

## ATTACHMENT 1

### 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 generally in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Demolition Plan	9/7/14	DA0005 Issue 8
GFA Areas	9/7/14	DA0020 Issue 8
Basement Plan 3	9/7/14	DA1000 Issue 8
Basement Plan 2	9/7/14	DA1001 Issue 8
Basement Plan 1	25/8/14	DA1002 Issue 9
Ground Floor Plan	25/8/14	DA1003 Issue 9
Level 1 Plan	9/7/14	DA1004 Issue 8
Level 2 Plan	9/7/14	DA1005 Issue 8
Level 3 Plan	9/7/14	DA1006 Issue 8
Plant Plan	9/7/14	DA1007 Issue 8
Roof Plan	9/7/14	DA1008 Issue 8
Elevations Transverse	9/7/14	DA2000 Issue 8
Elevations Longitudinal	25/8/14	DA2003 Issue 9
Sections	9/7/14	DA2004 Issue 8
Detail Section 3	9/7/14	DA2007 Issue 8
Detail Section 2	9/7/14	DA2006 Issue 8
Detail Section 1	9/7/14	DA2005 Issue 8
Materials Board	9/7/14	DA9202 Issue 8
Landscape Master Plan	June 2014	Place Planning Design Environment Page 3
Landscape Tree Plan	June 2014	Place Planning Design Environment Page 4
Landscape Sections	June 2014	Place Planning Design Environment Page 5
Materials Palette – Hardscape	June 2014	Place Planning Design Environment Page 6
Indicative Materials Palette - Softscape	June 2014	Place Planning Design Environment Page 7

Prior to the issue of a **Construction Certificate**, the following amendments shall be made (as marked in red on the approved plans):

- (a) The blade walls which extend into the public domain area on the above landscaping plans are to be deleted.

(b) The public domain plan as illustrated on the landscaping plans has not been approved by Council. It will be necessary to submit new public domain plans to Council for approval. (Refer to Condition 47).

(c) The evergreen trees proposed along the north-western boundary are to be large native species such as Eucalyptus saligna to compensate for the loss of mature canopy trees on the site. Trees are to be planted as minimum 100Lt pot sizes. The proposed avenue of deciduous trees are to be Pyrus calleryana "Chanticleer" installed as a minimum 200Lt pot size.

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

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. **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". The signage as indicated on the approved plans is not to be illuminated.
4. **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.
5. **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.
6. **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.
7. **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.
8. **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.
9. **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.

10. **Installation, operating and maintenance requirements** - All air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
11. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.
12. **Design and Construction Standards.** All engineering plans and work within the site shall be carried out in accordance with the requirements of the relevant Australian Standards. All engineering plans and works within the public domain is to be carried out in accordance with the requirements of Development Control Plan 2014 Part 8.5 Public Civil Works except otherwise as amended by conditions of this consent.
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. **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.

17. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work or excavation 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 adjoining property advising of the date the work is due to commence.
18. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
19. **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.
20. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
21. **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.
22. **Waste management plan.** A Demolition Waste Management Plan for the management of demolition material must be prepared prior to the commencement of works.
23. **Disposal of demolition waste.** All demolition waste must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes.
24. **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.

25. **Identification and removal of hazardous materials** - Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
26. **Storage and removal of wastes** - All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
27. **Classification of wastes** - All wastes including soil excavated during demolition or construction work must be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.

## 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.

28. **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**:

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$212,872.44
Open Space & Recreation Facilities	\$0
Civic & Urban Improvements	\$208,551.17
Roads & Traffic Management Facilities	\$219,321.11
Cycleways	\$28,786.31

Stormwater Management Facilities     \$25,528.74

Plan Administration                         \$7,711.81

**The total contribution is                         \$702,771.57**

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>.

29. **Deleted.**
30. **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).
31. **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
32. **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**.
33. **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.

34. **Kitchen exhaust system** - 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.
- (d) Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.

Details are to be submitted on the Construction Certificate plans.

35. **Construction of garbage rooms** - All garbage rooms must be constructed in accordance with the following requirements:

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

- (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.

