Partners	13.01.2022
First Floor Plan	DA101 Rev E prepared by Curzon + Partners	16.04.2025
Second Floor Plan	DA102 Rev D prepared by Curzon + Partners	13.01.2022
Second Floor Plan	DA102 Rev E prepared by Curzon + Partners	16.04.2025
Roof Plan	DA103 Rev D prepared by Curzon + Partners	13.01.2022
Roof Plan	DA103 Rev E prepared by Curzon + Partners	16.04.2025
North Elevation	DA200 Rev D prepared by Curzon + Partners	13.01.2022
North Elevation	DA200 Rev F prepared by Curzon + Partners	06.06.2025
West Elevation	DA201 Rev D prepared by Curzon + Partners	13.01.2022
West Elevation	DA201 Rev E prepared by Curzon + Partners	16.04.2025
East Elevation	DA202 Rev D prepared by Curzon + Partners	13.01.2022
East Elevation	DA202 Rev F prepared by Curzon + Partners	06.06.2025
Sections	DA250 Rev D prepared by Curzon + Partners	13.01.2022
Sections	DA250 Rev E prepared by Curzon + Partners	16.04.2025
Sections-06	SK02 prepared by Curzon + Partners	19.01.2022
Sections S-06	SK002 Rev E prepared by Curzon + Partners	16.04.2025
Landscape Plan	Matthew Higginson, LP01 Issue C	18.01.2022
Landscape Plan	Matthew Higginson, LP02 Issue C	18.01.2022
Cover	Alpha Engineering & Development Dwg No. A21175 Rev E	09-02-2022
Sediment and Erosion Control Plan	Alpha Engineering & Development Dwg No. A21175-SW01 Rev E	09-02-2022

Basement Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW02 Rev E	09-02-2022
Ground Floor Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW03 Rev E	09-02-2022
First and Second Floor Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW04 Rev E	09-02-2022
Roof Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW05 Rev E	09-02-2022
Stormwater and OSD Sections & Details	Alpha Engineering & Development Dwg No. A21175-SW06 Rev E	09-02-2022
Arboricultural Impact Assessment	TALC	5 October 2021
Traffic and Parking Assessment Report	Ttp transport planning Reference No. 21315	8 October 2021
Waste Management Plan	Dickens Solutions,	September 2021
Waste Management Plan	Dickens Solutions Ref: 24170	June 2025
Acoustic Report	Acoustic Noise & Vibration Solutions P/L, Reference No. 2021-342	13 August 2021
Acoustic Report	E-Lab Consulting, Project No: P01408 Rev. 2	20 May 2025
Access Report	Vista Access Architects Ref 21266 Issue A	09.10.2021
BCA Report	Design Confidence Ref P221_377	7 October 2021
Geotechnical Assessment	Benvirongroup Ref G406-1 Rev 1	October 2020
Remediation Action Plan	Benvirongroup Rev 0	07/02/2020

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- a) All plans/documentation(s) provided and endorsed by Sydney Trains as part of the Sydney Trains Deferred Commencement Conditions will form part of this Consent, unless said plans/documentation(s) are otherwise superseded and confirmed in writing by Sydney Trains as a result of compliance with any Sydney Trains related conditions of consent.

All recommendations, final findings, and subsequent requirements (including where specified in the written endorsement letter from Sydney Trains) of such plans/documentation(s) are to be reflected in the Construction Certificate construction plans/documentation(s) where relevant, and compliance with those plans/documentation(s) must be certified prior to the issue of any Occupation Certificate.

- b) **The approved Waste Management Plan prepared by Dickens Solutions Ref: 24170 and dated June 2025 must reference the originally approved Waste**

Management Plan prepared by Dickens Solutions and dated September 2021 in Parts 2 and 3 of the Waste Management Plan.

The Development must be carried out in accordance with the amended plans approved under this condition.

(Reason: To ensure the development is carried out in accordance with the determination).

Condition 25 is amended as follows:

Compliance with Acoustic Report - All control measures nominated in the **approved Acoustic Report Project No: P01408 Rev. 2 prepared by E-Lab Consulting and dated 20 May 2025** ~~No. (2021-342), dated (13/10/2021), prepared by (Acoustic noise and vibration solutions)~~ must be implemented.

(Reason: To demonstrate compliance with submitted reports).

Condition 69 is amended as follows:

Section 7.12. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Section 7.12 Contribution	\$34,171.47
	\$20,443.31

These are contributions under the provisions of Section 7.12 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Fixed Rate (Section 7.12) Development Contributions Plan 2020, effective from 1 July 2020.

The above amount is current at the date of this consent (**being MOD2025/0032**) and is 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 No 5206.0) – and may result in contribution amount that differs from that shown above.

The contribution must be paid prior to the issue of any Construction Certificate. 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.

A copy of the City of Ryde Fixed Rate (Section 7.12) Development Contributions 2020 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>.

(Reason: Statutory requirement).

Condition 113A is added as follows:

Transport for NSW. Prior to the issue of a Construction Certificate, the person acting upon this consent shall provide Sydney Trains with a summary of design changes confirming there will be no impact to the rail corridor as a result of the modifications.

(Reason: To satisfy the concurrence requirements of Transport for NSW).

Condition 113B is added as follows:

Transport for NSW. The Applicant/Developer shall provide an updated version of the following documents based on the development as modified, confirming there will be no impact to the rail corridor:

1. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements.
2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
3. Cross Sectional Drawings showing the rail corridor, sub soil profile, proposed basement excavation and/or structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
4. Detailed Survey Plan showing the relationship of the proposed development with respect to the rail corridor.
5. If required by Sydney Trains, a Hydrologic Assessment report demonstrating that dewatering will not have any adverse settlement impacts on the rail corridor.
6. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
7. If required by Sydney Trains, a Monitoring Plan.

This information is to be provided to Sydney Trains for review, comment, and written endorsement. The Certifier is not to issue any Construction Certificate or modified Construction Certificate, and is not to permit the commencement of works, (whichever occurs first) until confirmation has been received from Sydney Trains that these documents are satisfactory and whether these documents prevail over any previously issued Sydney Trains written endorsements.

(Reason: To satisfy the concurrence requirements of Transport for NSW).

Condition 113C is added as follows:

Section 4.55 Modification of Development Consent Application. Prior to the issue of a Construction Certificate, a Section 4.55 Modification application must be lodged and approved by Council seeking amendments to LDA2024/0194, such that the plans approved under LDA2024/0194 are amended to align with the plans approved under MOD2025/0032.

(Reason: To ensure that the plans approved under LDA2024/0194 are consistent with those approved under MOD2025/0032).

Condition 113D is added as follows:

Compliance with Acoustic Report. Prior to the issue of a 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 prepared by E-Lab Consulting dated 20 May 2025 Report Number P01048, Revision 002.

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society.

(Reason: To ensure appropriate noise attenuation measures are used.)

Condition 209A is added as follows:

Acoustic Verification Report. Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant* must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

- (a) All recommendations contained in the DA acoustic report prepared by -Lab Consulting dated 20 May 2025 Report Number P01048 Revision 002 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.

**Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society.*

(Reason: To protect the amenity of the local area).

ATTACHMENTS

- 1- Proposed Amended Plans
- 2- Comparison Architectural Plans showing differences between the approved development and proposed modified development
- 3- Ryde Development Control Plan 2014 - Compliance Table
- 4- Modified Conditions of Consent

Report prepared by:

Gavin Zev
Assessment Officer- Town Planner

Report approved by:

Holly Charalambous
Senior Coordinator Development Assessment

Sohail Faridy
Manager Development Assessment

27 RAILWAY ROAD MEADOWBANK

PROJECT NO: 21003

S4.55

DRAWING LIST S4.55

DA000	F	COVER PAGE
DA008	E	SITE PLAN
DA009	D	DEMOLITION PLAN
DA090	E	BASEMENT PLAN
DA100	F	GROUND FLOOR PLAN
DA101	E	FIRST FLOOR PLAN
DA102	E	SECOND FLOOR PLAN
DA103	E	ROOF PLAN
DA200	F	NORTH ELEVATION
DA201	E	WEST ELEVATION
DA202	F	EAST ELEVATION
DA250	E	SECTIONS
DA400	E	SHADOW DIAGRAMS
SK 002	E	SECTION S-06



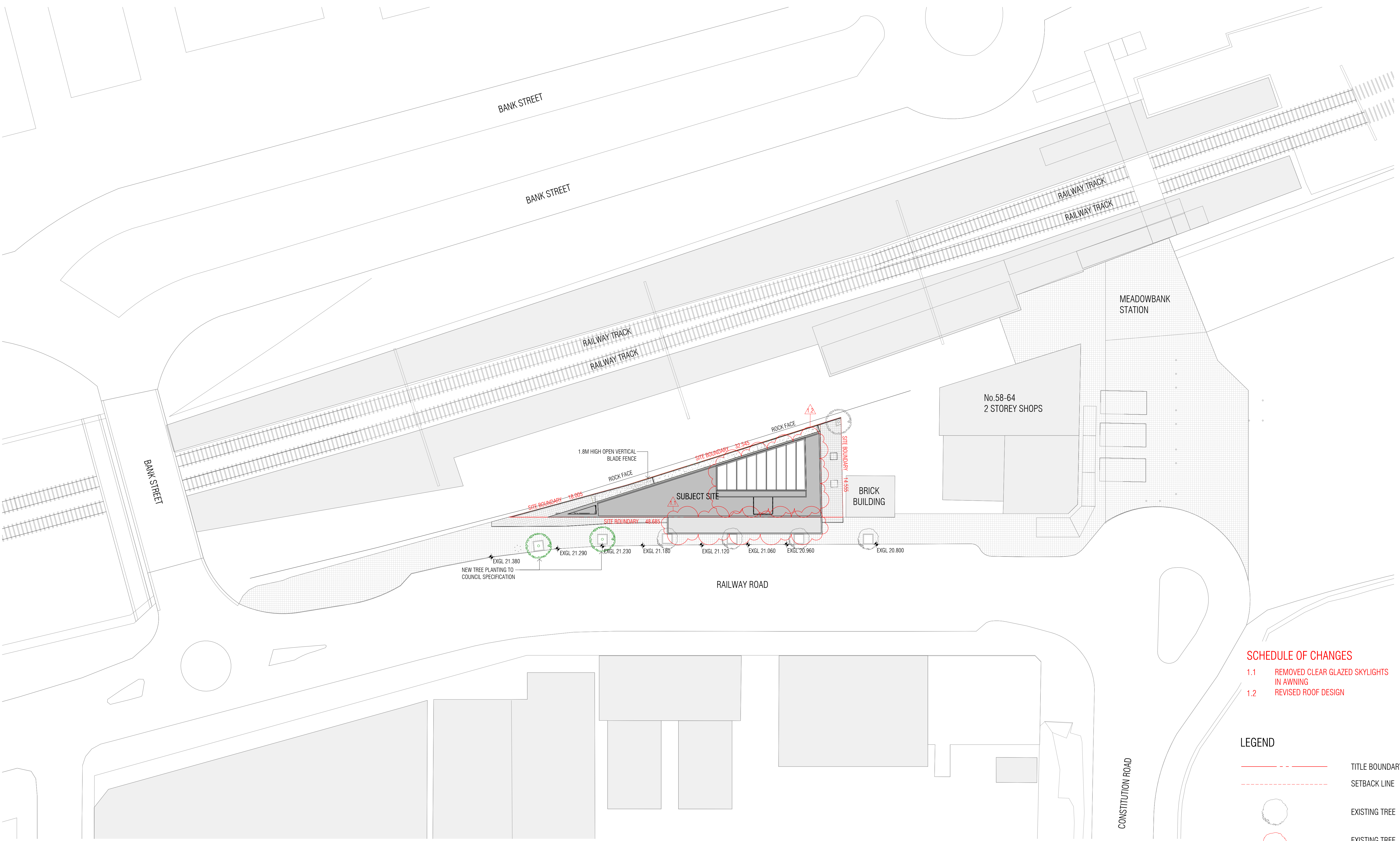
REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025
F	S4.55	06.06.2025

NOTES			
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DRAWN	CHECKED	JOB NO.	SCALE
KC	MC	21003	

PROJECT
27 RAILWAY ROAD MEADOWBANK NSW 2114
DRAWING TITLE
COVER PAGE



CURZON + PARTNERS		
L 13, 234 GEORGE STREET SYDNEY NSW 2000 T: +61 87055475 CURZON AND PARTNERS PTY LTD ACN 649993377		
ISSUE PURPOSE	REV	DRAWING NO.
S4.55	F	DA000



- SCHEDULE OF CHANGES**
- 1.1 REMOVED CLEAR GLAZED SKYLIGHTS IN AWNING
 - 1.2 REVISED ROOF DESIGN

- LEGEND**
- TITLE BOUNDARY
 - SETBACK LINE
 - EXISTING TREE
 - EXISTING TREE TO BE REMOVED
 - NEW TREE

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

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PROJECT

27 RAILWAY ROAD
MEADOWBANK NSW 2114

DRAWING TITLE

SITE PLAN



CLIENT

CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE

S4.55

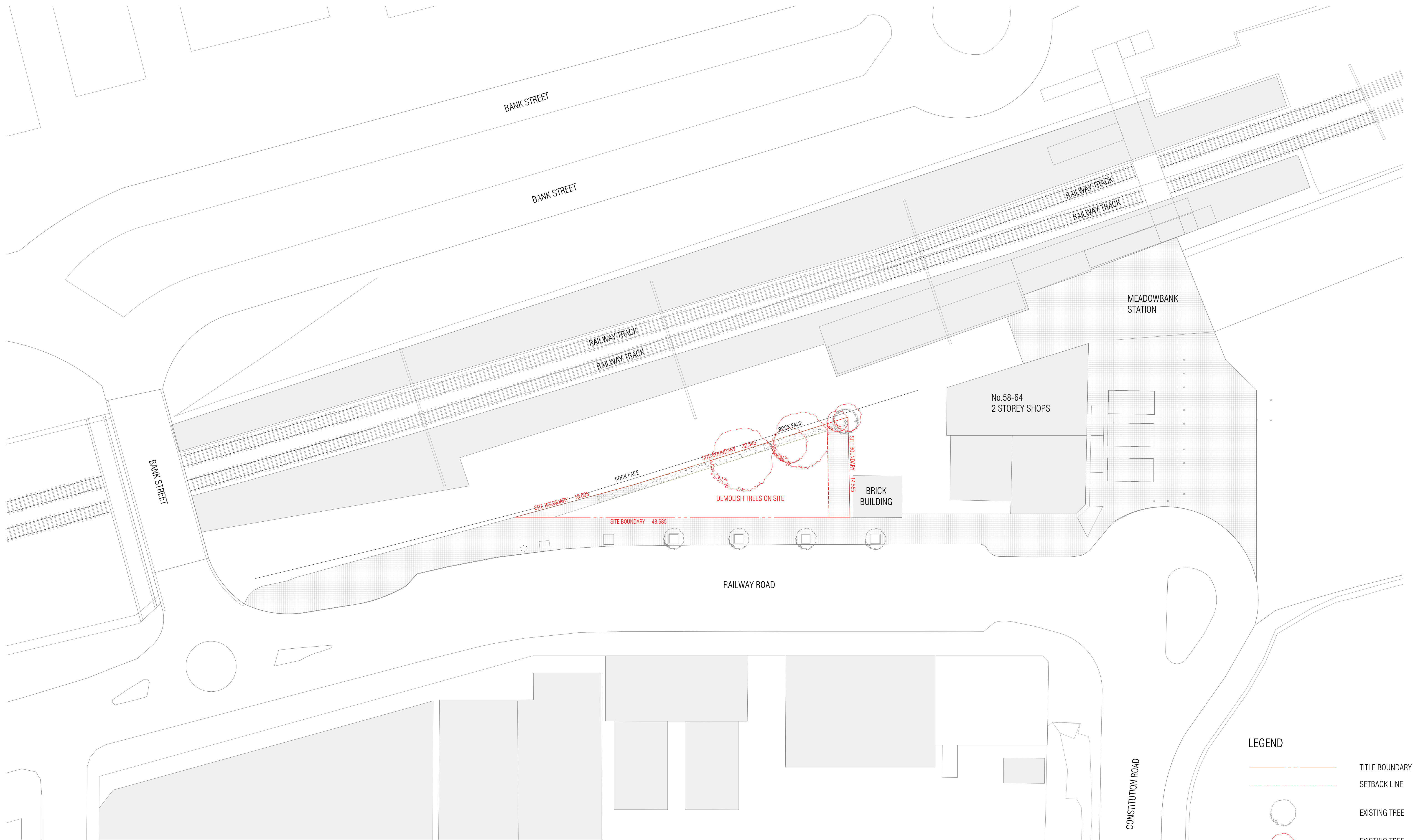
REV

E

DRAWING NO.

DA008

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LEGEND

	TITLE BOUNDARY
	SETBACK LINE
	EXISTING TREE
	EXISTING TREE TO BE REMOVED
	NEW TREE

REVISION	
A	PRE DA REDESIGN 17.08.2021
B	CORE AND ENVELOPE UPDATE 08.10.2021
C	DEVELOPMENT APPLICATION 12.10.2021
D	DA ADDITIONAL INFORMATION 13.01.2022

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DRAWN	CHECKED	JOB NO.	SCALE
KC	MC	21003	1 : 250 @A1

PROJECT

**27 RAILWAY ROAD
MEADOWBANK NSW 2114**

DRAWING TITLE

DEMOLITION PLAN

CLIENT

Salute GROUP

CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE

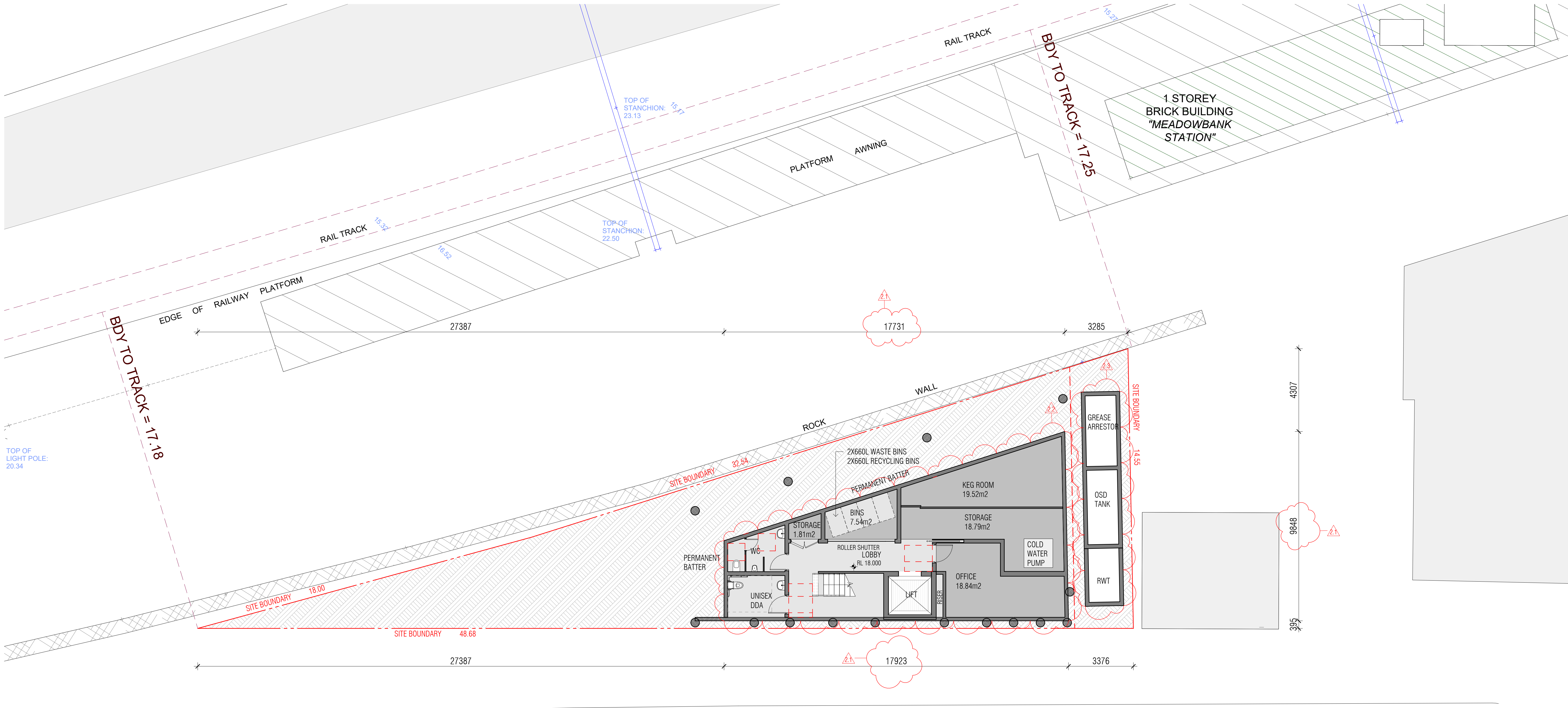
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REV

D

DRAWING NO.

DA009



RAILWAY ROAD

SCHEDULE OF CHANGES

- 2.1 REDUCED BASEMENT FOOTPRINT
- 2.2 REVISED LAYOUT INCLUDING NEW LIFT AND STAIR LOCATION, AMENITIES, BACK OF HOUSE FACILITIES
- 2.3 REVISED UNDERGROUND GREASE ARRESTOR, OSD TANK AND RWT

2 BASEMENT FLOOR PLAN
SCALE 1:100

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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7

PROJECT
27 RAILWAY ROAD
MEADOWBANK NSW 2114

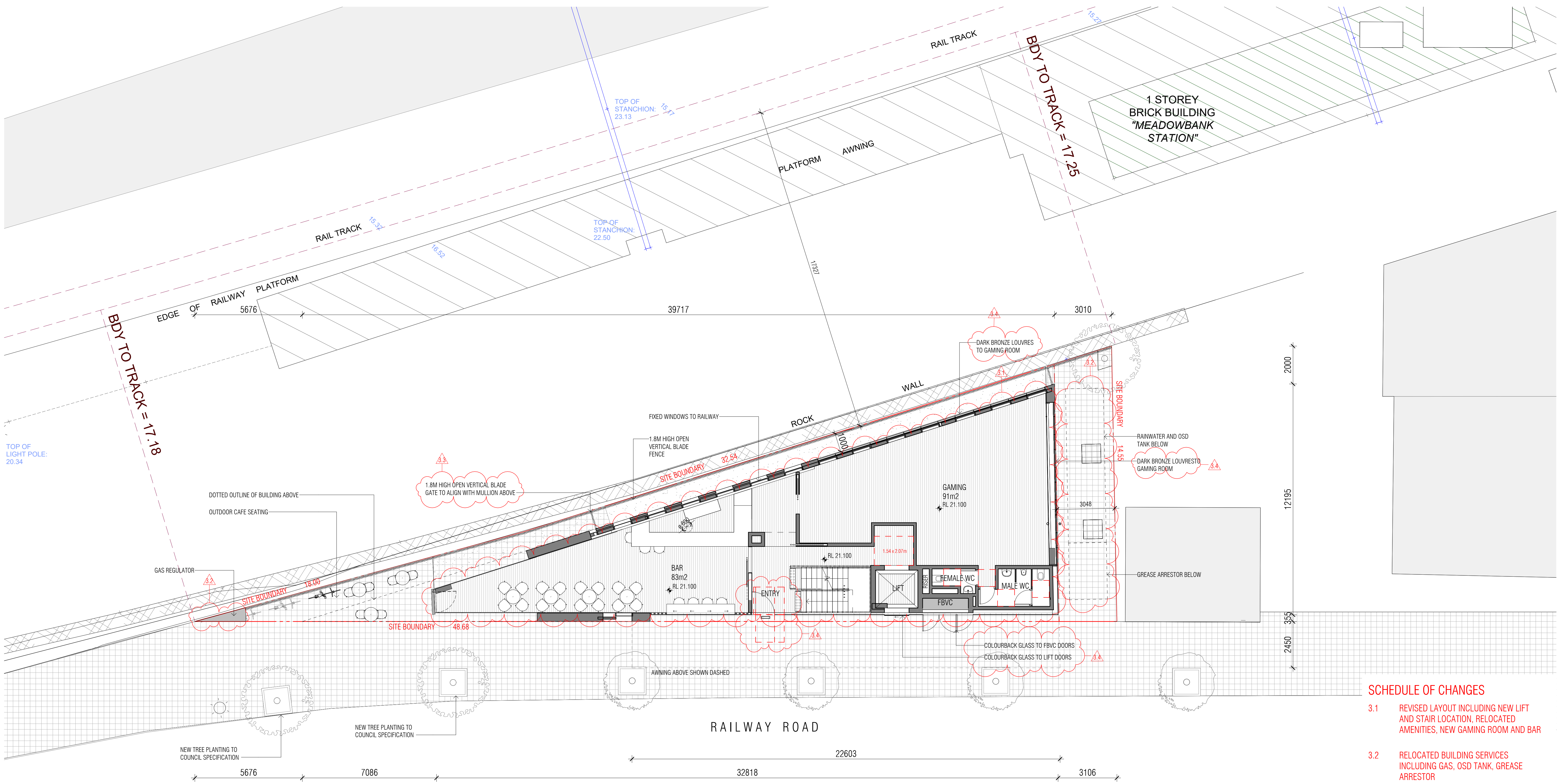
DRAWING TITLE
BASEMENT PLAN



CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE	REV	DRAWING NO.
S4.55	E	DA090

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- SCHEDULE OF CHANGES**
- 3.1 REVISED LAYOUT INCLUDING NEW LIFT AND STAIR LOCATION, RELOCATED AMENITIES, NEW GAMING ROOM AND BAR
 - 3.2 RELOCATED BUILDING SERVICES INCLUDING GAS, OSD TANK, GREASE ARRESTOR
 - 3.3 NEW 1.8M HIGH OPEN VERTICAL BLADE GATE
 - 3.4 FACADE CHANGED TO SUIT REVISED LAYOUT INCLUDING RELOCATED BUILDING ENTRY, DARK BRONZE LOUVRES ON NORTHERN FACADE, COLOURBACK GLASS DOORS ON RAILWAY ROAD

1 GROUND FLOOR PLAN
SCALE 1:100

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025
F	S4.55	06.06.2025

DRAWN	CHECKED	JOB NO.	SCALE
KC	MC	21003	As indicated @A1

PROJECT
**27 RAILWAY ROAD
MEADOWBANK NSW 2114**

DRAWING TITLE
GROUND FLOOR PLAN



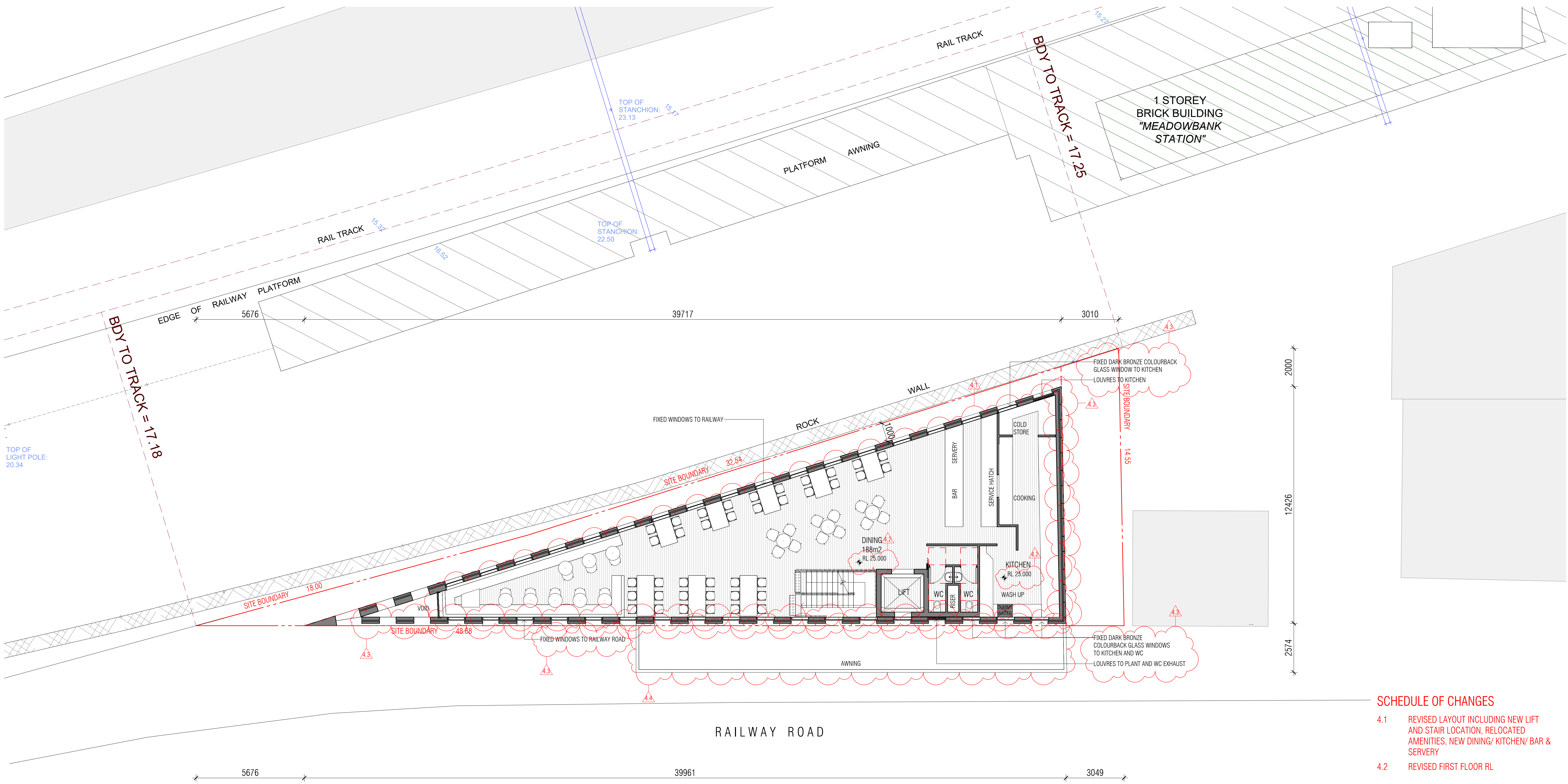
CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE
S4.55

REV
F

DRAWING NO.
DA100

6/06/2025 2:28:07 PM



SCHEDULE OF CHANGES

- 4.1 REVISED LAYOUT INCLUDING NEW LIFT AND STAIR LOCATION, RELOCATED AMENITIES, NEW DINING/ KITCHEN/ BAR & SERVERY
- 4.2 REVISED FIRST FLOOR RL
- 4.3 REVISED FACADE INCLUDING FIXED WINDOWS TO RAILWAY RD, FIXED COLOURBACK GLASS WINDOWS TO KITCHEN AND WC, LOUVRES TO PLANT AND WC EXHAUST, NORTH FACADE CHANGES INCLUDING FLAT BRICK FACADE AND REPLACEMENT OF CLEAR GLAZING WITH BRICK, EAST FACADE CHANGES INCLUDING FLAT BRICK FACADE
- 4.4 REMOVED CLEAR GLAZED SKYLIGHTS IN AWNING

2 LEVEL 01 PLAN
SCALE 1: 100

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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PROJECT
**27 RAILWAY ROAD
MEADOWBANK NSW 2114**

