

SSD-61389706
SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD 61389706-MOD1	23 February 2026	Team Leader	Amendment to Condition 1A

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument, but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces, I grant consent to the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

The conditions imposed under this consent are required to:

- meet statutory requirements;
- protect the amenity of the locality; and
- ensure amenity for future residents.

Ben Lusher
Executive Director
Housing and Key Sites Assessments

Sydney

11 December 2025

File: SSD 61389706

SCHEDULE 1

Application Number:	SSD 61389706
Application lodged by:	Uniting (NSW.ACT)
Consent Authority:	Minister for Planning and Public Spaces
Site:	Bronte Road, Birrell Street, Carrington Road & Church Street, Waverley and Lot 2 DP 515904, Lot 1 DP 515904, Lot A & B DP 437866, Lot 1 DP 961790, Lot 11 DP 667554, Lot 3 & 4 DP 520982, Lot 1 & 2 DP 212655, Lot A DP 317831, Lot 1 DP 172133, Lot 1 DP 567694, Lot 1 DP 948186, Lot 2 DP 1061588, Lot 3 DP 667555, Lot 1 & 2 DP 1061548, Lot 7 DP 948185, Lot B DP 317831, Lot 4 DP 593710, Lot 1 DP 166786, Lot 1 DP 1115706, Lot 1 & 2 DP 630460, Lot 1 DP 167332, Lot 1 and 2 & 3 DP 1098550.
Development:	A seniors housing development at the Uniting War Memorial Hospital, involving demolition, site works, and the construction of 231 independent living units (ILUs), a 105-bed residential care facility (RCF), and adaptive reuse of heritage buildings. The project also includes community facilities, a basement car park, and landscaping.

Right of Appeal

Section 8.7 of the EP&A 1979 provides a right to appeal this decision to the Land and Environment Court, and Section 8.2 provides a right to request a review of this determination, within the timeframe set out in Section 8.10 of that Act.

DEFINITIONS

Interpretation

References in the conditions of this consent to any guideline, protocol, or policy are to such documents in the form they are in as at the date of this consent.

Definitions

Unless otherwise defined in the following definitions table, words and expressions that occur in this development consent have the same meanings as they have in the EP&A Act and EP&A Regulations.

Applicant	The person having the benefit of this consent, or who is carrying out the development.
ARD	Archaeological Research Design
Australian Standard (AS)	Australian Standard published by Standards Australia Limited and means the standard which applies at the time the relevant work or action is undertaken.
Certifier	A council or person registered as a registered certifier under the <i>Building and Development Certifiers Act 2018</i> .
Consultation	Means undertaking a consultation process with a party under which the Applicant: (a) consults with the relevant party prior to submitting the subject document to the Planning Secretary for information or approval; and (b) provides details of the consultation undertaken including: (i) the outcome of that consultation, matters resolved and unresolved; and (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.
Council	Waverley Council
Department	NSW Department of Planning, Housing and Infrastructure
Development	The development approved pursuant to this consent.
EIS	The Environmental Impact Statement titled Environmental Impact Statement: Proposed Residential Aged Care Facility, Independent Living Units, Community Facilities and Ancillary Land Uses, prepared by Willowtree Planning Pty Ltd, dated 21 November 2024, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application.
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulations	<i>Environmental Planning and Assessment Regulation 2021</i> and where relevant, other regulations made under the EP&A Act.
Fire Safety Certificate	Has the same meaning as in the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> .
GTP	Green Travel Plan
Incident	An occurrence or set of circumstances that causes or threatens to cause Material Harm to the environment, and as a consequence of that harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
Material Harm	Is harm (excluding harm to which Work Health and Safety reporting requirements apply) that: • involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or • results in actual loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).
Minister	The NSW Minister with administrative responsibility for administering the EP&A Act, (or delegate), being at the time of grant of this consent, the Minister for Planning and Public Spaces.
NCC	National Construction Code means the current standard which applies at the time the relevant work is undertaken, published by the Australian Building Codes Board.
OSD	On-site stormwater detention
Planning Secretary	The Planning Secretary under the EP&A Act (or delegate).

PMF	Probable Maximum Flood
Prescribed Conditions	The conditions prescribed by the EP&A Regulation (Part 4, Division 2) to which the development consent is subject under s 4.17(11) of the EP&A Act.
Professional Engineer	A Professional Engineer as defined in the <i>Practice Standard for Professional Engineers Requirements for Professional Engineers registered under the Design and Building Practitioners Act 2020</i> .
Registered Surveyor	A person who is registered with the Board of Surveying and Spatial Information.
Report	A written report including all required information and details set out in the relevant condition, prepared by a Professional Engineer, consultant, or other expert, and where the condition specifies the type of professional, consultant or other expert, means a suitably qualified professional, consultant or other expert specified.
ROL	Road Occupancy Licence
Sensitive Receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church), children's day care facility, or other similar uses which may be more sensitive to environmental impacts.
WMTM	Water Management Technical Manual

SCHEDULE 2
PART A GENERAL CONDITIONS

ADMINISTRATIVE CONDITIONS

TERMS OF CONSENT

A1. The development must be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with the EIS, the Applicant's response to submissions, and the Applicant's response to requests for further information; and
- (c) in accordance with the approved plans in the table below, as modified by the conditions of this consent:

Drawing Number	Rev	Name of Plan	Date
Civil drawings prepared by Enstruct			
CV – 0001	03	Cover Sheet, Drawing List and Notes Plan	04/07/2024
CV – 1001	02	Sediment and Erosion Control Plan	27/11/2024
CV – 1050	02	Sediment and Erosion Control Details	27/11/2024
CV – 2000	02	Bulk Earthworks General Arrangement Plan	27/11/2024
CV – 2001	03	Bulk Earthworks Sheet 01	27/11/2024
CV – 2002	03	Bulk Earthworks Sheet 02	27/11/2024
CV – 2003	03	Bulk Earthworks Sheet 03	27/11/2024
CV – 2004	03	Bulk Earthworks Sheet 04	27/11/2024
CV – 4000	03	Stormwater General Arrangement Plan	04/07/2024
CV – 4001	07	Stormwater Drainage Sheet 01	11/08/2025
CV – 4002	05	Stormwater Drainage Sheet 02	02/07/2025
CV – 4003	05	Stormwater Drainage Sheet 03	02/07/2025
CV – 4004	05	Stormwater Drainage Sheet 04	02/07/2025
CV – 4050	02	Stormwater OSD Tank 1 Details	27/11/2024
CV – 4051	02	Stormwater OSD Tank 2 Details	27/11/2024
CV – 4052	02	Stormwater OSD Tank Sections	27/11/2024
CV – 4053	02	Stormwater Details Sheet 1	27/11/2024
CV – 4101	01	Stormwater Drainage Longitudinal Sections Sheet 1	27/11/2024
CV - 5001	02	Typical Sections Sheet 1	11/08/2025
Architectural drawings prepared by Architectus			
DA0040	1	Development - Demolition Plan	28/11/2024
DA0060	3	Site Plan - Ground / Entry level	30/10/2025
DA0065	1	Development - Staging Plan	28/11/2024
DA0066	1	Development - Staging Plan	28/11/2024
DA1098	1	Site Level Basement 02	28/11/2024
DA1099	1	Site Level Basement 01	28/11/2024
DA1100	1	Site Level Ground	28/11/2024
DA1101	3	Site Level 01	14/10/2025
DA1102	3	Site Level 02	30/10/2025

CONSOLIDATED CONSENT

Drawing Number	Rev	Name of Plan	Date
DA1103	3	Site Level 03	30/10/2025
DA1104	3	Site Level 04	30/10/2025
DA1105	3	Site Level 05	30/10/2025
DA1106	3	Site Level 06	30/10/2025
DA1107	3	Site Level 07	30/10/2025
DA1108	3	Site Level 08 (Roof)	30/10/2025
DA1198-A	1	General Arrangement Plan B2 - Sheet A	28/11/2024
DA1198-B	1	General Arrangement Plan B2 - Sheet B	28/11/2024
DA1199-A	1	General Arrangement Plan B1 - Sheet A	28/11/2024
DA1199-B	1	General Arrangement Plan B1 - Sheet B	28/11/2024
DA1199-C	1	General Arrangement Plan B1 – Sheet C	28/11/2024
DA1200-A	1	General Arrangement Plan Ground - Sheet A	28/11/2024
DA1200-B	1	General Arrangement Plan Ground - Sheet B	28/11/2024
DA1200-C	1	General Arrangement Plan Ground - Sheet C	28/11/2024
DA1201-A	1	A General Arrangement Plan L1 - Sheet A	28/11/2024
DA1201-B	2	General Arrangement Plan L1 - Sheet B	14/10/2025
DA1201-C	1	General Arrangement Plan L1 - Sheet C	28/11/2024
DA1202-A	2	General Arrangement Plan L2 - Sheet A	04/08/2025
DA1202-B	2	General Arrangement Plan L2 - Sheet B	30/10/2025
DA1202-C	1	General Arrangement Plan L2 - Sheet C	28/11/2024
DA1203-A	3	General Arrangement Plan L3 - Sheet A	30/10/2025
DA1203-B	2	General Arrangement Plan L3 - Sheet B	30/10/2025
DA1203-C	2	General Arrangement Plan L3 - Sheet C	04/08/2025
DA1204-A	2	General Arrangement Plan L4 - Sheet A	04/08/2025
DA1204-B	1	General Arrangement Plan L4 - Sheet B	28/11/2024
DA1204-C	2	General Arrangement Plan L4 - Sheet C	04/08/2025
DA1205-A	2	General Arrangement Plan L5 - Sheet A	04/08/2025
DA1205-B	1	General Arrangement Plan L5 - Sheet B	28/11/2024
DA1205-C	2	General Arrangement Plan L5 - Sheet C	04/08/2025
DA1206-A	2	General Arrangement Plan L6 - Sheet A	04/08/2025
DA1206-B	1	General Arrangement Plan L6 - Sheet B	28/11/2024
DA1206-C	1	General Arrangement Plan L6 - Sheet C	28/11/2024
DA1207-A	1	General Arrangement Plan L7 - Sheet A	28/11/2024
DA1207-B	1	General Arrangement Plan L7 - Sheet B	28/11/2024
DA1207-C	1	General Arrangement Plan L7 - Sheet C	28/11/2024
DA1208-A	1	General Arrangement Plan L8 - Sheet A	28/11/2024
DA1208-B	1	General Arrangement Plan L8 - Sheet B	28/11/2024
DA2000	3	Site Elevations - Sheet 1	11/11/2025

