

## 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
Architectural Plans	29/05/14	S.DA200A, S.DA252A, S.DA300A, S.DA301A, S.DA302A, S.DA303A, A.DA130A, B.DA130A, C.DA130A, D.DA130A, E.DA130A, T.DA010B, T.DA110B, T.DA121B, T.DA200B, T.DA210B, T.DA310B, T.DA311B
	06/08/14	S.DA021B
	15/08/14	S.DA251B
	03/09/14	S.DA010B, S.DA091C, S.DA092B, S.DA093A, S.DA101C, S.DA102C, S.DA103C, S.DA104C, S.DA105C, S.DA106C, S.DA107C, S.DA108C, S.DA120B, S.DA201B, S.DA250B
	08/10/14	S.DA020E, T.DA100E, T.DA120D, T.DA300D, T.DA301D
Stormwater Concept Plans	22/09/14	SC02C, SC03C, SC04C, SC05F, SC06C, SC07B, SC08B, SC09B, SC10B, SC11B, SC12B, SC13B, SC14D, SC15D, SC16D
Landscaping Plans	22/09/14	DA100K, DA101K
	23/04/14	DA102K
	30/04/14	DA104A

The works may be carried out in the following stages:

- Early works: piling, shoring, bulk and detail excavation plus slab on ground.
- Stage 1: Construction of apartment buildings A and E (total of 201 dwellings), all basement car parking, and restoration of Tellaraga House.
- Stage 2: Construction of apartment buildings B, C and D (total of 215 dwellings).

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.

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3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 512768M, dated 8 May 2014.
  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. **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.
  6. **Hoardings.**
    - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
    - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
  7. **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.
  8. **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.
  9. **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.
  10. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
  11. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
  12. **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.
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13. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
14. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities 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.
15. **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.
16. **Parking/bicycle Spaces.** Four hundred and seventy eight (478) parking spaces are to be provided, with four hundred & eighteen (418) spaces for residents and sixty (60) for visitor parking. The car parking spaces are to be clearly line marked with the visitor spaces clearly marked "Visitor Parking". Twenty seven (27) motorcycle spaces and one hundred and forty eight (148) bicycle spaces are also to be provided within the development. Details demonstrating compliance are to be shown on the Construction Certificate plans.
17. **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.

### **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.

18. **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:

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<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$1,025,003.43
Open Space & Recreation Facilities	\$2,523,344.53
Civic & Urban Improvements	\$858,240.34
Roads & Traffic Management Facilities	\$117,071.06
Cycleways	\$73,124.30
Stormwater Management Facilities	\$232,434.54
Plan Administration	\$19,718.35
<b>The total contribution is</b>	<b>\$4,848,936.56</b>

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>.

19. **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.
20. **Colour Schedule and sample board.** The Colour Schedule and sample board for the entire development is to be submitted to the Heritage Officer at Council for approval in writing, prior to release of any Construction Certificate for Stage 1. The colour scheme is to be in accordance with the recommendations within the book 'Colour Schemes for Old Australian Houses' by Evans, Lucas, Stapleton.
21. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the Construction Certificate.
22. **Arts and Cultural Plan.** Prior to the issue of any Construction Certificate for Stage 1, 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

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- 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.

23. **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 any 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.

24. **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 any Construction Certificate. (category: other buildings with delivery of bricks or concrete or machine excavation)