DRAWING TITLE
FIRST FLOOR PLAN



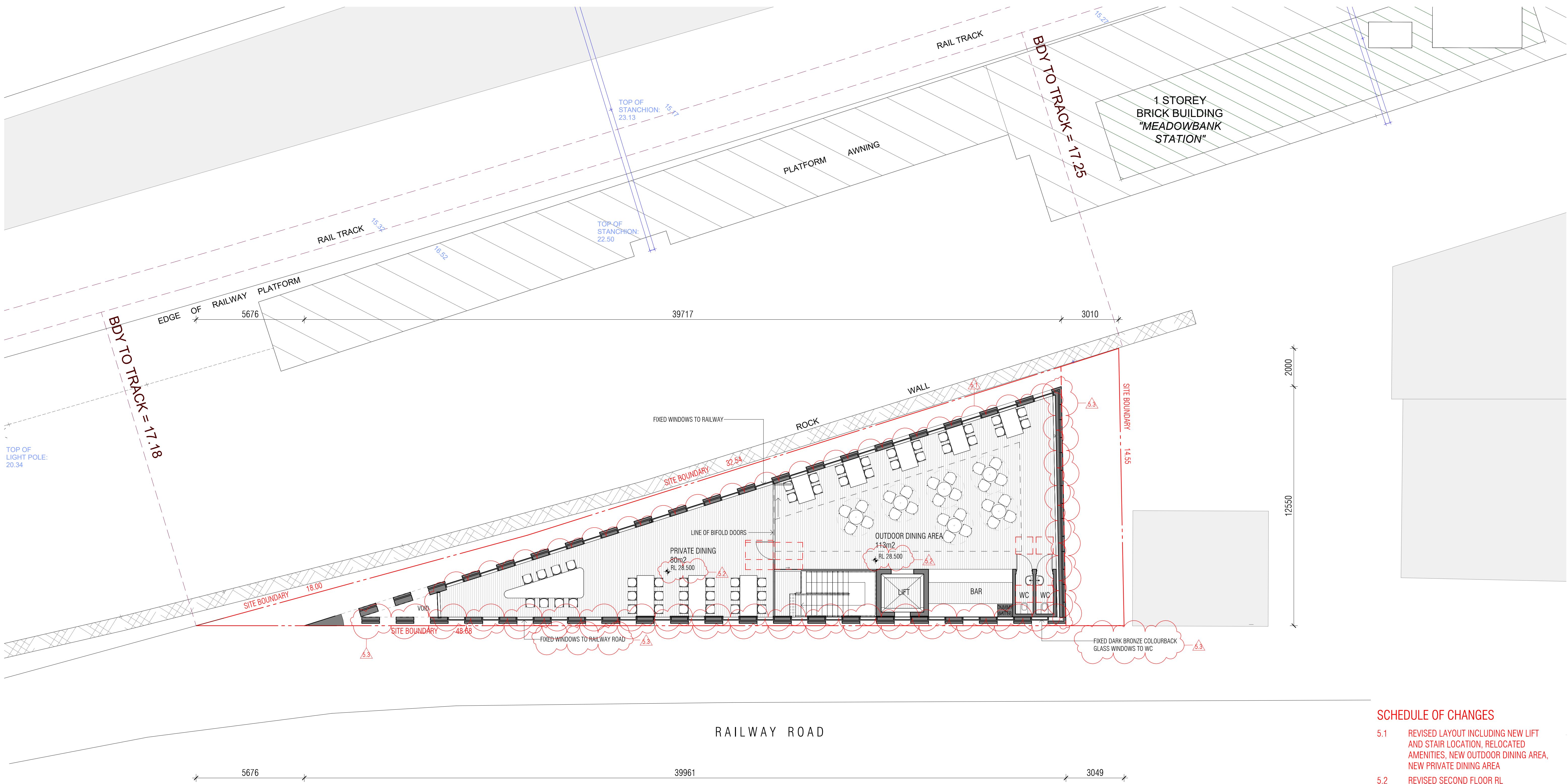
CLIENT
CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE
S4.55

REV
E

DRAWING NO.
DA101

16/04/2025 5:13:09 PM



1 LEVEL 02 PLAN
SCALE 1:100

- SCHEDULE OF CHANGES**
- 5.1 REVISED LAYOUT INCLUDING NEW LIFT AND STAIR LOCATION, RELOCATED AMENITIES, NEW OUTDOOR DINING AREA, NEW PRIVATE DINING AREA
 - 5.2 REVISED SECOND FLOOR RL
 - 5.3 REVISED FACADE INCLUDING FIXED WINDOWS TO RAILWAY RD, FIXED COLOURBACK GLASS WINDOWS TO WC, FIXED WINDOWS TO OUTDOOR DINING AREA, NORTH FACADE CHANGES INCLUDING FLAT BRICK FACADE AND REPLACEMENT OF CLEAR GLAZING WITH BRICK, EAST FACADE CHANGES INCLUDING FLAT BRICK FACADE

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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PROJECT

27 RAILWAY ROAD
MEADOWBANK NSW 2114

DRAWING TITLE

SECOND FLOOR PLAN



CLIENT

CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE

S4.55

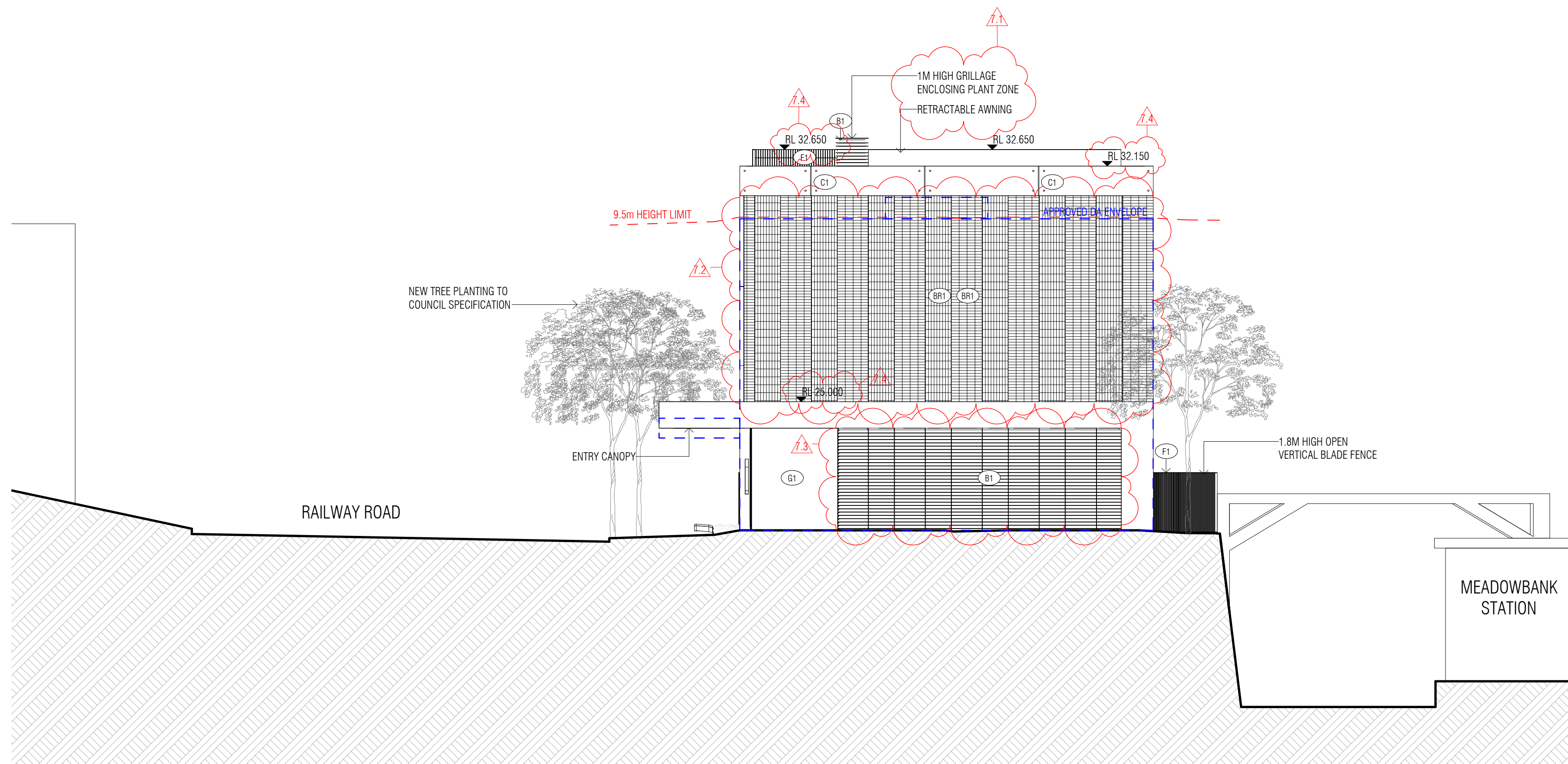
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E

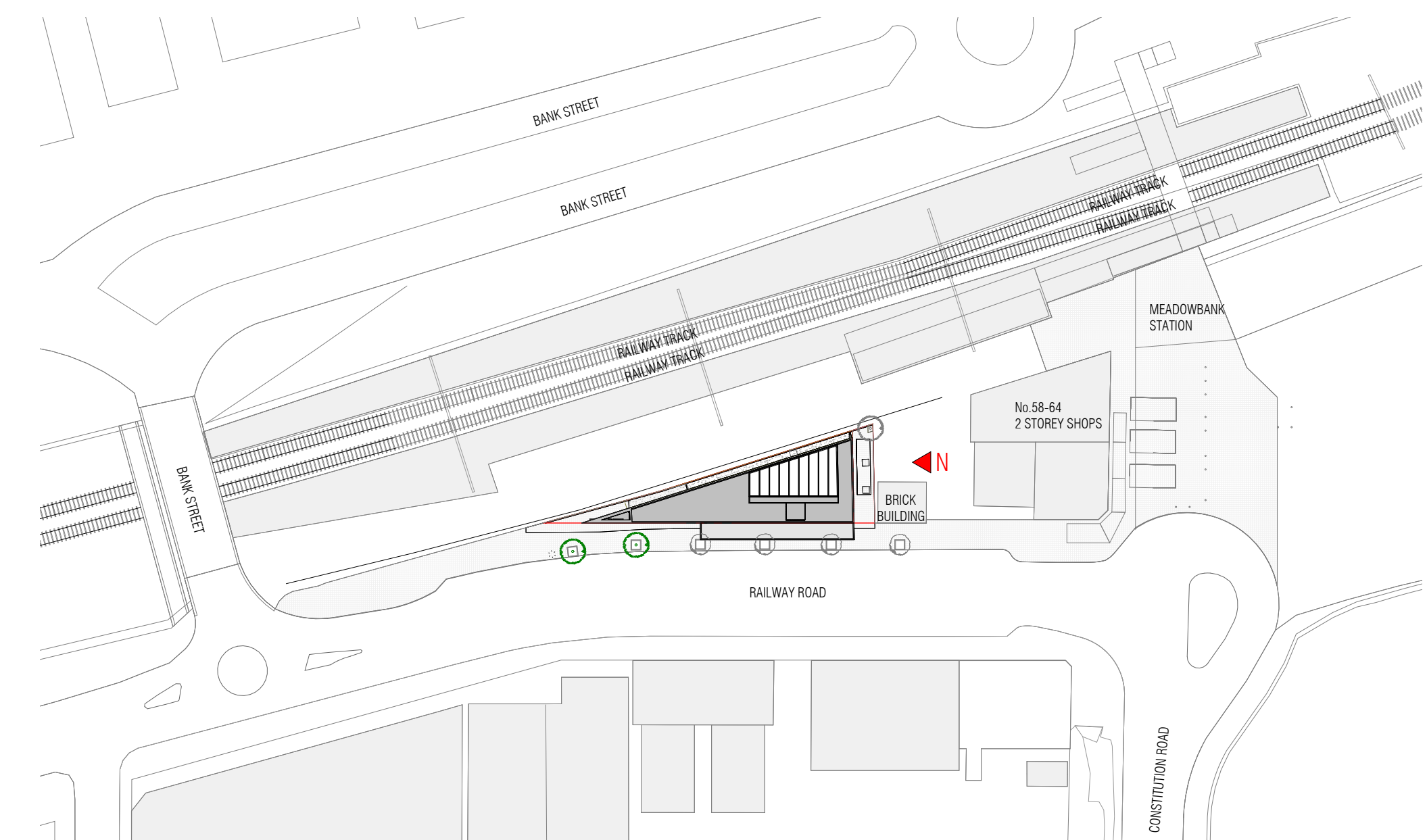
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DA102

16/04/2025 5:13:11 PM



1 NORTH ELEVATION
SCALE 1:100



FINISHES LEGEND



- C1 OFF FORM CONCRETE CLASS 1/2
- C2 PRECAST CONCRETE CLASS 1/2
- BR1 BOWRAL BROWN STACK BOND BRICK WALL TO CORRESPOND WITH THE HERITAGE BUILDING
- G1 LOW IRON DGU CLEAR SHOP FRONT GLASS/BIFOLD DOORS GLAZING
- G2 LOW IRON DGU PERFORMANCE GLASS
- S1 DARK BRONZE COLORBACK GLASS GHOST SPANDREL
- B1 DARK BRONZE BLADE & LOUVRE
- F1 OPEN VERTICAL DARK BRONZE BLADE SCREEN/FENCE
- F2 OPEN HORIZONTAL DARK BRONZE BLADE SCREEN/FENCE
- MT1 BRASS

NOTE: ALL MATERIALS ARE LOW REFLECTIVITY

SCHEDULE OF CHANGES

- 7.1 REVISED ROOF LAYOUT INCLUDING NEW LIFT, NEW RETRACTABLE AWNING, NEW MECHANICAL PLANT ENCLOSURE
- 7.2 NORTH FACADE CHANGES INCLUDING FLAT BRICK FACADE AND REPLACEMENT OF CLEAR GLAZING WITH BRICK
- 7.3 NEW LOUVRES TO GROUND FLOOR GAMING AREA
- 7.4 REVISED RLS

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025
F	S4.55	06.06.2025

DRAWN	CHECKED	JOB NO.	SCALE
KC	MC	21003	As indicated @A1

PROJECT
27 RAILWAY ROAD
MEADOWBANK NSW 2114

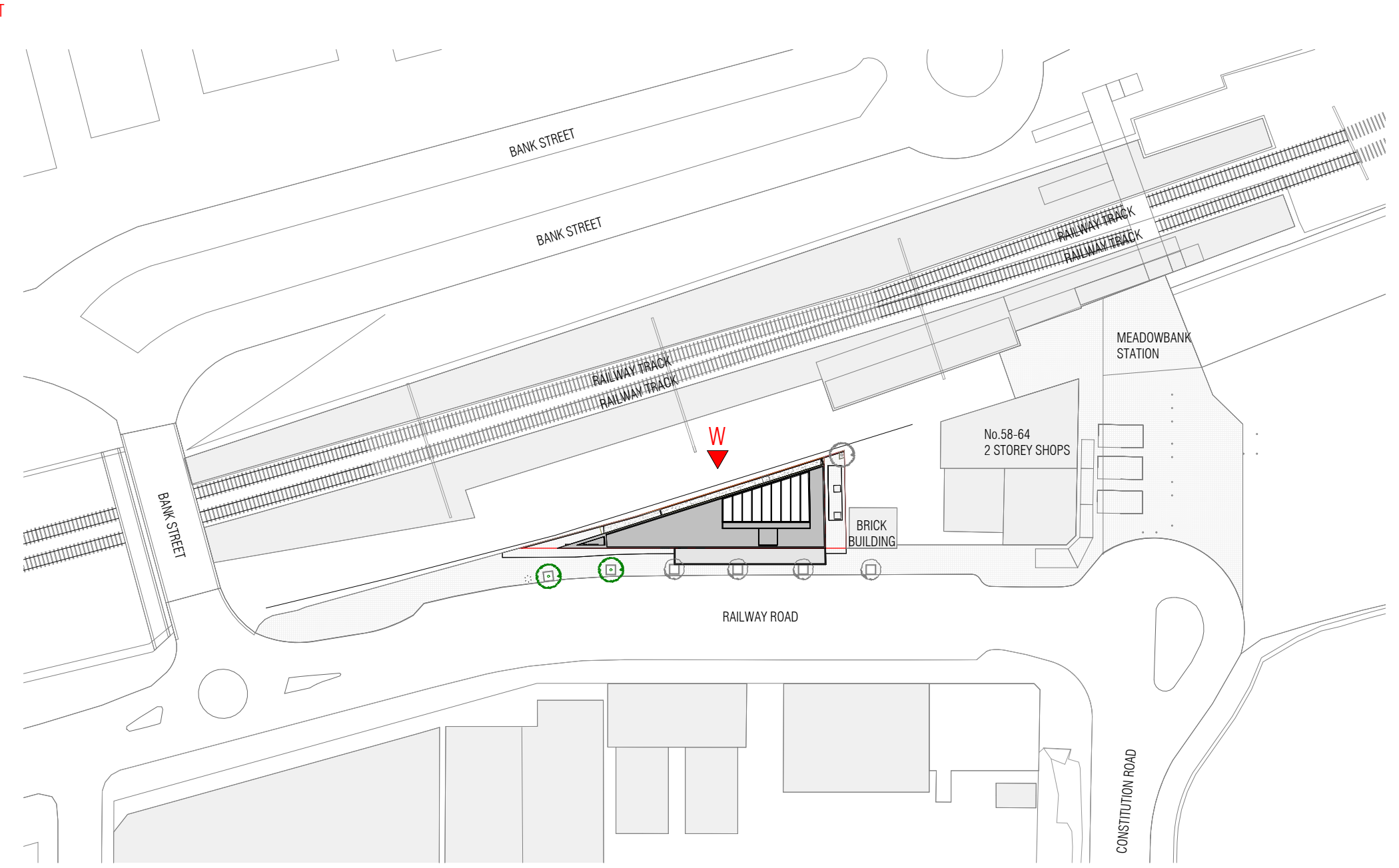
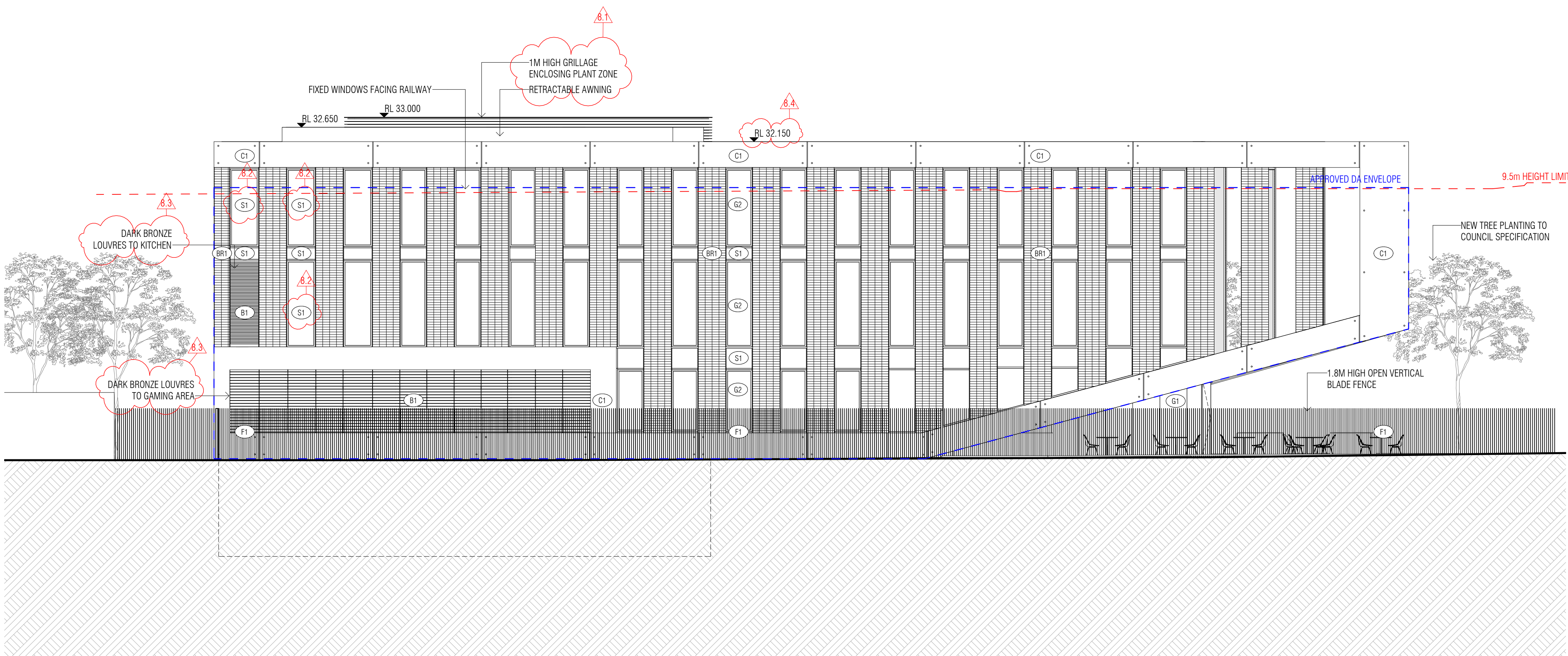
DRAWING TITLE
NORTH ELEVATION



CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

ISSUE PURPOSE	REV	DRAWING NO.
S4.55	F	DA200

6/06/2025 2:35:02 PM



1 WEST ELEVATION
SCALE 1 : 100

FINISHES LEGEND

C1	C2	BR1	G1	G2	S1	B1	F1	F2	MT1

NOTE: ALL MATERIALS ARE LOW REFLECTIVITY

SCHEDULE OF CHANGES

- 8.1 REVISED ROOF LAYOUT INCLUDING NEW LIFT, NEW RETRACTABLE AWNING, NEW MECHANICAL PLANT ENCLOSURE
- 8.2 FIXED COLOURBACK GLASS WINDOWS TO LEVEL 1 KITCHEN AND PART LEVEL 2 OUTDOOR DINING AREA
- 8.3 NEW LOUVRES TO GROUND FLOOR GAMING AREA AND LEVEL 1 KITCHEN
- 8.4 REVISED RLS

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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PROJECT
27 RAILWAY ROAD
MEADOWSBANK NSW 2114

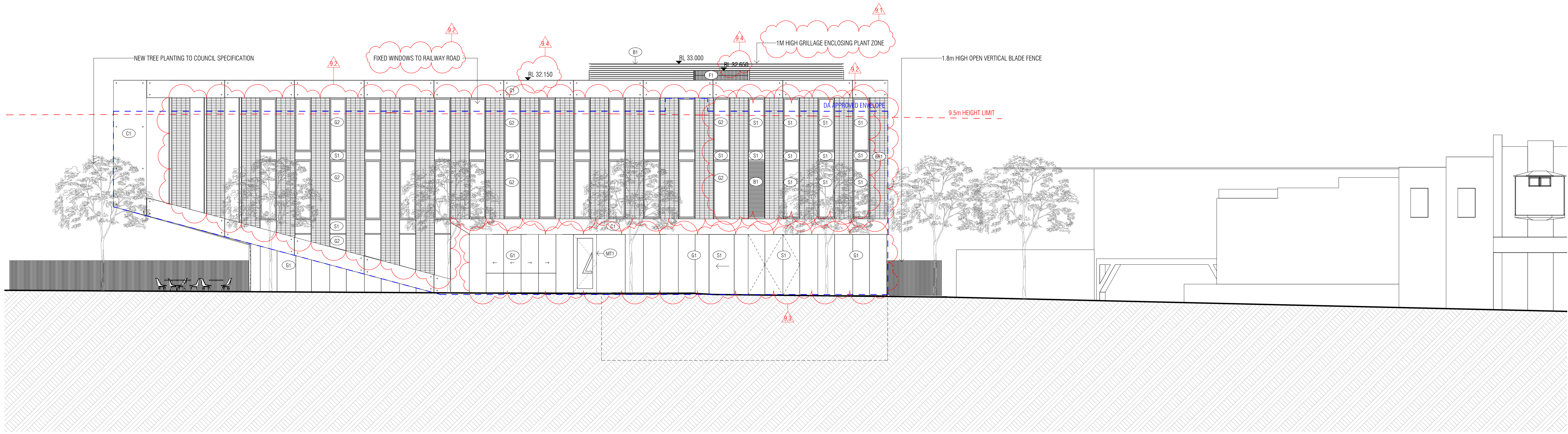
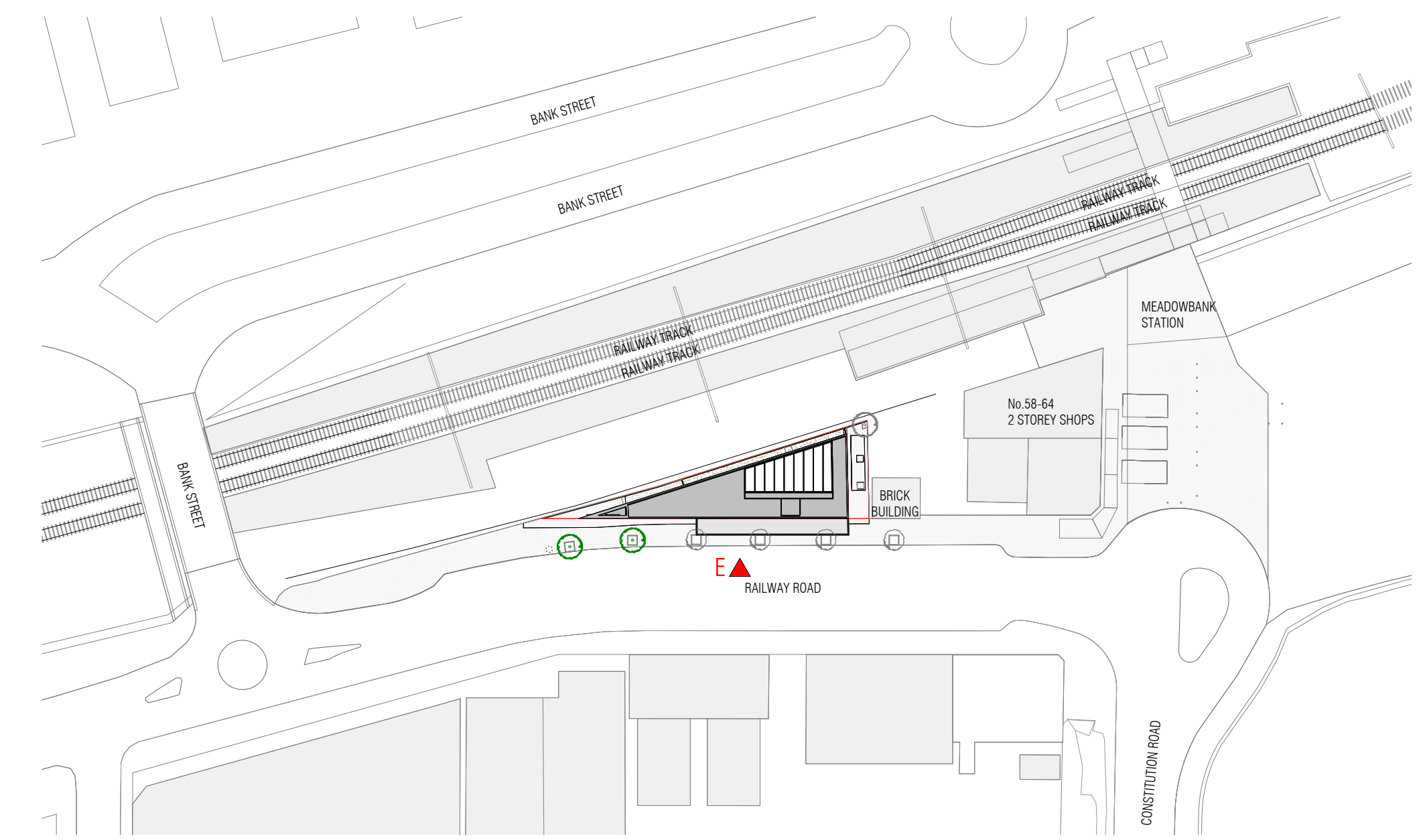
DRAWING TITLE
WEST ELEVATION



CURZON + PARTNERS
L 13, 234 GEORGE STREET
SYDNEY NSW 2000
T: +61 87055475
CURZON AND PARTNERS PTY LTD ACN 649993377

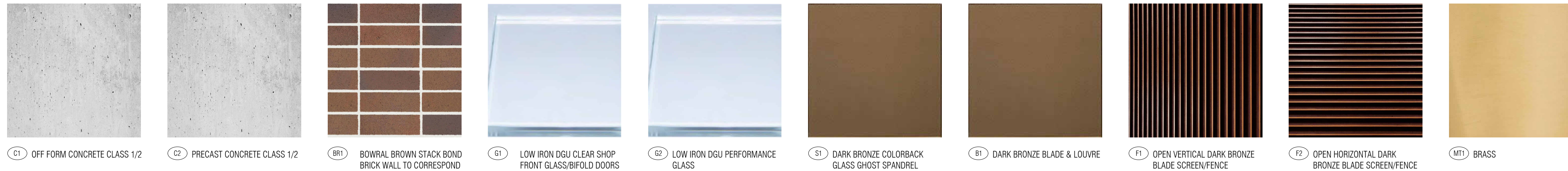
ISSUE PURPOSE S4.55	REV E	DRAWING NO. DA201
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16/04/2025 5:20:36 PM



1 EAST ELEVATION
SCALE 1 : 100

FINISHES LEGEND



NOTE: ALL MATERIALS ARE LOW REFLECTIVITY

SCHEDULE OF CHANGES

- 9.1 REVISED ROOF LAYOUT INCLUDING NEW LIFT, NEW RETRACTABLE AWNING, NEW MECHANICAL PLANT ENCLOSURE
- 9.2 EAST FACADE CHANGES INCLUDING FLAT BRICK FACADE, FIXED WINDOWS TO RAILWAY RD INCLUDING FIXED COLOURBACK GLASS WINDOWS TO LEVEL 1 KITCHEN AND WC, LEVEL 2 WC AND PART LEVEL 2 OUTDOOR DINING AREA
- 9.3 GLAZING AND DOOR CHANGED TO SUIT REVISED GROUND FLOOR LAYOUT INCLUDING BRASS FRAMED ENTRY DOOR, COLOURBACK GLASS TO LIFT AND FBVC DOORS
- 9.4 REVISED RLS

