

**ATTACHMENT 1
PROPOSED CONDITIONS OF CONSENT**

GENERAL

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

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

Document Description	Date	Plan No/Reference
Cover sheet – Context Plan	10/09/14	DA00 Issue B
Basement 03 +02 plan	25/09/14	DA04 Issue B
Basement 01 Plan	25/09/14	DA05 Issue C
Ground Floor + L 1 plan	25/09/14	DA06 Issue D
L 2 & 3	10/09/14	DA07 Issue B
L4 & 5	10/09/14	DA08 Issue B
Roof Plan	10/09/14	DA09 Issue B
Elevations	25/09/14	DA10 Issue C
Elevations	10/09/14	DA11 Issue B
Section A-A	10/09/14	DA12 Issue B
Section B	10/09/14	DA13 Issue B
Landscape Plan	09/05/14	LS01-DA Issue A

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

- a. **Amended Landscaping Plan:** A revised Landscaping Plan is to be submitted and approved by Principal Certifying Authority prior to the issue of the Construction Certificate. The amended landscaping plan is to reflect the amended ground floor architectural plan (DA06 Issue D) including details of the Disabled Access lifts.
2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 540042M_03, dated 19 September 2014. Any architectural and/or fixture changes to the development will require the submission of a new BASIX certificate. Please note that modifications may require the submission of a Section 96 application in accordance with the Environmental Planning & Assessment Act.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

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

5. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”. Note: The glass frontage of the two shops along the street frontages and the southern elevation is not to be covered over with signage. Signage is not allowed to cover more than 25% of the glass wall.
6. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the shopfront. Separate approval must be obtained for any such works.
7. **Submission of Development Applications.** A separate Development Application is to be submitted to Council for the use of each of the retail areas, unless such use falls within “exempt and complying development”.
8. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
9. **Hoardings.** A hoarding or fence must be erected between the work site and any adjoining public place.
10. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
11. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
12. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
13. **Retaining Walls and Drainage** - If the soil conditions require it:
 - a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided.
 - b) adequate provision must be made for drainage.
14. **Redundant driveways.** The redundant driveways along Porter and Church Streets MUST be removed and replaced with Kerb and Gutter to match existing.

15. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements specified within Council's publication *Environmental Standards Development Criteria* and relevant Development Control Plans except otherwise as amended by conditions of this consent.
16. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
17. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
18. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.
19. **Engineering plans assessment and works inspection fees** – The applicant is to pay to Council for assessment of all engineering and public domain plans and works inspection fees, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.

DEMOLITION CONDITIONS

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

A Construction Certificate is not required for Demolition.

20. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
21. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
22. **Excavation**

- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
- (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

23. **Asbestos - Remediation of land following detailed site investigation** - The detailed site investigation report has identified asbestos on the land. The asbestos must be removed in accordance with NSW Workcover guidelines during demolition and clearing of the land.

A clearance certificate from a suitably qualified occupational hygienist verifying that the asbestos has been removed must be submitted to the Principal Certifying Authority before any further work commences.

24. **Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.

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

26. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

27. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan. Council's DCP 2010, Part 7.2 – Waste Minimisation and Management, sets out your obligations for waste management.

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

29. **Demolition Work.** In relation to demolition, all work is to be carried out in accordance with the requirements of AS 2601 (*The Demolition of Structures*).

30. **Security Fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height. Measures are to be taken to prevent unauthorized entries of the site at all times during demolition and construction.

31. **Dust Control.** Adequate precautions must be taken to control the emission of dust from the site during demolition and construction work. These precautions could include minimizing soil disturbance, use of water sprays, erecting screens and not carrying out dusty work during windy conditions.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

32. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate:**

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$148,667.70
Open Space & Recreation Facilities	\$356,059.16
Civic & Urban Improvements	\$127,518.96
Roads & Traffic Management Facilities	\$18,327.20
Cycleways	\$10,865.32
Stormwater Management Facilities	\$35,296.94
Plan Administration	\$2,928.60
The total contribution is	\$699,663.89

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

33. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
34. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: Other buildings with delivery of bricks or concrete or machine excavation)
35. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
36. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
37. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

38. **Road and rail noise/vibration.** The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