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25. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of any Construction Certificate:
- (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
26. **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 any Construction Certificate.
27. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely No. 2-4 Porter Street and 80 Belmore Street, Meadowbank. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of any Construction Certificate for the early works.
28. **Road and rail noise and vibration criteria for sensitive developments.** The buildings must be designed and constructed so that the road traffic noise levels and the rail noise and vibration levels inside the building(s) comply with the criteria specified in *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008).
- If the airborne noise level with windows and doors open exceeds the above noise criteria by more than 10dBA, an approved system of mechanical ventilation must be provided so that the building occupants can leave the windows and doors closed.
- Verification is to be submitted with the Construction Certificate by an appropriately qualified person that the Construction Certificate plans will meet this requirement.
29. **Public domain.** The public domain is to be upgraded in Porter Street, Junction Street and Belmore Street frontages of the development site, unless varied by the requirements (a) & (b) of this condition, in accordance with the City of Ryde Public Domain Technical Manual Section 5 - Meadowbank. This work is to include but not be limited to paving, multifunction light poles, street furniture and plantings. A Public Domain plan is to be submitted to Council for approval by Council, as the Road Authority, prior to the issue of any Construction Certificate for Stage 1.
- (a) All telecommunication and utility services are to be placed underground along the Porter Street, Junction Street and Belmore Street frontages of the site. 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.
  - (b) 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, with vehicular luminance category V5 and pedestrian luminance category P2. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank. Plans are to be submitted to Council for approval prior to lodgement of the

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scheme with Ausgrid for their approval. Prior to submission of the plans to Council liaison with Council's Public Works Group is advisable so as to obtain Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter box.

30. **Public Infrastructure Works.** Engineering drawings prepared by a Chartered Civil Engineer (with NPER registration with Engineers Australia) are to be submitted to Council for approval prior to issue of any Construction Certificate for Stage 1. The works shall be in accordance with Ryde Environmental Standards - Development Criteria Section 4 - Public Civil Works, and DCP 2010 Part 8.2 - Stormwater Management and must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate.

The drawings shall include plans, sections, existing and finished levels, new property alignment, and other relevant details for the following works:

- (a) The removal of all redundant vehicular crossings and the construction of new kerb and gutter along the Porter Street, Junction Street and Belmore Street frontages of the site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Porter Street and Belmore Street.
- (b) The extent of road pavement reconstruction along the Porter Street, Junction Street and Belmore Street frontages of the site.
- (c) Construction of granite footway across the entire footway area along the Porter Street, Junction Street and Belmore Street frontages of the site in accordance with the City of Ryde Public Domain Technical Manual Section 5 – Meadowbank.
- (d) 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.
- (e) Any adjustment to the existing bus stop in Belmore Street. Such work is to be undertaken in accordance with the requirements of the Disability Standards for Accessible Public Transport 2002.
- (f) Engineering details of the reconstruction of the kerb inlet pit and drainage line, at the point of discharge from the site to Council's inground drainage infrastructure located in Belmore Road. These works are to be generally in accordance with the scope of works shown on the approved drainage plans, subject to variation approved by Council arising from a detailed investigation in the preparation of the plans. Plan details and works must be in accordance with Council's DCP 2014 - Part 8.5 (Public Civil Works).

31. **Landscape Plan.** A detailed landscape is to be submitted with the Construction Certificate for Stage 1 for Council's approval. This plan is to include but not be limited to the following:
- Resolution of all external levels and access;
  - Streetscape treatment;
  - Pedestrian and vehicle entry treatments;
  - Consideration of visual impacts mitigation and screening;
  - All landscape areas and their proposed treatment (mass planting beds, paving, lawn etc), planting arrangement, planting schedule, pot size, planting and staking details;

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- Drainage, waterproofing and irrigation recommendations for any podium planters;
- Soil type selections for any podium planters;
- Fencing types, heights and locations;
- Sections and elevations of important features;
- Seating is to be provided within the communal open space area.

32. **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 the finished levels shall conform to property alignment levels issued by Council's Public Works Group. Kerbs shall not be returned to the boundary alignment line.

Prior to issue of any Construction Certificate for Stage 1, 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.

33. **Boundary Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued by Council, site specific boundary alignment levels prior to the issue of any Construction Certificate for Stage 1. The application would need to be accompanied by engineering plans of any civil works along the frontage of the development site. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.

34. **Traffic Signal System – Service driveway.** To prevent conflicting traffic flows on the service vehicle access ramp, a traffic signal system must be implemented to warn approaching service vehicles of a vehicle exiting the basement garage. The signal must be clearly visible from the roadway to both pedestrians and vehicles approaching the entrance and default to a green signal to entering traffic.

Details of the system, including components, system operation and placement within the development must be submitted to the Accredited Certifier prior to the issue of the Final Building Certificate.

35. **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).