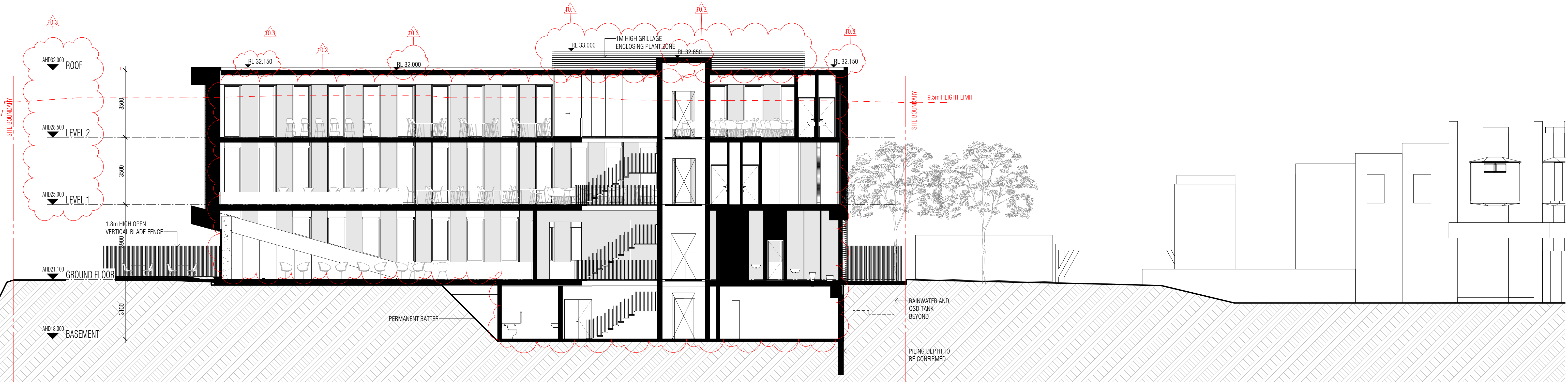
REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025
F	S4.55	06.06.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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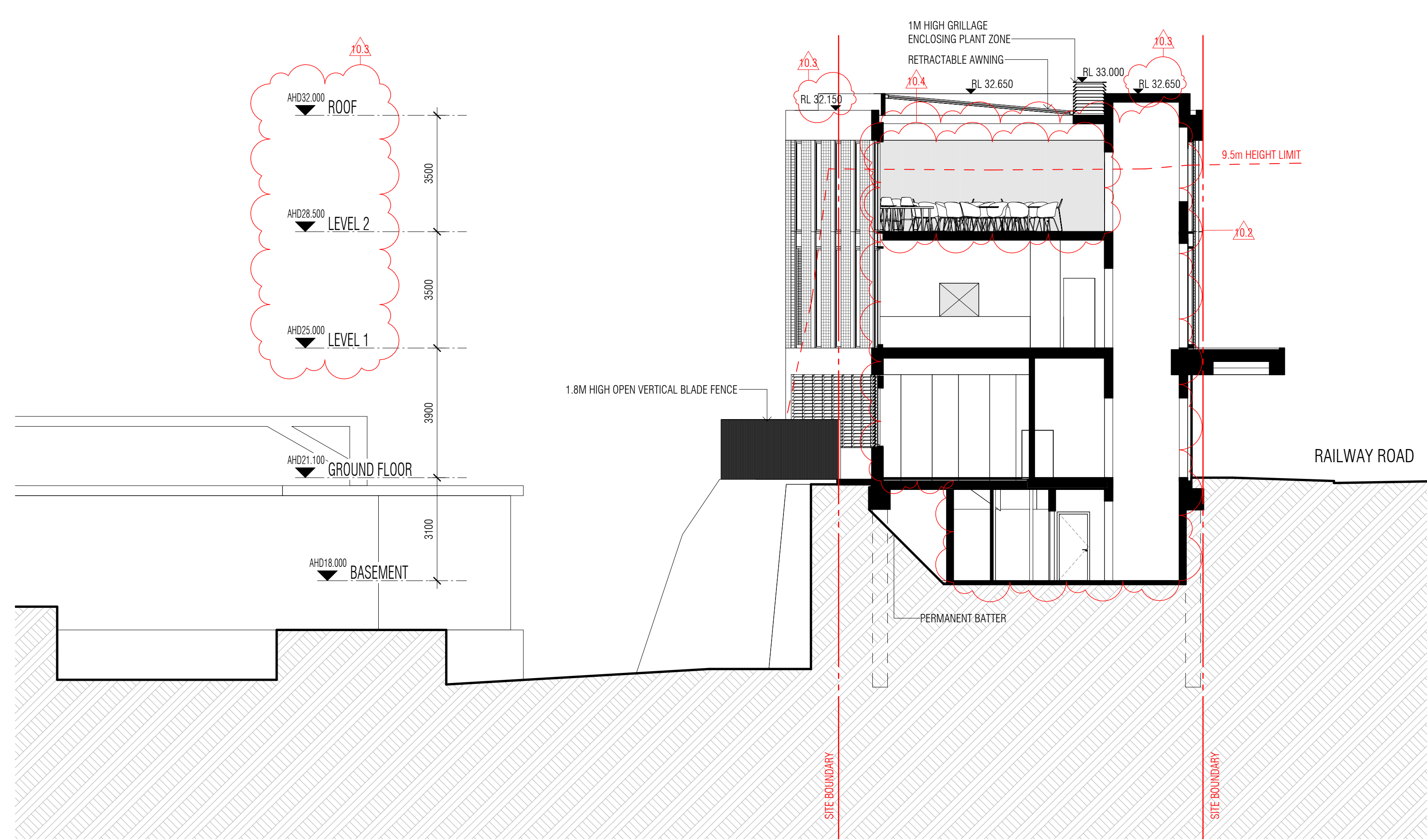
PROJECT	DRAWING TITLE
27 RAILWAY ROAD MEADOWBANK NSW 2114	EAST ELEVATION



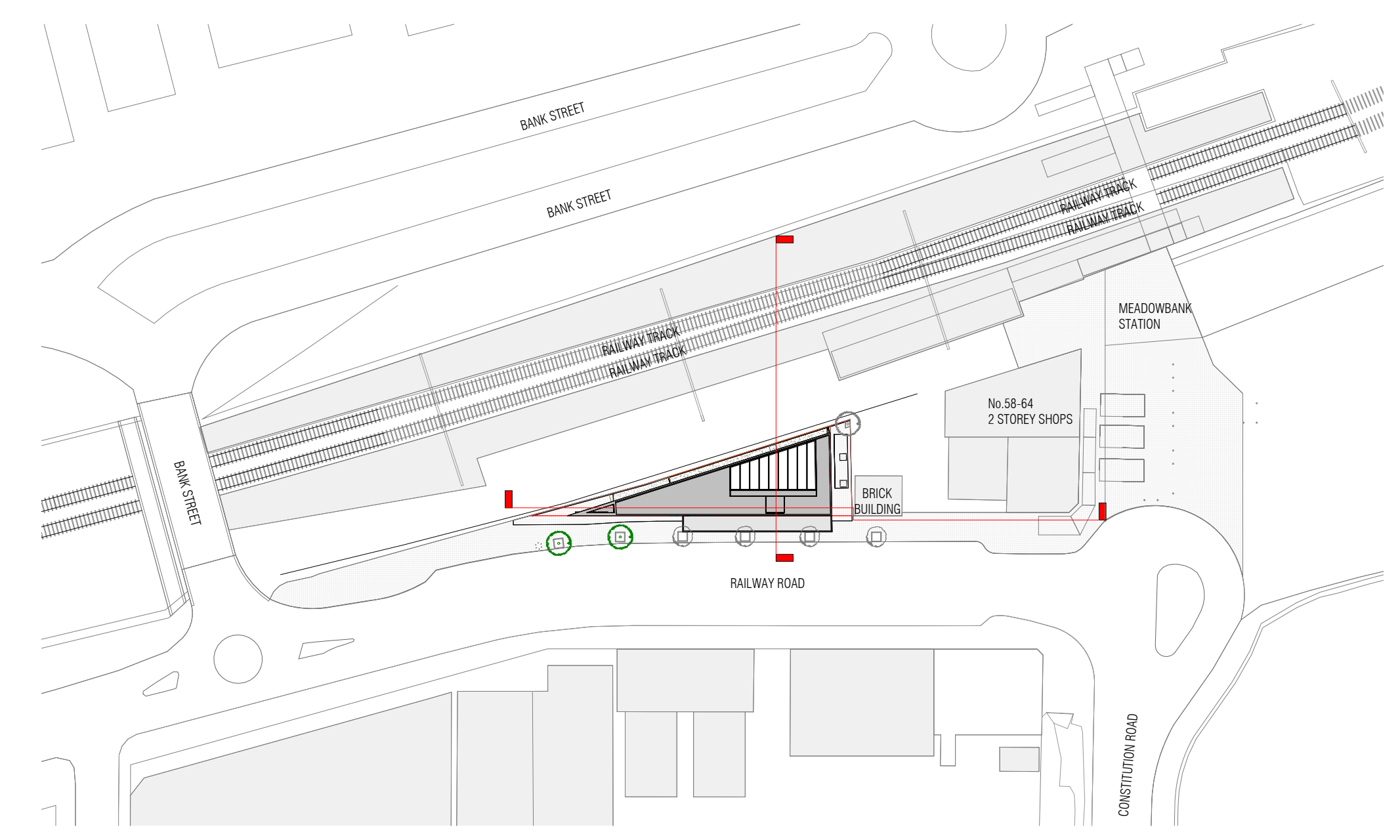
CLIENT	ISSUE PURPOSE	REV	DRAWING NO.
CURZON + PARTNERS L 13, 234 GEORGE STREET SYDNEY NSW 2000 T: +61 87055475 CURZON AND PARTNERS PTY LTD ACN 649993377	S4.55	F	DA202



1 SECTION - HERITAGE
SCALE 1 : 100



2 SECTION - RAILWAY ROAD
SCALE 1 : 100



SCHEDULE OF CHANGES

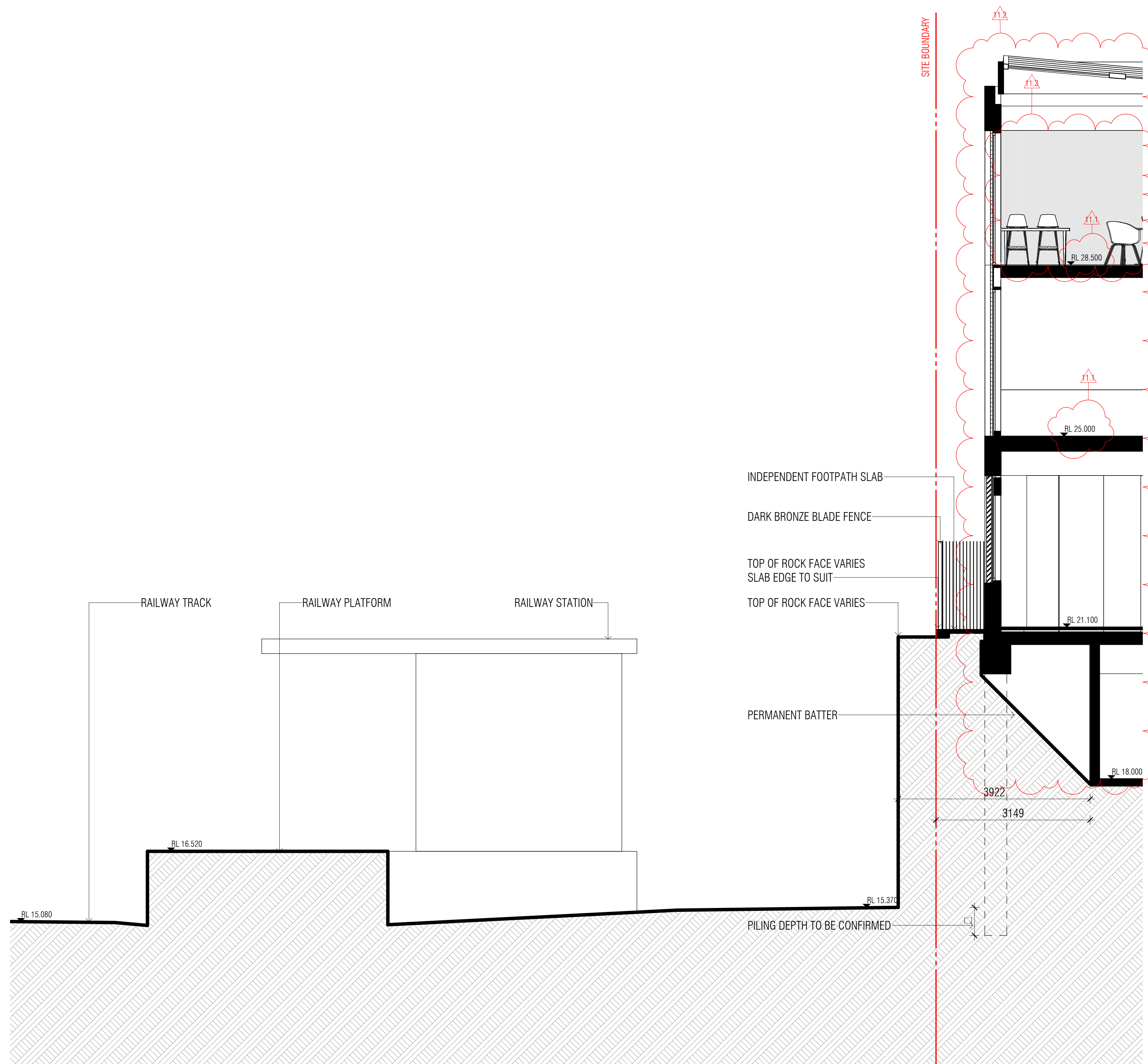
- 10.1 REVISED ROOF LAYOUT INCLUDING NEW LIFT, NEW RETRACTABLE AWNING, NEW MECHANICAL PLANT ENCLOSURE
- 10.2 REVISED INTERNAL LAYOUTS AND REVISED FACADE TO SUIT
- 10.3 REVISED RLs
- 10.4 NORTH FACADE CHANGES INCLUDING FLAT BRICK FACADE AND REPLACEMENT OF CLEAR GLAZING WITH BRICK

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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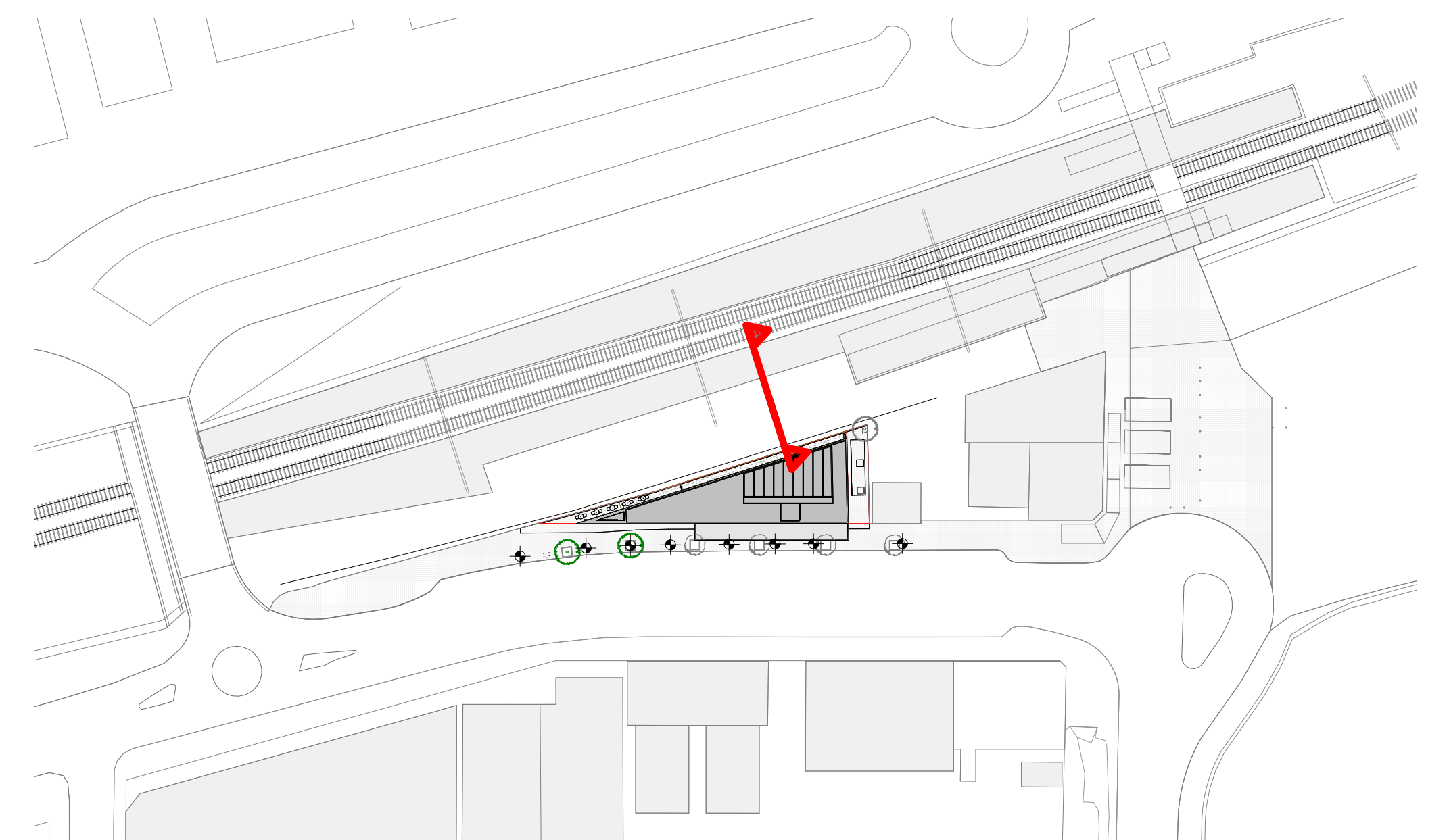
PROJECT	DRAWING TITLE
27 RAILWAY ROAD MEADOWBANK NSW 2114	SECTIONS

CLIENT	CLIENT LOGO	ISSUE PURPOSE	REV	DRAWING NO.
CURZON + PARTNERS L 13, 234 GEORGE STREET SYDNEY NSW 2000 T: +61 87055475 CURZON AND PARTNERS PTY LTD ACN 649993377		S4.55	E	DA250 16/04/2025 5:13:27 PM



SCHEDULE OF CHANGES

- 11.1 REVISED RLs
- 11.2 REVISED INTERNAL LAYOUTS AND REVISED FACADE TO SUIT
- 11.3 NORTH FACADE CHANGES INCLUDING FLAT BRICK FACADE AND REPLACEMENT OF CLEAR GLAZING WITH BRICK



1 SECTION S-06
SCALE 1:50

REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
E	S4.55	16.04.2025

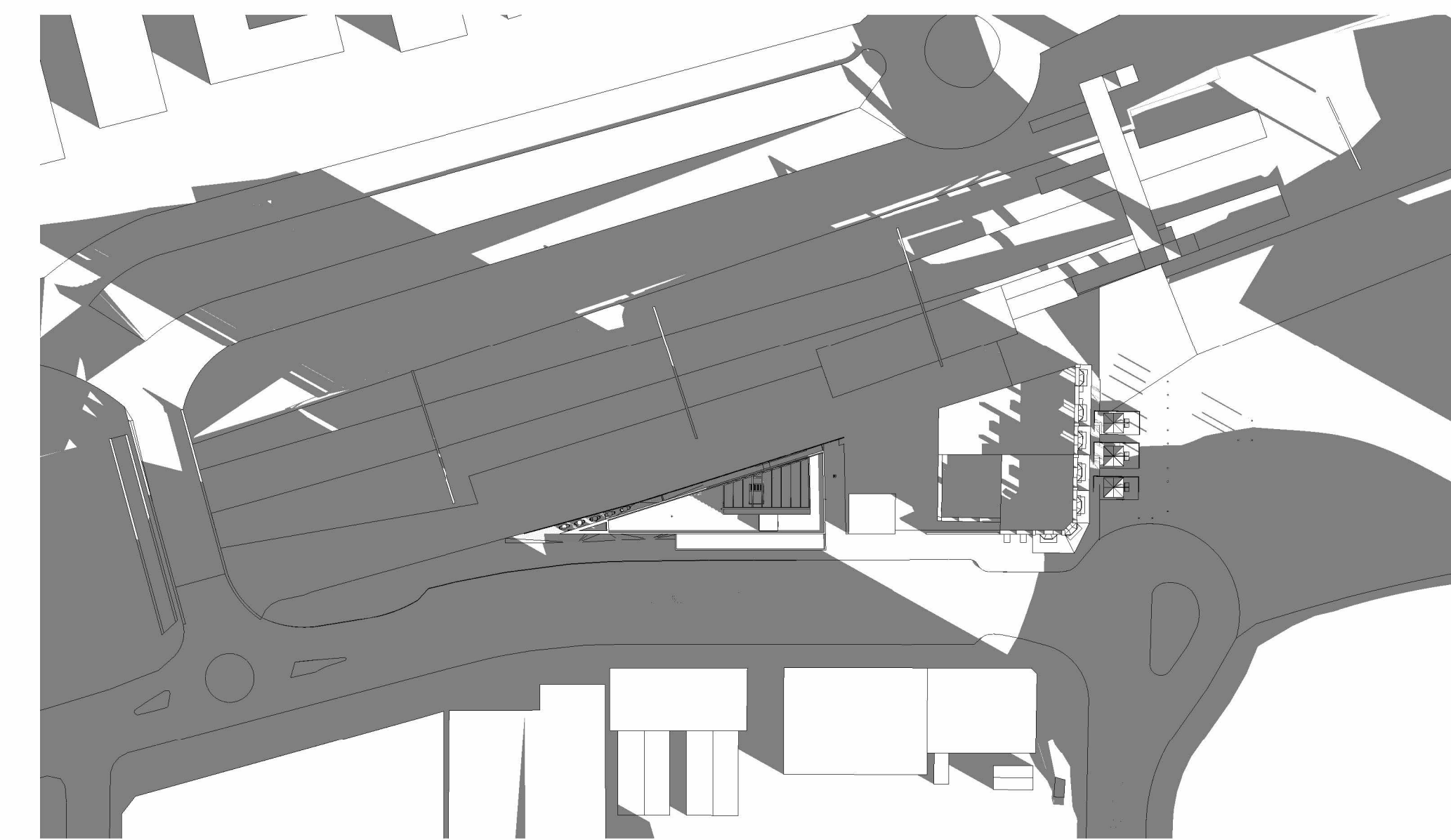
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DRAWN	CHECKED	JOB NO.	SCALE
KC	MC	21003	As indicated @A1

PROJECT
27 RAILWAY ROAD MEADOWBANK NSW 2114
DRAWING TITLE
SECTION S-06

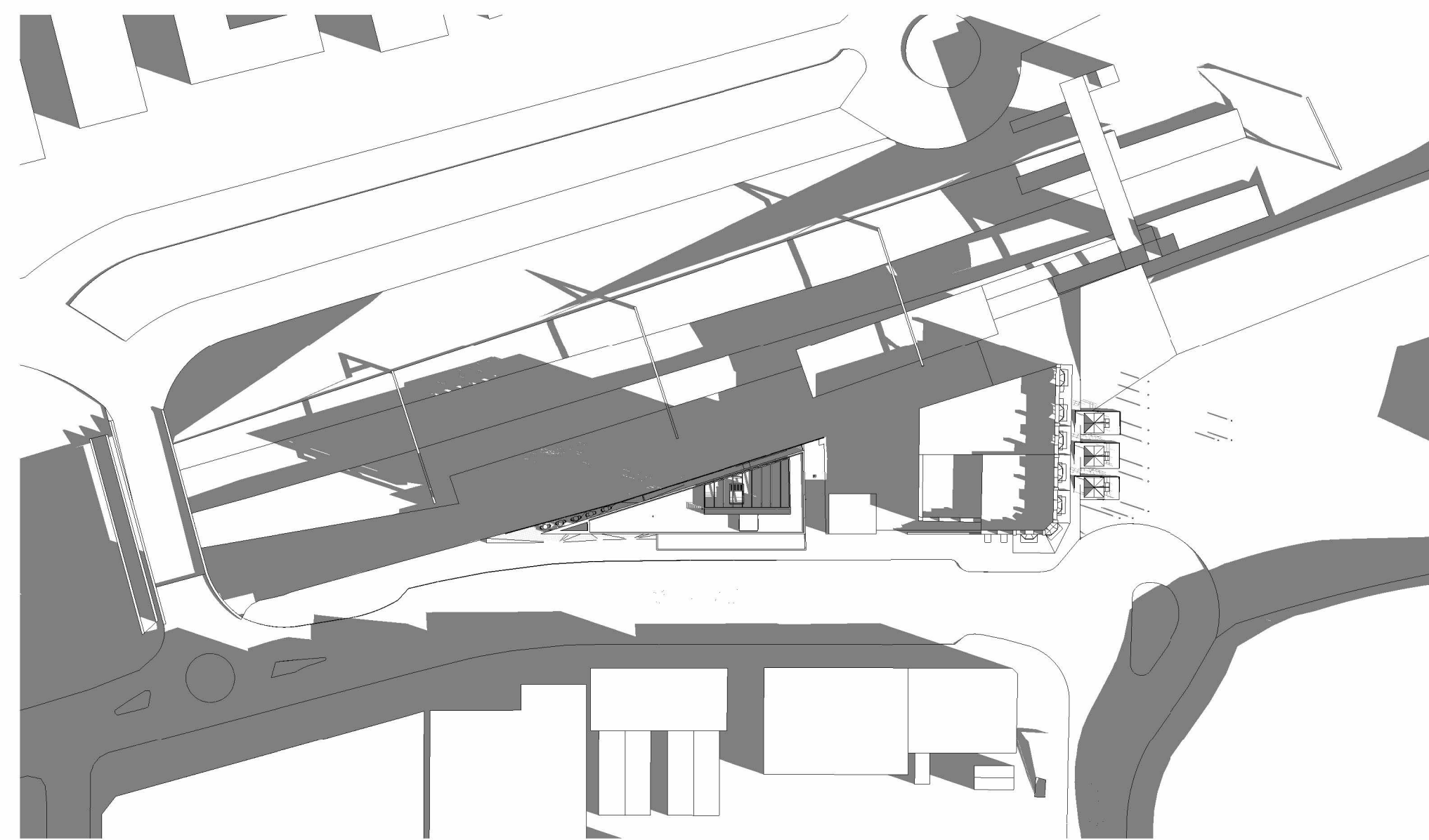


CLIENT	
CURZON + PARTNERS L 13, 234 GEORGE STREET SYDNEY NSW 2000 T: +61 87055475 CURZON AND PARTNERS PTY LTD ACN 649993377	
ISSUE PURPOSE	REV
S4.55	E