Drawing Number	Rev	Name of Plan	Date
DA2010	2	Site Sections - Sheet 1	04/08/2025
DA3100	2	Building A Elevations	04/08/2025
DA3110	1	Building B&C Elevations	28/11/2024
DA3120	1	Building D Elevations	28/11/2024
DA3130	1	Building E Elevations	28/11/2024
DA3140	1	Building F Elevations	28/11/2024
DA3150	2	Building G Elevations	04/08/2025
DA6500	1	Materials Palette	28/11/2024
DA8000	1	Post Adaptable Unit Plans - Typical	28/11/2024
DA9910	1	Area Plans – Affordable Housing Units	28/11/2024
Architectural drawings prepared by Welsh + Major			
DA (BW) – 130	C	Proposed Ground Floor Plan	25/11/2024
DA (BW) – 131	C	Proposed First Floor + Roof Plans	25/11/2024
DA (BW) – 200	B	Proposed Sections A - D	25/11/2024
DA (BW) – 201	B	Proposed Sections E + F	25/11/2024
DA (BW) – 300	B	Proposed Elevation	25/11/2024
DA (EL) - 130	C	Proposed Ground Floor Plan	25/11/2024
DA (EL) - 131	C	Proposed First Floor + Roof Plans	25/11/2024
DA (EL) – 200	B	Proposed Sections	25/11/2024
DA (EL) – 300	B	Proposed Elevations	25/11/2024
(CS) – 130	C	Proposed Ground Floor Plan	25/11/2024
(CS) – 131	B	Proposed Roof Plan	25/11/2024
(CS) – 200	B	Proposed Sections	25/11/2024
(CS) – 300	B	Proposed Elevations	25/11/2024
(CS) – 301	B	Proposed Elevations	25/11/2024
Landscape drawings prepared by Arcadia			
0001	E	Legend	14/08/2025
1000	E	Existing Tree Plan	14/08/2025
1001	E	Landscape Masterplan	14/08/2025
2001	F	General Arrangement Plan_Ground Floor Zone 1	31/10/2025
2002	E	General Arrangement Plan_Ground Floor Zone 2	14/08/2025
2003	E	General Arrangement Plan_Ground Floor Zone 3	14/08/2025
2004	E	General Arrangement Plan_Ground Floor Zone 4	14/08/2025
2005	E	General Arrangement Plan_Ground Floor Zone 5	14/08/2025
2006	E	General Arrangement Plan_Ground Floor Zone 6	14/08/2025
2007	E	General Arrangement Plan_Ground Floor Zone 7	14/08/2025
2008	E	General Arrangement Plan_Ground Floor Zone 8	14/08/2025
2009	E	General Arrangement Plan_Ground Floor Zone 9	14/08/2025

Drawing Number	Rev	Name of Plan	Date
2010	F	General Arrangement Plan_Ground Floor Zone 10	31/10/2025
2011	E	General Arrangement Plan_Ground Floor Zone 11	14/08/2025
4000	E	Planting Schedule	14/08/2025
4001	F	Softworks Plan_Ground Floor Zone 1	31/10/2025
4002	E	Softworks Plan_Ground Floor Zone 2	14/08/2025
4003	E	Softworks Plan_Ground Floor Zone 3	14/08/2025
4004	E	Softworks Plan_Ground Floor Zone 4	14/08/2025
4005	E	Softworks Plan_Ground Floor Zone 5	14/08/2025
4006	E	Softworks Plan_Ground Floor Zone 6	14/08/2025
4007	E	Softworks Plan_Ground Floor Zone 7	14/08/2025
4008	E	Softworks Plan_Ground Floor Zone 8	14/08/2025
4009	E	Softworks Plan_Ground Floor Zone 9	14/08/2025
4010	F	Softworks Plan_Ground Floor Zone 10	31/10/2025
4011	E	Softworks Plan_Ground Floor Zone 11	14/08/2025
4012	E	Softworks Plan_Building A L01	14/08/2025
4016	E	Softworks Plan_Building BC L04 Zone1	14/08/2025
4017	E	Softworks Plan_Building BC L04 Zone2	14/08/2025
4018	E	Softworks Plan_Building E L04	14/08/2025
4019	E	Softworks Plan_Building F&G L04	14/08/2025
5000	E	Landscape Interface - Bronte Road	14/08/2025
5001	E	Landscape Interface - BLD D & G	14/08/2025
5002	E	Landscape Interface - Birrell Street	14/08/2025

Note: Development which is 'Exempt and Complying Development' as identified in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or another environmental planning instrument may be carried out without development consent.

- A2. To the extent of any inconsistency:
- (a) the more recent document in Condition A1(b) prevails over an earlier document in that section; and
 - (b) the conditions of consent prevail over a document listed in Condition A1(c).
- A3. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities that employees, contractors (and their sub-contractors) carry out in respect of the development.

LIMITS ON CONSENT

- A4. This consent will lapse five years from the date the consent is published on the NSW Planning Portal unless the works associated with the development have physically commenced.
- A5. This consent does not approve the installation of signage.

INFRASTRUCTURE CONTRIBUTIONS

HOUSING AND PRODUCTIVITY CONTRIBUTIONS

- A6. Prior to the issue of the first Construction Certificate, the Housing and Productivity Contribution (HPC) set out in the table below is required to be made:

CONSOLIDATED CONSENT

Housing and Productivity Contribution	Amount
Total housing and productivity contribution	\$1,957,005.39

- A7. The HPC must be paid using the NSW planning portal.
- A8. At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).
- A9. The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the EP&A 1979 agrees.
- A10. The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A 1979 to the development, or the HPC Order exempts the development from the contribution.

Note: The contribution amount is subject to indexation in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* at the time of payment. A request for assessment of the adjusted amount and instructions on how to make a payment can be made by contacting hpc.enquiry@planning.nsw.gov.au.

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

DETAILED DESIGN

DESIGN EXCELLENCE AND INTEGRITY

- B1. To ensure that the development is consistent with assessed and approved design excellence requirements, the Applicant must:
- (a) commission Architectus, Welsh + Major and Arcadia (or another architectural design team approved by the Planning Secretary in writing) as part of the architectural design team engaged to prepare the design documentation, contract documentation and construction stages of the development;
 - (b) prior to the issue of the first Construction Certificate, provide the Certifier with evidence that this architectural design team has been so commissioned; and
 - (c) if the Applicant proposes changes to the approved architectural drawings, seek the Planning Secretary's advice as to whether such changes are likely to require review by the State Design and Review Panel.

MATERIALS AND FINISHES

- B2. Prior to the issue of the Construction Certificate for the external façade works, the Applicant must submit to the satisfaction of the Planning Secretary details of final building materials and finishes including final specifications of colour, material and, where relevant, manufacturer.

PRE-CONSTRUCTION REQUIREMENTS

SITE STABILITY

- B3. Prior to the issue of the Construction Certificate for the relevant inground civil and structural works, the Applicant must submit to the Certifier a Report from a Professional Engineer, which includes the following:
- (a) geotechnical details which confirm the suitability and stability of the site for the development;
 - (b) design and construction requirements to be implemented to ensure the stability and adequacy of the development and adjacent land;
 - (c) details of the proposed methods of excavation and support for the adjoining land (including any public place) and buildings;
 - (d) details to demonstrate that the proposed methods of support and construction are suitable for the site and will not result in any damage to the adjoining premises, buildings or any public place, as a result of the works and any associated vibration;
 - (e) details of how adequate support will be provided for the adjoining land and buildings located upon the adjoining land at all times throughout building work; and
 - (f) details of written approvals that have been obtained from the owners of the adjoining land to install any ground or rock anchors underneath the adjoining premises (including any public roadway or public place).

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- B4. Prior to the issue of a Construction Certificate for above ground building works, the Applicant must submit to the Certifier a Report demonstrating the development incorporates all design, construction and operation measures, or equivalent, as identified in the ESD Concept Strategy Report and Appendix D11 ESD Response Letter, prepared by WSP, dated 11 December 2024 and 14 August 2025, respectively.

STRUCTURAL DETAILS

- B5. Prior to the issue of the Construction Certificate, as applicable for the relevant above ground works, the Applicant must submit to the Certifier detailed structural drawings and a Report demonstrating that structural drawings comply with:
- (a) relevant clauses of the NCC; and
 - (b) this development consent.

STORMWATER MANAGEMENT SYSTEM

- B6. Prior to the issue of the first Construction Certificate that includes stormwater management works, the Applicant must submit to the Certifier details of an operational stormwater management system for the development designed by a suitably qualified and experienced person(s):
- (a) generally in accordance with the conceptual design in the EIS and any Council stormwater requirements and specifications which are consistent with that conceptual design;
 - (b) in accordance with applicable Australian Standards; and
 - (c) with a system capacity designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2019) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines

SYDNEY WATER ASSETS

- B7. Prior to the issue of the Construction Certificate for above ground works, the plans approved under this consent must be submitted to the Sydney Water Tap in™ online service, to determine whether the development will affect Sydney Water's wastewater and water mains, stormwater drains and/or easements, and if any further requirements need to be met. All building, plumbing and drainage work must be carried out in accordance with the requirements of the Sydney Water Corporation.