With respect to this, the following revisions must be undertaken;

- a) Sight distances between conflicting traffic flows at access ramp entry and exit points are to be maximised by reducing the extent of structural elements along the side of the ramp to a single column in lieu of a solid wall as depicted on the architectural plans.
- b) All driveway access ramps must comply with the boundary alignment levels issued by Council and the gutter/ footpath crossover is to fall back to the roadway. The proposed driveway ramp extension beyond the boundary



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alignment does not comply with this and must be revised on the plans to be submitted with the application for a Construction Certificate.

These amendment(s) must be clearly marked on the plans submitted with the application for a Construction Certificate.

36. **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 from the development shall be collected and piped by gravity flow to Councils inground drainage infrastructure in Belmore Road, generally in accordance with the approved plans by Neil Lowrey & Associates Pty Ltd. (Refer to Project No. 0698 – Sheets SC01 – SC16 dated 22 September 2014).

The detailed plans, documentation and certification of the system must be prepared by a chartered civil engineer 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 2014 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.
- The subsurface drainage system must be designed to generally preserve the pre-developed groundwater table as well as prevent constant, ongoing discharge of groundwater to the public drainage network as well as avoid impacts such as foundation consolidation that may result from dewatering practises.

37. Deleted.

38. **Geotechnical – Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Civil or Structural Engineer specialising in geotechnical and the hydrogeological field to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
- provide appropriate support and retention to neighbouring property;
  - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the

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- excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure; and,
  - ensure that the treatment and drainage of groundwater will be undertaken in a manner which generally maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- 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, including groundwater;
  - 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 certification and the GMP is to be submitted for the approval of the Accredited Certifier prior to the issue of the Construction Certificate.

39. **Remediation of Land.** The land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

**No Construction Certificate is to be issued for Stage 1 until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.**

40. **Remediation Work.** Any required remediation work must be carried out in accordance with:
- (a) *State Environmental Planning Policy No. 55 - Remediation of Land*;
  - (b) any relevant guidelines published under the *Contaminated Land Management Act 1997*; and
  - (c) any council policy or development control plan relating to the remediation of land.

41. **Notice of remediation work.** Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.

42. **Site Audit Statement.** If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the *Contaminated Land Management Act 1997* must be submitted to Council verifying the information contained in the site validation report.

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43. **Mechanical Ventilation Details.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the Construction Certificate. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
  - (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
  - (c) A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications.
44. **Evidence of sewer 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.
45. **Plumbing and Drainage.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
46. **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](http://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.
47. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
48. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic DA Assessment Report prepared by Koikas Acoustics Pty Ltd dated 13 June 2014. Details demonstrating compliance are to be submitted on the Construction Certificate plans.

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49. **Fencing.** Fencing is to be in accordance with Council's Development Control Plan and details of compliance are to be provided in the plans for the Construction Certificate.
50. **Courtyard walls.** Walls between adjacent private courtyards shall be a minimum of 1.8m in height. Details demonstrating compliance are to be submitted on the Construction Certificate plans.
51. **Disabled access.** Prior to the issue of a Construction Certificate, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the PCA and Council (if Council is not the PCA).
52. **Adaptable Units.** A total of forty two (42) adaptable apartments are to be provided within the development. These apartments are to comply with all of the spatial requirements as outlined in DCP 2010 Part 9.2 and AS4299. 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 DCP 2010 Part 9.2 and AS4299.
53. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a qualified designer. This statement must include verification from the designer that the plans and specification 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 143 of the *Environmental Planning and Assessment Regulation 2000*.
54. **Service infrastructure/utilities.** Unless specifically shown on the approved architectural plans, all service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval, such infrastructure shall be located on the subject site and appropriately screened from view. Electrical substations specifically shown on the approved architectural plans should also include appropriate screening where possible. Details of all service infrastructure/utilities are to be approved prior to the issue of the Construction Certificate.
55. **Vehicular entry.** The vehicular entries are to have high quality finishes and detailing to the walls and ceiling. No service ducts or pipes are to be provided within the vehicular entry. Details demonstrating compliance is to be submitted on the Construction Certificate plans for Stage 1.
56. **Storage.** Internal storage areas for each residential unit are to be provided generally in accordance with the Internal Storage Schedule submitted with the development application (drawing number S.DA940A dated 29/5/14). Details demonstrating compliance is to be submitted on the Construction Certificate plans.