39. **Construction Works.** All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Church Street.
40. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. External glass to be non-reflective and have a maximum of 20% tint. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
41. **Design Verification in Respect of SEPP 65** - Prior to a Construction Certificate being issued with respect to this development, the Principal Certifying Authority (PCA) is to be provided with a written Design Verification from a qualified designer. The statement must include verification from the designer that the plans and specifications achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 143A of the Environmental Planning and Assessment Regulation 2000.
42. **Acoustical Assessment Report** -. The development is to incorporate all of the recommendations contained in Sections 5 & 6 of the DA Acoustical Report prepared by SLR Global Environmental Solutions dated 7 May 2014 with regards to glazing construction, external walls, roof/ceiling construction, external doors and mechanical ventilation. To ensure acceptable acoustic amenity within the development, the development is to be constructed in accordance with AS3674-1989 and AS3671-1987. Details of the measures to be undertaken as recommended in the Acoustic report are to be submitted to the Principal Certifying Authority prior to release of the **Construction Certificate**. Copy of the report by SLR Global Environmental Solutions is attached as Attachment 2 of the consent.
43. **Accessibility Report.** The development is to incorporate all of the recommendations on contained in the Accessibility Report prepared by BCA dated 2 May 2014. A copy of the Accessibility and DDA Report is attached as Attachment 3 of the consent.
44. **Arborist Report.** The development is to incorporate all of the recommendations/requirements contained in the Arboricultural Impact Appraisal and Method Statement Report by Victor John Molyneaux dated 28 August 2014. Details of the protections measures to be undertaken as recommended in the report are to be submitted to the Principal Certifying Authority prior to release of the **Construction Certificate**. No trees works are to be undertaken on any trees located on Hayes Reserve. A copy of the Arborist Report is attached as Attachment 4 of the consent.
45. **Adaptable Units.** A total of seven adaptable units are to be provided within the development. These apartments are to comply with the provisions of a Class A adaptable unit as specified in AS 4299. Details demonstrating compliance is to be provided on the Construction Certificate plans. Prior to the issue of the Construction

Certificate, a suitably qualified access consultant is to certify that the development achieves the spatial requirements of AS4299.

46. **Storage.** In addition to kitchen cupboards and bedroom wardrobes, units are to be provided with accessible storage facilities at the following rates:
- studio apartments - 6.0m³
 - one-bedroom apartments - 6.0m³
 - two-bedroom apartments - 8.0m³

The Construction Certificate plans are to demonstrate compliance with the above.

47. **Details of BASIX Commitments.** The Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.

48. **Energy Efficiency.** The retail component of the building must be in accordance with the City of Ryde's DCP in terms of energy efficiency and the following:

- (a) The total anticipated energy consumption for the base building is no greater than 450 Mega Joules / annum / metre square for commercial uses and 900MJ/am² for retail uses.
- (b) The use of electrical appliances such as dishwashers, refrigerators, freezers and washing machines are to be provided with a minimum star of 3.5.
- (c) The development is to incorporate energy-efficient lighting, motion detectors and dimmers.
- (d) AAA or AAAAA rated fittings and fixtures are to be used to ensure high levels of water efficiency. Where fittings cannot be AAA or AAAAA, self-regulating flow restrictors will be provided on the supplies to limit the discharges to levels equivalent to AAA ratings.

The Construction Certificate plans are to demonstrate compliance with the above.

49. **Arts and Cultural Plan.** Prior to the issue of any Construction Certificate, a site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be prepared by an arts and cultural planner and will be required to address the following:

- Identify opportunities for the integration of public art in the proposed development;
- Identify themes for public art;
- Durability, robustness and longevity of the public art; and
- Demonstrate how public art is incorporated in the site and built form design.
- The public art to be undertaken is to have a value of 1% as a guide of the estimated costs of the works as identified on the development application form. Details of the costings are to be provided within the Public Arts Plan.

50. **Location of Service Infrastructure / Utilities** - All service infrastructure/utilities including fire hydrants, gas meters and the like shall be located within the building envelope. No service ducts or pipes are to be visible from the street. Where this is not possible and subject to Council approval such infrastructure shall be located on

the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to issue of the **Construction Certificate**.