Details are to be submitted on the Construction Certificate plans.

36. **Food Premises.** The proposed food 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 AS4674-2004: Design, Construction and Fit-out of Food Premises.

Detailed plans demonstrating compliance with the above must be submitted with the application for the Construction Certificate. Such plans must include:

- (a) The proposed floor layout and use of each room or area;
  - (b) The proposed floor, wall and ceiling finishes;
  - (c) Details of all proposed fixtures fittings and equipment (including the proposed method of installation); and
  - (d) Lighting, ventilation and drainage details.
37. **Mechanical ventilation details** - Details of all proposed mechanical ventilation systems, must be submitted for approval with the application for the Construction Certificate. Such details must include:
- (a) Plans 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.

All loading docks located more than 10 metres from the external entrance opening must be provided with a system of mechanical ventilation complying with clause 4.5.2 of Australian Standard AS 1668.2-2012: *The use of mechanical ventilation and airconditioning in buildings – Mechanical ventilation in buildings*.

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.

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

38. **Boundary Levels.** The levels of the street alignment shall be obtained from Council. 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.



39. **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). Information demonstrating compliance is to be shown on the Construction Certificate plans.
40. **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 existing internal drainage system generally in accordance with the plans by;

- Harris Page & Associates Pty Ltd. (Refer Project No. 5719 Dwgs SW-00 to SW-09 Rev P1 dated 16 June 2014) and,
- B G & E (Refer Project No. S14034 Dwgs C001 & C002 Rev B dated 20 June 2014).

subject to the following variation(s) noted below and marked in the plans in red;

- Stormwater runoff from the internal access roadway leading from the boundary to the vehicle entry point, must discharge through the onsite detention system in accordance with Councils DCP controls for Stormwater Management. The onsite detention storage must therefore be increased to account for the additional area. The final OSD design parameters (SSR & PSD) must be in accordance with Councils simplified design procedure.

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 certification must state that the existing drainage system has been inspected and is adequate to accommodate the potential stormwater runoff from the proposed system and discharges to a public drainage system in accordance with Council's requirements.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

41. **Stormwater Management - Quality.** A first flush infiltration system is to be designed and installed to capture the initial runoff from the paved parking area and store this flow off line to allow infiltration to the surrounding soil.

42. **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 the following documentation to be submitted for the approval of the Accredited Certifier prior to the issue of the Construction Certificate;

- 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.
43. **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.

44. **Traffic Management Plan.** To ensure safe construction traffic flow on site a Traffic Management Plan (TMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of Construction Certificate.

The TMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices” and the RMS’s Manual – “Traffic Control at Work Sites”. The TMP is to address but not be limited to the loss of on-street parking, construction vehicles travel routes, safety of the public and access, materials storage, handling and deliveries including construction traffic parking.

Additionally, all traffic controllers utilise for the site must be RMS accredited and a minimum of seven (7) day notice shall be given to residents if they will be affected by the proposed 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.

45. **Signage and Linemarking.** A signage and linemarking plan will be required to be submitted to and approved by Council prior to the issue of an Occupation Certificate. This will need to address the parking restrictions and associated linemarking along the frontage of the subject site as well as along the proposed access road.
46. **SIDRA.** The applicant is to provide an electronic copy of all SIDRA data to Council prior to the issue of a Construction Certificate. This is to include all input data sheets and digital files.
47. **Public domain -** The public domain is to be upgraded in Talavera Road frontage of the development site as identified on the site analysis plan numbered DA0002, unless varied by the requirements (a), (b) & (c) of this condition, in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park. 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 the Construction Certificate.

- (a) All telecommunication and utility services are to be placed underground along the Talavera Road frontage of the site.
- (b) All existing street lighting along the Talavera Road frontage of the development site are to be removed. 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.
- (c) 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 V3 and pedestrian luminance category P2. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park. Plans are to be submitted to Council for approval prior to lodgement of the 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.
- (d) The footpath area is to be fully paved with granite as per a Type 1 street in the Public Domain Technical Manual. No grass is permitted in this area.
- (e) The blade walls as shown on the approved landscaping plans are not to be extended into the public domain area.
- (f) The four street trees located within the public domain are to be relocated to within the property boundary. Along the Talavera Road frontage,
- (g) -a 800mm wide planting strip is to be included.
- (h) The retention of the existing *Eucalyptus robusta* is supported.