Note: Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

LANDSCAPING

- B8. Prior to the issue of the Construction Certificate for the relevant landscape works, the Applicant must submit amended Landscape Plan to Council's Tree Technical Officer (or delegate) for approval, reflecting the following:
- (a) 11 *Melaleuca decora* (White Feather Honey Myrtle) new street trees on Bronte Road to replace the proposed 11 '*Eucalyptus botryoides*' on Bronte Road; and
 - (b) 12 *Melaleuca bracteata* (Black Tea-Tree) new street trees on Birrell Street to replace the proposed 12 '*Melaleuca armillaris*' on Birrell Street.
- B9. Prior to the issue of the Construction Certificate that includes landscape works, the Applicant must submit to the Certifier detailed Landscape Plans, schedules and specifications which:
- (a) is generally consistent with the amended landscape plans prepared by Arcadia, dated 14 August 2025 (Issue E), or as amended by any requirement of these conditions;
 - (b) includes details of tree planting;
 - (c) includes details of the location, species, maturity and height at maturity of plants to be planted on-site;
 - (d) demonstrates adequate drainage and watering systems;
 - (e) includes details of plant maintenance and watering for the first 12 months; and
 - (f) includes a commitment to replace plants with the same species if any plant loss occurs within the maintenance period.

ROAD SAFETY AUDIT

- B10. Prior to the issue of the Construction Certificate that includes road and vehicle access works, the Applicant must submit to Council, for approval by the Executive Manager, Infrastructure Services, a Road Safety Audit prepared by an experienced and qualified Traffic Engineer, including the following details:
- (a) identify any potential safety hazards for drivers or pedestrians
 - (b) analyse all vehicular interaction zones;
 - (c) analyse all vehicle and cyclist interaction zones;
 - (d) analyse any key vehicle and pedestrian interaction zones;
 - (e) include methods of integrating speed management analysis into safety assessments; and
 - (f) evaluate infrastructure design from a multi-modal point of view.
- B11. Road Safety Audit outcomes must include proposed resolutions, to be jointly addressed by Council and the Applicant prior to implementation. All implementation costs are to be covered by the Applicant.

CAR PARKING

- B12. Prior to the issue of the Construction Certificate for basement works, the Applicant must submit to the Certifier a Report demonstrating that the development will provide for the following traffic flow and car parking requirements in accordance with Appendix D6 Amended Transport Impact Assessment Report, and Appendix D5 Traffic Response Letter, prepared by Traffix, both dated August 2025:
- (a) all vehicles must enter and leave the subject site in a forward direction;
 - (b) all vehicles are to be wholly contained on site before being required to stop;
 - (c) parking associated with the development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) must be in accordance with the applicable Australian Standards;
 - (d) at least 10% of all the car parking spaces are to be allocated as accessible parking spaces and be shared amongst the residential, visitor and commercial spaces where applicable;
 - (e) all car spaces are to be clearly delineated, numbered, signposted, and marked;
 - (f) appropriate pedestrian advisory signs must be provided at the egress from parking areas;
 - (g) all works/regulatory signposting associated with the development must be at no cost to the relevant roads authority;

- (h) the swept path of the longest vehicle (including garbage trucks) entering and exiting the site, as well as manoeuvrability through the site, must be in accordance with AUSTROADS; and
- (i) submit to the Certifier a Report demonstrating compliance with the following:
 - (i) compliance with Australian Standards for the layout, design and security of bicycle facilities;
 - (ii) provision of electric vehicle charging infrastructure in accordance with the NCC; and
 - (iii) provision of 478 car parking spaces, comprising:
 - i. 270 for ILU spaces
 - ii. 43 RCF spaces
 - iii. 52 for ancillary facilities
 - iv. 113 space for the relocation of the hospital and community facilities.
 - (iv) provision of 273 bicycle parking;
 - (v) provision of 13 motorcycle parking spaces;
 - (vi) provision of 2 ambulance bay for the residential care facility;
 - (vii) provision of 9 loading/service bay at basement level; and
 - (viii) provision of 3 service bay at on-grade level.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- B13. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating that the design of the development has incorporated the Crime Prevention Through Environmental Design Assessment (CPTED) management and mitigation measures included within the CPTED report prepared by Ethos Urban, dated 5 December 2024.

WIND MITIGATION MEASURES

- B14. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit a Report to the Certifier demonstrating that the design of the development has incorporated the wind mitigation measures contained within the document titled Environmental Wind Assessment for Uniting War Memorial Hospital Waverley (Uniting Waverley), prepared by CPP Wind Engineering Consultants, dated 18 February 2025.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

- B15. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit a Report to the Certifier from a Professional Engineer demonstrating that the design of the development has incorporated all performance parameters, requirements, engineering assumptions and recommendations contained in the Noise and Vibration Impact Assessment report, prepared by Renzo Tonin & Associates, dated 16 January 2025.

ADAPTABLE UNITS

- B16. Prior to the issue of the Construction Certificate for above ground works, the Applicant must submit to the Certifier a Report demonstrating that any adaptable dwellings specified in the approved plans or supporting documentation comply with the applicable Australian Standards.

BASIX CERTIFICATION

- B17. Prior to the issue of the Construction Certificate for above ground works, BASIX Nos. 1777232M, 1777231M, 1777223M, 1777221M, 1777213M and 1777211M_02 Certificates must be submitted to the Certifier with all commitments clearly shown on the Construction Certificate plans.

RESIDENTIAL CARE FACILITY FIRE SPRINKLER SYSTEM

- B18. Prior to the issue of the Construction Certificate for the residential care facility, the Applicant must submit to the satisfaction of the Certifier plans and a report from a suitably qualified consultant that the residential care facility will be fitted with a comprehensive fire sprinkler system that complies with the applicable Australian Standards and guidelines.

HOUSING SEPP SCHEDULE 4

- B19. Prior to the issue of the Construction Certificate for the independent living units, the Applicant must submit to the satisfaction of the Certifier plans and a report from a suitably qualified access consultant that development relating to the Independent Living Units complies with the relevant building and layout design standards of Schedule 4 of the Housing SEPP.

COUNCIL CONDITIONS**VEHICLE CROSSINGS**

- B20. A separate written approval from Council is required to be obtained in relation to new vehicle crossings to access the site, in accordance with the requirements of Council and section 138 of the *Roads Act 1993*.

- B21. Redundant vehicle crossings as identified on the stamped drawings are to be closed, and all work associated with the closures to be carried out in accordance with the requirements of Council.

STREET TREE BOND PAYMENT

- B22. Prior to the issue of the Construction Certificate approving the staged public domain works, the Applicant must pay a bond of \$96,000 to Council either as cash or by way of an unconditional bank guarantee to ensure the protection and maintenance of and maintenance of the following trees:
- T4 - *Melaleuca bracteata* (Black Tea-Tree) adjacent to 186a Birrell Street - \$5000 bond;
 - T3 - *Melaleuca bracteata* (Black Tea-Tree) adjacent to 184 Birrell Street - \$5000 bond;
 - T10 - *Callistemon viminalis* (Weeping Bottle Brush) adjacent to 129-131 Bronte Road - \$2000 bond;
 - T11 – T14 - 4 *Eucalyptus racemosa* (Narrow-leaved Scribbly Gum) adjacent to 129-131 Bronte Road - \$2000 bond per tree;
 - T15 - *Callistemon viminalis* (Weeping Bottle Brush) adjacent to 135 Bronte Road - \$2000 bond;
 - T24 - *Eucalyptus racemosa* (Narrow-leaved Scribbly Gum) adjacent to 141 Bronte Road - \$2000 bond;
 - T188 - *Melaleuca bracteata* (Black Tea-tree) opposite 5 Church Street - \$5000 bond;
 - T189 - *Melaleuca quinquenervia* (Broad-leaved Paperbark) opposite 7 Church Street - \$5000 bond;
 - T51 - *Brachychiton acerifolius* (Illawarra Flame Tree) opposite 33 Botany Street - \$2000 bond;
 - 11 *Melaleuca decora* (White Feather Honey Myrtle) new street trees on Bronte Road - \$2000 bond per tree;
 - 17 *Melaleuca bracteata* (Black Tea-Tree) new street trees on Birrell Street - \$2000 bond per tree.
- B23. The sum will be forfeited to the Council for a breach of these requirements if adequate rectification of the breach is not achieved within 3 months of notifying the Applicant that a breach is present:
- (a) street trees to be inspected 12 months from the issue of the final Occupation Certificate subject to the satisfaction of Council;
 - (b) the \$96,000 bond will be refunded 12 months from the issue of the final Occupation Certificate subject to the satisfaction of Council;
 - (c) if any trees identified to be retained and protected are found to be faulty, damaged, dying, or dead, the bond amount or part thereof for the value of rectification will be forfeited; and
 - (d) Council will require the Applicant to remove and replace the faulty, damaged, dying, or dead street tree and a new bond will be applied on the replacement street tree.

PUBLIC DOMAIN WORKS

- B24. Prior to the issue of the Construction Certificate for public domain works, a public domain plan for upgrade works included in the approved plans along the 4 street frontages of the development site in accordance with the current Waverley Council Development Control Plan and Public Domain Technical Manual, must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate). The plan must include:
- (a) road pavement in Bronte Road, Birrell Street and Church Street;
 - (b) pedestrian footpath in Bronte Road, Birrell Street and Church Street;
 - (c) kerb and gutter in Bronte Road, Birrell Street and Church Street;
 - (d) vehicular crossings;
 - (e) stormwater infrastructure;
 - (f) landscaping and street tree plantings;
 - (g) street lighting, electrical undergrounding and any associated traffic control signal design; and
 - (h) street furniture.