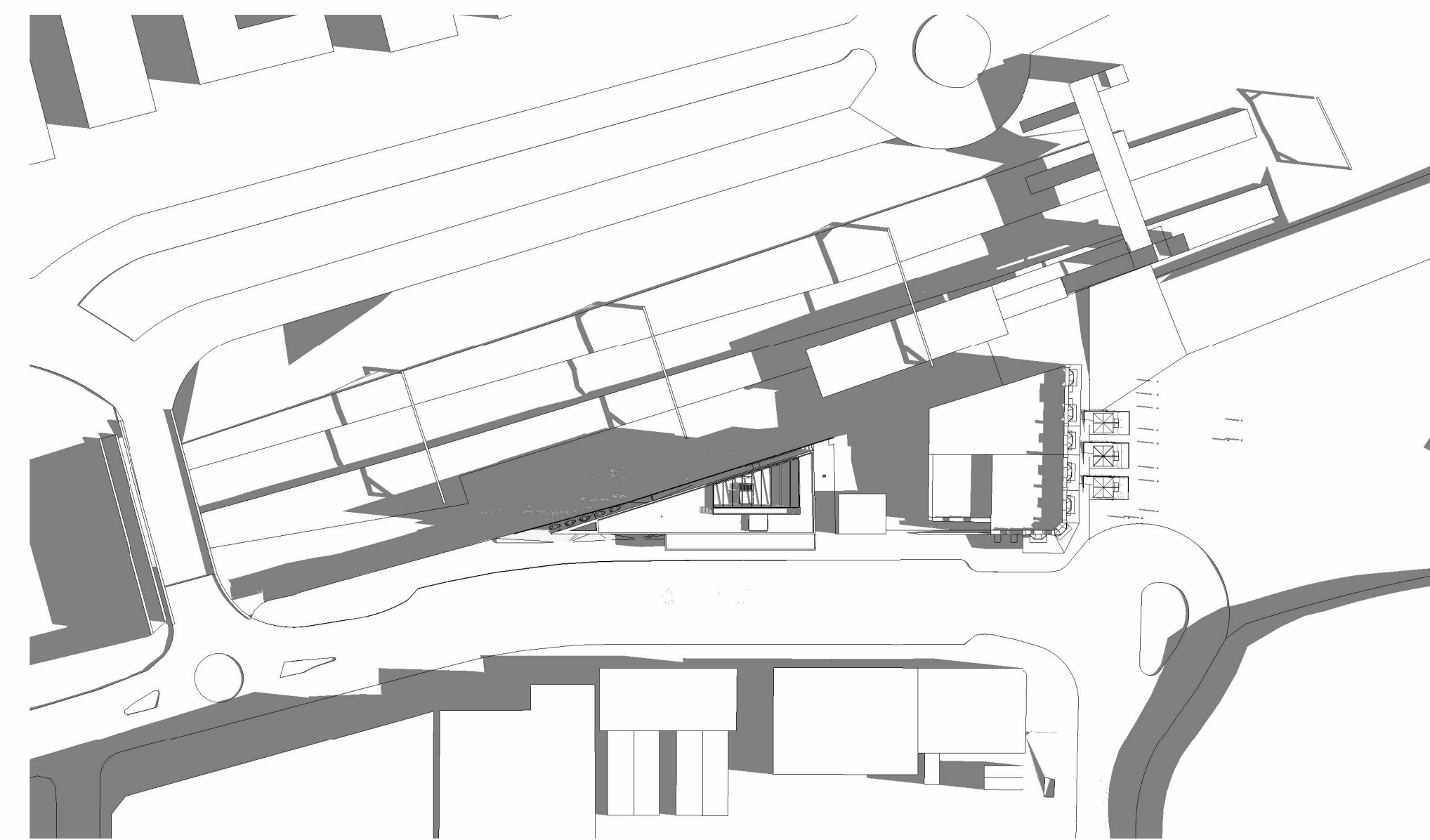
SK
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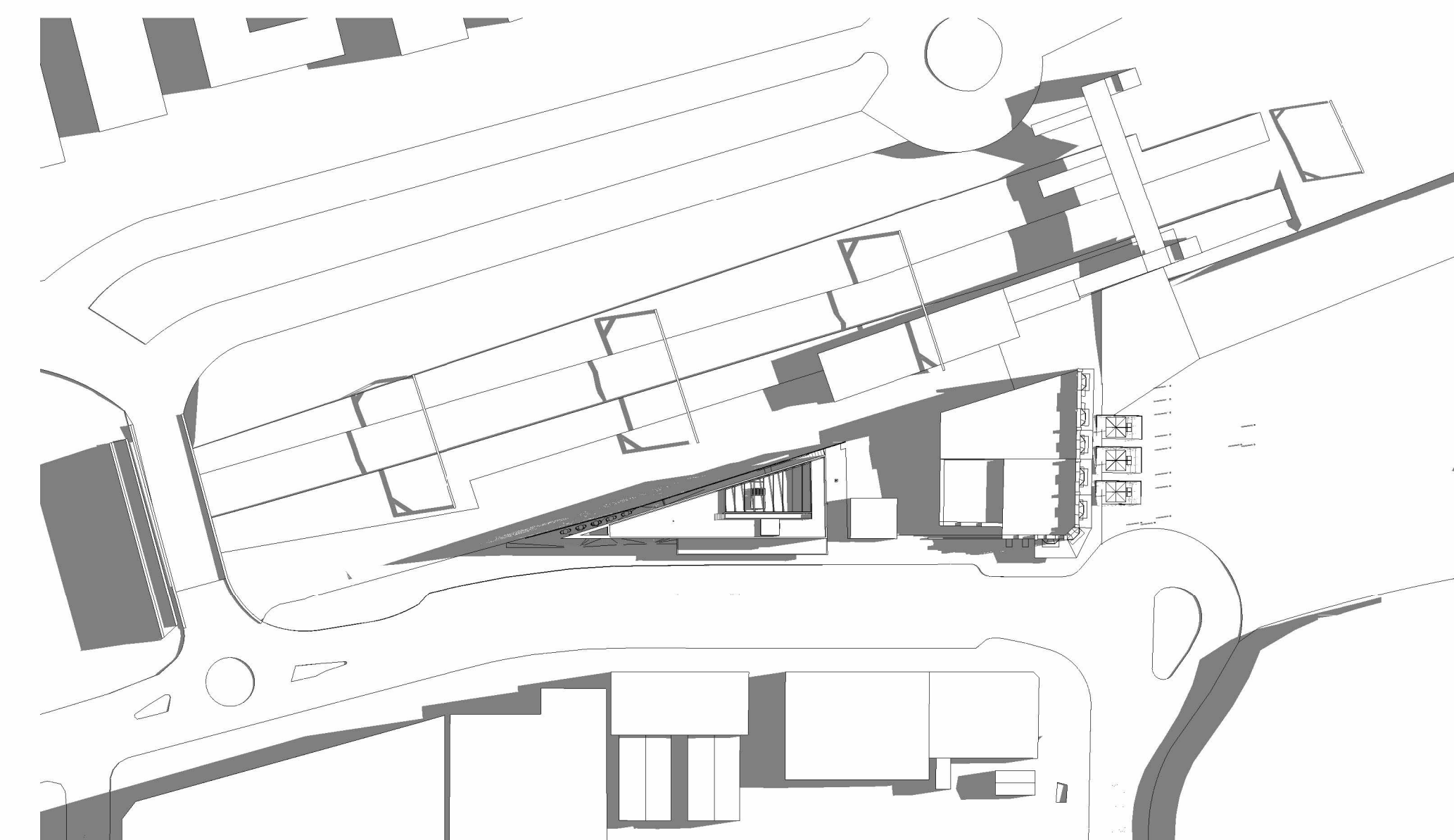
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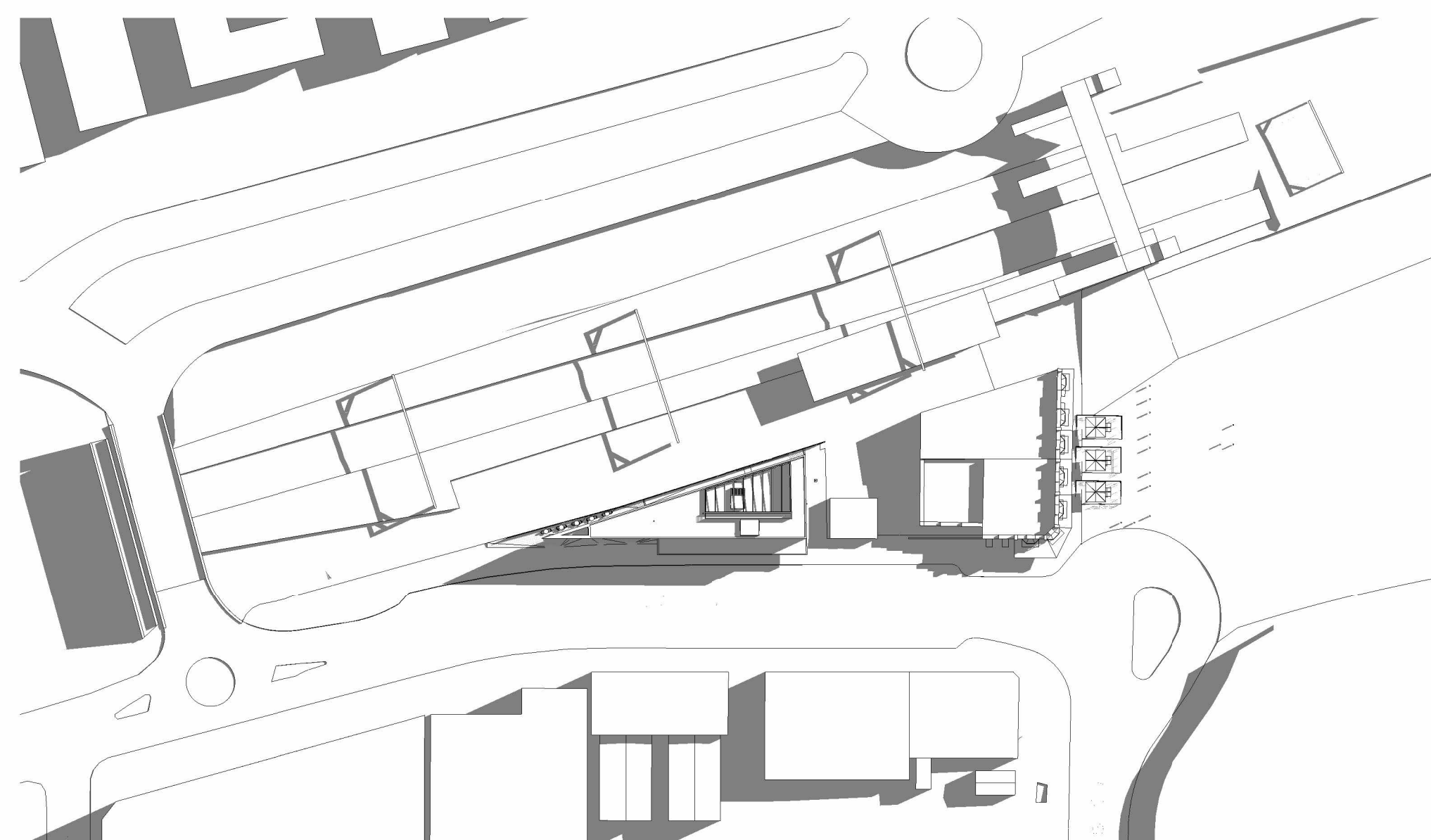
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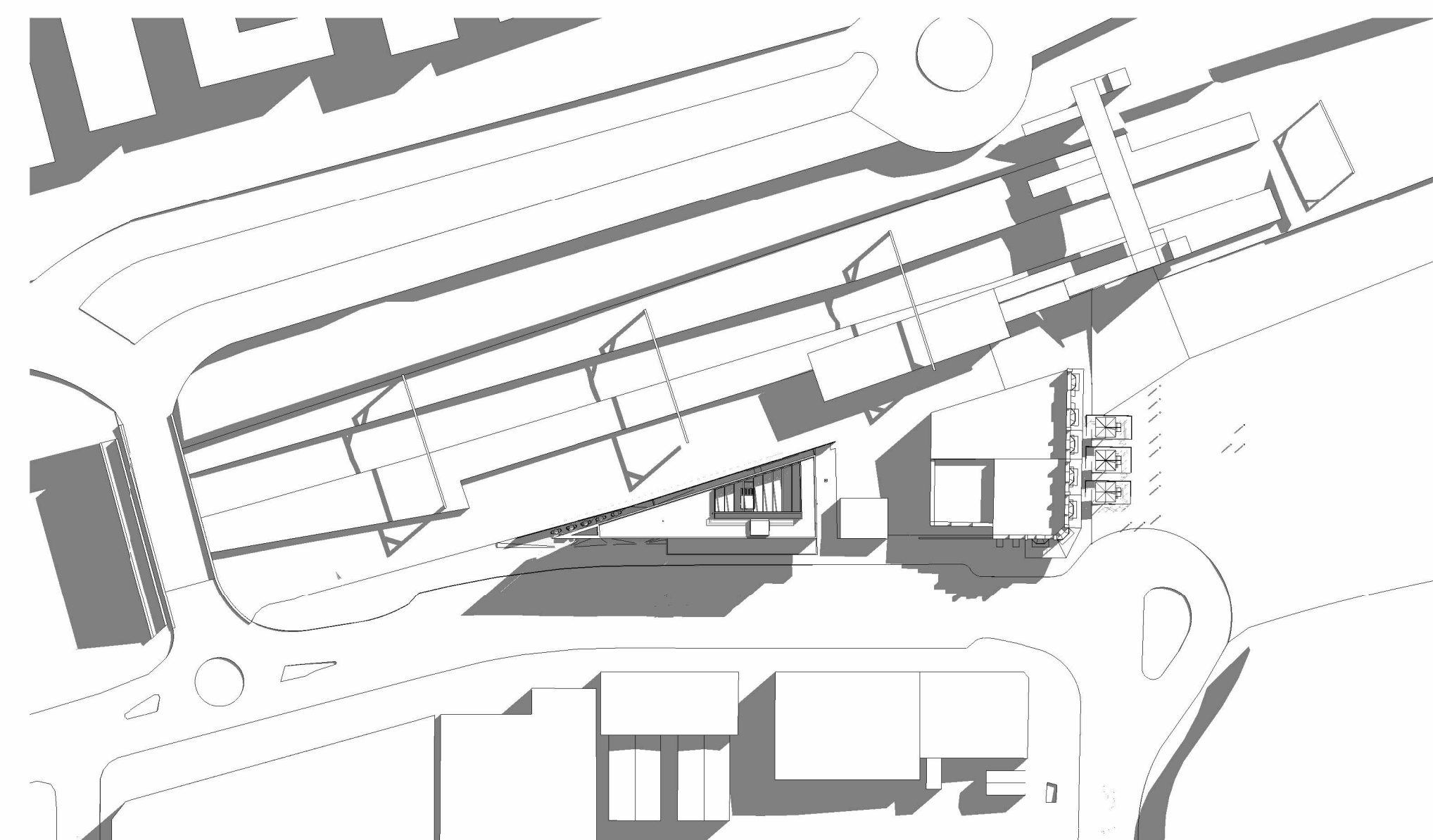
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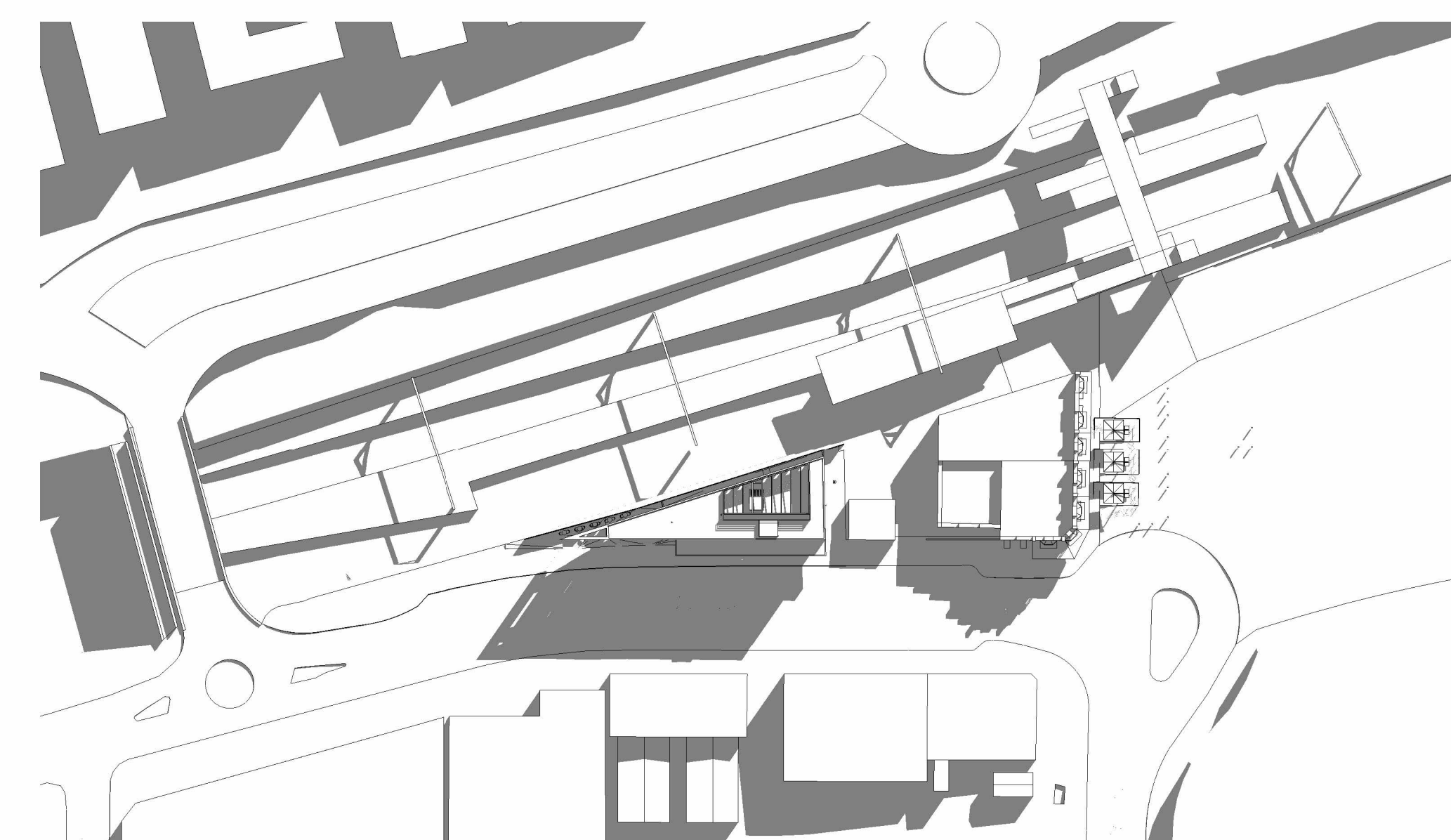
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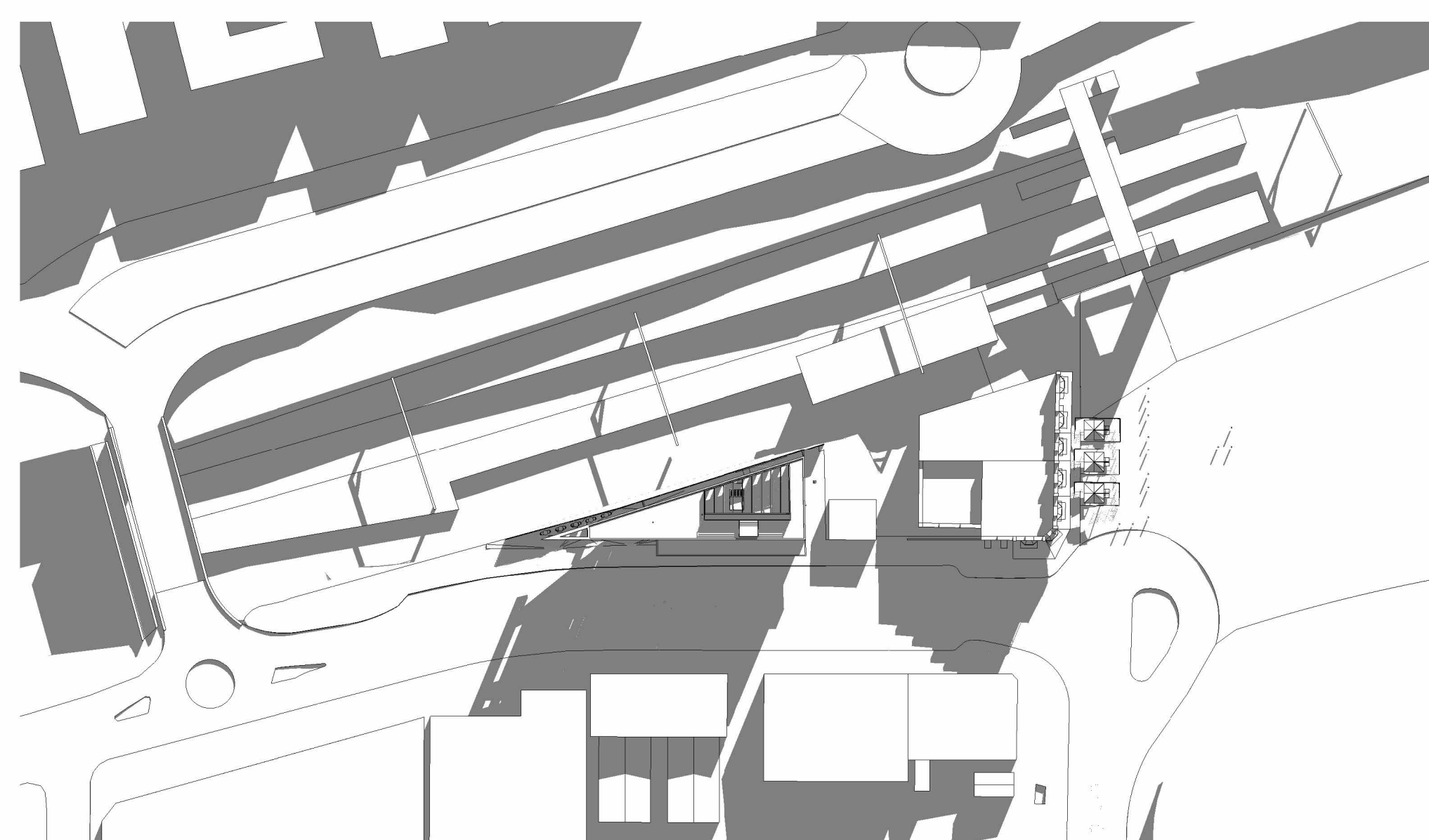
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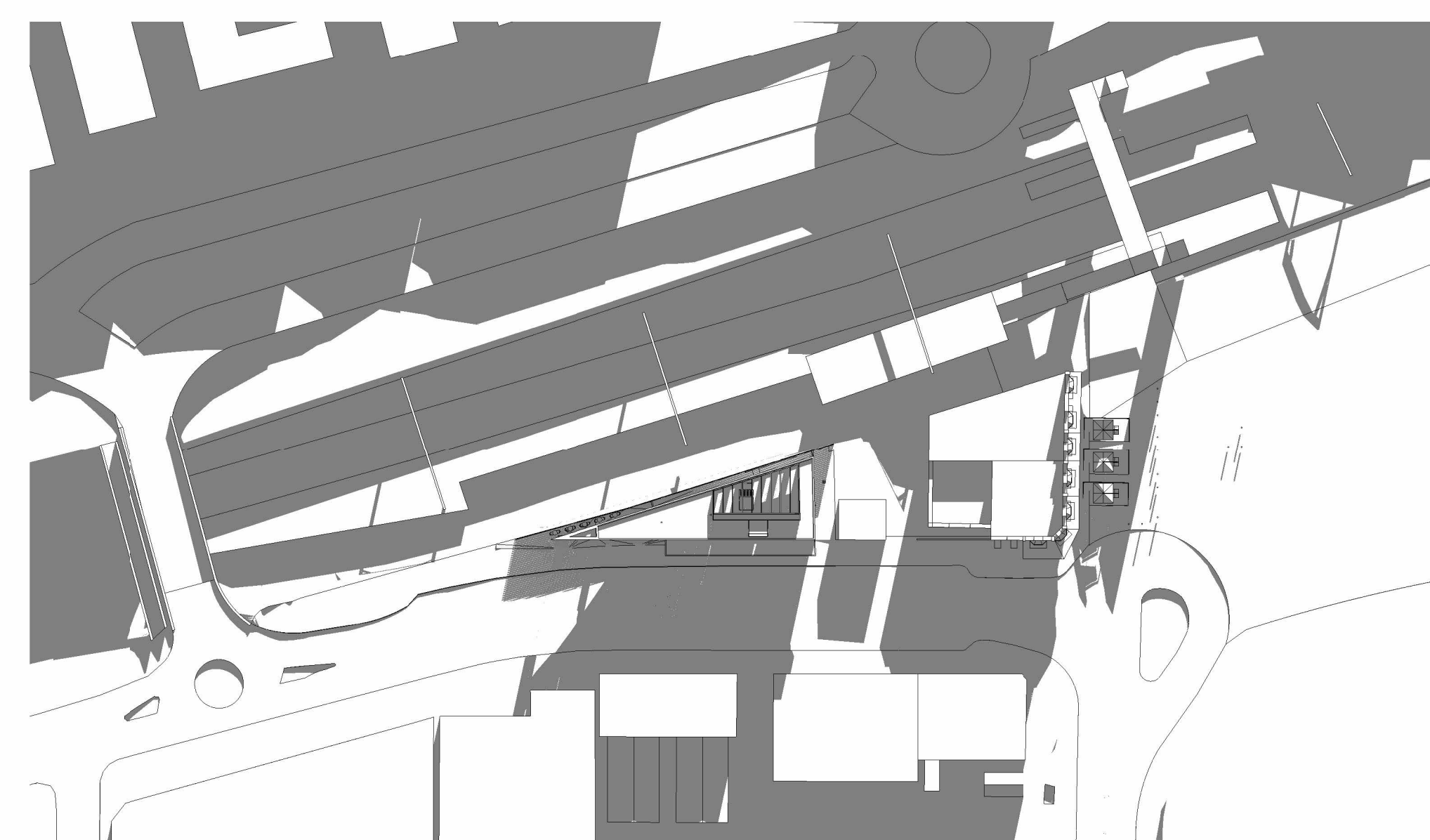
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7 JUNE 21 2PM
SCALE



8 JUNE 21 3PM
SCALE



9 JUNE 21 4PM
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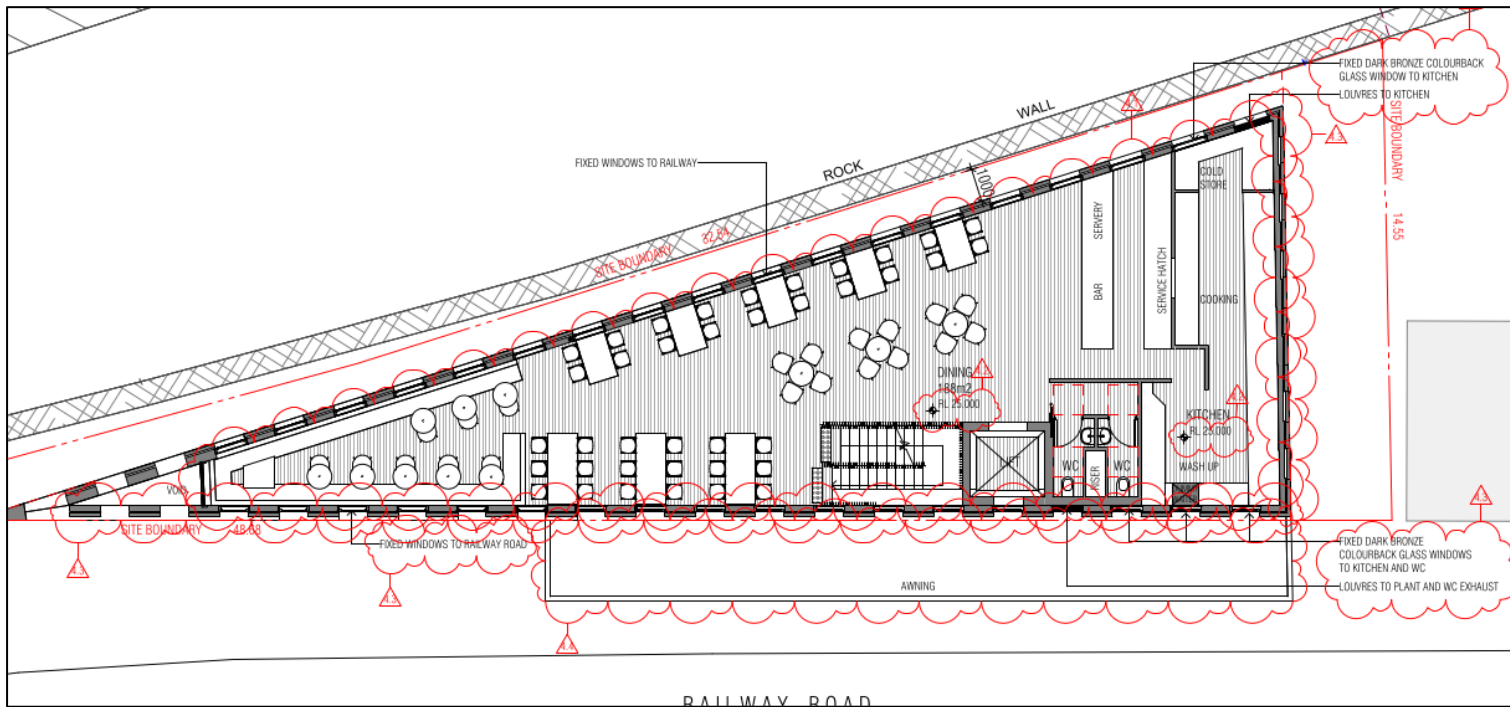
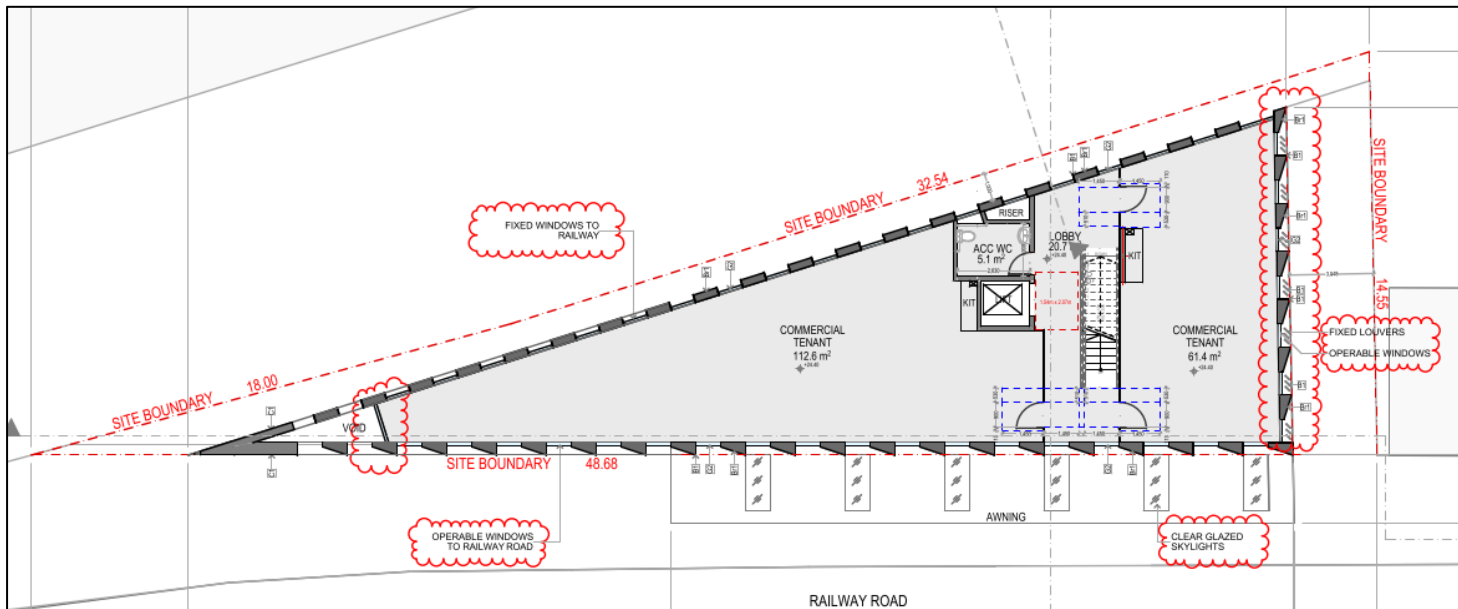
REVISION		
A	PRE DA REDESIGN	17.08.2021
B	CORE AND ENVELOPE UPDATE	08.10.2021
C	DEVELOPMENT APPLICATION	12.10.2021
D	DA ADDITIONAL INFORMATION	13.01.2022
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NOTES	DRAWN	CHECKED	JOB NO.	SCALE
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PROJECT	DRAWING TITLE
27 RAILWAY ROAD MEADOWBANK NSW 2114	SHADOW DIAGRAMS

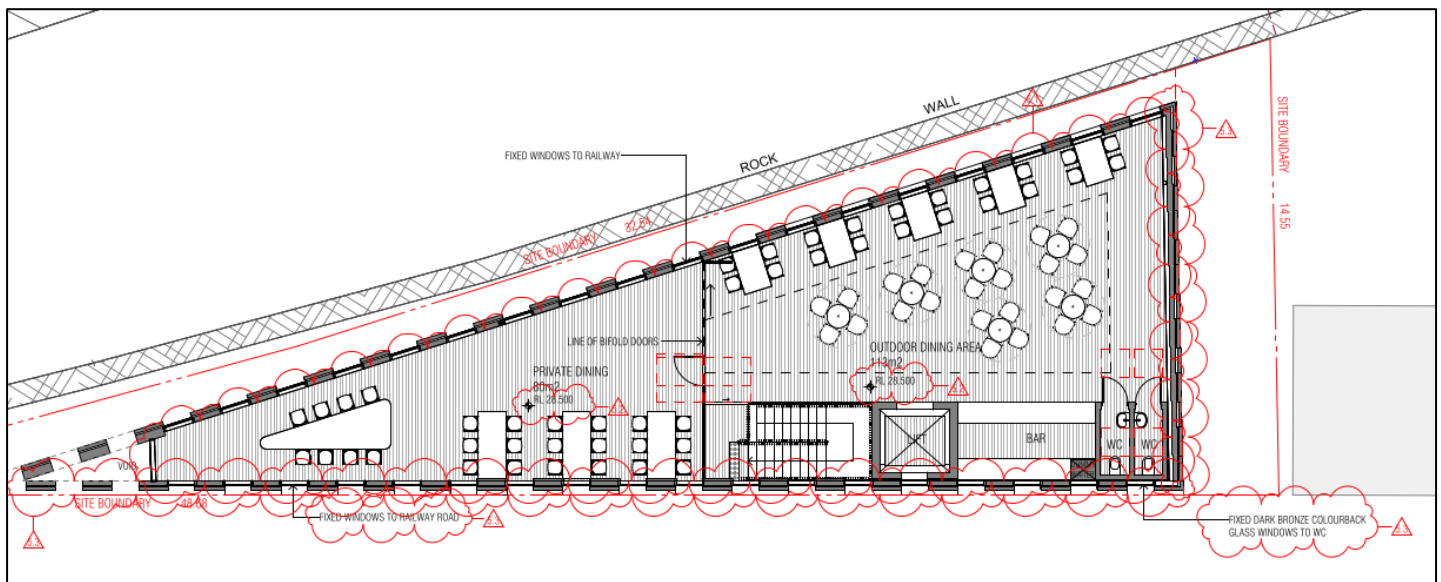
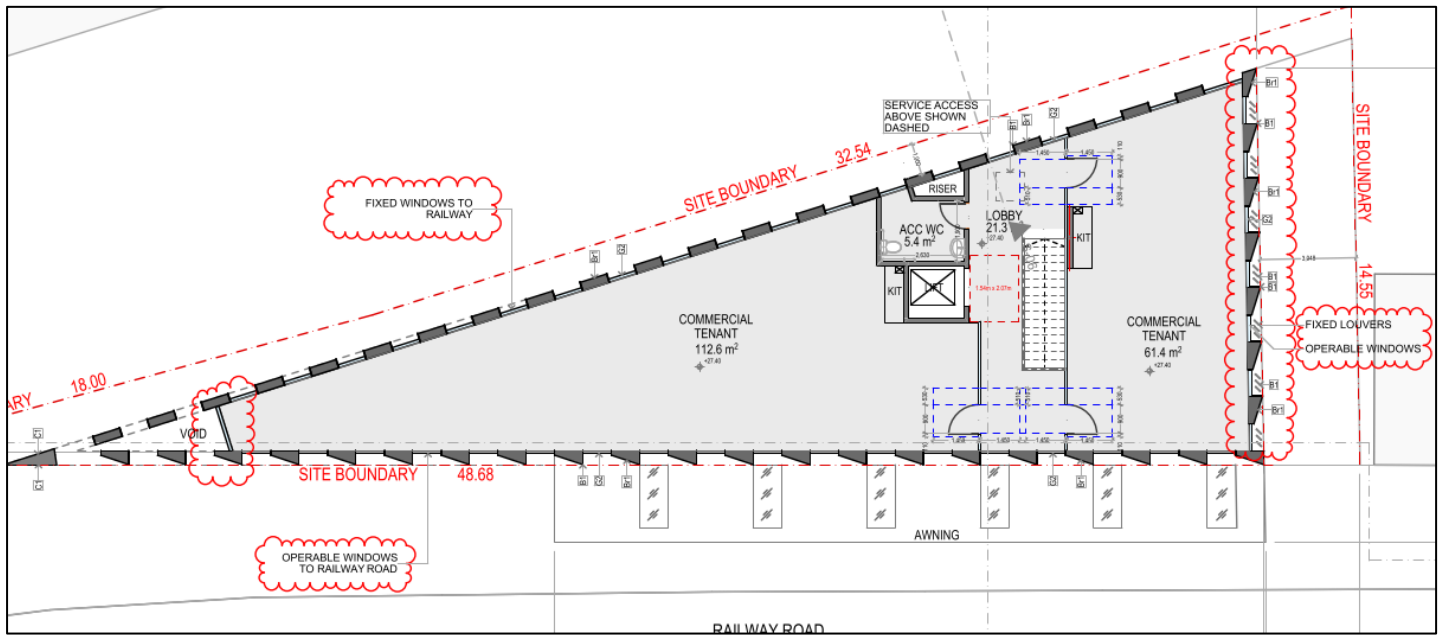
CLIENT	ISSUE PURPOSE	REV	DRAWING NO.
CURZON + PARTNERS L 13, 234 GEORGE STREET SYDNEY NSW 2000 T: +61 87055475 CURZON AND PARTNERS PTY LTD ACN 649993377	S4.55	E	DA400 6/06/2025 2:49:01 PM