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57. **Studies.** All studies within the development are to be provided with the internal joinery for the construction of a desk and storage areas. Details demonstrating compliance is to be submitted on the Construction Certificate plans.
58. **BASIX Details to be included on the Construction Certificate.** The Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
59. **Soil Depth over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Residential Flat Design Code. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.
60. **Retaining Walls.** Retaining walls should be a maximum of 900mm high. Where necessary retaining walls should be tiered to suit level changes to reduce potential fall risks and ensure that additional barrier fencing is not required. All fencing or balustrades on top of retaining walls which are higher than 1m is to be a minimum of 1m high in accordance with the Building Code of Australia. Details of the retaining walls are to be provided prior to issue of the Construction Certificate.
61. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the Construction Certificate for Stage 1. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
62. **Conservation Management Plan.** The Conservation Management Plan shall be updated to include reference to the significant boulevard of trees along Belmore Street. A copy of the updated plan must be submitted to, and approved by, Council prior to issue of any Construction Certificate for Stage 1.
63. **Waste Management – Recycling bins.** Prior to issue of any Construction Certificate for Stage 1, a plan is to be submitted to and approved by Council, defining how the recycling bins can be moved around to enable access to the bins at the back. It is recommended that the provision of small crates either on each floor, or in the bins storage room, for residents to dispose of recycling, be investigated. These could then be transferred into 660L recycle bins and reduce the number of recycle bins required.
64. **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;

## **Conditions of Consent for LDA2014/0258 :-**

- (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 with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details demonstrating compliance is to be submitted on the Construction Certificate plans for Stage 1.

65. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by NSW Department – Office of Environment and Heritage and must contain the following information;
- Existing and final contours
  - The location of all earthworks, including roads, areas of cut and fill
  - Location of all impervious areas
  - Location and design criteria of erosion and sediment control structures,
  - Location and description of existing vegetation
  - Site access point/s and means of limiting material leaving the site
  - Location of proposed vegetated buffer strips
  - Location of critical areas (drainage lines, water bodies and unstable slopes)
  - Location of stockpiles
  - Means of diversion of uncontaminated upper catchment around disturbed areas
  - Procedures for maintenance of erosion and sediment controls
  - Details for any staging of works
  - Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

## **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

## **Conditions of Consent for LDA2014/0258 :-**

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.

**66. 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.

**67. 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.

**68. Photographic Archival.** A Photographic Archival recording is to be undertaken of Tellaraga House and the grounds (i.e. reduced heritage curtilage) in accordance with the NSW Heritage Division guidelines. Three copies of this report must be submitted to the Heritage Officer at Council and it must be approved in writing by Council, prior to any construction/conservation works occurring on the subject site.

**69. Excavation and Piling Plan.** An excavation and piling plan is required to show the extent and depth of excavation and method adjacent to the reduced heritage curtilage. The plan must be submitted to Council and approved in writing prior to any excavation works commencing on-site.

Any works proposed to the original fabric (internal or external) must comply with the 'How to Carry Out Work on Heritage Buildings and Sites' policy from the NSW Heritage Branch (previously NSW Heritage Office).

**70. Protection Zones.** All protection zones must be erected in the locations as shown on drawing S.DA021B (06/08/14) prior to the commencement of construction. All protection zone fencing (being Zones 1-6) must consist of a hoarding or chain wire fencing to a minimum height of 1.8 m with a jersey kerb base. This must be around the entire perimeter of the reduced heritage curtilage to minimize potential damage from trucks movements around the subject site.

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The above information is to be listed on a detailed hoarding plan that correlates to the nominated Protection Zones and shows protection measures of the heritage significance throughout the site. This must be submitted to the Principal Certifying Authority and approved in writing prior to any works commencing on-site.

71. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
72. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1985* and City of Ryde, Development Control Plan 2010: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

Accordingly, a detailed plan of traffic management prepared by a traffic engineer, including certification, indicating compliance are to be submitted with the Construction Certificate application.

73. **Ground Anchors.** The installation of permanent ground anchors into the 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.

74. **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.
75. **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*.
76. **Heritage conservation works.** All heritage conservation works to Tellaraga House or the items located within the 'reduced heritage curtilage' must be undertaken in accordance with the recommendations within the:
- (a) Conservation Management Plan prepared by NBRS dated 18 June 2014.
  - (b) Schedule of Heritage Conservation Works (rev.B) prepared by Nordon - Jago Architects dated 2 October 2014.



## **Conditions of Consent for LDA2014/0258 :-**

(c) Heritage Curtilage Report prepared by NBRS dated March 2011.

Where new fixtures and fittings are required to replace old and outdated fabric as recommended under the Schedule of Heritage Conservation Works, the heritage consultant is to be involved in the decision making and this must be documented in the 8 weekly status reports to be submitted to Council (refer to condition no.82).

In the event that there is any inconsistency between the approved documentation/ plans and the Conditions of Consent, the Conditions of Consent (Notice of Determination) prevail.

77. **Induction.** All contractors must attend a heritage induction familiarizing themselves with the historical significance and heritage curtilage of the subject site and why certain items and areas are being protected during demolition works.

Details on the induction must be submitted to Council for approved in writing prior to any works commencing on-site.

78. **Removal of nib walls adjoining Tellaraga House.** An NBRS Consultant must be on-site when removing the nib walls of Building 18 and Building 19 adjoining Tellaraga House as a watching brief.
79. **Damage to Tellaraga House.** Any structural and or cosmetic damage that may occur to Tellaraga House as an outcome of the demolition or construction process will be responsible to the land owner and builder. It will be expected that any damage and associated costs are their responsibility. If for any reason an unforeseen accident occurs to Tellaraga House, works on-site must cease immediately and both Council and the Heritage Consultant is to be contacted and a meeting organized immediately.
80. **Use of Belmore Street entry.** No trucks or large heavy machinery are permitted to enter or leave the site through the protected gateposts on Belmore Street.
81. **Circular driveway and turning circle outside Tellaraga House.** The circular driveway and turning circle outside Tellaraga House is to remain clear of any stored or demolition/constuction material at all times.
82. **Heritage status report.** Every 8 weeks a heritage status report must be prepared by the Heritage Consultant and submitted to the Heritage Officer at Council detailing the extent of the conservation works and status of the project in relation to any works within the 'reduced heritage curtilage' area.
83. **Stop Work Provisions.** As required by the NSW National Parks and Wildlife Service Act 1974 and the NSW Heritage Act 1977(amended), in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately to allow a suitably qualified archaeologist to make an assessment and recommendation of the findings. The archaeologist may need to consult with the Office of Environment and Heritage regarding Aboriginal cultural heritage relics, or the NSW Heritage Division, Dept of Planning and Infrastructure concerning the significance of historic cultural material unearthed.

## **Conditions of Consent for LDA2014/0258 :-**

84. **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.
85. **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.
86. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
87. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
88. **Construction materials.** All materials associated with construction must be retained within the site. In this respect, it will also be necessary to comply with condition no.81.
89. **Site Facilities.**  
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
90. **Site maintenance.**  
The applicant must ensure that:
- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
  - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
  - (c) the site is clear of waste and debris at the completion of the works.
91. **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".
92. **Tree Works.** All tree works must be carried out in accordance with all relevant Australian Standards. All tree removal work shall be in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 2 qualifications. No trees are authorised to be removed unless specifically permitted by the landscape plans referred to in condition 1 of this consent.
93. **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
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## **Conditions of Consent for LDA2014/0258 :-**

be retained and recommendations contained within the Arboricultural Impact Appraisal & Method Statement dated 23 June 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.

With specific regard to Tree 105, detailed root mapping will be required to ensure large structural roots are avoided and it will be the responsibility of the Project Arborist to guide development within the zone that may influence the health of these trees.