PUBLIC INFRASTRUCTURE WORKS

- B25. Prior to the issue of the Construction Certificate for public infrastructure works, the Applicant must submit detailed design engineering drawings prepared by a suitably qualified and experienced engineering professional and must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate). The Applicant must submit plans and specifications for public infrastructure works that are detailed in the relevant stamped approved plans and in the vicinity of newly constructed works:
- (a) the detailed design drawings to include the following:
 - (i) include cross-sections at approved intervals demonstrating a consistent 2.5% grade in the pedestrian pathway falling towards the road at all points across all frontages of the site;
 - (ii) include long sections of the footpath, kerb and gutter, site boundary and road centreline showing the existing and proposed reduced levels, extending 10m either side of the development;

- (iii) levels along the property boundary with the public domain must either match existing OR maintain a longitudinal grade consistent with the neighbouring properties
 - (iv) display the existing and proposed reduced levels at each access point into the building;
 - (v) show how it is proposed to identify the interface between the footpath area and paving within the site at the front and rear property boundaries;
 - (vi) show details of any transitions required beyond the boundaries of the site;
 - (vii) include details and proposed locations of any street furniture and street trees; and
 - (viii) show all services and pit locations in the footpath area being orientated to align with the direction of travel with infill covers.
- (b) footpath – where proposed works are disturbing existing Council footpaths, the existing footpath along Birrell Street must be regraded to direct water away from the property boundary, adhering to Council's standards for flood protection. The footpaths up to 10 metres adjacent to proposed works like new site entry footpaths, driveways and basement entries along Bronte Road, Birrell Street and Church Street must be reconstructed and upgraded to comply with Waverley Council's current Development Control Plan and Public Domain Technical Manual at the time of engineering plan approval. The proposed footpath design must include longitudinal and cross-sections to ensure seamless connections to existing Council infrastructure within the development site;
- (c) kerb and gutter – the damaged kerb and gutter and disused driveways traversing Bronte Road, Birrell Street, and Church Street frontages of the development site must be reconstructed and upgraded in accordance with the current Waverley Council Development Control Plan and Public Domain Technical Manual at the time of engineering plan approval. The proposed kerb, and gutter profiles must include longitudinal and cross sections to ensure proper connections to the existing Council infrastructure traversing the development site;
- (d) vehicular access - finished level to footpath – the internal finished level shall be constructed to match the longitudinal fall of Council's footpaths or to relevant Australian Standards as they pertain to driveway entries. In this regard, the finished level at the property boundary on both sides of each vehicle crossing is to be in accordance with the approved driveway long sections or to relevant Australian Standards as they pertain to driveway entries;
- (e) street trees – a minimum number of street trees as defined in the stamped plans must be planted along the street frontages in line with Council's requirements. For all the proposed trees within the Council verge, it is necessary to install appropriate tree pits, surrounds, and root cell barriers in accordance with the Waverley Council Public Domain Technical Manual. The chosen tree species and their placement must not interfere with the wheel-swept path or obstruct the proposed vehicular crossing. Waverley Council is to be contacted at the time of installing the root cell barriers prior to planting the new trees;
- (f) replenish and returf the existing Council verge for the full frontage of the development where the redevelopment has disturbed existing turf;
- (g) undergrounding – existing overhead power/utility lines along the frontages of the development must be placed underground in accordance with the Utilities Services Infrastructure Report (revision 5) prepared by ADP Consulting dated 28/11/2025;
- (h) streetlights – any streetlighting as proposed by approved stamped plans is serviced by metered underground power. Design plans must be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's Executive Manager, Infrastructure Services (or delegate) prior to lodgement of the scheme with Ausgrid for their approval;
- (i) bus stop – uplift and upgrade the existing bus stop facilities located on Bronte Road (Sydney Bus Stop Numbers: 202424);
- All works must be compliant with the *Disability Discrimination Act* and conform with AS1428.4. The Applicant shall provide an all-weather shelter to Council's specification including provision for wheelchair manoeuvring, pavement crossfall, tactile indicators, accessible boarding point, and bus stop signage. Further details shall be advised by Council for the location of identified bus stop and the design requirements for the bus stop; and
- (j) any existing or proposed utility pillars, columns and/or poles on the site frontages affected by the redevelopment are to be relocated either underground or inside the property boundary of the proposed development in line with the Services Infrastructure Report (revision 5) prepared by ADP Consulting dated 28/11/2025 report. The Applicant must liaise with the relevant authorities for their approval and communicate to Council with written confirmation, before executing any works.

B26. Prior to the preparation of any detailed drawings, Councils infrastructure Services team invite you to meet with internal Council stakeholders and discuss the below requirements. Please contact assets@waverley.nsw.gov.au to book a time to meet, either in person or digitally.

- B27. Prior to the issue of the Construction Certificate for public infrastructure works, any applicable engineering inspection fees, as outlined in Council's Pricing Policy – Fees & Charges, must be paid in full as they relate to the works specifically being approved in the Construction Certificate. To ensure that all public infrastructure works required under this consent meet Council's standards, inspections by Council's Infrastructure Engineer are mandatory. A detailed schedule of required inspections will be provided once the public infrastructure plans are finalised. Compliance certificates must be obtained for road pavement, kerb and gutter, stormwater, footpath, street lighting, undergrounding works, street trees, and landscaping. A minimum of 48 hours' notice is required when booking site inspections.

FLOOD RISK MANAGEMENT

- B28. Prior to the issue of a Construction Certificate, the Applicant must submit detailed plans and a design certification report to the Certifier to ensure:
- (a) all building structures are to be designed to ensure structural integrity for immersion and the impact of hydraulic forces of floodwaters and debris below or at the Probable Maximum Flood (PMF) level, whichever is the greater;
 - (b) all floor levels are to be equal to or greater than the PMF level unless justified by a site-specific assessment;
 - (c) basement car parking shall be protected from inundation by a 1% AEP flood plus freeboard;
 - (d) the crest of the driveway providing access between the road and basement carparking shall be a minimum of 1% AEP flood plus freeboard or the PMF, whichever is higher;
 - (e) reliable access for pedestrians or vehicles shall be provided from a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level. Where safe and practical this should involve evacuation to an area outside of the PMF extent;
 - (f) the development shall be consistent with any relevant flood strategy, Floodplain Risk Management Plan adopted by Council or similar; and
 - (g) fencing is to be constructed in a manner that does not obstruct the flow of floodwaters so as to have an adverse impact on flooding.

STORMWATER

- B29. Prior to the issue of the Construction Certificate that includes stormwater management works, amended Integrated Water Management Plans must be prepared by a suitably qualified and practicing Civil Engineer in accordance with the current Waverley Council Water Management Technical Manual (WMTM) and Development Control Plan. These plans must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate). The plans must:
- (a) the On-Site Stormwater Detention (OSD) must be limited to the maximum discharge from the site during the 20% AEP for a 5 minute storm event under undeveloped site conditions (with fraction imperviousness 0.1) as outlined in the Waverley Technical Manual 2021, Section 6.3. The OSD and associated orifice must be designed accordingly;
 - (b) a certificate from a registered structural engineer certifying that the design of the OSD tank is in accordance with the relevant design standards must be provided. Any below ground OSD tank structure must be a cast in-situ concrete based;
 - (c) interceptor drain(s) at the site boundary to prevent stormwater flows from the site crossing the footpath must be provided;
 - (d) pits and inspection openings are to be provided at all junctions, change in gradient, change in direction, and change in diameter for access and maintenance purposes;
 - (e) show sub-soil drainage is restricted from entering any underground structure of the building and the stormwater drainage system by waterproofing and tanking the basement areas of the building in accordance with a Registered Structural Engineer's design;
 - (f) the council's stormwater drainage pipe configuration at the corner of Church Street and Bronte Road must be confirmed by CCTV inspection to ensure the stormwater can be drained to the downstream network accordingly. The CCTV footage must be submitted and accepted by Council;
 - (g) a non-return valve must be installed at the discharge point the property boundary within the silt arrestor pit so that stormwater cannot surcharge back into the properties private stormwater system;
 - (h) a full scaled long section of the connection to the Council's infrastructure, indicating the existing surface levels, available cover, design levels of the pipe, surface and invert levels of all pits, location of all stormwater pits and the location and level of all service lines that are in the vicinity of the works. This long section will need to show that the pipe can be installed with adequate vertical and horizontal clearances from all existing underground service lines. These clearances are to be as specified by the relevant service providers;

- (i) the invert level of the stormwater discharge line connecting to Council's kerb inlet pit is at or above the top third of Council stormwater pipeline;
- (j) Council must be notified prior to any connection being made to Council's network and an inspection must be made by a Council officer prior to public domain restoration and backfill at the point of connection. An inspection fee will apply for each inspection visit required by a Council officer, payable prior to any site inspection. Minimum 48 hours' notice must be provided to Council prior to inspection;
- (k) the design must provide for the natural flow of stormwater runoff from uphill/upstream properties/lands. If no overland flow path is provided, the design must include the collection of such waters and discharge to the Council drainage system; and
- (l) a grated trench drain must be provided across the (garage entrance/driveway/street boundary) within the private property to prevent stormwater flows from the site crossing the footpath. Unless otherwise sized by a suitably qualified and practising Engineer, the dimensions of the trench grate are to be not less than 200mm wide by 100mm deep at the shallow end and have a "bottom" slope of 2%. This trench drain must be connected to the approved drainage system.