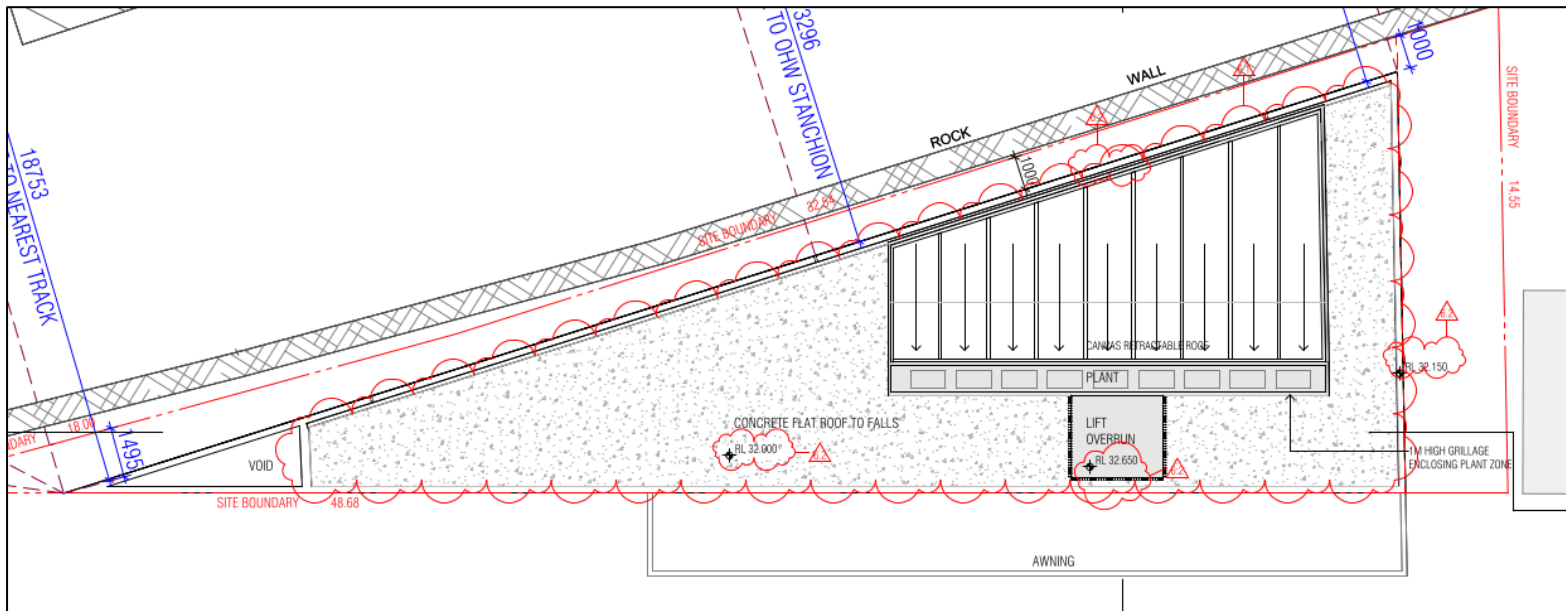
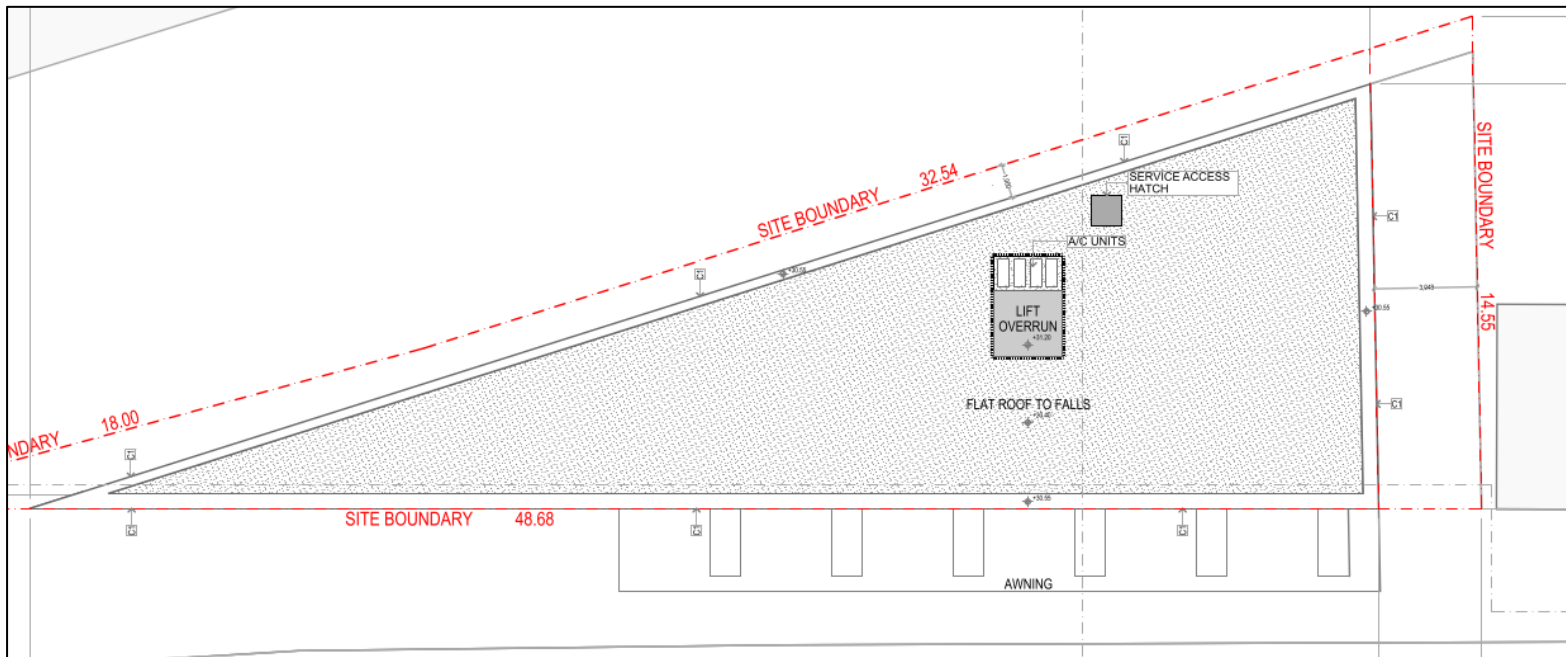
Above: Approved First Floor Plan

Below: Proposed Modified First Floor Plan



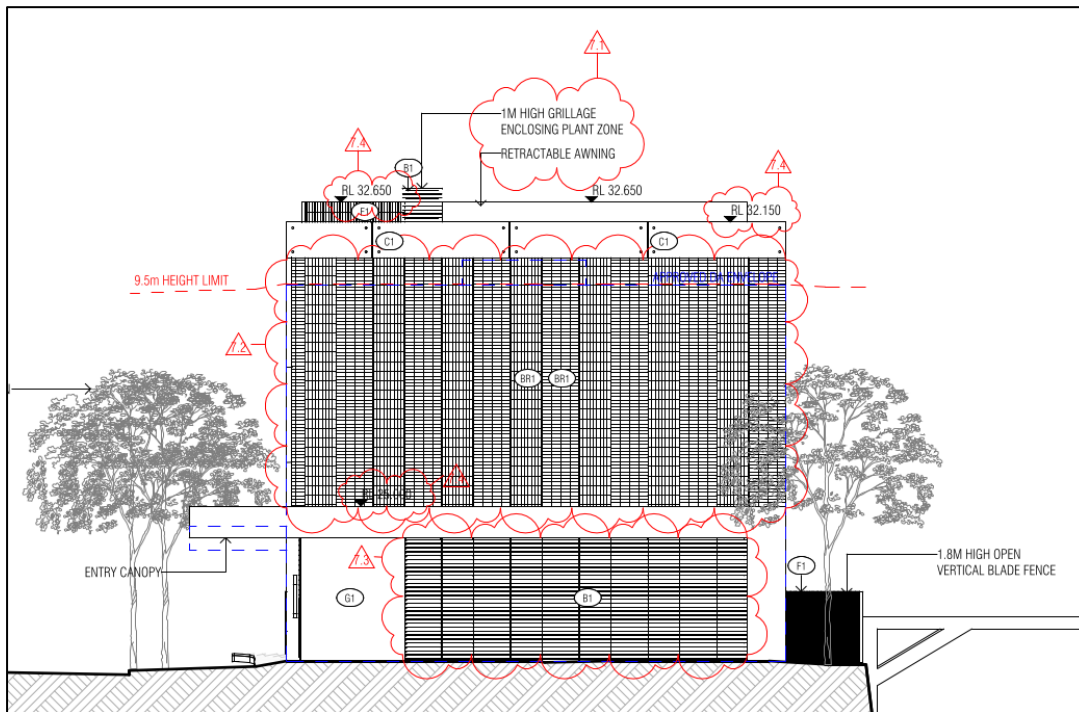
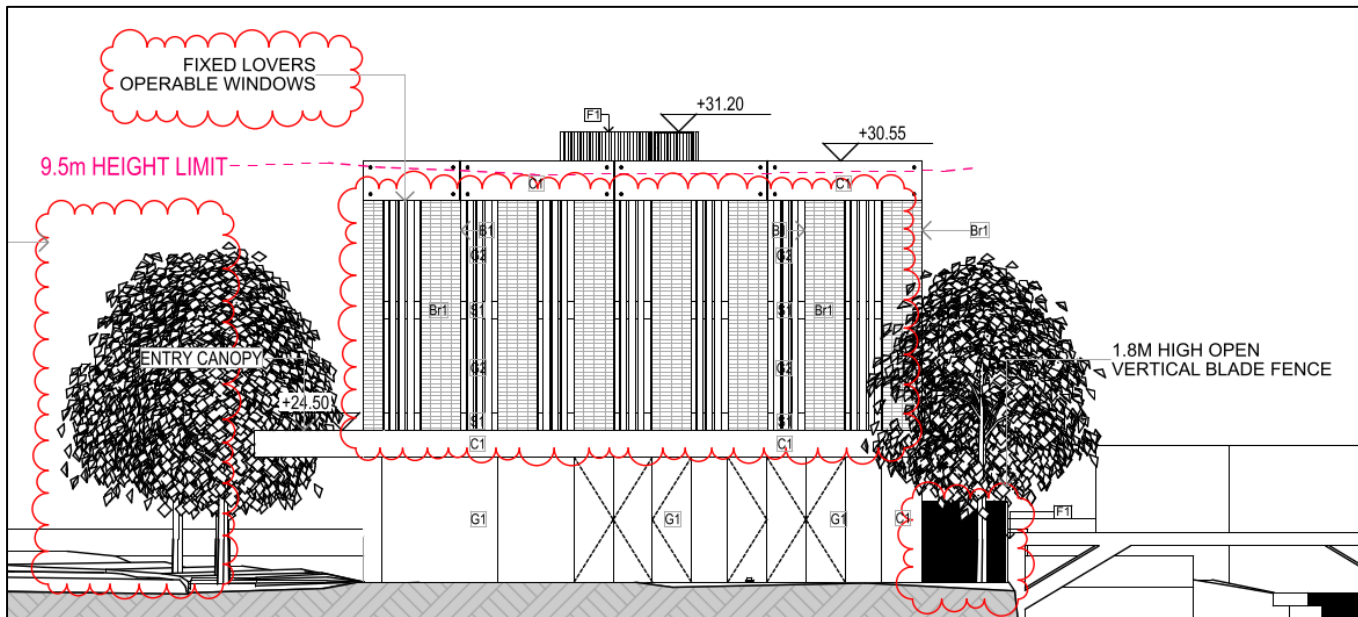
Above: Approved Second Floor Plan

Below: Proposed Modified Second Floor Plan



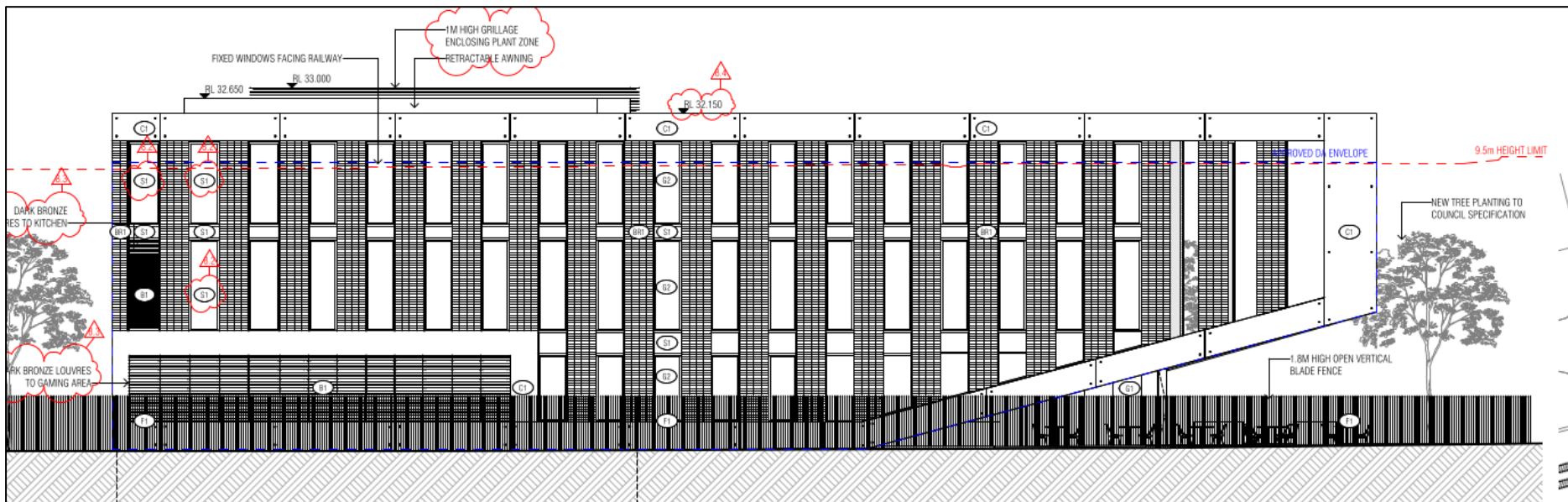
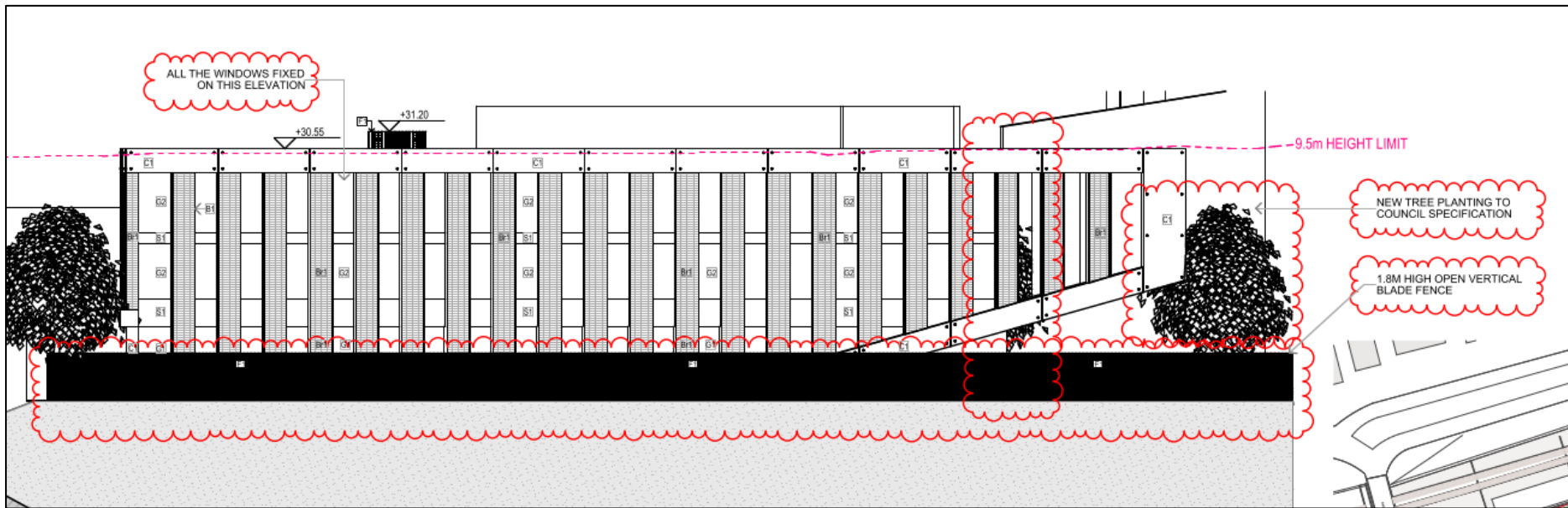
Above: Approved Roof Plan

Below: Proposed Modified Roof Plan



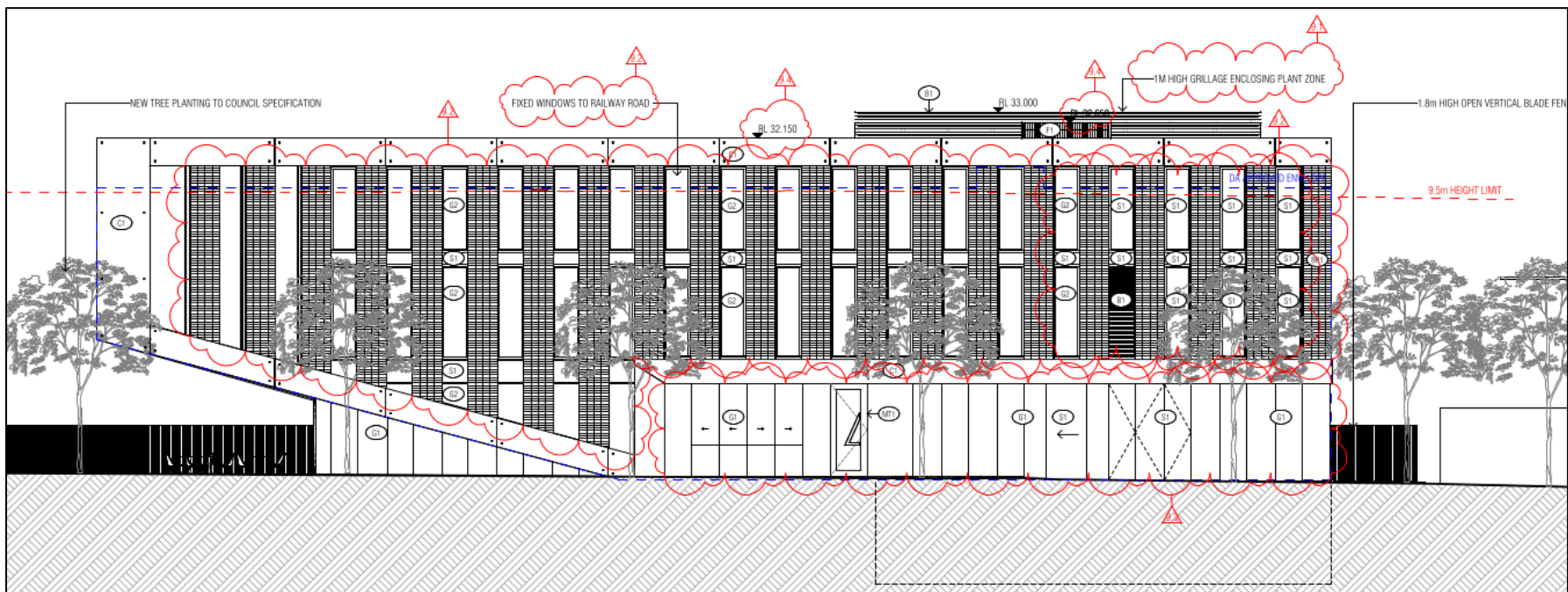
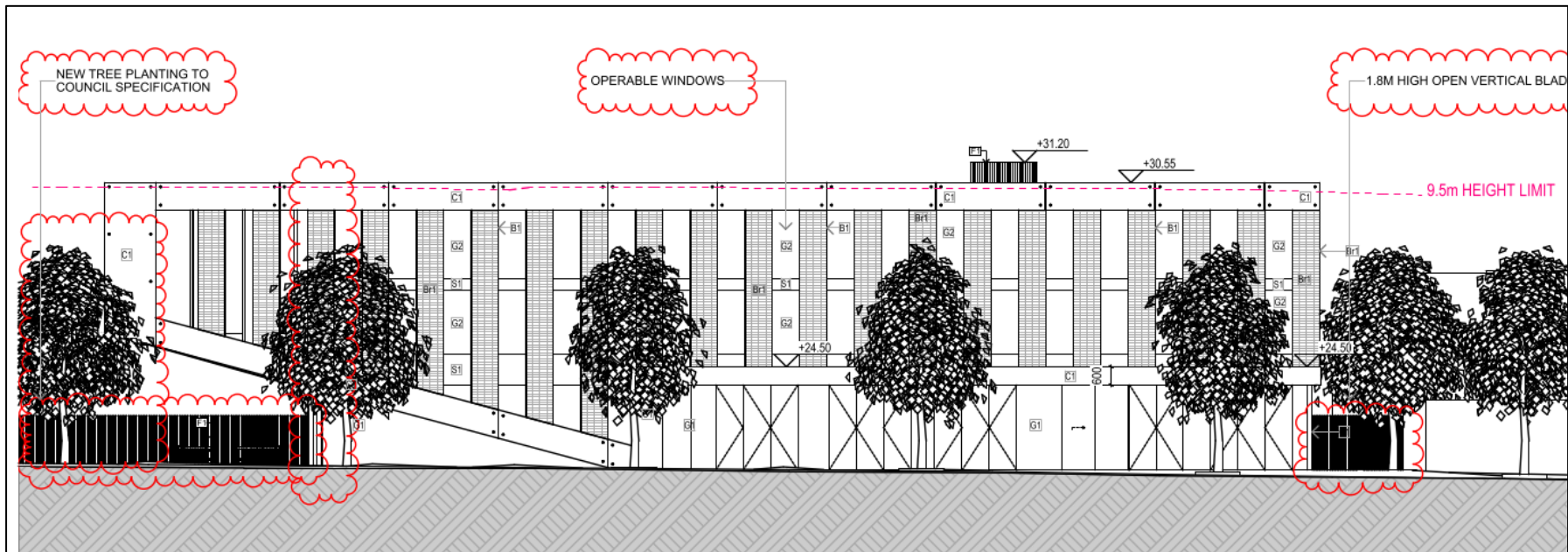
Above: Approved North Elevation

Below: Proposed Modified North Elevation



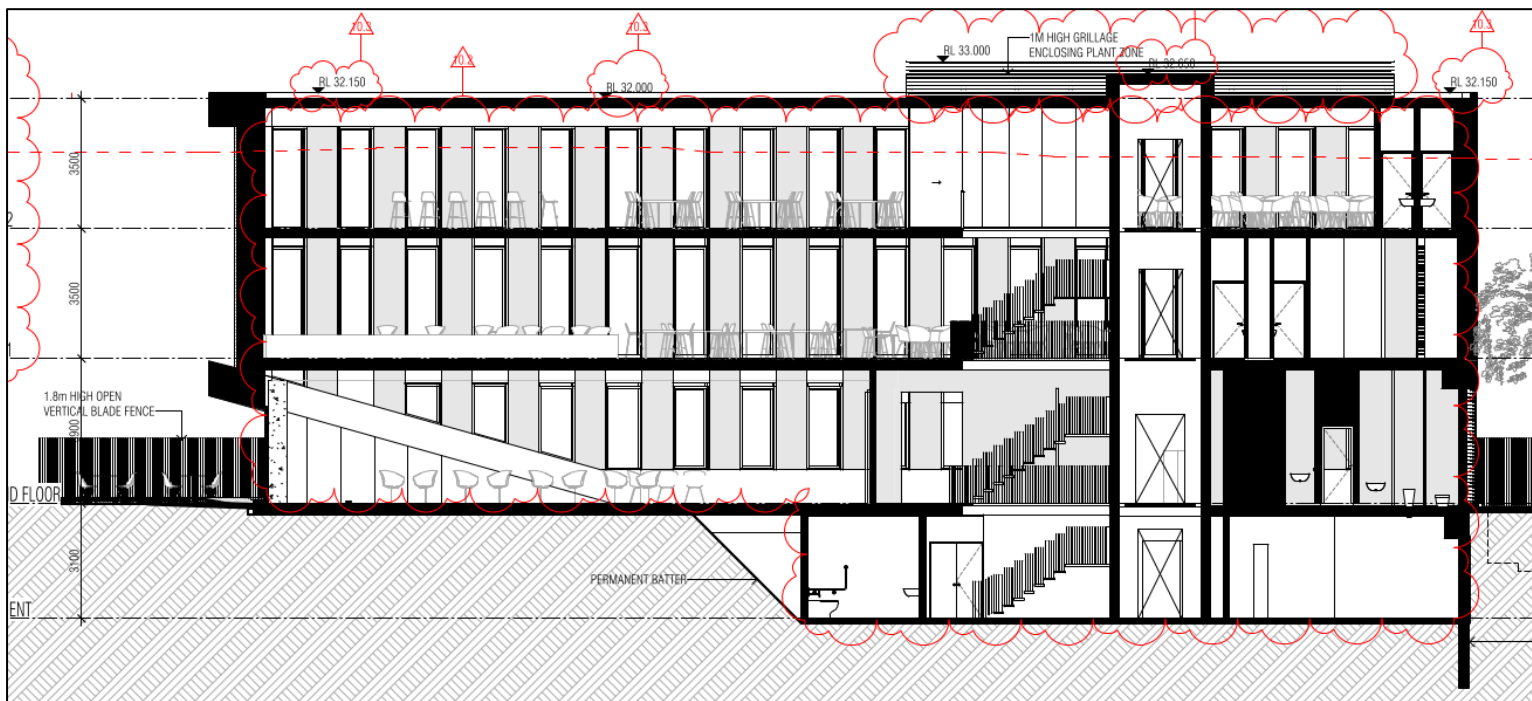
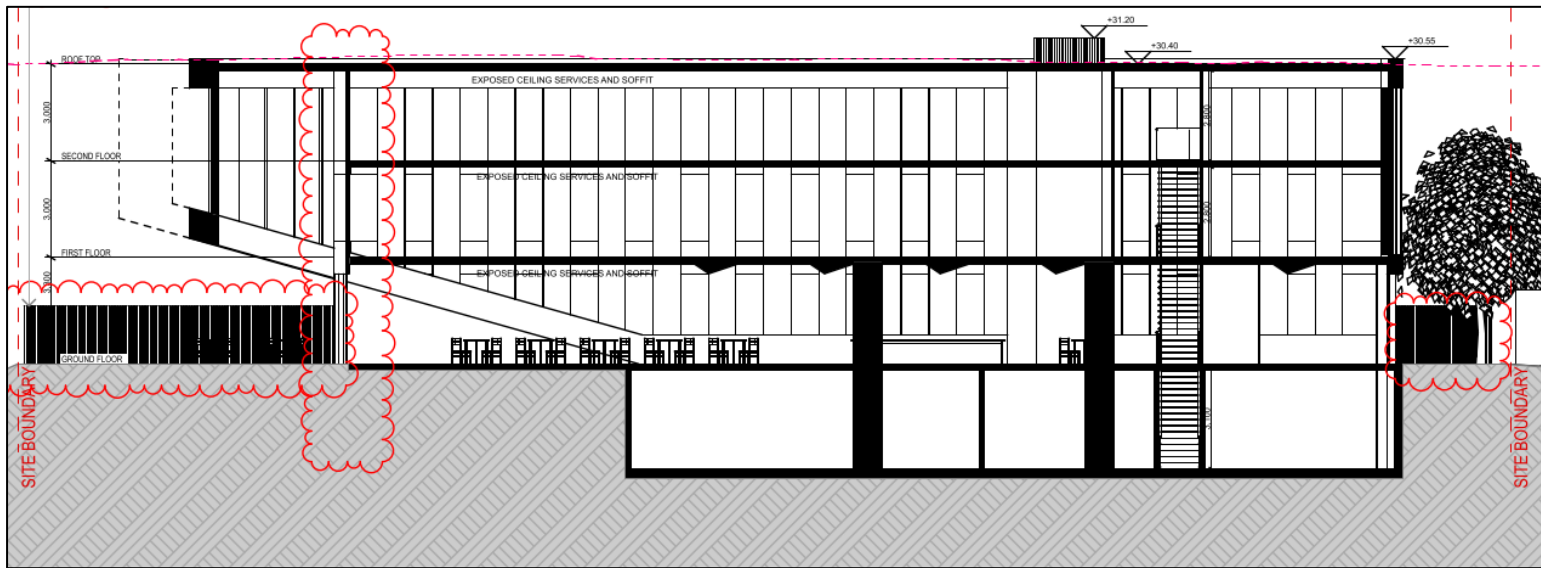
Above: Approved West Elevation