51. **Soil Depth over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision as contained in the Residential Flat Design Code. Information verifying that the development complies with these requirements is to be provided on the Construction Certificate plans.
52. **Driveway Grades.** The maximum grade of all internal driveways and vehicular ramps etc. shall comply with relevant section of AS 2890.1 & AS2890.2 where applicable. Detailed engineering plans including engineering certification indicating compliance with this condition are to be submitted with the Construction Certificate application.
53. **Disabled Car Parking.** Nine Disabled Car Parking spaces are to be provided within the development for people with a disability. Each of these spaces are to be clearly signposted as Disabled Parking with the width of these spaces being a minimum of 3.6 metres and a vertical clearance of 2.55 metres. One disabled parking space is to be allocated for retail use and one disabled space for visitor use. Seven disabled parking spaces are to be allocated for the residential component with a disabled parking space allocated to each of the adaptable unit.
54. **Bicycle Parking.** A minimum of 9 bicycle parking rails or lockers designed and installed in accordance with Australian Standard A52890.3, must be provided in a suitable location for the convenience of residents and visitors to the site.
55. **Boundary Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels. These levels shall be incorporated into the design of the internal driveway, carparking areas, landscaping and stormwater drainage plans and must be obtained prior to the issue of the construction certificate.
56. **Vehicle Footpath Crossing(s).** Concrete footpath crossings and associated gutter crossovers must be constructed fronting the approved vehicle access location(s). The crossing(s) must be constructed in plain reinforced concrete with location, design and construction shall conform to Council requirements and AS 2890.1 – 2004 (Offstreet Parking). Accordingly, prior to issue of Construction Certificate an application shall be made to Council's Public Works division for driveway crossing alignment levels. These issued levels are to be incorporated into the design of the driveway access and clearly delineate on plans submitted with the Construction Certificate application.
57. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).
58. **Stormwater Management.** To ensure that stormwater runoff from the development is drained in an appropriate manner, without impact to neighbouring properties and downstream systems, a detailed plan and certification of the development's stormwater management system must be submitted with the application for a Construction Certificate.

Stormwater runoff on the site shall be collected and piped by gravity flow to the kerb inlet pit in Church Street, generally in accordance with the plans by Engineering Studio (Refer to Project No. 11064 Dwgs C00.01 to C05.01 Rev A dated 9 May 2014).

The detailed plans, documentation and certification of the system must be prepared by a chartered civil engineer with NPER registration with Engineers Australia and comply with the following;

- The certification must state that the submitted design (including any associated components such as pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of City of Ryde – DCP 2010 Part 8.2 (Stormwater Management).
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

59. **Stormwater Management – Connection to inground drainage system.** The connection to the inground stormwater drainage infrastructure located in Church Street will require approval under Section 138 of the Roads Act prior to the issue of a Construction Certificate. The requirements of the RMS are to be satisfied and will likely entail detailed engineering plans to be submitted with the application.

60. **Geotechnical – Design certification and monitoring program.** The proposed development involves excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To address this, the applicant must engage a suitably qualified and practicing geotechnical engineer to oversee the design and construction of all subsurface structures associated with the development.

This engineer is to prepare a Geotechnical Monitoring Program (GMP) for implementation during the construction. The GMP must address the following requirements and any other geotechnical aspects of the development identified which pose a risk to adjoining property that may arise through further subsurface investigation;

- a) Certification that the civil and structural details of all subsurface structures are designed to provide appropriate support and retention, to ensure there will be no ground settlement or movement, during excavation or after construction, sufficient to cause an adverse impact to adjoining property or public infrastructure.
- b) A Geotechnical Report and Monitoring Program to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;

- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

The GMP is to be submitted for the approval of the Accredited Certifier prior to the issue of the Construction Certificate.

61. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work, namely “Hayes Reserve” adjoining the southern side of site, No. 11 Porter Street and 113 Church Street. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of the Construction Certificate.
62. **Dilapidation Survey – Public Infrastructure.** To clarify any claims of damage to public infrastructure of the proposed development, that may arise during construction of the development, a dilapidation report of existing public infrastructure fronting the proposed development and in the vicinity of the proposed development must be undertaken. The report is to note observable defects, including a description of the location, nature of the defect and a photographic record. The report is to encompass damage to any of the following infrastructure.
- Road pavement
 - Kerb and gutter
 - Constructed footpath.
 - Drainage pits.
 - Traffic signs
 - Any other relevant infrastructure

The report must be submitted to Council’s Public Works prior to the issue of the construction certificate and with another similar report submitted at completion and prior to issue of Occupation Certificate. The reports shall be used by council to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

63. **Construction Traffic Management Plan - Approval.** As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of Construction Certificate. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain

in the vicinity of the site are not permitted unless approved by Council's Public Works.

- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site, west of Church Street to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and supplied to Council.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS's Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities).

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and is to be paid at the time that the Traffic Management Plan is submitted.

64. **SIDRA Analysis.** A copy of all electronic SIDRA analysis data shall be provided to Council's Traffic Engineer prior to the issue of the Construction Certificate. This shall include all input data sheets and all digital files.
65. **Signage and Line Marking.** A signage and road line marking plan is to be submitted to and approved by Council's Public Works (Traffic Engineer) prior to the issue of a Construction Certificate. The signage and line marking plan is to identify all parking restrictions around the site and any road pavement line markings associated with the site and the road widening. As recycling bins will be required to be presented on the kerbside an area needs to be allocated for ease of access to the bins, therefore “No Stopping” signs along the property's frontage of Porter Street for garbage collection days between the hours of 5.00am & 11.00am will be required to be implemented. The signage plan is to include details of the “No Stopping” sign/s and the plan submitted to Council's Public Works for approval by the Ryde Traffic Committee.
66. **Public Domain Works – Council Approval.** The Public Domain is to be upgraded in Porter Street and Church Street frontages of the development in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank. The following works must be undertaken in association with the development, completed prior to the issue of any Occupation Certificate and at no cost to Council;

- a) The widening of the Porter Street carriageway fronting the site and corresponding realignment of the kerb, gutter and footpath to suit, as detailed below.
- b) Construction of new kerb and gutter along the Porter Street and Church Street frontages of the site. The new kerb and gutter along Porter Street shall be constructed at an alignment 3.5m from the new property boundary. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Porter Street and Church Street.
- c) Infill of road pavement between the new kerb pavement and existing road pavement.
- d) Construction of granite footway in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank, along the Porter Street and Church Street frontages of the site.
- e) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to council and their requirements being fully complied with.
- f) The installation of parking and traffic control signs. A separate plan is required for the proposed parking and traffic control sign layout. This aspect is subject to Councils consideration and Local Traffic Committee.
- g) All telecommunication and utility services are to be placed underground along the Porter Street and Church Street frontages. Plans prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network are to be submitted to Council and relevant utility authorities for approval prior to commencement of work.
- h) New street lighting serviced by metered underground power and on multifunction poles (MFP) shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting vehicular luminance category V5 and pedestrian luminance category P2 along Porter Street, and categories V3 and P2 along Church Street. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank. The consultant shall liaise with Council' Public Works Group in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter box. Plans are to be submitted to Council for approval prior to lodgement of the scheme with Ausgrid for their approval.
- i) Landscaping and street furniture along the frontages of Porter Street and Church Street are to be provided in accordance with the City of Ryde Public Domain Technical Manual. Plans are to be submitted to Council for approval prior to issue of Construction Certificate.

Detailed engineering plans detailing these works prepared by a Chartered Civil Engineer (with NPER registration with Engineers Australia) must be submitted to Council for approval. The plans must be in accordance with Council's DCP 2014 – Part 8.5 Public Civil Works, Part 8.2 Stormwater Management and any requirements identified during the detailed assessment by Council. Levels and grades are to be consistent in terms of level and grade with the adjoining sections of existing pavement. This should be verified on the plans to be submitted.

The approval of the Public Domain engineering plans and payment of any Council inspection fees (in accordance with Council's Plan of Management) must be finalised prior to the issue of a Construction Certificate.

67. **Vehicle Footpath Crossings.** Footpath crossings shall be constructed at all locations where vehicles cross the footpath, to protect it from damage resulting from the vehicular traffic. The location, design and construction shall conform to Ryde Environmental Standards - Development Criteria Section 4 - Public Civil Works, and all relevant Australian Codes and Standards. Crossings are to be constructed to match the granite paving and finished levels shall conform to property alignment levels issued by Council's Public Works Division. Kerbs shall not be returned to the boundary alignment line.