PART C PRIOR TO COMMENCEMENT OF WORKS

MANAGEMENT PLANS

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. Prior to the commencement of any work, the Applicant must prepare and submit to the Certifier a Construction Environmental Management Plan (**CEMP**) for the development with measures to reduce environmental impacts and harm during construction of the development, including, at a minimum, the following information:
- (a) details of:
 - (i) hours of construction;
 - (ii) 24 hour contact details of the site manager and complaint handling procedure;
 - (iii) construction program and construction methodology, including construction staging;
 - (iv) traffic management;
 - (v) noise and vibration management;
 - (vi) management of dust and odour;
 - (vii) stormwater control and discharge, including ensuring that vehicles leaving the site do not transfer dirt to roadways;
 - (viii) remediation and management of contamination;
 - (ix) management of stockpiles of soil or other materials;
 - (x) waste management;
 - (xi) external lighting in compliance with applicable Australian Standards; and
 - (xii) site security, including fencing or hoarding.
 - (b) Construction Traffic and Pedestrian Management Sub-Plan in accordance with Condition C2;
 - (c) Construction Noise and Vibration Management Sub-Plan in accordance with Condition C3;
 - (d) Air Quality Management Sub-Plan in accordance with Condition C4;
 - (e) Construction Waste Management Sub-Plan in accordance with Condition C5;
 - (f) Construction Soil and Water Management Sub-Plan in accordance with Condition C6;
 - (g) an unexpected finds protocol for remediation in accordance with Condition C25;
 - (h) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure, including but not limited to ensuring compliance with Condition D30;
 - (i) Conservation Management Plan in accordance with C7; and
 - (j) waste classification (for materials to be removed) and validation (for materials to remain) to be undertaken to confirm the contamination status of relevant areas of the site.

CONSTRUCTION TRAFFIC AND PEDESTRIAN MANAGEMENT SUB-PLAN

- C2. Prior to the commencement of any work, the Applicant must submit to the Certifier a final Construction Traffic and Pedestrian Management Sub-Plan (**CTPMP**) for the development with measures to reduce environmental impacts and harm during construction of the development arising from construction traffic, including, at a minimum, the following information:
- (a) location of proposed work zone(s);
 - (b) construction vehicle access arrangements and haulage routes;
 - (c) predicted number and timing of construction vehicle movements and vehicle types; and
 - (d) identification of potential conflicts between vehicle movements required for construction and general traffic, cyclists, pedestrians, bus services within the vicinity of the site from construction vehicles.

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT SUB-PLAN

- C3. Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Noise and Vibration Management Sub-Plan (**CNVMP**) for the development prepared by a Professional Engineer with measures to minimise environmental impacts and harm during construction of the development arising from construction noise and vibration, including, at a minimum, the following information:
- (a) identification of noise sources and Sensitive Receivers;
 - (b) quantification of the rating background noise level (**RBL**) for Sensitive Receivers;
 - (c) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009) (**ICNG**) (as may be updated or replaced from time to time);

- (d) prediction and assessment of potential noise, ground-borne noise (as relevant) and vibration levels from the proposed construction methods expected at Sensitive Receiver premises against the objectives identified in the ICNG, EPA's Assessing Vibration: Technical Guideline and relevant standards;
- (e) noise mitigation measures that can be implemented to reduce construction noise and vibration impacts, including:
 - (i) installation of acoustic barriers/enclosures;
 - (ii) alternative excavation methods;
- (f) describe the measures to be implemented to manage high noise generating works (such as piling and rock breaking) or activities that may be particularly annoying (as defined in the ICNG), in close proximity to sensitive receivers;
- (g) procedures for notifying and obtaining any written agreement with sensitive receivers affected by high noise impact construction activities undertaken in accordance in D11;
- (h) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints;
- (i) include strategies that have been developed in consultation with the directly adjoining properties for managing vibration such as any alternative construction methods with lower source vibration levels and provision for respite periods; and
- (j) include a complaints management system that would be implemented for the duration of the development.

AIR QUALITY MANAGEMENT SUB-PLAN

C4. Prior to the commencement of any work, the Applicant must submit to the Certifier an Air Quality Management Sub-Plan (**AQMP**) for the development. The AQMP must be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and include, as a minimum, the following information:

- (a) relevant environmental criteria to be used to guide management of dust and odours;
- (b) dust and odour management practices to be implemented, including:
 - (i) watering of exposed surfaces and stockpiles;
 - (ii) covering of truck loads;
 - (iii) prevention of dirt from trucks tracking onto public roads and cleaning of any tracked dirt;
 - (iv) progressive land stabilisation works to minimise exposed surfaces.
 - (v) monitoring requirements;
 - (vi) communication strategy; and
 - (vii) system and performance review for continuous improvements; and
- (c) measures to identify non-conformances with the requirements of the CNVMP, and procedures to implement corrective and preventative action and to respond to complaints.

CONSTRUCTION WASTE MANAGEMENT SUB-PLAN

C5. Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Waste Management Sub-Plan (**CWMP**) for the development. The CWMP must include, as a minimum, the following information:

- (a) requirement that all waste generated during the project is assessed, classified and managed in accordance with the EPA's "Waste Classification Guidelines Part 1: Classifying Waste";
- (b) demonstrate that an appropriate area will be provided for the storage of bins and recycling containers and all waste and recyclable material generated by the works;
- (c) procedures for minimising the movement of waste material around the site and double handling;
- (d) requirement that waste (including litter, debris or other matter) is not caused or permitted to enter any waterways;
- (e) requirements that any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;
- (f) requirement that the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises;
- (g) details in relation to the transport of waste material within the site and from the site, including (at a minimum):
 - (i) a traffic plan showing transport routes within the site;
 - (ii) a commitment to retain waste transport details for the life of the construction period to demonstrate compliance with the *Protection of the Environment Operations Act 1997*; and

- (iii) the name and address of each licensed facility that will receive waste from the site.

CONSTRUCTION SOIL AND WATER MANAGEMENT PLAN SUB-PLAN

- C6. Prior to the commencement of any work, the Applicant must submit to the Certifier a Construction Soil and Water Management Sub-Plan (**CSWMP**) for the development. The CSWMP must be prepared by a suitably qualified expert, in Consultation with Council and include, at a minimum, the following information:
- (a) describe all erosion and sediment controls to be implemented during construction
 - (b) provide a plan of how all construction works will be managed in a wet-weather event (i.e. storage of equipment, stabilisation of the site);
 - (c) detail all off-site flows from the site during construction; and
 - (d) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI.

CONSERVATION MANAGEMENT PLAN

- C7. Prior to commencement of any work impacting the existing heritage fabric of the site, the Applicant must amend and update the Conservation Management Plan for Waverley War Memorial Hospital / Former Edina Estate prepared by NBRIS, dated 21 November 2024 in consultation with Council's Manager Urban Design & Heritage (or delegate) to include additional information and conservation policies related to the retention and protection of the existing statutory and heritage garden within the heritage lawn.

PRE-CONSTRUCTION DOCUMENTATION AND MEASURES

SURVEY CERTIFICATE

- C8. Prior to the commencement of works, the Applicant must cause the building to be set out by a Registered Surveyor to verify the correct position of all structures in relation to site boundaries and the approved alignment levels, and cause the Registered Surveyor to submit a plan to the Certifier certifying that structural works are in accordance with this consent.
- C9. The Applicant must cause a Registered Surveyor to measure and mark:
- (a) prior to commencement of works – the positions of all footings/ foundations; and
 - (b) at other stages of construction – any marks that are required by the principal Certifier; and provide information on the positions to the principal Certifier.

PRE-CONSTRUCTION DILAPIDATION REPORTS

- C10. Prior to the commencement of any work, the Applicant must submit to the Certifier a Pre-Construction Dilapidation Report, prepared by a Professional Engineer, which details the structural condition of all adjoining land, buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restrictions and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence', prior to construction.
- C11. Where only part of a building on privately affected land may fall within the 'zone of influence', any Pre-Construction Dilapidation Report for that building must include details of the whole building.
- C12. In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.
- C13. A copy of the Pre-Construction Dilapidation Report is to be forwarded to the Planning Secretary and each of the affected property owners.
- C14. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.
- C15. The damage must be fully rectified by the Applicant in accordance with the Council's standards prior to a Certificate of Completion being issued for Public Domain Works or before the final Occupation Certificate is issued for the development, whichever is the sooner.

PROTECTION OF PUBLIC INFRASTRUCTURE AND STREET TREES

- C16. Prior to the commencement of works, the Applicant must:
- (a) undertake Consultation with the relevant owner and provider of services that will be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;

- (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths) and submit a copy of the dilapidation Report to the Certifier, Planning Secretary and Council; and
- (c) ensure all street trees directly outside the site not approved for removal are retained and protected in accordance with the applicable Australian Standards.

HERITAGE

- C17. All archaeological works must be undertaken in accordance with the Historical Archaeological Assessment & Archaeological Research Design (ARD), prepared by Casey & Lowe, Archaeology & Heritage, dated August 2025. Any substantial amendments to the proposed methodology should be submitted to Heritage NSW for review and approval.
- C18. Before commencement of archaeological excavation/ground-disturbing works/construction, the Applicant must nominate a suitably qualified Excavation Director who complies with the Criteria for Assessing Excavation Directors (Heritage Council of NSW 2019) is to oversee and advise on matters associated with historical archaeology for the approval of the Secretary of the Department of Planning, Housing and Infrastructure in consultation with Heritage NSW. The Excavation Director must be present to supervise excavation, advise on archaeological issues and advise on the duration and extent of oversight required during archaeological excavations consistent with the ARD.
- C19. A Final Excavation Report is to be prepared and provided to Heritage NSW within 12 months of the completion of archaeological investigations for accession to the Heritage Library.

WORKS ON ROAD

- C20. A Road Occupancy Licence (ROL) is to be obtained from the Transport Management Centre for any works that may impact on traffic flows during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
- C21. All construction vehicles not covered by the ROL associated with demolition and construction works is to be wholly contained within the development site during the demolition and construction process.