Below: Proposed Modified West Elevation



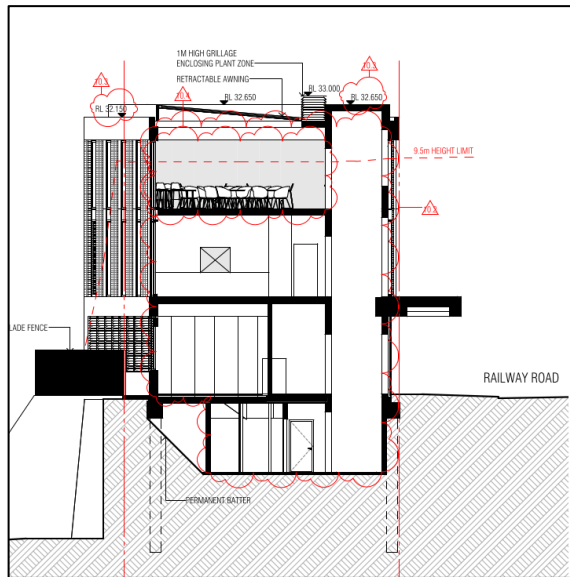
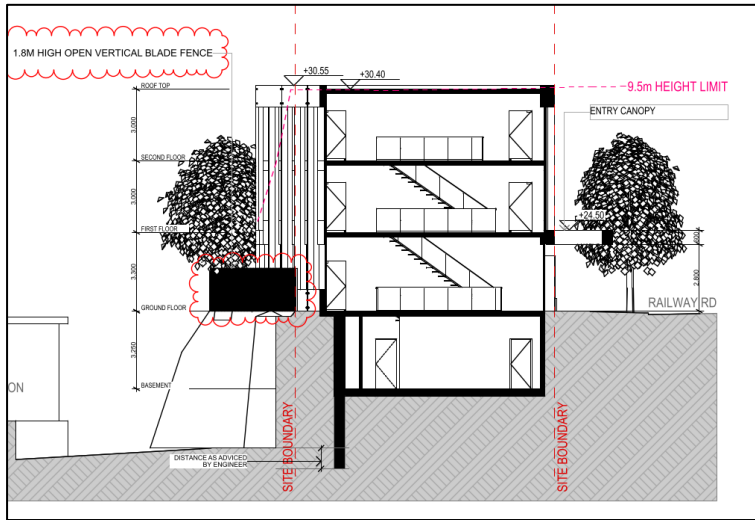
Above: Approved East Elevation

Below: Proposed Modified East Elevation



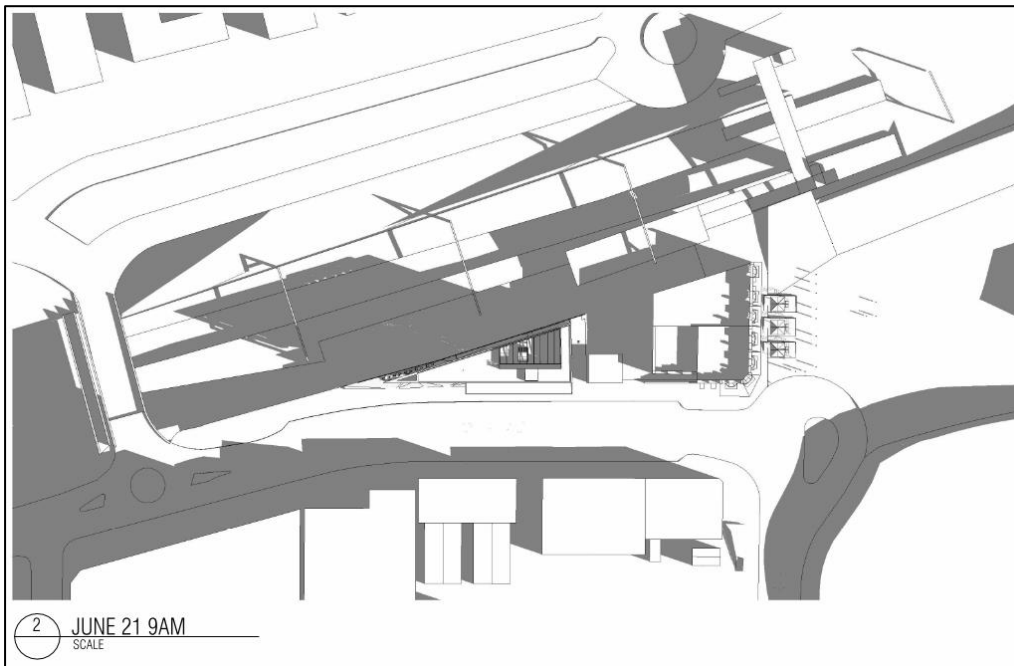
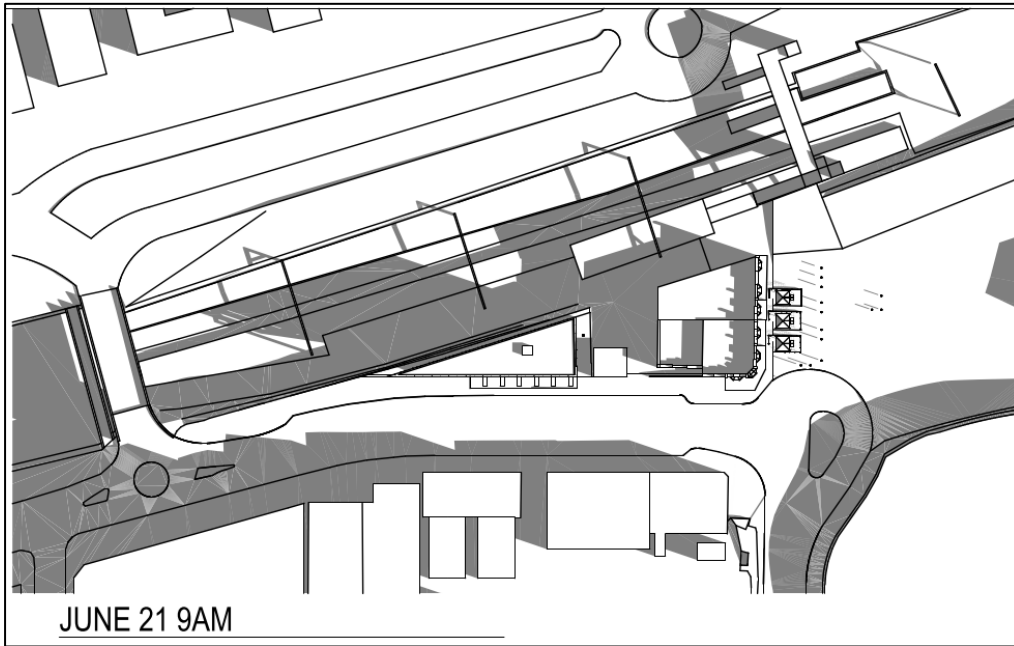
Above: Approved Section- Heritage

Below: Proposed Modified Section- Heritage

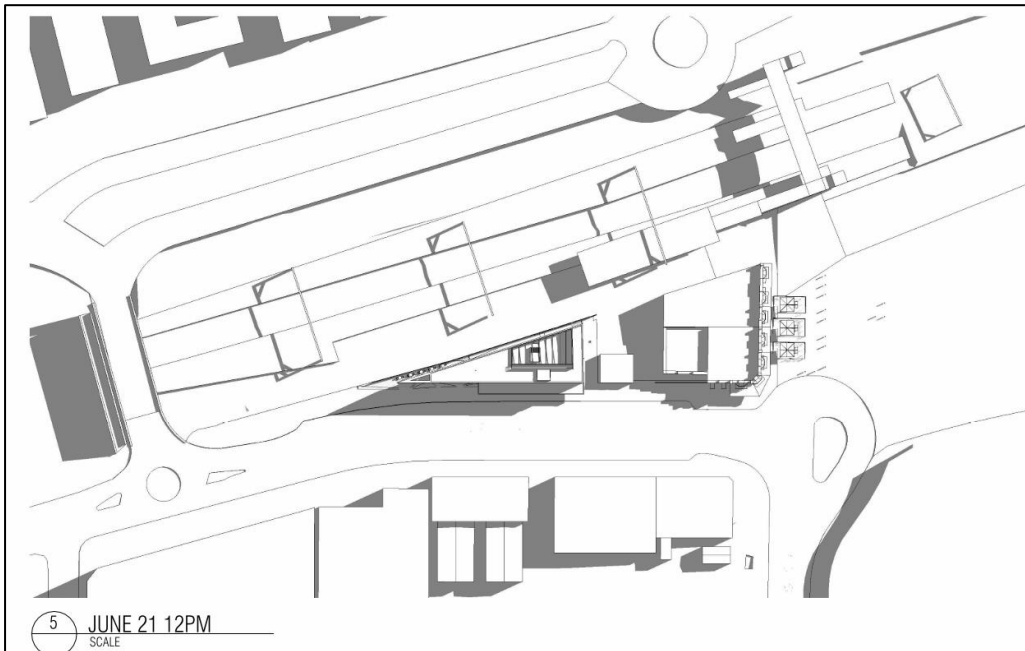
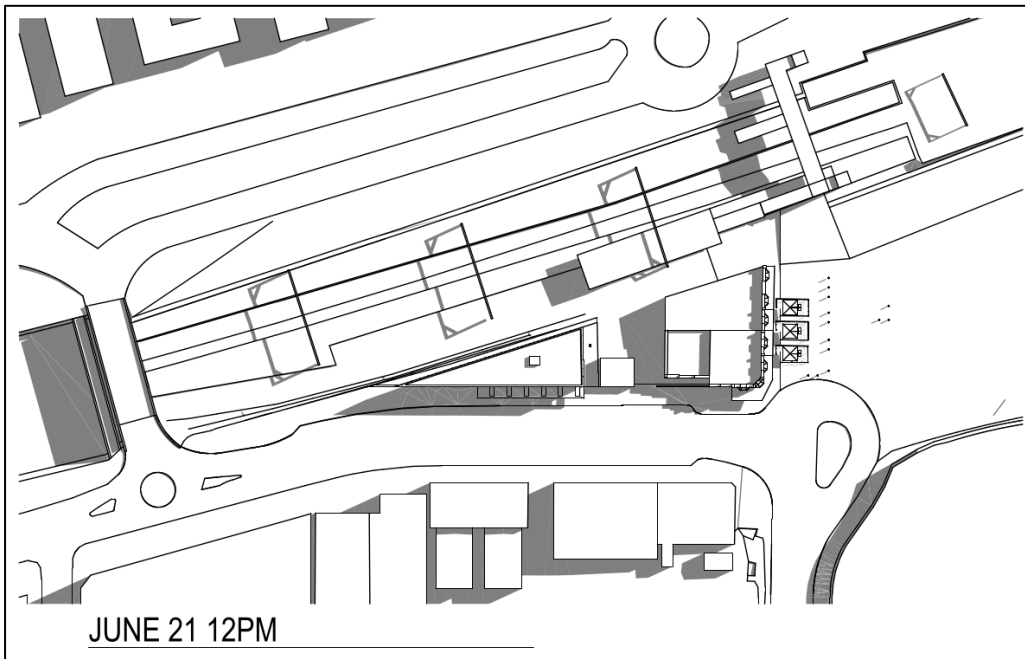


Above: Approved Section- Railway Road

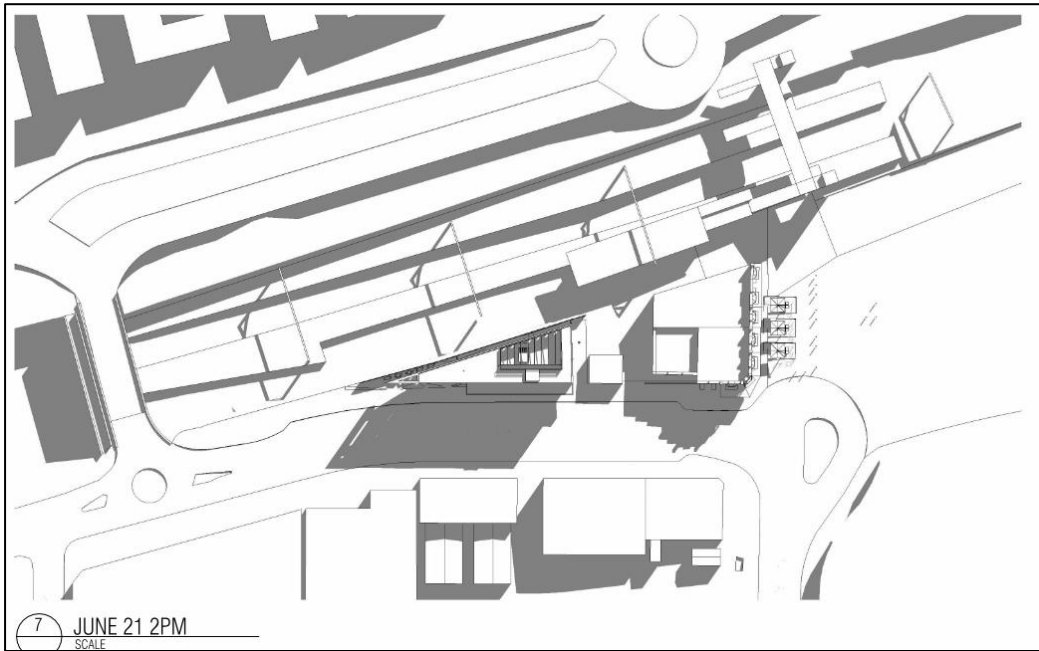
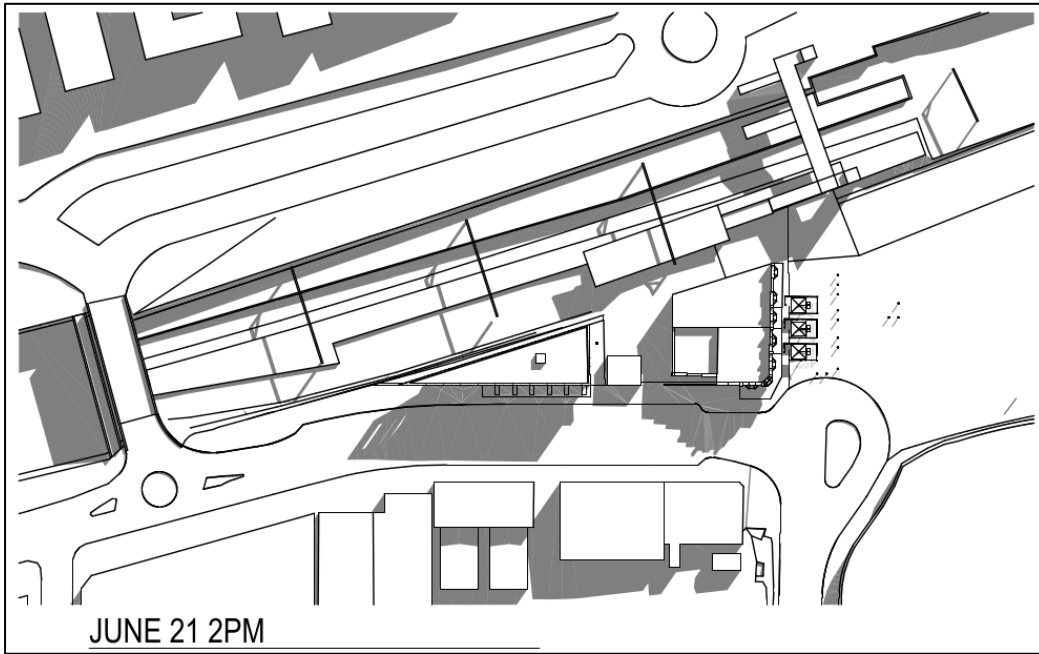
Below: Proposed Modified Section- Railway Road



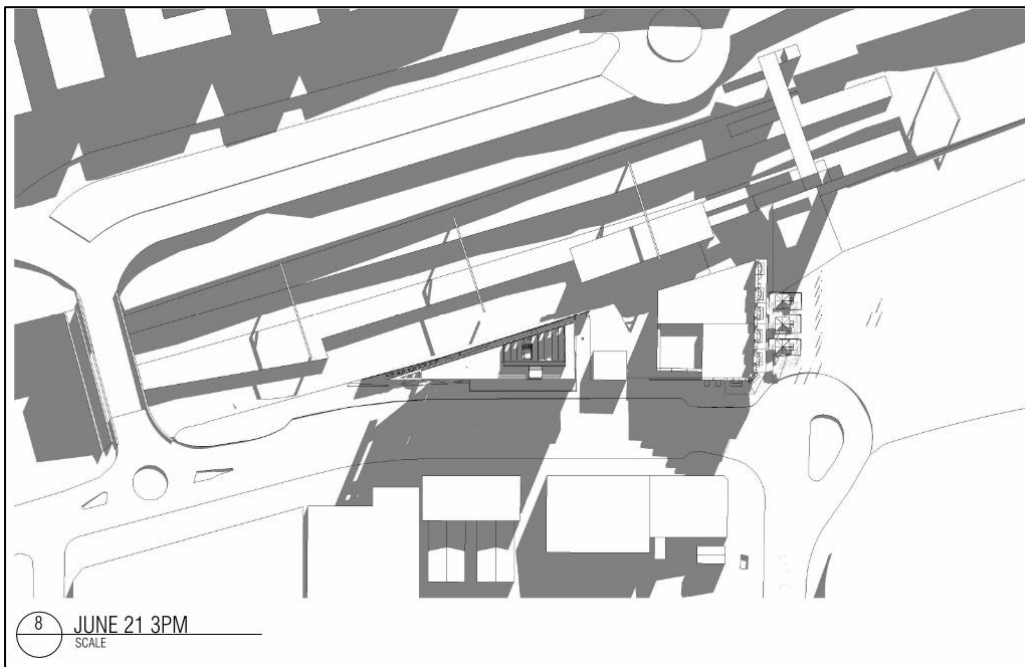
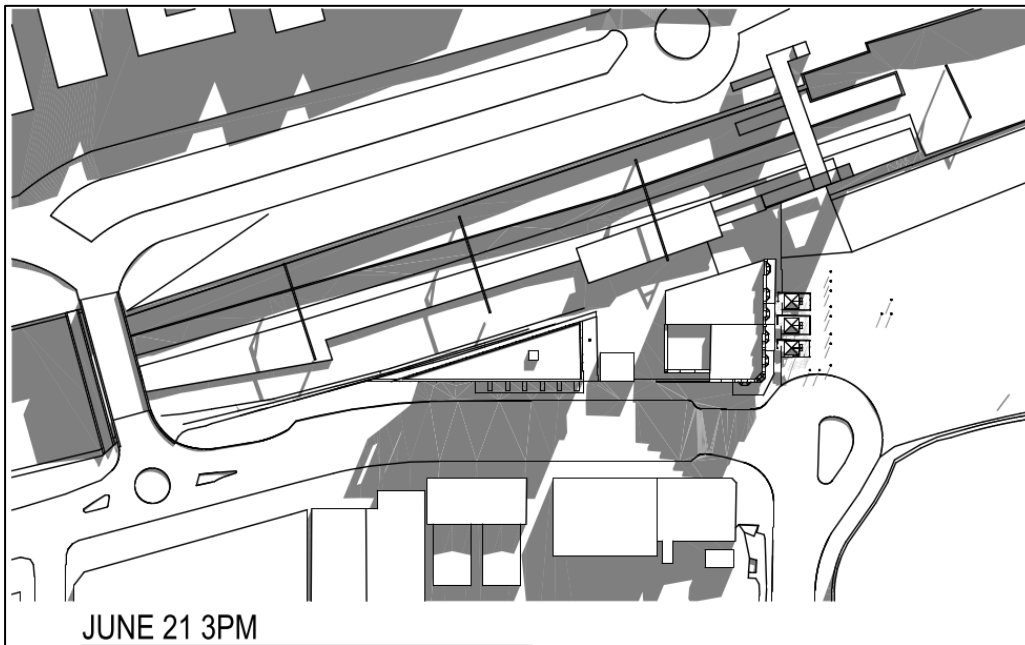
Shadow Diagram for 9am on 21 June from Approved Development (above) and Proposed Modified Development (below)



Shadow Diagram for 12pm on 21 June from Approved Development (above) and Proposed Modified Development (below)



Shadow Diagram for 2pm on 21 June from Approved Development (above) and Proposed Modified Development (below)



Shadow Diagram for 3pm on 21 June from Approved Development (above) and Proposed Modified Development (below)

Attachment 3 – Ryde Development Control Plan 2014

Compliance Table

Part 4.2 Shepherd’s Bay, Meadowbank

Control	Proposed	Compliance
2.2 Desired Future Character		
1. The vision for Shepherd’s Bay, Meadowbank is to create a higher density transit-orientated neighbourhood, providing for a mix of residential and commercial/retail uses.	The proposal is for a commercial development which will accommodate commercial uses.	Yes
2. Excellent transport infrastructure will provide a high level of access and mobility, ensuring efficient connections from the east to west and north to south.	The site immediately adjoins the railway corridor with pedestrian access to the train line.	Yes
3. Shared zones and dedicated pedestrian and cycle ways will encourage walking and cycling whilst connecting green open spaces and transport nodes to create a high quality public domain for residents and visitors	The proposal includes public domain works along the eastern and northern frontages to facilitate access.	Yes
4. New mixed use development will integrate with surrounding neighbourhoods and buildings, ensuring that the bulk and scale of new buildings is sensitive to the foreshore location and maximises the view potential towards the Parramatta River and surrounding regions.	The proposal is of an appropriate scale and design in response the surrounding development.	Yes
5. Commercial and retail development will be concentrated around Meadowbank Station and along Church Street, whilst residential development will dominate between these employment nodes.	The site immediately adjoins Meadowbank Station and provides for commercial use.	Yes
6. An improved public domain that provides an improved level of amenity that allows for higher densities across the area.	The proposal includes public domain works.	Yes
2.2.1 Integrated Public Domain and Development		
Developments are to ensure that social, economic, environmental and urban design issues are considered together and with proper regard for their mutual and cumulative impacts. All planning, design and development activities must take account of, and effectively respond to, the linkages and interfaces between public space and private land.	The proposal has been appropriately designed in consideration of the social, economic, environmental and urban design requirements for the specific site configuration.	Yes
2.2.2 Sustainability and Environmental Performance		

<p>Shepherd's Bay, Meadowbank will develop into a transit-oriented community that maximises the potential of urban consolidation and the integration of economic, infrastructure and physical resources. Development is to create a safe and comfortable environment for residents and workers in both private and public open spaces, through best practice design that ensures buildings and spaces achieve maximum environmental performance and minimum resource use.</p>	<p>The development will not commence until remediation works are undertaken as required by conditions of consent.</p>	<p>Yes</p>
<p>4.0 General Development Controls</p>		
<p>4.1.1 Mixed-use Development</p>		
<p>a. Combination of medium and high density residential development with compatible employment related activity or</p>	<p>The proposal relies upon control (b) as it does not include residential development.</p>	<p>N/A</p>
<p>b. Compatible employment related activities including:</p> <ul style="list-style-type: none"> i. Restaurants and cafes ii. Small scale retail establishments such as convenience stores and news agencies up to 2000m² iii. Small commercial offices and studios such as real estate agencies offices iv. Professional suites such as doctors suits, and v. Home offices <p>c. N/A</p> <p>d. retail developments, restaurants and cafes are to be generally located at street level.</p> <p>e. commercial uses are encouraged at the level immediately above street level, including but not confined to, professional and commercial offices, services such as dry cleaners, newsagency, and leisure uses such as a gym, places of worship or meeting rooms.</p> <p>f. Ground floor apartments are to be of flexible design to facilitate change of use and ensure privacy for occupants.</p> <p>g. Where upper levels of development are used for either</p>	<p>The development includes a pub (land use the subject of LDA2024/0194) which is a compatible employment related activity.</p> <p>The development includes a bar on the ground level.</p> <p>The development includes a dining area within the pub on the first floor.</p> <p>There are no residential apartments.</p> <p>The entire building will consist of a pub which</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

<p>commercial or residential activity, the amenity of both uses must not conflict or be compromised by other uses in the development.</p> <p>h. N/A</p> <p>i. Pedestrian entry to the residential control of mixed-use developments should be i. separated from entry to other land uses in the building(s); and ii. have a clear address and presentation to the street.</p> <p>j. Active streetscapes will be encouraged by the use of outdoor restaurant seating, whether on private or public land. Refer to Council's Outdoor Dining Policy.</p>	<p>will ensure there will be no conflict between different land uses within the building.</p> <p>No residential element. However, there is a centralised entry point presenting to Railway Road.</p> <p>The proposal includes a bar on the ground floor with frontage to Railway Road and includes internal and outdoor seating.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p>
<p>4.1.2 Public Domain, Access and Pedestrian/Cyclist Amenity</p>		
<p>a. The achievement of maximum heights and density is contingent on meeting the public domain provisions of this plan and all public domain items being provided by the proponent.</p> <p>b. New developments must be provided with a minimum of one barrier free access point to the main entry.</p> <p>c. Publicly accessible pedestrian and cycle ways must be provided through large sites. (even if not envisioned by this plan) (refer to Figure 4.2.03)</p> <p>d. New pedestrian and cycleway access points, gradients and linkages are to be designed to be fully accessible by all.</p> <p>e. New commercial development should provide facilities, including showers, bike lockers etc, to encourage walking and cycling to work – refer to Part 9.3 - Parking.</p> <p>f. New roads, shared ways, pedestrian and cycle paths shall be provided in accordance with Figure 4.2.03.</p> <p>g. N/A</p> <p>h. The design of new roads, shared ways footpaths and cycle paths shall be in</p>	<p>No changes to public domain works proposed.</p> <p>One barrier free access point to the main entry along Railway Road is provided.</p> <p>There are no identified pedestrian through links for this site.</p> <p>No new pedestrian or cycleway access points proposed.</p> <p>Bicycle parking is provided on the southern side of the building.</p> <p>No changes to the public domain proposed.</p> <p>N/A</p> <p>No changes to the public domain proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>

	accordance with Figure 4.2.03, Figure 4.2.04, Figure 4.2.04a, Figure 4.2.04b, Figure 4.2.05, Figure 4.2.06 and Figure 4.2.07.		
i.	Shared pedestrian links, cycle ways, public roads and lanes are to be of a high standard and treated in a way which indicates their shared status. The selection of paving, street furniture, lighting, bollards, signage and paving should compliment the existing upgrade works to Shepherds Bay (refer to the Ryde Public Domain Technical Manual).	No changes to the public domain proposed.	Yes
j.	The design and location of vehicle access to developments should minimise conflicts between pedestrian and vehicles on footpaths, particularly along high volume pedestrian streets.	No proposed vehicular access	Yes
k.	Service vehicle access is to be combined with parking access and limited to a maximum of one access point per building.	No vehicle access provided	Yes
l.	Wherever practicable, vehicle access is to be a single crossing, perpendicular to the kerb alignment.	No vehicle access provided	Yes
m.	Vehicle access ramps parallel to the street frontage will not be permitted.	None proposed	Yes
n.	Vehicle entries are to have high quality finishes to walls and ceiling as well as high standard detailing. No service ducts or pipes are to be visible from the street.	N/A	N/A
o.	The ground floor of all development is to be flush with the street footpath for the predominant level of the street frontage and at the main entry to the building.	Ground floor entrance is at grade with the upgraded footpath along the eastern elevation	Yes
p.	Recesses for roller doors and fire escapes are to be wide and shallow to provide for personal	No narrow-recessed entrances proposed	Yes

<p>security. Narrow, deep recesses are to be avoided.</p> <p>q. Pedestrian links must be a minimum width of 3.5 m, clear of buildings and open 24 hours a day. Pedestrian links identified in Figure 4.2.03 must be dedicated to Council.</p> <p>r. Developments must be setback from the corner on blocks with poor site lines. The setback distance will be at the discretion of Council.</p>	<p>No pedestrian links proposed through this site.</p> <p>No changes to setbacks proposed</p>	<p>N/A</p> <p>Yes</p>
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4.1.3 Implementation – Infrastructure, Facilities and Public Domain Improvements

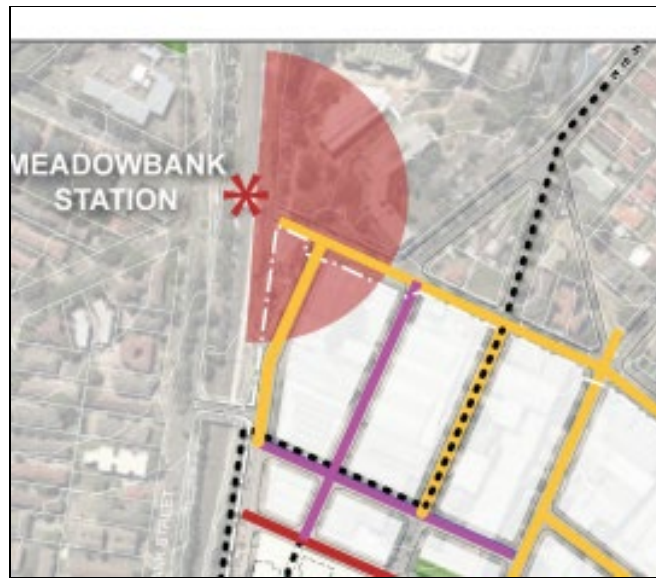


Figure 1 Figure4.2.03 Public Domain Upgrades

LEGEND

- Study site boundary
- Existing Pedestrian/Cycle Link
- Upgraded Link 1 - New Road
- Upgraded Link 2 - Widened Road
- Upgraded Link 3 - New Pedestrian Link
- Upgraded Link 4 - New/Improved Footpaths
- * Upgraded Station
- Railway Parking within area of station

Yellow denotes upgrade Link 4 – new and improved footpaths and long the eastern and western boundaries.

Red denotes the Railway parking within area of the station.