The applicant shall provide Council with certification from a Chartered Civil Engineer (with NPER registration with Engineers Australia) confirming that the vehicle crossing design meets Council requirements and the relevant standards.

68. **Construction of garbage and recycling rooms.** All garbage and recycling rooms must be constructed in accordance with the following requirements:

- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
- (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
- (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.

Details of the waste collection areas and hard waste collection bay are to be submitted to the Principal Certifying Authority for approval prior to issue of a Construction Certificate.

69. **Ventilation:** Ventilation are to be in accordance with the following requirements:

- Fresh air intake vents - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
- Exhaust air discharge vents - All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.
- Carpark exhaust vent - The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
 - (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

Details of the proposed ventilations are to be submitted to the Principal Certifying Authority for approval prior to issue of a Construction Certificate.

70. **Connection to Sewer: Evidence of connection by gravity flow** - Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the Construction Certificate.

71. **Mechanical ventilation.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted for approval with the application for the Construction Certificate. Such details must include:

- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems; and
- (b) A design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and the conditions of this Consent.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

72. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

73. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

74. Footpath Works. The applicant shall, at no cost to Council, excavate and/or fill the footpath adjacent to the subject property so the levels of the footpath comply with the levels specified by Council's Engineering Public Works. All work which is necessary to join the new footpath levels with the levels in front of the adjoining properties in a satisfactory manner shall be carried out by the applicant. The cost of reconstructing footpath paving or adjusting any services that may be affected shall be borne by the applicant.

75. Footpath Paving Construction. The applicant shall, at no cost to Council, construct standard concrete footpath paving across the frontage of the property. Levels of the footpath paving shall conform with levels issued by Council's Engineering Services Division.

76. Full Width Footpath Paving Construction. The applicant shall, at no cost to Council, construct full width concrete paving across the full frontage of the property. Levels of the footpath paving shall conform with levels issued by Council's Public Works Division.

77. Property above/below Footpath Level. Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.

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

DURING CONSTRUCTION

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

79. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
80. **Construction noise.** The L_{10} noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
81. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
82. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
83. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- Fill is allowed under this consent;
 - The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - the material is reused only to the extent that fill is allowed by the consent.
84. **Construction materials.** All materials associated with construction must be retained within the site.
85. **Site Facilities**
The following facilities must be provided on the site:
- toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - a garbage receptacle for food scraps and papers, with a tight fitting lid.
86. **Site maintenance**
The applicant must ensure that:
- approved sediment and erosion control measures are installed and maintained during the construction period;
 - building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - the site is clear of waste and debris at the completion of the works.

87. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
88. **Tree protection** – Trees 5,12 & 13 as mentioned in the Arborist Report by Horticultural Resources Consulting Group are to be retained and protected. The trees which are shown on the approved plans as being retained must be protected against damage during construction. Tree protection measures are to be put in place as required. Tree 5 is located on the adjoining property and a separate approval is required to be obtained for the removal of this tree.
89. **Project Arborist** - A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments and that recommendations contained within Arboricultural Impact Appraisal and Method Statement dated 13.01.2014 prepared by Naturally Trees are carried out. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction. Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
90. **No unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or otherwise necessary as a result of construction works approved by this consent. The trees that are shown to be removed are to be removed in accordance with NSW WorkCover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 2 qualifications. No tree removal or landscaping works are to be undertaken within Hayes Reserve.
91. **CCTV Surveillance.** Surveillance cameras must be installed in and around the property to maximise surveillance opportunities. CCTV should be used throughout the retail complex and communal areas such as lobbies, lifts etc., and paying particular attention to the internal area of the communal plaza especially entry and exit points. CCTV should also be used around the loading dock area and car park entry and exit points. CCTV should be placed on the external area of the building capturing the area outside the retail and communal areas.

Digital technology should be used to record images from the cameras. Installed surveillance equipment needs to be able to zoom in on a person without loss of focus. Recording equipment should be installed in a secure area to avoid tampering.

Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested.