REMEDICATION

UNEXPECTED FINDS PROTOCOL

- C22. Prior to the commencement of any earthwork or remediation works, the Applicant must submit to the Certifier an unexpected finds protocol which has been reviewed and endorsed by a suitably qualified and experienced consultant. The protocol must outline contingency measures and the procedures to be followed in the event unexpected finds of contaminated material are encountered during works.

REMEDIAL ACTION PLAN

- C23. The Applicant must remediate the site in accordance with the specifications and requirements detailed in the approved Remedial Action Plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*. Remediation works must be undertaken by a suitably qualified and experienced consultant(s).

SITE AUDITOR

- C24. Prior to the commencement of any earthwork or remediation works, the Applicant must submit evidence to the Planning Secretary that a Site Auditor, accredited under the *Contaminated Land Management Act 1997*, has been appointed to independently review the implementation and validation of the remediation works.
- C25. The Applicant must ensure the remediation works for the development are undertaken by a suitably qualified and experienced consultant(s) in accordance with the approved Remedial Action Plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

SITE AUDIT REPORT AND SITE AUDIT STATEMENT

- C26. Upon completion of the remediation works and prior to the commencement of construction of the development, a Site Audit Report and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management - Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its approved land use, must be submitted to the Planning Secretary for information.

NOTIFICATIONS AND COMMENCEMENT OF WORKS

NOTIFICATION OF COMMENCEMENT

- C27. The Applicant must notify the Department in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.

- C28. If the construction or operation of the development is to be staged, the Applicant must notify the Department in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

UTILITIES AND SERVICES

- C29. Prior to the commencement of works written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

DIAL BEFORE YOU DIG SERVICE

- C30. Prior to the commencement of any excavation on or near the site, the Applicant must submit to the Certifier written confirmation from NSW Dial Before You Dig Service that the proposed excavation will not conflict with any underground utility services.

DEMOLITION

- C31. Before the commencement of demolition works, the Applicant must submit to the Certifier a statement of compliance with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001) and any work plans required by AS 2601-2001, accompanied by a written statement from a suitably qualified person work plans complies with the safety requirements of the Australian Standard.

NOTICE OF INTENTION TO COMMENCE PUBLIC DOMAIN WORKS

- C32. Prior to commencement of the public domain works, notice must be submitted to Councils Infrastructure Engineer. This notice must include the name and insurance details of the Contractor who will be responsible for the construction works, and the details of the managing site supervisor/engineer. The applicant is also responsible for obtaining all Road Activity Permits required for the works, from the respective authorities.

PART D DURING CONSTRUCTION**SITE NOTICE**

- D1. The Applicant must erect site notices in prominent positions on the site informing the public of project details including, but not limited to:
- (a) the name, address and telephone number of the builder, Certifier and Professional Engineer;
 - (b) the name of the principal contractor (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaints;
 - (c) stating the approved hours of work;
 - (d) stating that unauthorised entry to the work site is prohibited.
- D2. The site notices must:
- (a) be positioned prominently at the site informing the public of key project details;
 - (b) have dimensions of at least A1 size with large writing; and
 - (c) be durable and weatherproof.

HOURS OF CONSTRUCTION

- D3. Construction, including the delivery of materials or machinery to and from the site, may only be carried out between the following hours:
- (a) 7am to 6pm, Monday to Friday;
 - (b) 8am to 1pm, Saturday
- D4. No work may be carried out on Sundays or public holidays.
- D5. Activities may be undertaken outside of these hours if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials to and from the site; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- D6. Notification of activities undertaken in the circumstances in Condition D5 must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D7. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9am to 12pm, Monday to Friday;
 - (b) 2pm to 5pm Monday to Friday; and
 - (c) 9am to 12pm, Saturday.

IMPLEMENTATION OF MANAGEMENT PLANS

- D8. The Applicant must implement and comply with the requirements of any management plan or sub-plan required under this consent. To the extent of any inconsistency between a condition of consent and a management plan or sub-plan, the condition of consent prevails.

CONSTRUCTION NOISE LIMITS AND VIBRATION CRITERIA

- D9. The Applicant must ensure construction vehicles (including concrete agitator trucks) do not arrive at the subject site or surrounding residential precincts outside of the construction hours of work outlined under this consent.
- D10. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, audible movement alarms of a type that would minimise noise impacts on surrounding Sensitive Receivers.
- D11. The Applicant must ensure that any work generating high noise impact (i.e. work exceeding a NML of LAeq 75dBA) as measured at any Sensitive Receiver is only undertaken in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers. For the purposes of this condition 'continuous' includes any period during which there is less than 1 hour respite between ceasing and recommencing any of the work the subject of this condition. This need for provision of a respite period can be waived if express/written agreement with that resident is reached.
- D12. Vibration at any residence or structure outside the site caused by construction must be limited to:
- (a) for structural damage, the latest version of DIN 4150-3 (2016) Vibration in Buildings - Effects on Structures, English Translation (German Institute for Standardisation, 2016);

- (b) for human exposure to vibration, the evaluation criteria set out in the *Environmental Noise Management Assessing Vibration: a Technical Guideline* (Department of Environment and Conservation, 2006) (as may be updated or replaced from time to time).

D13. Vibratory compactors must not be used within 30 metres of residential or heritage buildings unless vibration monitoring confirms compliance with the vibration criteria specified above. These limits apply unless otherwise outlined in the project specific CNVMP required by this consent.

AIR QUALITY

D14. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

SHORING AND ADEQUACY OF ADJOINING PROPERTY

- D15. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the Applicant must:
- (a) protect and support the building, structure or work from possible damage from the excavation; and
 - (b) where necessary, underpin the building, structure or work to prevent any such damage,
- unless the Applicant owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.
- D16. Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant to the satisfaction of the public authority responsible for the public way.

TREE PROTECTION

D17. While site or building work is being carried out, the Applicant must maintain all tree protection measures required under this consent, in accordance with relevant requirements of applicable Australian Standards and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

REPLACEMENT STREET TREE PLANTING

- D18. The following trees must be planted as per Waverley Council Public Domain Technical Manual:
- (a) 11 *Melaleuca decora* (White Feather Honey Myrtle) new street trees on Bronte Road; and
 - (b) 12 *Melaleuca bracteata* (Black Tea-Tree) new street trees on Birrell Street.
- D19. The trees must be planted once the construction work is complete and before the Occupation Certificate is issued.
- D20. Planting should adhere to the specifications in the Waverley Council Public Domain Technical Manual, Revision G, section I – Planting, I.05 New Street Tree – Nature Strip.
- D21. All approved tree work must be carried out by minimum AQF Level 3 arborist in accordance with AS 4373-2007 Pruning of Amenity Trees.

EROSION AND SEDIMENT CONTROL

D22. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques are, as a minimum, to be in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom, 2004) commonly referred to as the 'Blue Book' and must comply with the CSWMSP.

CUT AND FILL

- D23. While building work is being carried out, the Certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
- (a) all excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility; and
 - (b) the classification and the volume of material removed must be reported to the Certifier.
- D24. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the EPA.

DISPOSAL OF SEEPAGE AND STORMWATER

- D25. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant authority in accordance with the *Protection of the Environment Operations Act 1997*.
- D26. Adequate provisions must be made to collect and discharge stormwater drainage during construction of the development. Prior written approval of Council must be obtained to connect or discharge site stormwater to Council's stormwater drainage system or street gutter.
- D27. A separate written approval from Council is required to be obtained in relation to any proposed discharge of groundwater into Council's drainage system external to the site, in accordance with the requirements of section 138 of the *Roads Act 1993*.

ASBESTOS

- D28. The Applicant must ensure that any asbestos encountered on site is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in consultation with SafeWork NSW and in accordance with any requirements of SafeWork NSW and any relevant guidelines, including:
- (a) *Work Health and Safety Regulation 2017*;
 - (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;
 - (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and
 - (d) *Protection of the Environment Operations (Waste) Regulation 2014*, including Part 7 – 'Transportation and management of asbestos waste'.

CONTACT TELEPHONE NUMBER

- D29. The Applicant must ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the construction.

UNCOVERING RELICS OR ABORIGINAL OBJECTS

- D30. If a Relic (as defined in the *Heritage Act 1977*) or Aboriginal object (as defined in the *National Parks and Wildlife Act 1974*) is unexpectedly discovered:
- (a) all works must cease immediately;
 - (b) the Applicant must notify the Heritage Council of NSW in respect of a Relic and notify the Planning Secretary and the Heritage Council of NSW in respect of an Aboriginal object; and
 - (c) the Applicant must otherwise comply with the unexpected finds protocol required as part of the CEMP.
- D31. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Planning Secretary.
- D32. The Registered Aboriginal Parties must be kept informed about the SSD and be provided ongoing opportunities to be consulted about the Aboriginal cultural heritage management requirements of the SSD throughout the completion of the project.

INCIDENT NOTIFICATION, REPORTING AND RESPONSE

- D33. The Applicant must notify the Department within 24 hours of becoming aware of an Incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the Incident including:
- (a) date, time and location;
 - (b) a brief description of what occurred and why it has been classified as an Incident;
 - (c) a description of what immediate steps were taken in relation to the Incident; and
 - (d) identifying a contact person for further communication regarding the Incident.
- D34. The Applicant must provide the Department with a subsequent Incident report in accordance with Appendix 1 (Incident Notification and Reporting Requirements).

NON-COMPLIANCE NOTIFICATION

- D35. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an Incident does not need to also be notified as a non-compliance.

PART E COMMENCEMENT OF OCCUPATION AND USE

GENERAL REQUIREMENTS

OCCUPATION CERTIFICATES

- E1. In accordance with the EP&A Act, the Applicant must obtain an Occupation Certificate from the Certifier prior to commencement of occupation or use of the whole or any part of a new building or, an altered portion of, an extension to an existing building.