<p>a. The public land such as the road verge adjoining a development site is to be embellished and if required dedicated to Council as part of any new development. The design and construction of</p>	<p>No changes proposed to the public domain.</p>	<p>Yes</p>
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<p>the works are to be undertaken in accordance with section Figure 4.2.03, Figure 4.2.04, Figure 4.2.04a, Figure 4.2.04b, Figure 4.2.05, Figure 4.2.06 and Figure 4.2.07.</p> <p>b. The Access Network being the roads, pedestrian connections and open space network as shown Figure 4.2.03 is to be embellished if required and dedicated to Council as part of the new development. The design and construction of the works are to be undertaken in accordance with Ryde Public Domain Technical Manual and section 4.1.2 of this DCP</p> <p>c. S94 contributions still apply throughout area, notwithstanding any land dedications, public domain improvements, infrastructure provision etc as required by this DCP.</p>	<p>No changes to the public domain proposed.</p> <p>The proposal is subject to Section 7.12 contributions which has been conditioned.</p>	<p>Yes</p> <p>Yes</p>
<p>4.1.4 Views and Vistas</p>		
<p>a. Panoramic views of Parramatta River are to be maintained from Faraday Park, Settlers Park, Anderson Park, and Helene Park (refer to Figure 4.2.08)</p> <p>b. Development is to ensure that vistas towards Parramatta River are maintained (refer to Figure 4.2.08)</p> <p>c. Development must reflect the topography of the area taking into consideration views from the Rhodes Peninsula, Railway Bridge and Ryde Bridge.</p> <p>d. Maintain views for pedestrians and cyclists along the public open space to the Parramatta River.</p> <p>e. N/A</p> <p>f. N/A</p>	<p>The proposal does not interfere with designated viewing corridors</p> <p>Vistas unaffected</p> <p>Proposal does not interfere with view lines.</p> <p>Proposal does not impact views for pedestrians and cyclists along the public open space to the Parramatta River.</p> <p>N/A</p> <p>N/A</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>

g. New buildings are to take into account the existing views on the subject site and adjoining sites.	Increased height does not impact on any existing views	Yes
h. Orientate new development to take advantage of water views and vistas.	No change to orientation of building proposed	Yes
i. New developments are not to materially compromise views of the northern ridgeline of Meadowbank.	No impacts to views of the northern ridgeline of Meadowbank.	Yes

4.1.5 Landscaping and Open Space



Figure 2 Figure 4.2.09 Open space diagram

The eastern and western boundary of the site identified as existing road.

a. All development proposals are to be accompanied by a Landscape Plan prepared by a qualified and suitably experienced landscape architect. This is to include an arborist's report on existing trees, and demonstrate how proposed landscaping will contribute to ecological sustainability. Management of construction impacts must also be addressed.	No changes to the Landscape Plan proposed.	Yes
b. Roof gardens are encouraged and must be considered in any landscaping plan.	Roof garden was not required given the commercial use and small scale of development.	Yes
c. N/A	N/A	N/A

d. All existing mature trees that enhance the quality of the area are to be retained.	No tree removal proposed as part of this application	Yes
e. Provide adequate deep planting zones above car parking and other concrete or similar structures to allow sustainable planting.	No changes to deep planting zones proposed	Yes
f. N/A	N/A	N/A
g. Construction of roof areas of multi unit developments is to make provision for useable roof gardens.	The development does not include any residential component	N/A
h. Where appropriate, developments should incorporate landscaping (such as planter boxes) integrated into the upper levels of building to soften building form.	No changes proposed to landscaping	Yes
i. Building setbacks are to allow for landscaping/planting as in section 4.2.2 Setbacks.	No changes to setbacks proposed	Yes
j. N/A	N/A	N/A
k. Where a proposal involves redevelopment of a site the developers are to arrange for electricity and telecommunications utilities to be under grounded along the entire length of all street frontages. Such utility modifications will be carried out to the satisfaction of the responsible authority (e.g. Energy Australia). This is to improve the visual amenity of the area and allow street trees to grow unimpeded.	No changes to utilities conditions required.	Yes
l. Permeable landscape surface materials are to be maximised, to allow maximum penetration of stormwater and urban runoff. Recommended permeable landscape materials include gravel, loosely fitting pavers, stepping stones, vegetative	Permeable landscape surfaces are utilised where possible.	Yes

groundcover such as grass, creepers, and shrubs.		
4.1.6 Street Furniture and Public Art		
a. All development proposals are to be accompanied by a landscape plan, prepared by a qualified and suitably experienced landscape architect, indicating how public domain improvements including paving, street furniture and lighting will be incorporated into the development.	No changes proposed to the approved Landscape Plan	Yes
b. Public domain finishes including the style, colour and installation methods of street furniture, paving and street lighting shall be in accordance with Ryde Public Domain Technical Manual.	No changes to the public domain proposed	Yes
c. Public art is to be provided in accordance with Council's Public Art Policy. Developers must examine opportunities to incorporate public art in both internal and external public spaces and indicate how public art will be incorporated into major developments. Relevant themes include: i. the harbour location; ii. industrial history and heritage; iii. Aboriginal heritage; and iv. urban revitalisation.	No changes to public art conditions proposed.	Yes
d. Embellishment of public places/spaces will be at developers' cost and the type and amount of embellishment will be negotiated with Council.	No changes to public art conditions proposed.	Yes
4.1.7 Safety		
a. Public spaces need to be designed to meet Crime Prevention Through Environmental Design (CPTED) principles (DUAP 2001).	A CPTED Assessment Report was conditioned to be provided prior to the issue of a Construction Certificate as part of LDA2021/0372. The NSW Police have raised no objections to the proposal subject to a condition of consent requiring compliance with the Plan of Management approved	Yes

<p>b. Open sightlines and landscaping needs to be provided that allows for high levels of public surveillance by residents and visitors.</p> <p>c. Lighting is to be provided to all pedestrian ways, building entries, corridors, laundries, lifts, stairwells, driveways and car parks to ensure a high level of safety and security for residents and visitors at night. Further, external lighting including street lighting if necessary (in accordance with pedestrian lighting AS1158 is to be provided which makes visible potential hiding spots at night.</p> <p>d. Entrances to public open spaces will need to encourage pedestrian use and establish clear sightlines to improve visual security.</p> <p>e. The design of public domains must not result in dead ends or similar design outcomes.</p>	<p>under LDA2024/0194, which requires CCTV and security guards.</p> <p>Windows are provided along the eastern and western elevations to enable passive surveillance onto the public domain.</p> <p>Details of external lighting were conditioned to be provided as part of the Construction Certificate under LDA2021/0372.</p> <p>No public access spaces proposed.</p> <p>No changes to public domain proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4.2 Architectural Characteristics</p>		
<p>4.2.1 Height</p>		
<p>a. The maximum building height is to comply with the heights shown in Ryde Local Environmental Plan 2014 Height of Buildings Map. Buildings must comply with the maximum number of stories shown in Figure 4.2.10.</p> <p>b. N/A</p> <p>c. The ground floor height shall be 4 m floor to floor regardless of use.</p> <p>d. N/A</p>	<p>Max. building height is 12.1m and exceeds the 9.5m development standard. No specific number of storeys is identified for the site in figure 4.2.10.</p> <p>N/A</p> <p>3.9m</p> <p>N/A</p>	<p>No- Addressed in report</p> <p>N/A</p> <p>No- Addressed in report (This is an increase)</p> <p>N/A</p>

<p>e. Retail and commercial uses at ground floor are to have floor levels contiguous with finished footpath levels. On sloping sites the levels must be contiguous at entries.</p>	<p>The proposal has a consistent ground floor level of RL21.10</p>	<p>Yes</p>
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4.2.2 Setbacks



Figure 3 Figure 4.2.12 Setbacks diagram nominating a nil setback applicable to the site's E and W boundaries


<p>a. Setbacks must be consistent with the setback map (see Figure 4.2.12):</p> <ul style="list-style-type: none"> i. New development to have 4 m setbacks ii. Development along the northern boundary of the Meadowbank area adjacent to R2 low density residential zones is to have 6 m landscape buffer setback iii. Development fronting Church Street to have 6 m landscaped buffer setbacks 	<p>No changes to setbacks proposed</p>	<p>Yes</p>
<p>b. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>c. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>d. Development in the vicinity of the station to have no setback at ground level (ie built to the lot boundary).</p>	<p>No changes to setbacks proposed</p>	<p>Yes</p>
<p>e. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>f. Low native shrubs should be provided within all setbacks with the selection of species discussed with Council.</p>	<p>No changes to landscaping proposed</p>	<p>Yes</p>
<p>g. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>h. All setbacks are exclusive of the road reservation.</p>	<p>No changes to setbacks proposed</p>	<p>Yes</p>

4.2.3 Roof Form

<p>a. Buildings below RL 15 must have articulated roofs, as they will be viewed from buildings above. Articulated roofs refer to well-designed roof zones with landscaping, useable areas and/or richly detailed roofs made of high quality materials.</p>	<p>Proposed roof is between RL32.00-RL33.00</p>	<p>N/A</p>
<p>b. The use of solar panels on roofs is encouraged where possible</p>	<p>No solar panels were provided in LDA2021/0372.</p>	<p>N/A</p>
<p>c. Pitched roofs of up to 30% are permitted for buildings that are 3 storeys or less.</p>	<p>N/A</p>	<p>N/A</p>
<p>d. Attics are to be avoided – as they are not in character with the locale</p>	<p>Proposal does not include attic. Roof form has a parapet.</p>	<p>Yes</p>
<p>4.2.4 Building Facades and Articulation</p>		
<p>a. Building facades should be articulated within a 3-metre zone to provide entries, external balconies, porches, glazed balcony enclosures, terraces, verandas, sun shading elements etc.</p>	<p>Building articulation provided within the façade with the use of cantilevered elements and variety of materials.</p>	<p>Yes</p>
<p>b. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>c. Articulate buildings to respond to orientation, views, breezes, privacy, views, acoustic requirements, street widths and the relationship of the building to external garden spaces.</p>	<p>Proposal provides for appropriate amenity</p>	<p>Yes</p>
<p>d. Articulate buildings vertically and horizontally: materials and building setbacks on the upper storeys are to be used to reduce the perceived bulk of buildings.</p>	<p>Proposal includes variety of materials and architectural design features to articulate the perceived bulk of the building.</p>	<p>Yes</p>
<p>e. Provide and denote entries along street frontages and public domain spaces where appropriate.</p>	<p>A centrally located entrance is proposed along the eastern elevation to provide direct access from Railway Road</p>	<p>Yes</p>
<p>f. Buildings are to address streets, open spaces and the river foreshore. Street frontages are to be parallel with or aligned to the street alignment.</p>	<p>Building addresses Railway Road and is parallel with the street alignment.</p>	<p>Yes</p>

g. Provide balconies and terraces, particularly where buildings overlook public spaces	No balconies or terraces provided.	N/A
h. All facades visible from the public domain are to be durable, low maintenance and of high quality.	No changes to the materials used along the facades.	Yes
i. External glass to be non-reflective and have a maximum of 20% tint.	No changes required to reflectivity conditions imposed under LDA2021/0372.	Yes
4.3 Ecological Sustainability.		
General requirements are for an energy efficient design, waste management and noise and attenuation.	The development has a GFA less than 1500m2 and is not subject to the requirement of an Energy Performance Report.	NA
4.3.3 Waste Management		
Refer to Part 7.2 of the Ryde DCP 2014 for waste minimisation and management objectives and controls.	A Waste Management Plan has been submitted which has been supported by Council's Environmental Health Officer.	Yes
4.4.2 Noise and Vibration Attenuation		
Commercial and Industrial		
a. N/A b. The use of a premises, and any plant, equipment and building services associated with a premises must not: <ul style="list-style-type: none"> I. create an offensive noise as defined by the Protection of the Environment Operations Act 1997; and II. add significantly to the background noise experienced in a locality. 	N/A Achieved and conditioned accordingly.	N/A Yes
c. At Council's discretion, if there is any doubt over whether these requirements can be achieved, a statement of compliance from a qualified acoustic consultant may be required.	Achieved, and addressed by Condition 214.	Yes

<p>d. Machinery and activities, including construction work, that are likely to generate offensive noise must be adequately sound-proofed in accordance with the Protection of the Environment Operations Act 1997 prior to occupation of the premises.</p>	<p>Achieved, and addressed by Condition 213.</p>	<p>Yes</p>
<p>e. Development must have regard to “Interim Guidelines for Development Near Busy Road and Rail Corridors” NSW Planning & Infrastructure.</p>	<p>Application was referred to Sydney Trains who have raised no objections subject to conditions of consent</p>	<p>Yes</p>
<p>f. Where development adjoins residential development, the use of mechanical plant equipment and building services will be restricted and must have acoustic insulation.</p>	<p>N/A</p>	<p>N/A</p>
<p>g. Loading and unloading facilities must not be located immediately adjacent to residential development.</p>	<p>Loading and servicing will be undertaken from Railway Road or alternatively from the access road on site, which is suitable for small servicing vehicles that are likely to be used for the proposed development. No changes proposed to loading or unloading facilities.</p>	<p>Yes</p>
<p>h. Retail premises must limit any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places.</p>	<p>No spruiking or playing of amplified music or messages is proposed.</p>	<p>Yes</p>
<p>i. Air conditioning ducts shall not be situated adjacent to residential development.</p>	<p>No residential developments adjacent to the site</p>	<p>Yes</p>
<p>j. Where development is situated adjacent to residential development, working hours shall generally be restricted to 7 am to 6 pm Monday to Friday and 8 am to 1 pm on Saturday, and nil on Sundays or public holidays. Activities in operation</p>	<p>No residential developments adjacent to the site</p>	<p>Yes</p>

outside these hours must demonstrate that there will be no detrimental impact to residential amenity.		
k. N/A	N/A	N/A
4.4 Parking Access and Loading		
a. All new buildings are required to provide on-site loading and unloading facilities. Buildings on Church Street will be accessed from Porter Street. This is to be addressed in Staged development applications for these sites.	No changes proposed to loading or unloading facilities.	Yes
b. Loading docks shall be located in such a position that vehicles do not stand on any public road, footway, laneway or service road and vehicles entering and leaving the site move in a forward direction.	No changes proposed to loading or unloading facilities.	Yes
c. Loading docks that extend more than 7.5 metres into a building, mechanical ventilation might be required.	No changes proposed to loading or unloading facilities.	Yes
4.5 Flooding and Stormwater Design		
a. Development must comply with Part 8.6 Floodplain Management of this DCP	The proposal has been considered satisfactory by Council's Senior Development Engineer.	Yes
5.0 Precinct Specific Development Controls		
5.1 Precinct 1 – Station		
		
<p>Figure 4 Precinct mapping with site located outside but immediately adjoining</p>		
a. Views from the Parramatta River must be protected and not be interrupted by a continuous line of buildings.	No views from Parramatta River impacted.	Yes
b. N/A	N/A	N/A

<p>c. Acoustic treatment such as high performance glazing/double glazing is to be considered for development fronting the railway cutting.</p>	<p>The application has been accompanied by an Acoustic Report which has been reviewed and supported by Council's Environmental Health Officer subject to conditions of consent.</p>	<p>Yes</p>
<p>d. Awnings are required on Railway Road with a minimum height to the underside of 3.2 metres. Awnings are to allow for street tree planting.</p>	<p>No changes to the awning along Railway Road proposed.</p>	<p>Yes</p>
<p>e. N/A</p>	<p>N/A</p>	<p>N/A</p>
<p>f. Properties between Faraday Lane and Railway Road, between Constitution Road and Underdale Lane, must, wherever possible, be accessed from Railway Road.</p>	<p>The development includes a pedestrian entrance from Railway Road.</p>	<p>Yes</p>

Attachment 4 - Conditions of Consent for LDA2021/0372: - MOD2025/0032

PART 1 - The following are the Deferred Commencement condition(s) imposed pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979.

(A) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to LDA2021/372 subject to the following conditions of consent:

1. The Applicant/Developer shall prepare and provide to Sydney Trains for review, comment, and written endorsement the following final version items in compliance with the relevant ASA Standards (<https://www.transport.nsw.gov.au/industry/asset-management-branch>):
 - i. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
 - ii. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
 - iii. Cross sectional drawings showing the rail corridor, sub-soil profile, proposed basement excavation and/or structural design of sub-ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
 - iv. Detailed Survey Plan showing the relationship of the proposed development with respect to the rail corridor.
 - v. If required by Sydney Trains, a Hydrologic Assessment report demonstrating that dewatering will not have any adverse settlement impacts on the rail corridor.
 - vi. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
 - vii. If required by Sydney Trains, a Monitoring Plan. Any conditions issued as part of Sydney Trains' endorsement of the above documents will also form part of the consent conditions that the Applicant/Developer is required to comply with.
2. Written evidence that the matter identified in deferred commencement condition (A) (1) above has been satisfied, this includes written advice from Sydney Trains' to the satisfaction 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 4.16(3) of the Environmental Planning and Assessment Act 1979.
3. This Development Consent will not operate until such time that the Council notifies the Applicant in writing that that deferred commencement consent condition (A) (1) above has been satisfied; and

Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1) above has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent:

Deferred Commencement Condition satisfied 14 April 2022.

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

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

- Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and the recommendations and requirements of the following support documents:

Document Description	Plan No./ Reference	Date
Cover Sheet	DA000 Rev D prepared by Curzon + Partners	13.01.2022
Site Plan	DA008 Rev D prepared by Curzon + Partners	13.01.2022
Site Plan	DA008 Rev E prepared by Curzon + Partners	16.04.2025
Demolition Plan	DA009 Rev D prepared by Curzon + Partners	13.01.2022
Basement Floor Plan	DA090 Rev D prepared by Curzon + Partners	13.01.2022
Basement Floor Plan	DA090 Rev E prepared by Curzon + Partners	16.04.2025
Ground Floor Plan	DA100 Rev D prepared by Curzon + Partners	13.01.2022
Ground Floor Plan	DA100 Rev F prepared by Curzon + Partners	06.06.2025
First Floor Plan	DA101 Rev D prepared by Curzon + Partners	13.01.2022
First Floor Plan	DA101 Rev E prepared by Curzon + Partners	16.04.2025
Second Floor Plan	DA102 Rev D prepared by Curzon + Partners	13.01.2022
Second Floor Plan	DA102 Rev E prepared by Curzon + Partners	16.04.2025
Roof Plan	DA103 Rev D prepared by Curzon + Partners	13.01.2022
Roof Plan	DA103 Rev E prepared by Curzon + Partners	16.04.2025
North Elevation	DA200 Rev D prepared by Curzon + Partners	13.01.2022
North Elevation	DA200 Rev F prepared by Curzon + Partners	06.06.2025
West Elevation	DA201 Rev D prepared by Curzon + Partners	13.01.2022
West Elevation	DA201 Rev E prepared by Curzon + Partners	16.04.2025
East Elevation	DA202 Rev D prepared by Curzon + Partners	13.01.2022
East Elevation	DA201 Rev F prepared by Curzon + Partners	06.06.2025
Sections	DA250 Rev D prepared by Curzon + Partners	13.01.2022

Sections	DA250 Rev E prepared by Curzon + Partners	16.04.2025
Sections 06	SK02 prepared by Curzon + Partners	19.01.2022
Sections S-06	SK002 Rev E prepared by Curzon + Partners	16.04.2025
Landscape Plan	Matthew Higginson, LP01 Issue C	18.01.2022
Landscape Plan	Matthew Higginson, LP02 Issue C	18.01.2022
Cover	Alpha Engineering & Development Dwg No. A21175 Rev E	09-02-2022
Sediment and Erosion Control Plan	Alpha Engineering & Development Dwg No. A21175-SW01 Rev E	09-02-2022
Basement Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW02 Rev E	09-02-2022
Ground Floor Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW03 Rev E	09-02-2022
First and Second Floor Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW04 Rev E	09-02-2022
Roof Drainage Plan	Alpha Engineering & Development Dwg No. A21175-SW05 Rev E	09-02-2022
Stormwater and OSD Sections & Details	Alpha Engineering & Development Dwg No. A21175-SW06 Rev E	09-02-2022
Arboricultural Impact Assessment	TALC	5 October 2021
Traffic and Parking Assessment Report	Ttp transport planning Reference No. 21315	8 October 2021
Waste Management Plan	Dickens Solutions,	September 2021
Waste Management Plan	Dickens Solutions Ref: 24170	June 2025
Acoustic Report	Acoustic Noise & Vibration Solutions P/L, Reference No. 2021-342	13 August 2021
Acoustic Report	E-Lab Consulting, Project No: P01408 Rev. 2	20 May 2025
Access Report	Vista Access Architects Ref 21266 Issue A	09.10.2021
BCA Report	Design Confidence Ref P221_377	7 October 2021
Geotechnical Assessment	Benvirongroup Ref G406-1 Rev 1	October 2020
Remediation Action Plan	Benvirongroup Rev 0	07/02/2020

Prior to the issue of a Construction Certificate, the following amendments shall be made:

- a) All plans/documentation(s) provided and endorsed by Sydney Trains as part of the Sydney Trains Deferred Commencement Conditions will form part of this Consent, unless said plans/documentation(s) are otherwise superseded and confirmed in writing by Sydney Trains as a result of compliance with any Sydney Trains related conditions of consent.

All recommendations, final findings, and subsequent requirements (including where specified in the written endorsement letter from Sydney Trains) of such plans/documentation(s) are to be reflected in the Construction Certificate construction plans/documentation(s) where relevant, and compliance with those plans/documentation(s) must be certified prior to the issue of any Occupation Certificate.

- b) The approved Waste Management Plan prepared by Dickens Solutions Ref: 24170 and dated June 2025 must reference the originally approved Waste Management Plan prepared by Dickens Solutions and dated September 2021 in Parts 2 and 3 of the Waste Management Plan.**

The Development must be carried out in accordance with the amended plans approved under this condition.

(Reason: To ensure the development is carried out in accordance with the determination).

Amended in MOD2025/0032.

2. **Inconsistency between documents.** In the event of any inconsistencies between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

(Reason: To ensure consistency with the conditions of consent.)

3. **Building Code of Australia** - All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia. A Section J report is to be prepared prior to the issue of any Construction Certificate.

(Reason: Statutory requirement).

4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation, and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

(Reason: Statutory requirement).

5. **Geotechnical Compliance.** All design works and all construction works be undertaken in full compliance with all of the recommendations in the Benviron group report G406-1 Rev 1 dated October 2020.

(Reason: To ensure consistency with the recommendations of the geotechnical engineer.)

6. **Signage – not approved** - Despite any notation on the plans, this consent does not authorise the erection of any signs or advertising structures. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

(Reason: To ensure signage is not erected without prior development approval).

7. **Security Grilles** - This consent does not authorise the erection of any security grilles or barriers on any shopfront. Separate approval must be obtained for any such works.

(Reason: To ensure security grilles or barriers are not erected without prior development consent).

8. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and

4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

(Reason: To ensure reasonable standards of amenity for occupants of neighbouring properties).

9. **Hoardings.**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

10. **Illumination of public place** - 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.

(Reason: To ensure public safety).

11. **Development to be within site boundaries** - The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Any doors/gates must be installed so they do not open onto any footpath.

(Reason: To ensure that development occurs within the site boundaries).

12. **Public space** - The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

(Reason: to ensure public safety).

13. **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.

(Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.)

14. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.

(Reason: To ensure the amenity and state of the public domain is maintained.)

15. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that appropriate measures/controls are in place to assist with the safety of all affected road users within the public domain when construction works are being undertaken.)

16. **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. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.

(Reason: To ensure services are available to the site)

17. **Works on Public Roads** – Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.

(Reason: To ensure compliance with Roads Act 1993)

18. **Construction Staging** – For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.

(Reason: To ensure staging is documented and endorsed by Council)

19. **Public areas and restoration works** - 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 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

(Reason: To ensure engineering works comply with Council controls)

20. **Land Boundary / Cadastral Survey** – If 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.

The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.

(Reason: To ensure the site is surveyed to ensure buildings are sited correctly with the site)

21. **Separate development application** - Separate development application must be submitted to Council for any future use of the commercial retail tenancies.

(Reason: To ensure separate consent is sought for the use of tenancies)

22. **Installation of grease trap** - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.

(Reason: To ensure the provisions of safe food handling and public health are maintained)

23. **Requirement for Trade Waste Agreement** - A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund

(Reason: To ensure the proper disposal of wastewater)

24. **Provision for installation of kitchen exhaust systems** - Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.

(Reason: To control offensive emissions and ensure the protection of the environment)

25. **Compliance with Acoustic Report** - All control measures nominated in the **approved Acoustic Report No. (2021-342), dated (13/10/2021), prepared by (Acoustic noise and vibration solutions) must be implemented. project No: P01408 Rev. 2 prepared by E-Lab Consulting and dated 20 May 2025 must be implemented.**

(Reason: To demonstrate compliance with submitted reports).
Amended in MOD2025/0032.

26. **Remediation Action (RAP)** - Remediation works shall be carried out in accordance with the Remediation Action Plan numbered *E2091-3* prepared by Benviron Group dated February 2020. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

(Reason: To comply with the statutory requirements of SEPP)

27. **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) has been fully complied with;
 - c) that all remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, SEPP 55 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 18 of SEPP 55; and
 - f) a statement confirming that the site following remediation of contamination is suitable for the intended use.

(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*)

28. **Validation Report** - Following the preparation of the validation report, Council will require that the applicant engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a **Site Audit Statement**. The accredited auditor shall consult with Council prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development. The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Occupation Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 96 Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

(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*)

29. **Site Audit Statement** - The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Occupation Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 96 Application or further

Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

(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*)

30. **Imported fill (validated)** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.

(Reason: To ensure imported fill poses no risk to the environment and human health)

31. **Requirement to notify about new contamination evidence** - Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

(Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health)

32. **Requirement-removal of underground storage tank** - Following excavation and removal of any underground storage tank the land shall be assessed in accordance with the NSW Environment Protection Authority's Technical Note: Investigation of Service Station Sites (2014).

At the completion of the investigation a site audit statement shall be issued by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

(Reason: To ensure that the land is left in a safe and healthy condition).

33. **Removal of underground storage tanks** - Underground tanks shall be decommissioned and removed by a duly qualified person in accordance with:

- (a) AS4976:2008 The Removal and disposal of underground petroleum storage tanks;
- (b) Australian Standard AS 1940:2017 The Storage and Handling of Flammable and Combustible Liquids.
- (c) Safework NSW Code of Practice for the Storage and Handling of Dangerous Goods.
- (d) NSW Department of Environment and Climate Change: Environmental Guidelines: Assessment, Classification and Management of Liquid and Non Liquid Wastes

(Reason: To ensure the safe removal of underground storage tanks)

37. **Storage of garbage and recyclable materials** - A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recyclable materials.

(Reason: To ensure provision of adequate waste storage arrangements)

38. **Storage of commercial wastes** - A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes

(Reason: To ensure provision of adequate waste storage arrangements)

39. **External garbage storage areas** - External areas used for the storage of garbage must be roofed and paved with concrete graded to a grated drain connected to the sewerage system. A hose cock must be provided adjacent to the garbage storage area to facilitate cleaning of the containers and storage area.

(Reason: To maintain the amenity of the area)

40. **Construction of garbage rooms** - All garbage rooms must be constructed in accordance with the following requirements:
- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - (b) The floor must be constructed of concrete finished to a smooth 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 sewerage system;
 - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - (d) The walls must be constructed of brick, concrete blocks or similar solid material 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;
 - (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;
 - (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
 - (i) The room must be provided with adequate artificial lighting; and
 - (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.

(Reason: To ensure provision of adequate waste storage arrangements)

41. ~~**Waste collection point for commercial waste.**~~ Deleted in MOD2022/0086.

42. **Paving to collection point** - The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.

(Reason: To ensure provision of adequate waste collection arrangements)

43. The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

44. The Applicant is to ensure that the development incorporates appropriate anti-graffiti measures, to the satisfaction of Sydney Trains.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

45. 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.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

46. 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.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

47. 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.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

48. 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.

Reason: To ensure compliance the concurrence requirements of Sydney Trains).

49. Sydney Trains or Transport for NSW (TfNSW), 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. Reason: To ensure compliance the concurrence requirements of Sydney Trains.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

50. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- 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.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

51. 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.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

52. 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_I ninterface@transport.nsw.gov.au

(Reason: To ensure compliance the concurrence requirements of Sydney Trains).

53. Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.

(Reason: To ensure compliance the concurrence requirements of Sydney Trains)

54. **Pre-commencement dilapidation report.** A pre-commencement dilapidation report shall be prepared that provides a written and photographic record of the existing condition of the adjoining heritage item and ancillary structures at 'Sundin's Building' 58-64 Constitution Road, Meadowbank. The pre-commencement dilapidation report shall be undertaken by a qualified structural engineer, with proven experience in dealing with structures of heritage significance. A copy of the report must be provided to the satisfaction of Council, any other owners of public infrastructure, together with the owners of adjoining and affected private properties.

(Reason: Protection of significant heritage fabric.)

DEMOLITION

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

55. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:

- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
- (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.

(Reason: To ensure adequate details are provided to Council and properties in the immediate area of the proposed works).

56. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).

(Reason: Statutory requirement).

57. **Excavation**

- (a) 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.
- (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

(Reason: to ensure work is completed in an appropriate manner).

58. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.

(Reason: Safety).

59. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental 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.

(Reason: Safety).

60. **Asbestos (hazardous management strategy)** - The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

(Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing).

61. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

62. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

63. **Delivery dockets to be provided.** Each load of imported fill must be accompanied by a delivery docket from the supplier including the description and source of the fill.

(Reason: to ensure only Virgin Excavated Natural Material is used).

64. **Delivery dockets – receipt and checking on site.** A responsible person must be on site to receive each load of imported fill and must examine the delivery docket and load to ensure that only Virgin Excavated Natural Material that has been validated for use on the site is accepted.

(Reason: To protect the environment).

65. **Delivery dockets – forward to PCA on demand.** The delivery dockets must be forwarded to the Principal Certifying Authority within seven (7) days of receipt of the fill and must be produced to any authorised officer who demands to see them.

(Reason: To protect the environment and ensure appropriate fill is used on site).

66. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

(Reason: To protect the environment).

67. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

Truck movements will be restricted during school zone periods between 8:00am – 9:30am and 2:30pm – 4:00pm due to the close proximity of the development site to the Italian Bilingual School and the Meadowbank Primary & Secondary Schools. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the DPTMP.

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 Transport Department for the DPTMP.

The DPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. 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.

- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include Traffic Control Plan(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.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. 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 DPTMP 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.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices (AS1742.3-2019)*,
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during demolition works to minimise any inconvenience and safety risks to the public)

Amended in MOD2022/0086.

68. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

(Reason: This condition is to ensure that the measures/protocols stated in the approved DPTMP are carried out by the builder when demolition works are being undertaken)

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

69. **Section 7.12.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Section 7.12 Contribution	\$34,171.47 (\$20,443.34)

These are contributions under the provisions of Section 7.12 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Fixed Rate (Section 7.12) Development Contributions Plan 2020, effective from 1 July 2020.

The above amount is current at the date of this consent (**being MOD2025/0032**) and is 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 No 5206.0) – and may result in contribution amount that differs from that shown above.

The contribution must be paid prior to the issue of any Construction Certificate. 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.

A copy of the City of Ryde Fixed Rate (Section 7.12) Development Contributions 2020 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>.

(Reason: Statutory requirement).

Amended in MOD2025/0032.

70. **Compliance with Australian Standards** - The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

71. **Structural Certification** - The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

72. **Security deposit** - The Council must be provided with security for the purposes of section 4.17 of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the Construction Certificate (category buildings with delivery of bricks or concrete or machine excavation)

(Reason: Statutory requirement).

73. **Infrastructure Restoration and Administration Fee** must be paid to Council in accordance with Council's Management Plan prior to the release of the Construction Certificate.

(Reason: Statutory requirement).

74. **Long Service Levy** - Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the Construction Certificate.

(Reason: Statutory requirement).

75. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to 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. Please go to www.sydneywater.com.au/tapin to apply.

(Reason: Statutory requirement).

76. **Reflectivity of materials** - Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.

(Reason: To ensure the use of appropriate material to minimise reflectivity).

77. **Bicycle Parking.** A minimum of 6 bicycle parking spaces or lockers designed and installed in accordance with the Australian Standard AS2890.3 are to be provided with the development. Details are to be submitted on the relevant Construction Certificate plans.

(Reason: To ensure bicycle parking is provided as part of the development.)

78. **Access for people with disabilities (commercial).** Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Consideration must be given to the means of dignified and equitable access. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Certifier prior to the issue of a Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

Reason: To ensure accessible access is compliant with statutory provisions.

79. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Railway Road, generally in accordance with the plans by Alpha Engineering & Development, Drawing No.:A21175-SW01 to A21175-SW06, Revision No.: E, Dated 09-02-2022, subject to any variations marked in red on the approved plans or noted following;

- A junction pit shall be provided at the boundary connecting from the DCP of OSD prior to the discharge to the proposed butterfly grated pit.
- The high-level alarm shall be set not higher than 100mm above the invert of the inlet pipe to protect the basement from flooding.
- Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a suitably qualified Civil Engineer and comply with the following:

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.

- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

(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)

80. **Stormwater Management - Onsite Stormwater Detention.** 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.

As a minimum, the OSD system must;

- 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).
- 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,
- ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and
- ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

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.

(Reason: To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2)

81. **Stormwater Management - Pump System.** The basement pump system must be dual submersible and shall be sized and constructed in accordance with Section 9.3 of AS 3500.3.

The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3, 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*).

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.

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 Certifying Authority, prior to the release of any Construction Certificate for construction of the basement level.

(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.)

82. **Stormwater Management – Connection to Public Drainage System.** Engineering plans detailing the connection of the developments stormwater management system to the public drainage service must be forwarded to Council and an inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

Where the point of connection is in neighbouring property, the applicant must provide written notification to the affected property owner no less than a week prior to the works and all structures/

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.

(Reason: To ensure that the connection is in accordance with the City of Ryde 2014 DCP Part 8.2 and to Council's satisfaction.)

83. **Dilapidation Survey.** 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;

- 58 to 64 Constitution Road Meadowbank

A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.

(Reason: To clarify any claims of damage made by adjoining property owners.)

84. **Site Dewatering Plan.** 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;

- 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 ever possible.
- The maximum rate of discharge is to be limited to the sites determined PSD 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 2014 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 (eg 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.

(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.)

85. **Erosion and Sediment Control Plan.** 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;

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips

- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate.

(Reason: To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.)

86. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Truck movements will be restricted during school zone periods between 8:00am – 9:30am and 2:30pm – 4:00pm due to the close proximity of the development site to the Italian Bilingual School and the Meadowbank Primary & Secondary Schools. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CPTMP.

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 Transport Department for the CPTMP.

The CPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. 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.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. 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 City Works Directorate.
- v. Include Traffic Control Plan(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.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. 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.
- viii. 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.
- ix. 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.
- x. Specify spoil management process and facilities to be used on site.
- xi. 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.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),

- TfNSW' *Traffic Control at Work Sites* technical manual; and
- Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during construction to minimise any inconvenience and safety risks to the public)

Amended in MOD2022/0086.

87. **Ground Anchors** - The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans 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. The approval will be subject to:
- 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 Schedule of Fees & 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 \$20million with Council's interest noted on the policy. The policy shall remain valid until the decommissioning of the ground anchors.

(Reason: To ensure ground anchors are not provided within the public roadway)

88. **Public domain improvements** - The public domain is to be upgraded in Railway Road frontage of the development site in accordance with the City of Ryde Public Domain **Technical Manual Section 5 - Meadowbank**. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

A public domain plan for the following works shall be submitted to, and approved by Council's City Works Directorate, prior to the issue of the relevant Construction Certificate.

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Meadowbank Street Tree Master Plan. The Public Domain Technical Manual identifies "Fraxinus griffithii" (Evergreen Ash) and "Fraxinus oxycarpa 'Raywood'" (Claret Ash) as the designated street tree for the Railway Road frontage of the development. There are already 4 street trees "Fraxinus griffithii" (Evergreen Ash), which were planted during recent Council upgrade along Railway Road. They are to be protected according to the Arborist Report. Additional 2-3 of this type of trees may be added in the space provided by the proposed removal of the two existing driveways. The exact type and position for any new trees is to be advised by the Landscape Architect – Development Assessment.

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 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.

- (c) All telecommunication and utility services are to be placed underground along the Railway Road frontage. The extent of works required in order 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.

- (d) 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*, with a minimum vehicular luminance category V5 and pedestrian luminance category PR2 along Railway Road.

Subject to design, it is expected that one new street light on multi-function pole (MFP) will be required along the Railway Road frontage of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank. 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.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant, submitted to, and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.

Note: Council has prepared a design guide and schema for the provision of the street lighting on MFPs. A copy of the design guide including the design template and checklist, and the street lighting schema can be made available to the Electrical Design Consultant upon request to Council's City Works Directorate.

(Reason: To ensure the appropriate design of public domain works)

89. **Public Infrastructure Works** – Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate **prior to the issue of any Construction Certificate**. The drawings must cover public domain works associated with all three stages of the development works. The works 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.

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 Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications for the following infrastructure works:

- (a) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (b) The construction of new kerb and gutter along the Railway Road frontage of the development site to replace all damaged kerb and gutter.
- (c) Installation of Council parking meter/s along the Railway Road as advised by the Council's Rangers and Parking Services.
- (a) The full reconstruction of half road pavement for the entire length of the Railway Road frontage of the development site. The works are to be carried out in accordance with Council's DCP 2-14, Section 8.5 and current standard drawings specifying road pavement reconstruction requirements.
- (b) The construction of granite footway along the Railway Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank.
- (c) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (d) Signage and line-marking details.
- (e) Staging of the public civil works, if any, and transitions between the stages.

- (f) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

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 Works 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.

(Reason: To ensure the design of public infrastructure works are consistent with Council's requirements)

90. **Vehicle Footpath Crossing and Gutter Crossover** – A new vehicle footpath crossing and associated gutter crossover shall be designed for the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required in order that it has a service life that is consistent with that of the development, and that it is also compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works* and Australian Standard AS2890.1 – 2004 *Offstreet Parking*.

Prior to the issue of any Construction Certificate, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B99 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The width of the new crossing shall be sufficient to accommodate turning manoeuvres of the largest vehicle requiring access to the site as demonstrated by swept paths submitted to and reviewed by Council. The driveway must be designed without splays, and shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

Fees are payable at the time of the application, in accordance with Council's Schedule of Fees and Charges.

The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the Construction Certificate.

(Reason: To ensure the service life is consistent with that of the development, and that it is also compliant with current Council's standards and specifications)

91. **Public Domain Works – Defects Security Bond** - 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. Public domain works will be considered completion following the issue of compliance certification for external works associated with Stage 3. 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. A bond in the form of a cash deposit or Bank Guarantee of **\$10,000** shall be lodged with the City of Ryde prior to the issue of any Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

(Reason: To ensure satisfactory performance of the public domain works.)

Amended in MOD2022/0086.

92. **Engineering plans assessment and works inspection fees** – The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

(Reason: To ensure payment of required fees)

93. **Anticipated Assets Register - Changes to Council Assets** - In the case that public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works. The new elements may include but are not limited to new road pavements, new Multi-Function Poles (MFPs), new concrete or granite footways, new street trees and tree pits, street furniture, bus shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

The Anticipated Asset Register is to assist with council's future resourcing to maintain new assets. There is potential for the as-built assets to deviate from the anticipated asset listing, as issues are resolved throughout the public domain assessment and Roads Act Approval process. Following completion of the public infrastructure works associated with the development, a Final Asset Register is to be submitted to Council, based upon the Public Domain Works-As-Executed plans.

(Reason: To ensure assets are registered with Council).

94. **Mechanical Ventilation Details** - Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the Construction Certificate.

Such details must include:

- a. Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
- b. A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
- c. A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications.

(Reason: To ensure mechanical ventilation is designed in accordance with requirements).

95. **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.

(Reason: To ensure the required location of vents).

96. **Exhaust air discharge vents** - All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

(Reason: To ensure discharge vents are not located to cause health impacts).

97. **Safer by Design.** A Crime Prevention through Environmental Design (CPTED) Assessment Report must be submitted prior to the issue of a Construction Certificate. Details demonstrating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.

(Reason: To ensure the development is designed in accordance with the require of Crime Prevention Through Environmental Design (CPTED) principles).

98. **Public Arts Plan** - A site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be prepared by an arts and cultural planner and will be required to address the following:

- a. Details of the nature of the work and its approximate location and size;
- b. Details of how the proposed public art meets the following Design Selection Criteria:
- c. Standards of excellence and innovation.
- d. Relevance and appropriateness of the work in relation to the site.
- e. Its contribution to creating sense of place, and integration into the built form.
- f. Where possible, participation of local artists, local groups, youth or indigenous groups.
- g. Consideration for public safety and the public's use of and access to the public space.
- h. Consideration of maintenance and durability requirements of materials, including potential for vandalism and graffiti.
- i. Evidence of appropriate Public Liability Insurance to cover construction and installation of work.

(Reason: To ensure consistency with Council control requirements for public art.)

99. **Shop fit-out plans (Design)** - Detailed plans of all food preparation, beverage and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the construction certificate.

The fit-out of the food premises shall comply with:

- (a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- (b) Food Safety Standards 3.2.3 Food Premises and Equipment
- (c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

Note: Copies of AS 4764 - 2004 may be obtained from Standards Australia Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.

(Reason: To ensure design of the premises meets relevant public health standards)

100. **Construction Noise Management Plan (demolition & construction)** - A construction noise management plan must be prepared by a suitably qualified and experienced noise expert in accordance with the noise management levels in EPA's *Interim Construction Noise Guideline* and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- (a) hours of construction
- (b) Identification of nearby residences and other sensitive land uses.
- (c) Assessment of expected noise impacts.
- (d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers
- (e) include strategies that have been developed with the community for managing high noise generating works.
- (f) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.
- (g) include a complaints management system that would be implemented for the duration of the construction
- (h) include a program to monitor and report on the impacts and environmental performance of the development

(Reason: To prevent loss of amenity to the area and maintain appropriate amenity to nearby occupants.)

101. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the Certifier that arrangements have been made for:

- (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

- (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in Section 372Q of the Telecommunications Act).

(Reason: To ensure provision of services.)

102. **Electrolysis Risk.** 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 Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority 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.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

103. No work is permitted within the rail corridor or any easements which benefit Sydney Trains/TAHE (Transport Asset Holding Entity), at any time, unless the prior approval of, or an Agreement with,

Sydney Trains/TAHE (Transport Asset Holding Entity) has been obtained by the Applicant. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

104. 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.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

105. 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 Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

106. 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.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

107. 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, reflectivity, and illumination to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

108. 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 Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

109. There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Trains. No construction certificate can be issued until written confirmation has been received from Sydney Trains confirming that this condition has been complied with.

(Reason: To satisfy the concurrence requirements of Sydney Trains.)

110. 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 Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains)

111. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team 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 Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains' written advice to the Applicant on the level of insurance required.

(Reason: To satisfy the concurrence requirements of Sydney Trains)

112. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team 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 Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

113. If required by Sydney Trains, prior to the issue of a Construction Certificate the Applicant is to engage an EMF (Electromagnetic Fields) expert to prepare an EMF Impact report. If required by Sydney Trains, the EMF report is to be submitted to Sydney Trains for review and endorsement. Any recommendations from the EMF report are to be incorporated and implemented in the construction drawings and documentation.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

113A-D added in MOD2025/0032.

113A. Transport for NSW. Prior to the issue of a Construction Certificate, the person acting upon this consent shall provide Sydney Trains with a summary of design changes confirming there will be no impact to the rail corridor as a result of the modifications.

(Reason: To satisfy the concurrence requirements of Transport for NSW).

113B. Transport for NSW. The Applicant/Developer shall provide an updated version of the following documents based on the development as modified, confirming there will be no impact to the rail corridor:

1. Geotechnical and Structural report/drawings that meet Sydney Trains' requirements.
2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
3. Cross Sectional Drawings showing the rail corridor, sub soil profile, proposed basement excavation and/or structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
4. Detailed Survey Plan showing the relationship of the proposed development with respect to the rail corridor.
5. If required by Sydney Trains, a Hydrologic Assessment report demonstrating that dewatering will not have any adverse settlement impacts on the rail corridor.

6. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
7. If required by Sydney Trains, a Monitoring Plan.

This information is to be provided to Sydney Trains for review, comment, and written endorsement. The Certifier is not to issue any Construction Certificate or modified Construction Certificate, and is not to permit the commencement of works, (whichever occurs first) until confirmation has been received from Sydney Trains that these documents are satisfactory and whether these documents prevail over any previously issued Sydney Trains written endorsements.

(Reason: To satisfy the concurrence requirements of Transport for NSW).

113C. Section 4.55 Modification of Development Consent Application. Prior to the issue of a Construction Certificate, a Section 4.55 Modification application must be lodged and approved by Council seeking amendments to LDA2024/0194, such that the plans approved under LDA2024/0194 are amended to align with the plans approved under MOD2025/0032.

(Reason: To ensure that the plans approved under LDA2024/0194 are consistent with those approved under MOD2025/0032).

113D. Compliance with Acoustic Report. Prior to the issue of a 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 prepared by E-Lab Consulting dated 20 May 2025 Report Number P01048, Revision 002.

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society.

(Reason: To ensure appropriate noise attenuation measures are used.)

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

114. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(Reason: Statutory requirement).

115. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, 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.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
 - (c) An owner of the adjoining allotment of 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 allotment of land being excavated or on the adjoining allotment of land.

(Reason: Statutory requirement).

116. **Safety fencing** - The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

117. **Property above/below Footpath Level.** 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.

(Reason: To preserve public safety and the support of property due to abrupt level differences between the site and public domain land.)

118. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

(Reason: To minimise the imposition of soil / rock anchors on the public domain.)

119. **Stormwater Management – Works in the Right of Carriageway.** In relation to the works in the Right of Carriageway, the builder/ developer must;

- a) provide a minimum 3 weeks notification to the benefited property owner and occupants prior to the commencement of works in the Right of Carriageway.
- b) ensure the works are completed in a timely manner.
- c) ensure any structures adjacent the works are adequately supported at all times.
- d) make provision to restore the work area so as to maintain the amenity of the land / minimise the imposition of works on the burdened land, should the works be delayed due to unforeseen events such as weather, service adjustments, etc.
- e) restore all areas on the burdened property disturbed by the construction works to a condition equivalent to the pre-developed state or otherwise as agreed by the owner of the burdened property.
- f) comply with any terms agreed upon by both parties in regards to the construction and restoration of the land, in the granting of the easement.

(Reason: To ensure there is minimal imposition and loss of amenity to the owner/ occupants of the property burdened by the new drainage easement in construction of these drainage services.)

120. **Work Zones and Permits.** Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.

(Reason: Specific activities on public roads where Council is the consent authority requires Council approval prior to such activities being undertaken).

121. **Road Occupancy Licence.** Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre 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.

(Reason: Transport for NSW requirement).

122. **Notice of Intention to Commence Public Domain Works –** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall 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.

Note: Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

(Reason: To ensure notification of responsible contractor to Council).

123. **Notification of adjoining owners & occupiers – public domain works -** The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.

(Reason: To ensure neighbours are formally notified of works).

124. **Pre-construction inspection -** A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

(Reason: To ensure a joint inspection is undertaken prior to commencement of works).

125. **Pre-Construction Dilapidation Report -** To ensure Council's infrastructures are 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 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.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to any work for any stage commencing.

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 that the Dilapidation Report is submitted.

(Reason: To ensure Council's infrastructures are adequately protected)

126. **Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.

- (a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
- (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
- (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- (e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- (f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- (g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

(Reason: To ensure required permits are obtained).

127. **Temporary Footpath Crossing** - 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.

(Reason: To ensure access is maintained for the public).

128. **Ryde Traffic Committee Approval** - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM

measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.

(Reason: To ensure required documentation and approval)

129. **Project Arborist.** 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 on the neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Tree Protection Plan & Specification. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.

Council 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, Council is to be notified, in writing, within seven working days.

(Reason: To ensure an arborist is responsible for trees on site)

130. **Tree Protection Fencing.** All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site. All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites and AS4687 Temporary fencing and hoardings.

(Reason: To ensure trees to be retained are protected).

131. **Tree Retention.** As identified in the Arboricultural Impact Assessment (AIA) prepared by TALC date 5/10/2021. The following trees on site or adjoining the site are to be retained and protected

Tree No.	Species "Common name"	Notes
1	Fraxinus griffithii (Evergreen Ash)	Street tree
2	Fraxinus griffithii (Evergreen Ash)	Street tree
3	Fraxinus griffithii (Evergreen Ash)	Street tree
4	Fraxinus griffithii (Evergreen Ash)	Street tree

132. **Tree Protection** is to be installed before demolition and construction commences as indicated in the Arboricultural Impact Assessment (AIA) "Section 4.4 Ground Protection. 4.5 Trunk Protection, and 4.6 Underground services in TPZs" prepared by TALC date 5/10/2021.

(Reason: To ensure trees to be retained are protected).

133. Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

134. 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.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

135. **Critical stage inspections** - The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A of the *Environmental Planning and Assessment Regulation 2000*. (Note: this condition does not relate to the staging of construction certificates or occupation certificates).

(Reason: Statutory requirement).

136. **Survey of footings/walls** - All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.

(Reason: To ensure that the development is in accordance with the determination).

137. **Use of fill/excavated material** - Excavated material must not be reused on the property except as follows:

- (a) Fill is allowed under this consent;
- (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
- (c) the material is reused only to the extent that fill is allowed by the consent.

(Reason: To ensure fill is consistent with the consent).

138. **Construction materials** - All materials associated with construction must be retained within the site.

(Reason: To ensure the public domain is not affected during construction).

139. **Sediment/dust control**. No sediment, dust, soil or similar material shall leave the site during construction work.

(Reason: To protect the amenity of the area).

140. **Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

(Reason: Statutory requirement).

141. **Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

(Reason: To ensure the site is appropriately maintained during construction).

142. **Work within public road** - At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

(Reason: To ensure works do not disrupt pedestrians and vehicular traffic).

143. **Surveillance cameras.** Surveillance cameras and recorders are to be installed and maintained to monitor and record all entrance and exit points to the building. This is to include the basement car park areas, the entry and exit points to the car park, the foyer area to the building, communal areas, lifts, public spaces and the retail areas. The cameras should also monitor the 50 metre vicinity outside the building. Recordings should be made 24 hours a day 7 days a week.

As a minimum, CCTV cameras at entry and exit points to the premises must record footage of a nature and quality in which it can be used to identify a person recorded by the camera. 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. The time and date must automatically be recorded on all recordings made whilst it is recording.

All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed. If requested by the Police, any recordings are to be archived until such time as they are no longer required.

Recordings are to be made in a 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.

The CCTV control system should be located within a secured area of the premises and only accessible by authorised personnel.

If the CCTV system is not operational, immediate steps are to be taken to ensure that it is returned to fully operational condition as soon as possible.

If requested by police, the applicant is to archive any recording until such time as they are no longer required.

(Reason: To ensure safety measures are provided in the design of the building).

144. **Lighting.** Lighting is to be provided around the site and all lighting is to comply with the following requirements:

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- Sensor lighting should be installed into areas that may be areas of concealment.
- All outdoor public spaces should be well lit to ensure safety during the hours of darkness.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.

(Reason: To ensure lighting is provided and designed in accordance with relevant standards).

145. **Street sign.** A street sign is to be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No. 8.

(Reason: To ensure required street signs are provided).

146. **Fire Doors.** Signage is to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only. All fire doors are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.

(Reason: To ensure required signage and fire doors are fitted in accordance with relevant standards).

147. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.

(Reason: To ensure prevention of graffiti).

148. ~~**Access control.**~~ Deleted in MOD2022/0086.

149. **Locks to doors.** All locks fitted to the doors should be of high quality and meet the Australian design standard. Any glass within these doors should be laminated to enhance the physical security of the doors.

(Reason: To ensure locks are provided to doors).

150. **Dust control** - Appropriate measures must be taken to control the generation of dust during demolition and excavation work:

- (a) Any materials that are likely to generate dust during demolition, excavation or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
- (b) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- (c) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: To ensure dust control measures are implemented to protect the surrounding environment).

151. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Alpha Engineering & Development, Drawing No.:A21175-SW01 to A21175-SW06, Revision No.: E, Dated 09-02-2022, submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

(Reason: To ensure the stormwater system is constructed as approved)**Erosion and Sediment Control Plan - Implementation.** 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. 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.

(Reason: To prevent soil erosion and the discharge of sediment over the land.)

153. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. 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.

(Reason: To ensure that the excavation works are undertaken appropriately throughout the period of construction.)

154. **Site Dewatering Plan – Implementation.** 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 regards 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. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

(Reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.)

155. **Construction Traffic Management Plan - Implementation.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

(Reason: To ensure that construction vehicle movements and activities are undertaken in accordance with the approved CTMP throughout the period of construction.)

156. **Implementation of Construction Pedestrian and Traffic Management Plan.** All construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP). All controls in the CPTMP must be maintained at all times and all traffic management control 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, Transport and Development Department for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

(Reason: This condition is to ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction).

157. **Hold Points during construction - Public Domain –** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council’s City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken. A separate set of inspections are to be carried out and certificates to be submitted for public domain works associated with both Stages 2 and 3 of the development.

- (a) 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.
- (b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
- (c) Upon compaction of the applicable sub-base course.
- (d) 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).
- (e) Upon installation of any formwork and reinforcement for footpath concrete works.

- (f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

(Reason: To ensure required inspections).

158. **Contaminated Land: Discovery of Additional Information** - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

(Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health).

159. **Contaminated soil disposal** - All 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 Part 1: Classifying Waste* (EPA, 2014) before being transported from the site

(Reason: To ensure appropriate disposal of contaminated soil).

160. **Contaminated waste to licensed EPA landfill** - Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

(Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997).

161. **Waste data maintained** - A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

(Reason: To confirm waste minimisation objectives are met).

162. **Storage and removal of wastes** - All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals.

(Reason: To prevent any nuisance or danger to health, safety or the environment).

163. **Hazardous/intractable waste disposal** - Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the EPA, and with the provisions of:

(a) Work Health and Safety Act 2011

(b) NSW Protection Of the Environment Operations Act 1997 (NSW) and

(c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines

(Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner).

164. **General requirements for liquid and solid waste** - Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines

(Reason: To prevent pollution of the environment).

165. **Liquid and Solid Wastes** - Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations

(Waste) Regulation 2014 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines

(Reason: To prevent pollution of the environment).

166. **Polluted water excavation - analysis before discharge** - Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality 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

(Reason: To prevent pollution of waterways).

167. **De-watering of Excavated Sites** - Any site excavation areas must always be kept free of accumulated water. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

(Reason: To protect against subsidence, erosion and other nuisances).

168. **Tree Removal.** As identified in the Arboricultural Impact Assessment (AIA) prepared by TALC date 5/10/2021. The following trees on site are to be removed:

Tree No.	Species "Common name"
5	<i>Cinnamomum camphora</i> (Camphor Laurel)
6	<i>Cinnamomum camphora</i> (Camphor Laurel)
7	<i>Cinnamomum camphora</i> (Camphor Laurel)
8	<i>Melaleuca bracteata</i> cv. "Revolution Green" (Black tea-tree)
9	<i>Melaleuca bracteata</i> cv. "Revolution Green" (Black tea-tree)

169. **Project Arborist Inspections.** The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST to
Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage 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

170. **Tree works – Australian Standards.** 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).

(Reason: To ensure tree works comply with Australian Standard).

171. **Archaeology.** As required by the *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the *Heritage Act 1977* to obtain the necessary approvals/permits from Heritage NSW.

Note: The *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

(Reason: Statutory requirements for the protection of archaeology).

172. **Excavation works** All excavation works shall employ such techniques and equipment which minimises the amount of ground vibration. In this regard, excavation of the site by use of pneumatic drill for the breaking of rock or any other vibrating equipment for excavation, shall not be permitted.

(Reason: To minimise vibration and risk to the structural stability and integrity of the adjoining heritage item).

173. No metal ladders, tapes, and plant, machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any aerial power supplies within or adjacent to the rail corridor.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

174. **Landscaping** - All landscaping works approved by this consent are to be completed prior to the issue of any Occupation Certificate for each stage.

(Reason: To ensure landscaping works are completed).

175. **Fire safety matters** - At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative 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 the Fire and Rescue NSW. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate. Each year the Owners must send to the Council and the Fire and Rescue NSW an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

(Reason: To ensure fire safety certificates are issued).

176. **Stormwater Management - Work-as-Executed Plan.** 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.

(Reason: To clarify the configuration of the completed stormwater management system.

177. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.

(Reason: To maximise onstreet parking capacity and avoid confusion relating to the enforcement of parking restrictions.)

178. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump components incorporated in the approved Stormwater Management system. The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

(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).)

179. **Drainage System Maintenance Plan.** A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- b) 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.
- c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- e) 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.
- f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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.

(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)

180. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) 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.
- b) 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.
- c) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), 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.
- d) 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).
- e) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- f) 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.

- g) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

(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.)

181. **On-Site Stormwater Detention System - Marker Plate.** 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. 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).

(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.)

182. **Disabled Access.** Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with Australian Standard 1428 and the Building Code of Australia.

(Reason: To ensure the development has been constructed to provide compliant accessible access in accordance with Australian Standard 1428 and the Building Code of Australia).

183. **Safer by Design.** Prior to the issue of any Occupation Certificate, a report is to be provided by an appropriately qualified consultant verifying that all of the recommendations contained in the Crime Prevention Through Environmental Design have been complied with.

(Reason: To ensure the development has been constructed in accordance with a design that meets the requirements of Crime Prevention Through Environmental Design)

184. **Signage and Linemarking – External.** Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to be submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that Ryde Traffic Committee generally meets once a month. As such, adequate time should be allowed for the review and approval process.
All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges.

(Reason: This condition is 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).

185. **Signage and Linemarking (External) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken prior to the issue of any Occupation Certificate.

(Reason: This condition is to ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied).

186. **Sydney Water – Section 73 - A Section 73 Compliance Certificate** under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

187. **Vehicle Footpath Crossing and Gutter Crossover – Construction** - The proposed vehicle footpath crossing and gutter crossover shall be constructed prior to the issue of any Occupation Certificate at no cost to Council. Works may include the removal of any redundant vehicle footpath crossing and gutter crossover and reinstatement of kerb and gutter and restoration of road pavement.

Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the utility authority. Minimum cover requirements of utility authorities must be maintained.

(Reason: To ensure construction of required crossovers).

188. **Compliance Certificate – Vehicle Footpath Crossing and Gutter Crossover** - A Compliance Certificate shall be obtained from Council’s City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council’s standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council’s Schedule of Fees and Charges.

(Reason: To ensure compliance certificate is issued).

189. **Public Domain Improvements and Infrastructure Works – Completion** – All public domain improvements and infrastructure works shall be completed to Council’s satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

(Reason: To ensure the completion of public domain works).

190. **Restoration – Supervising Engineer’s Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council 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 DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services’ standards and specifications, where applicable.

(Reason: To ensure the restoration of public infrastructure).

191. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate for the relevant stage, the Applicant shall liaise with Council’s Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.

(Reason: To ensure accounts are established for street lighting).

192. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate for the relevant stage, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has

been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: To ensure issue of compliance certificate for street lighting).

193. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate for the relevant stage, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: To ensure compliance certificate for required landscaping works).

194. **Public Domain Works-as-Executed Plans** –Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

(Reason: To ensure the public infrastructure works are completed in accordance with the approved plans and specifications.)

195. **Registered Surveyor Final Certificate** – Upon completion of all construction works and before the issue of the relevant Occupation Certificate, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.

(Reason: To ensure completion of works.)

196. **Supervising Engineer Final Certificate** – Prior to the issue of the relevant Occupation Certificate the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

(Reason: To ensure certification of works.)

197. **Post-Construction Dilapidation Report** – 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.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate for the relevant stage. 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.

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.

(Reason: To ensure Council's infrastructures are adequately protected)

198. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, final inspections shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspections shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works for public domain works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

A minimum 48 hours' notice will be required when booking for the final inspection.

(Reason: To ensure the handover of assets).

199. **Compliance Certification – External Works and Public Infrastructure Restoration** – 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 associated with the relevant stage, 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 each Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

(Reason: To ensure compliance certificate is issued for external works.)

200. **Public Domain Design and Construction Staging** – The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 *Public Civil Works*, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work thought out the assessment phase of the development applications. All design and construction to public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

(Reason: To ensure consistency with Council control requirements.)

201. **Registration of retail food business (Council)** - Prior to an Occupation Certificate being issued, the retail food business must submit a food business registration with Council.

(Reason: Compliance with the requirements of the Food Act.)

202. **Certify fit-out complies with food safety standards** - Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004. It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

(Reason: To ensure construction and fit-out of the premises meets relevant public health standards).

203. **Certify mechanical ventilation installation** - Adequate ventilation to work areas and other occupied enclosures shall be provided in accordance with the requirements of the Building Code of Australia. Where any system of mechanical ventilation is installed, certification that the system functions in accordance with Australian Standard AS/NZS 1668.2.2012 is to be provided to the certifying authority prior to occupation of the premises.

(Reason: To comply with the Building Code of Australia and the relevant Australian Standard).

204. **All works/methods/procedures/control measures** - Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

- (a) Acoustic Report No. (2021-342), dated (13/10/2021), prepared by (Acoustic noise and vibration solutions)

(Reason: To demonstrate compliance with submitted reports).

205. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

206. 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 Principal Certifying Authority is not to issue any Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. The maintenance plan must be implemented for the life of the approved development.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

207. 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 Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

208. 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 TAHE (Transport Asset Holding Entity) property or easements, unless agreed to by TAHE (Transport Asset Holding Entity). The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

209. Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to

Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

(Reason: To satisfy the concurrence requirements of Sydney Trains).

209A Acoustic Verification Report. Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant* must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

(a) All recommendations contained in the DA acoustic report prepared by -Lab Consulting dated 20 May 2025 Report Number P01048 Revision 002 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.

**Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society.*

(Reason: To protect the amenity of the local area).

Added in MOD2025/0032.

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

210. **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).

(Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.)

211. **Food premises** - The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Authority Food Standards Code.

(Reason: To ensure operation of the premises complies with the relevant legislation and standards).

212. **Use is not to cause air impurities** - The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

(Reason: To prevent loss of amenity to the area)

213. **Use is not to cause offensive noise or vibration** - The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A).

The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

(Reason: To prevent loss of amenity to the area).

214. **Council may require acoustical consultant's report** - Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria
- (Reason: To demonstrate compliance with relevant legislation)
215. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
- (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
- (c) The transmission of vibration to any place of different occupancy.
- (Reason: To prevent loss of amenity to the area).
216. **No 'offensive noise'** - Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.
- (Reason: To reduce noise levels.)
217. **Noise from mechanical equipment** - The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- (Reason: To protect the amenity of the area.)
218. **Hazardous/Clinical waste disposal** - Disposal of wastes from the premises shall comply with the waste management plan. Waste minimisation practices are to be demonstrated with the ongoing use, with records of disposal of hazardous wastes being kept. The storage and disposal of any hazardous waste (sharps and or clinical waste, items contaminated by blood) is to be in accordance with requirements of the Protection of the Environment Operations (Waste) Regulation 2014. **Note:** The disposal of hazardous wastes through a general waste collection service is not permitted.
- (Reason: To ensure provision is made for appropriate disposal of wastes).
219. **Remove putrescible waste at sufficient frequency** - All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
- (Reason: To ensure provision of adequate waste disposal arrangements).
220. **Management of waste storage facilities** - All waste storage areas are to be maintained in a clean and tidy condition at all times
- (Reason: To ensure the ongoing management of waste storage areas).
221. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner
- (Reason: To ensure the ongoing management of waste storage areas).
222. **Waste containers** - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

(Reason: To ensure waste is adequately stored within the premises)

223. **Storage of bins between collection periods** - Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

(Reason: To ensure waste is adequately stored within the premises).

224. **Trade Waste** - Trade wastewater shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch

(Reason: To ensure compliance with Sydney Water's requirements and protect the environment)

225. **Disposal of liquid wastes** - All liquid wastes 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

(Reason: To ensure compliance with Sydney Water's requirements and protect the environment).

End of consent