Management must ensure that the requirements of the Surveillance and Privacy Act are adhered to.

92. **Lighting.** Lighting shall be provided to the buildings' entrances, all common areas including underawning lighting, the car parking levels as well as the stairs and access to and including the public outdoor courtyard, communal gardens and the bin storage rooms. Such lighting to be automatically controlled by time clocks, and where appropriate, sensors to provide an energy efficient and controlled environment for residents. Lighting, both internal and external, will be provided in accordance with Australian Standards. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
93. **Signage** - Signage must be provided at:
 - entry/exit points, buildings entrance and throughout the development to assist users and warn intruders that they will be prosecuted.
Warning: these premises are under constant surveillance.
Warning: trespassers will be prosecuted.
 - Signage needs to be provided within the residential car park and the retail car park where spaces are allocated for residential visitors, to provide way finding to users of these areas.
 - Signage also needs to be provided on the fire exit doors warning users that the doors are to be used for emergency purposed only.
94. **Security Signs** - Signs should be erected in the car parks and near entry and exit points which details security measures and reminds people to lock their vehicles and remove valuables from their vehicles.
95. **Graffiti** - All surfaces on the street frontages that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti.
96. **Intercom Facility** - The entry to the car park should have a ticket/boom gate system. Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.
97. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
98. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Engineering Studio (Refer to Project No. 11064 Dwgs C02.01 Rev A dated 9 May 2014) at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the

above referenced document. {To be utilised for lightweight development only, posing little risk to downstream property}

99. **Geotechnical – Implementation of geotechnical monitoring.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining lots before excavation works commence.
100. **Construction Traffic Management Plan – Compliance.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval with any associated fees. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
101. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Engineering Studio (Refer to Project No. 11064 Dwgs C00.01 to C05.01 Rev A dated 9 May 2014) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements in relation to connection to the trunk drainage system.
102. **Study.** The study area within Unit 6 of Building A is to be provided with the internal joinery for the construction of a desk and storage areas. At no time is the study to be used as a bedroom.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

103. **Porter Street Road Widening.** Dedication of a 2.0m strip of land to Council for public road along the Porter Street frontage of the site will be required. The

dedication shall occur prior to the issue of any Occupation Certificate and the associated administrative and registration costs where applicable, shall be borne by the Applicant.

104. **BASIX** - The submission of documentary evidence of compliance with all commitments listed in. NOTE: Certificates from suitably qualified persons are to be submitted to the Principal Certifying Authority (*if Council is the PCA*) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.
105. **Landscaping**- All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**. The Landscape Architect is to provide a practical completion certificate (on completion of the landscape works) and a final completion certificate at the end of the maintenance period.
106. **Certification**. A Tree Protection Schedule, as indicated below, which provides a logical sequence of hold points for the various development stages including pre construction, construction and post construction and a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to the City of Ryde Council on completion of the project.

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1.	Indicate clearly (with spray paint on trunks) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2.	Establishment of tree protection fencing	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3.	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4.	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5.	Final inspection of trees by project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

107. **Design Verification**. Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with design verification from a qualified designer. The statement must include verification from the qualified designer that the residential flat development achieves the design quality of the development as shown on plans and specifications in respect of any Construction Certificate issued,

having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the Environmental Planning and Assessment Regulation 2000.

108. **Disabled Access.** Prior to the issue of an Occupation Certificate a report is to be provided from a suitably qualified access consultant to confirm that the development complies with the Disability Access to Premises Standards Buildings – 2010, the Building Code of Australia 2014, AS 1428.1-2009, AS/NZS 2890.6-2009 and AS 4299-1995 as outlined in Annexure A of the Accessibility Report prepared by BCA dated 2 May 2014.
109. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

110. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of the **Occupation Certificate**.
111. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

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

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

112. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to

Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of the **Occupation Certificate**.

113. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
114. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to Section 88 E of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention and pump/ sump components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the 88 E instrument are to be in accordance with the Council's draft terms for these systems as specified in City of Ryde DCP 2010 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of the Occupation Certificate for that title.
115. **Compliance Certificates – Engineering.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
 - a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and the City of Ryde DCP 2010, Part 9.3 “Car Parking”.
 - b) Confirming that the sites Stormwater Management system (including any ancillary components such as onsite detention) servicing the development complies with the City of Ryde DCP 2010, Part 8.2, “Stormwater Management” and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including the on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code) and the relevant sections of the City of Ryde DCP 2010, Part 8.2 “ Stormwater Management” and associated annexure.
 - e) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance the City of Ryde DCP 2010, Part 8.2 “Stormwater Management” and associated annexure.
 - f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual

“Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage and the City of Ryde DCP 2010, Part 8.1 “Construction Activities”.

- g) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway approved for use by the relevant Roads Authority, have been de-stressed and are no longer providing any structural support.
- h) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- i) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

116. **On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with City of Ryde, Development Control Plan 2010: - Part 8.2; Stormwater Management. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

117. **Public domain – work as executed plan.** A works-as-executed plan for works carried out in the public domain must be provided to Council and endorsed by Council, as the Road Authority, prior to the issue of the Occupation Certificate. All public domain works are to be completed to Council's satisfaction prior to the issue of the Occupation Certificate.

118. **Waste Collection.** Where waste collection vehicles are required to enter the property to service the waste containers, the property owner must indemnify Council and its contractor against claims for damage to the driveways, manoeuvring areas and within the basement levels. This must be provided in writing to Council's Waste Co-ordinator before the issue of the Occupation Certificate.

119. **Certification of mechanical ventilation work** - Where any mechanical ventilation systems have been installed or altered, an installation certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.

OPERATIONAL CONDITIONS

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

120. **Car Parking and allocation-** A maximum of 91 car parking is to be provided on site with the breakdown of the parking spaces as follows:

- 8 x Retail spaces

- 71 x Residential spaces
- 12 x Visitors' spaces

121. **Graffiti Control.** Graffiti should be removed and cleaned within 48 hours. This is considered the most effective strategy for the reduction and deterrence of graffiti.
122. **Operation for the Commercial/retail uses.** Retail premises must limit any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places. Furthermore to ensure that the residential amenity of the nearby residential apartments are not adversely impacted on, the hours of operation for the commercial uses are to be restricted between the hours of 7.00am and 7.00pm Monday to Sunday. Any extension beyond these hours would require the approval of Council.
123. **Waste Containers.** An adequate number of suitable waste containers must be provided on the premises for the storage of all wastes generated on the premises between collections.
124. **Waste Management.** All wastes generated on the premises must be stored, collected and disposed of in an environmentally acceptable manner. All waste storage areas, including any collection areas, must be maintained in a clean and tidy condition at all times. The hard waste collection is to be stored in the hard waste storage area on the ground floor and is not to be left on the kerbside.
125. **Hours of Collection.** The recycling bins which are to be presented to Porter Street for collection the night before and management is to ensure that the recycling bins/ container are returned to the garbage room(s) as soon as possible after servicing.
126. **Commercial Waste.** The commercial waste collection are to be collected within the building however if this is not possible where the collection occurs outside of the property, collection times should be restricted to between 6am-10pm to minimise night time disturbance to residents and neighbouring premises.
127. **Offensive noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
128. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand

Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors.*

(c) The transmission of vibration to any place of different occupancy.

129. **Council may require acoustical consultant's report** - Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.
130. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
131. **Waste collection point for commercial waste** - The commercial waste must be collected from inside the building.

Advisory

Use of the retail space for Food Premises:

Food Premises - Construction and fit-out of food premises – All proposed food premises (other than retail meat premises) must be constructed and fitted-out in accordance with the requirements of:

- (a) Food Safety Standard 3.2.3: *Food Premises and Equipment*; and
- (b) Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises.*

The walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials and adequate provision must be made for the installation of kitchen exhaust systems for any proposed food premises.

Kitchen Ventilation - The kitchen exhaust vent must be located above roof level:

- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening;
- (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary; and
- (c) at least 8 metres from any cooling tower.

Plumbing and Drainage: Installation of grease trap – For any food premises, a grease trap must be installed if required by Sydney Water Corporation. The applicant is to contact Sydney Water Corporation to ascertain if a grease trap is required. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.

Provision of Installation of Kitchen Exhaust - Adequate provision must be made for the installation of kitchen exhaust systems in any future food shops.

Trade waste permit - The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.