NOTIFICATION OF OCCUPATION

- E2. The Applicant must notify the Department in writing at least one month prior to the proposed occupation or use of the development.
- E3. If the occupation or use of the development is to be staged, the Applicant must notify the Department in writing of the date of commencement of the occupation or use of the relevant stage at least one month before that date.

ENVIRONMENTAL PERFORMANCE

- E4. Prior to the occupation or commencement of use, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and would operate in accordance with, the environmental sustainability objectives, measures and initiatives required under this consent.

REMEDATION

REMEDATION

- E5. Upon completion of the remediation works and prior to the issue of an Occupation Certificate for each building to which the Occupation Certificate relates, a Site Audit Report and a Site Audit Statement, prepared in accordance with the NSW Contaminated Land Management – Guidelines for the NSW Site Auditor Scheme 2017, which demonstrates the site is suitable for its approved land use, must be submitted to the Certifier. A copy to the Site Audit Report and a Site Audit Statement must also be submitted to Council and the Planning Secretary for information.

VALIDATION REPORT

- E6. Within one month following the completion of the remediation works for the development, a Remediation Validation Report (**RVR**) must be submitted to the Planning Secretary for information. The RVR must be prepared by a suitably qualified and experienced consultant(s) and in accordance with the approved remedial action plan and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

DILAPIDATION AND REPAIRS

POST-CONSTRUCTION DILAPIDATION REPORT

- E7. Before the issue of any Occupation Certificate before each stage of works, the Applicant is to provide a Report (**Post-Construction Dilapidation Report**) to the Certifier:
- (a) stating whether, based on a comparison of the Pre-Construction Dilapidation Report and Post-Construction Dilapidation Report, there has been any structural damage to any adjoining buildings, infrastructure or roads;
 - (b) if there has been structural damage to any adjoining buildings, infrastructure or roads, the structural damage that is the result of the carrying out of development;
 - (c) whether relevant authorities have confirmed that there is no adverse structural damage to their infrastructure and roads.
- E8. The Applicant is to provide a copy of the Post-Construction Dilapidation Report to the Planning Secretary and to the relevant adjoining property owner(s).

ROAD DAMAGE

- E9. Prior to the occupation or commencement of the use, the cost of repairing any damage caused to Council or other public authority's assets in the vicinity of the site as a result of construction works associated with the approved development is to be paid by the Applicant.

PROTECTION OF PUBLIC INFRASTRUCTURE AND OTHER REPAIRS

- E10. Unless the Applicant and the applicable public authority agree otherwise, the Applicant must repair/reconstruct, or pay the costs associated with repairing/reconstructing, any public infrastructure (including but not limited to ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) in the vicinity of the development that is damaged by carrying out the development.

- E11. Prior to the occupation or commencement of the use of the development, any damage identified in Condition E7 as being caused by the carrying out of the development not subject to Condition E10 must be fully repaired and rectified by the Applicant.

COMPLIANCE REPORTING

WORKS-AS-EXECUTED PLANS AND ANY OTHER DOCUMENTARY EVIDENCE

- E12. Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier and Council:
- (a) works-as-executed plans for the development; and
 - (b) any compliance certificates and any other evidence confirming conditions of this consent have been satisfied.
- E13. Prior to the issue of the final Occupation Certificate, the Applicant must submit to the principal Certifier a Report from a Registered Surveyor demonstrating that:
- (a) no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaced; or
 - (b) the Applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 – Preservation of Survey Infrastructure.

COMPLIANCE WITH BASIX CERTIFICATE

- E14. Prior to the issue of the final Occupation Certificate, the Applicant must submit to the Certifier evidence that all the commitments contained in the BASIX Certificate approved under this consent have been implemented.

GROSS FLOOR AREA AND BUILDING HEIGHT CERTIFICATION

- E15. Prior to the issue of the final Occupation Certificate, the Applicant must submit to the Certifier a Report from a Registered Surveyor demonstrating compliance that the development does not exceed the approved gross floor area and building height.

ACOUSTIC COMPLIANCE

- E16. Prior to the issue of the final Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating compliance with all noise mitigation measures required under Condition B15.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- E17. Prior to the issue of the final Occupation Certificate, the Applicant must prepare and submit to the Certifier a Report demonstrating the development has incorporated all ecologically sustainable development design, construction and operation measures, as required under Condition B4.

STRUCTURAL INSPECTION CERTIFICATE

- E18. Prior to the occupation or commencement of use of the relevant parts of any new or refurbished buildings as part of the development, the Applicant must submit a Structural Inspection Certificate or a Compliance Certificate to the Certifier.
- E19. The Applicant must submit a copy of the Structural Inspection Certificate or a Compliance Certificate with an electronic set of final drawings to the Planning Secretary and the Council after:
- (a) the site has been periodically inspected and the Certifier is satisfied that the structural works are deemed to comply with the final design drawings; and
 - (b) the drawings listed on the Structural Inspection Certificate or have been checked with those listed on the final Design Certificate/s.

LANDSCAPE PRACTICAL COMPLETION REPORT

- E20. Prior to the issue of the final Occupation Certificate, the Applicant must submit to the Certifier a Landscape Practical Completion Report prepared by the consultant responsible for the landscape design plan which:
- (a) verifies that all landscape works have been carried out generally in accordance with the comprehensive landscape design plan and specifications that were required to be included in documentation for a Construction Certificate application;
 - (b) verifies that a maintenance program under the Landscape Plan required under Condition B9 has been commenced;
 - (c) includes details of plant maintenance and watering for the first 12 months; and
 - (d) includes details of plant maintenance and watering for the life of the development.

FIRE SAFETY CERTIFICATION

- E21. Prior to the issue of an Occupation Certificate, a Fire Safety Certificate must be obtained for all the relevant Essential Fire or Other Safety Measures forming part of the development.

- E22. The Applicant must submit a copy of the Fire Safety Certificate to the relevant authority and Certifier and display the Fire Safety Certificate prominently in the building.

OUTDOOR LIGHTING

- E23. Prior to the occupation or commencement of use of the development, the Applicant must submit to the Certifier a Report demonstrating that installed lighting associated with the development:
- (a) achieves the objective of minimising light spillage:
 - (i) beyond the property boundary; and
 - (ii) to any adjoining or adjacent Sensitive Receivers;
 - (b) complies with the latest version of AS 4282-2023 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 2023); and
 - (c) has been mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

SYDNEY WATER COMPLIANCE

- E24. Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier a Section 73 Compliance Certificate under the *Sydney Water Act 1994*, obtained from Sydney Water Corporation.

UTILITY PROVIDERS

- E25. Prior to the issue of an Occupation Certificate, the Applicant must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.
- E26. Prior to the issue of an Occupation Certificate, the Applicant must provide or cause to be provided written confirmation to the Certifier from the relevant authority that the relevant services have been completed.

BICYCLE PARKING AND END-OF-TRIP FACILITIES

- E27. Prior to the occupation or commencement of use of the development, the Applicant must submit to the Certifier evidence the secure bicycle parking and end-of-trip facilities have been provided in accordance with Condition B12.
- E28. Prior to the operation or commencement of use of the development, bicycle way-finding signage must be installed within the site to direct cyclists from footpaths to designated bicycle parking areas.

STREET NUMBERING

- E29. Prior to the issue of an Occupation Certificate, the Applicant must provide to the Certifier evidence that street numbers are clearly displayed at the ground level frontage of the building.

MANAGEMENT PLANS, GUIDES AND MISCELLANEOUS

OPERATIONAL PLAN OF MANAGEMENT

- E30. Prior to the occupation or commencement of use, whichever is earlier, the Applicant must prepare an Operational Plan of Management for the development and submit it to the Certifier, which includes (but not be limited to):
- (a) details of the managing agent;
 - (b) management of communal areas and open spaces, including the through-site link;
 - (c) loading and unloading;
 - (d) security and staff management;
 - (e) emergency management/ evacuation and incident response protocols;
 - (f) waste management;
 - (g) tenant induction and behaviour/ house rules;
 - (h) community consultation and complaint procedures.
- E31. The Operational Plan of Management approved under this consent shall be implemented following occupation of the development. The Operational Plan of Management is to be reviewed and updated annually.

OPERATIONAL WASTE MANAGEMENT

- E32. Prior to the occupation or commencement of use of the development, the Applicant must prepare an **Operational Waste Management Plan** for the development and submit it to the Certifier. The Operational Waste Management Plan must:
- (a) be prepared in consultation with Council;

- (b) set out adequate provisions within the premises for the storage, collection and disposal of waste and recyclable materials;
- (c) confirm the location of waste collection and establish appropriate routes to the collection point;
- (d) provide confirmation that appropriate arrangements have been made for the collection of waste;
- (e) detail the type and quantity of waste to be generated during operation of the development; and
- (f) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the Waste Classification Guideline (EPA).

Note: Conditions in Part F require the Applicant to implement the Operational Waste Management Plan for the life of the development.

STORMWATER

- E33. Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier and Council a copy of the stormwater drainage design plans, prepared by a Professional Engineer experienced in the design of stormwater drainage systems and approved with the Construction Certificate.
- E34. Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier a **Stormwater Operational and Maintenance Plan (SOMP)** that:
 - (a) is designed to ensure the proposed stormwater quality measures remain effective; and
 - (b) specifies, but is not limited to:
 - (i) a maintenance schedule of all stormwater quality treatment devices;
 - (ii) record and reporting details;
 - (iii) relevant contact information; and
 - (iv) Work Health and Safety requirements.