Details of the Project Arborist are to be submitted to Council prior to the commencement of construction. 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.

94. **Erosion and Sediment Control Plan – Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
95. **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 allotments before excavation works commence.
96. **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 Neil Lowrey & Associates Pty Ltd. (Refer to Project No. 0698 – Sheets SC01 – SC16 dated 22 September 2014) submitted in compliance with the condition labelled “Stormwater Management.” and the requirements of Council in connection to the trunk drainage system.

### **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

## **Conditions of Consent for LDA2014/0258 :-**

plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

97. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 512768M, dated 8 May 2014.
98. **Achieve Australia Housing onsite for Persons with a Disability.** Prior to an Occupation Certificate for Stage 1 being issued, written evidence must be provided to Council demonstrating that a minimum of 15 adaptable apartments within Buildings A and E are under the ownership of Achieve Australia and will be used as accommodation for persons with a disability. Appropriate legal instruments must also be provided to Council demonstrating that ownership of these apartments by Achieve Australia for this purpose.
99. **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.
100. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to Section 88E 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 88E instrument are to be in accordance with the Council's draft terms for these systems as specified in City of Ryde DCP 2014 - 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.
101. **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 2014, Part 9.3 “Car Parking”.
  - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with the City of Ryde DCP 2014, 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 any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.

## **Conditions of Consent for LDA2014/0258 :-**

- 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 2014, Part 8.2 "Stormwater Management" and associated annexure.
- e) 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 2014, Part 8.1 "Construction Activities".
- f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- g) 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.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

102. **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 2014: - Part 8.2; Stormwater Management. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

103. **Interpretation Strategy.** An interpretation Strategy must be prepared by the Heritage Consultant and approved in writing by the Council prior to release of the first Occupation Certificate for the subject site.

This interpretation Strategy is to be prepared for the site, particularly for the area of reduced heritage curtilage, in order to recognise the important historical and social significance of the subject site to both NSW and Ryde. Signage should be located in various areas of the site, i.e. Tellaraga House and the Memorial Gardens.

This Interpretation Strategy must be available and accessible to all future tenants of the site and should also help aid in decisions relating to the use and occupation of Tellaraga House. Details on the historical paintings/portraits located in Tellaraga House must be included within the document with a clear identification on their future locations.

104. **Completion of Heritage works.** All approved works associated with the conservation of Tellaraga House and its reduced heritage curtilage must be completed no later than the issue of any Occupation Certificate for Stage 1.

105. **Conservation Management Plan.** Copies of the approved Conservation Management Plan must be available on-site in Tellaraga House for the duration of the works up until the first Occupation Certificate is issued.

## **Conditions of Consent for LDA2014/0258 :-**

106. **Lighting Plan.** A detailed lighting plan must be prepared by qualified lighting specialist and approved in writing by the Council prior to release of the first Occupation Certificate for the subject site.

This lighting plan/scheme must focus on highlighting areas of both the heritage listed gardens and the buildings. The lighting plan should aim to ensure security of the gardens and grounds and to emphasis the historical built environment of the grounds from the public domain (i.e. Belmore Street and Junction Street).

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 a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154 of the *Environmental Planning and Assessment Regulations 2000*.
108. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final Occupation Certificate.
109. **Public Art and Cultural Plan.** Prior to the issue of the final Occupation Certificate, the approved works contained in the Art and Cultural Plan approved by condition 22 shall be implemented.
110. **Certification of Mechanical Ventilation Work** - Where any mechanical ventilation systems have been installed or altered, a 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.
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](http://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. **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.

## **Conditions of Consent for LDA2014/0258 :-**

113. **CCTV Cameras.** CCTV cameras will be required to be installed in the following locations:

- The residents carpark;
- The ground floor lobby and lifts
- The car park entry/exit points.

Digital technology will be required to be used to record images from the camera and this is to be located in a secure location. The surveillance equipment will need to be able to zoom in and out on a person without losing focus. It must be maintained in working order at all times and installed by a qualified and reputable company. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

114. **Car parking security.** Vehicular entry to residential parking and visitor's parking areas is to be through a secured roller shutter with an intercom system for visitor's access. The doors are to be controlled by locksets such as remote or card operating electronic lock sets. The phasing of the roller door needs to minimise the opportunity for unauthorised pedestrian access after a vehicle enters/exits the car park. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for Stage 1.