CAR PARKING, LOADING AND SERVICING MANAGEMENT PLAN

- E35. Prior to the issue of an Occupation Certificate, the Applicant must submit to the Certifier a **Car Parking, Loading and Servicing Management Plan** that:
 - (a) is designed to ensure that any potential traffic and safety impacts associated with the car park and loading dock operation are mitigated;
 - (b) specifies, but is not limited to, details of:
 - (i) the development's loading and servicing profile, including the forecast loading and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay;
 - (ii) measures to manage any potential traffic and safety impacts of the car parking and loading dock operation; and
 - (iii) how vehicles larger than a 6.4m SRV delivering to the site must be managed.

GREEN TRAVEL PLAN

- E36. Prior to the issue of the final Occupation Certificate, the Applicant must prepare a final Green Travel Plan (GTP) in consultation with the TfNSW Travel Demand Team.
- E37. The Applicant is to submit to TfNSW at development.ctmp.cjp@transport.nsw.gov.au for review and endorsement of a final GTP.

REGISTRATION OF EASEMENTS

- E38. Prior to the issue of the final Occupation Certificate, all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land Registry Services.

RESTRICTION ON OCCUPATION (SENIORS HOUSING)

- E39. Prior to the issue of the first Occupation Certificate, the Applicant must create a restriction as to the user under section 88E of the *Conveyancing Act 1919* restricting the occupation of each Independent Living Unit and residential care unit approved under this consent to be solely used for the accommodation of:
 - (a) seniors or people who have a disability as defined by the *State Environmental Planning Policy (Housing) 2021*;
 - (b) people who live within the same household with seniors or people who have a disability; and
 - (c) staff employed to assist in the administration and provision of services to housing provided under this policy.

Note: The restriction must nominate the Council as the authority to release, vary or modify the restriction.

- E40. The instruments creating the restriction as to user required pursuant to Condition E39 shall be prepared by the Applicant at its own expense and proof of registration of the Instrument upon the title of the subject property must be submitted to the Certifier prior to the issue of the final Occupation Certificate.

AFFORDABLE HOUSING

- E41. Prior to the issue of any Occupation Certificate, the Applicant must provide to the Certifier evidence that:
- (a) the affordable housing component is complete and ready for occupation;
 - (b) a restriction has been registered against the title of the site on which Development is to be carried out, in accordance with section 88E of the *Conveyancing Act 1919*, requiring:
 - (i) a minimum of 23 dwellings within the Development to be used for the purposes of affordable housing in perpetuity, as defined by the EP&A Act and Chapter 5 of the *State Environmental Planning Policy (Housing) 2021*;
 - (ii) specifically nominating those units to be allocated and used for affordable housing; and
 - (iii) the affordable housing component to be managed by a registered community housing provider.
 - (c) an agreement with a registered community housing provider for the management of the affordable housing component has been given to the Registrar of Community Housing, including the name of the registered community housing provider; and
 - (d) the requirements of paragraphs (b), (c) and (d) have been met and evidence has been given to the Planning Secretary.

LOT CONSOLIDATION AND EASEMENTS

- E42. Prior to the issue of the final Occupation Certificate, any existing registered easements and rights or carriageways which burden the development site must be appropriately extinguished and/or modified as appropriate to ensure services and drainage is maintained for easement beneficiaries.

PUBLIC ACCESS TO THROUGH-SITE-LINKS

- E43. Prior to the issue of any Occupation Certificate, the Applicant must prepare a plan of management in consultation with Council. The plan is to include details:
- (a) on how access to publicly accessible spaces within the site will be managed including the hours of public access; and
 - (b) for "Public connection within controlled timeframe" routes as identified in the Landscape Report, prepared by Arcadia, dated November 2024, to remain open to the public for a minimum of 8 daylight hours each day throughout the year, excluding public and industry holidays.

PART F OCCUPATION AND ONGOING USE**MAINTENANCE OF WASTEWATER AND STORMWATER TREATMENT DEVICE**

- F1. Following the issue of the Occupation Certificate or commencement of use and throughout the life of the development, the Applicant must:
- (a) implement the SOMP; and
 - (b) otherwise ensure that all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and (if applicable) in accordance with any positive covenant.

STORAGE AND HANDLING OF WASTE

- F2. Following the issue of the Occupation Certificate or commencement of use and throughout the life of the development, the Applicant must implement the Operational Waste Management Plan.
- F3. The Applicant must ensure that at all times during the life of the development:
- (a) waste is not placed or left on the site; and
 - (b) waste must not be placed for collection in a public place e.g. footpaths, roadways and reserves.

TRAFFIC AND PARKING

- F4. All loading and unloading operations associated with the site must be carried out:
- (a) in accordance with the **Car Parking, Loading and Servicing Management Plan** prepared under this consent;
 - (b) within the confines of the site, at all times and must not obstruct other properties or the public way; and
 - (c) in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality
- F5. The service vehicle docks, car parking spaces and driveways must be kept clear of goods at all times and must not be used for storage purposes, including waste storage.
- F6. The car spaces within the development are for the exclusive use of the occupants of the site. The car spaces must not be leased to any person/company that is not an occupant of the site.

GREEN TRAVEL PLAN

- F7. The GTP approved under this consent (Condition E36) shall be implemented following occupation of the development. The Applicant must implement the GTP for the life of the development, review and update it annually, and provide it to the Planning Secretary upon request.

LANDSCAPING

- F8. Landscaping for the development must be carried out and maintained in accordance with the Landscape Plan required under Condition B9.

FIRE SAFETY CERTIFICATION

- F9. The development must operate in accordance with the Fire Safety Certificate obtained in accordance with this consent.

OUTDOOR LIGHTING

- F10. If any outdoor lighting results in any residual impacts on the amenity of surrounding Sensitive Receivers, the Applicant must provide mitigation measures in consultation with affected landowners to reduce the impacts to an acceptable level.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- F11. Within 24 months of commencement of operation, the Applicant must provide to the Certifier and the Planning Secretary a Report demonstrating the development incorporates all design, construction and operation measures, or equivalent, as identified in the ESD Concept Strategy Report and Appendix D11 ESD Response Letter, prepared by WSP, dated 11 December 2024 and 14 August 2025, respectively.

BASIX CERTIFICATION

- F12. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Nos. 1777232M, 1777231M, 1777223M, 1777221M, 1777213M and 1777211M_02 and any updated certificate issued if amendments are made.

AFFORDABLE HOUSING

- F13. A minimum of 23 dwellings within the Development must be used for the purpose of affordable housing in perpetuity as defined by the EP&A Act and *State Environmental Planning Policy (Housing) 2021*, complying with the following requirements:
- (a) the affordable housing component must be managed by a registered community housing provider; and
 - (b) notice of a change in the registered community housing provider who manages the affordable housing component must be given to the Registrar of Community Housing and the Consent Authority no later than 3 months after the change; and
 - (c) the registered community housing provider who manages the affordable housing component must apply the Affordable Housing Guidelines.
- F14. The Applicant (or others responsible for the management of the affordable housing apartments, such as the Community Housing Provider) must use best endeavours to ensure that the affordable housing units for each stage of the Development are at full occupancy and by 30 June of each year, must submit to the Planning Secretary and Council a report relating to the previous 12-month period as to:
- (a) the occupancy rate of the affordable housing units for that year; and
 - (b) compliance with the requirement in this condition to use best endeavours.

ADVISORY NOTES

- AN1. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, including external walls of all buildings and ventilation of premises, must be constructed in accordance with the relevant requirements of the NCC and applicable Australian Standards.
- AN2. The development consent is subject to, and the Applicant must comply with, the Prescribed Conditions.
- AN3. No condition of this consent overcomes any obligation on the Applicant to obtain, renew or comply with licences, permits, approvals, certifications and consents which may be required under law required to carry out the development. The Applicant is responsible for obtaining any such licences, permits, approvals, certifications and consents, licences, permits, approvals, certifications and consents may include but are not limited to:
- (c) modifications to this consent or other development consents required under the EP&A Act;
 - (d) certificates under Part 6 of the EP&A Act;
 - (e) approval under section 138 of the *Roads Act 1993* for activities and works including road occupancy, hoarding, scaffolding, barricades and other construction/building works requiring the use of a public place including a road or footpath;
 - (f) approvals for the installation of any hoardings over Council footways or road reserves;
 - (g) approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act); and
 - (h) approvals required under the *Sydney Water Act 1994*.
- AN4. The Applicant is responsible for ensuring that all agreements required to carry out the development are obtained from other authorities or other parties, as relevant.
- AN5. No condition of this consent removes any obligation on the Applicant to comply with laws, including but not limited to:
- (a) work health and safety laws;
 - (b) environmental laws including *Protection of the Environment Operations Act 1997* and its regulations;
 - (c) *Disability Discrimination Act 1992* (Cth);
 - (d) *Building and Construction Industry Long Service Payments Act 1986*;
 - (e) *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*;
 - (f) *Airports (Protection of Airspace) Regulations 1996*.
- AN6. The Housing and Productivity Contribution:
- (a) may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees; and
 - (b) is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the EP&A Act to the development, or the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* exempts the development from the contribution.
- AN7. The operation and maintenance of warm water systems and water-cooling systems (as defined under the *Public Health Act 2010*) must comply with the *Public Health Act 2010*, *Public Health Regulation 2012* the NSW Health Code of Practice for the Control of Legionnaires' Disease and applicable Australian Standards.

APPENDIX 1 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All Incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under Condition D33 or, having given such notification, subsequently forms the view that an Incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate Incident notification (in accordance with Condition D33), the Applicant is required to submit a subsequent Incident report that (in accordance with Condition D34):
 - (a) identifies how the Incident was detected;
 - (b) identifies when the Applicant became aware of the Incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the Incident;
 - (e) a summary of the Incident;
 - (f) outcomes of an Incident investigation, including identification of the cause of the Incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the Incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the Incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.