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

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

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

116. **Graffiti.** All surfaces on the street level that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

117. **Security.** To enhance the physical security of doors, all glass doors are to be laminated and the main entry/exit doors to individual units on the ground floor, including balcony doors and fire exit doors to the development are to be fitted with a single cylinder lockset (Australian and New Zealand Standard - Lock Sets), which comply with the Building Code of Australia. Windows to individual units on the ground floor should also be fitted with key operated locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the unit.

## **Conditions of Consent for LDA2014/0258 :-**

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

118. **Intercom 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. An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.

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

119. **Balcony doors to units.** Balcony doors to units are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised access to units. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

120. **Unit windows.** The windows to individual units are to be fitted with key operated locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised access to units. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

121. **Lift access and security.** Electronic access controls are to be installed on the lift. The equipment should include card readers to restrict access to the level a resident residents on, to the car parking levels and to the Ground Floor. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for Stage 2.

122. **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 (submitted as part of DA2014/267). 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**.

123. **Signage and Line marking.** A signage and line marking plan for the public domain shall be prepared by the applicant and submitted to and approved by Council prior to the issue of an Occupation Certificate. This will require the approval of the Ryde Traffic Committee.

124. **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 any Occupation Certificate for Stage 2. All public domain works are to be completed to Council's satisfaction prior to the issue of any Occupation Certificate for Stage 2.

125. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of an Occupation Certificate. The Landscape Maintenance Plan should include the following requirements:

- a. Regular maintenance and trimming of shrubs and plantings.



## **Conditions of Consent for LDA2014/0258 :-**

- b. Shrubs and plantings being appropriately maintained to allow for clear lines of sight over the shrubs from pathways and pedestrians areas, and to avoid any plantings being used as a natural ladder to gain access to any higher parts of the building.
- c. All other trees on the site are to be appropriately pruned, trimmed and maintained so that passive surveillance is not compromised and there is no opportunity for climbing of trees to gain access to balconies or units.

### **OPERATIONAL**

126. **Parking allocations.** All car parking, motorcycle and bicycle space allocations approved under condition no.16 are to be maintained in perpetuity.
127. **Strata Subdivision of Tellaraga House.** The Strata Subdivision of Tellaraga House and its reduced heritage curtilage zone will be wholly contained as common property. The owners/managers of the Strata Subdivision must endorse the contents of the Conservation Management Plan and respect the reduced heritage curtilage zone.
128. **Belmore Street entry gates.** The Belmore Street entry gates to Tellaraga House should remain closed with restricted access only to cars or delivery vans. At any one time, no more than one car or delivery van is to be parked within the identified heritage curtilage of Tellaraga House.
129. **Noise Pollution.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
130. **Noise Pollution.** The operation of any plant or machinery 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 the most affected noise sensitive location in the vicinity. 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.
131. **Management of Waste Areas.** Staff or contractors are to be employed to:
- Take the waste containers from waste storage and recycling rooms to the containers emptying point for servicing and return the containers to the waste storage and recycling rooms after servicing.
  - Clean and maintain the waste storage and handling facilities.
132. **Indemnity.** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for damage to the driveways and manoeuvring areas.

## **Conditions of Consent for LDA2014/0258 :-**

### **ADVISORY CONDITIONS**

1. Temporary dewatering of an amount above 3ML may require a water licence to be obtained from the Office of Water before construction commences.

Please note that the proposal must not incorporate provision for permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used.

2. Any change in the use of Tellaraga House will require a new DA to be lodged. In such circumstance, Council would prefer to see a use which restricts it to a single occupancy with a low heritage impact compatible with the conservation works undertaken as part of this development approval.
3. If for any reason additional works are required to be undertaken to Tellaraga House (that are not detailed on the stamped plans), then a Section 96 application or a new Development Application must be submitted to Council, prior to any works occurring.

### **End of consent**