NOTE – The works along Talavera Road for part a, b and c of the above condition are to be restricted to the frontage of the development site as identified on the site analysis plan numbered DA0002.

48. **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 a Construction Certificate. 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, 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 Talavera Road frontage of the site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter.
- (b) The extent of road pavement reconstruction along the Talavera Road frontage of the site.
- (c) Construction of granite footway across the entire footway area along the Talavera Road frontage of the site in accordance with the City of Ryde Public Domain Technical Manual 6 – Macquarie Park.
- (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.

49. **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.

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.

50. **Disabled Access.** Disabled access is to be provided to and within the development in accordance with the recommendations contained within the Access Design Assessment Report prepared by Design Confidence dated 19 June 2014. Details including compliance with these recommendations are to be submitted to the Principal Certifying Authority (PCA) prior to the construction certificate being issued. Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with Australian Standard 1428 and the Building Code of Australia.
51. **Accessible Car Parking.** The development is to provide a minimum of 4 accessible car parking bays. The design, layout and location of these spaces is to be in accordance with AS2890.6. Details indicating compliance are to be demonstrated on the Construction Certificate plans.
52. **Bicycle Parking.** A minimum of 35 bicycle parking rails or lockers designed and installed in accordance with the Australian Standard AS2890.3 are to be

provided with the development. Details are to be submitted on the Construction Certificate plans.

53. **Service Infrastructure/Utilities.** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like (unless already shown on the plan) 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. Details of all service infrastructure/utilities are to be approved prior to the issue of the Construction Certificate.
54. **Energy Efficiency.** Prior to the issue of the Construction Certificate, Plans and specifications must be provided to the PCA detailing how the development will achieve the NABERS Base Building operational rating of 5 Stars and a design rating of Green Star 5 Stars. Certification that the building will achieve this requirement must also be submitted to the PCA by a suitably qualified consultant prior to the issue of the Construction Certificate.

Certification of the energy efficiency performance of the building must be submitted to the PCA by a suitably qualified consultant prior to the final Occupation Certificate being issued.

55. **Noise.** The recommendations contained in Sections 4 to 6 of the Acoustic Report prepared by DK Acoustics Pty Ltd dated 22 May 2014 are to be demonstrated on the Construction Certificate plans. Details indicating compliance with these recommendations are to be submitted to the PCA prior to the Construction Certificate being issued. Prior to occupation of the development, a suitably qualified acoustic consultant is to certify that the development complies with these recommendations in the above report.
56. **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.

## **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.

57. **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.

58. **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.

59. **Ground Anchors.** Where the works will require the structural support of the public domain, 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.

60. **Dilapidation Report.** To ensure Council's infrastructures are adequately protected a dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to the location, description and photographic record of any observable defects but to the following infrastructure where applicable.

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

The report is to be submitted to Council's development engineer, prior to works commencing 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.

## 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.

61. **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*.
62. **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.
63. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
64. **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.
65. **Construction materials.** All materials associated with construction must be retained within the site.
66. **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.
67. **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.



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

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

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

Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.

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

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

69. **Lighting.** The areas around the entrances of the building, basement car park and communal areas is to be well lit. Lighting in these areas is to comply with Australian and New Zealand Lighting Standard 1158.1.
70. **Street sign.** A street sign is to be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No. 8.
71. **Fire Doors.** Signage is to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only. All fire doors are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.
72. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.

73. **Access control.** Access control should be put in place to prevent authorised access. In this respect, access should be restricted to employees only to the lifts and stairs leading to the upper levels.
74. **Locks to doors.** All locks fitted to the doors should be of high quality and meet the Australian design standard. Any glass within these doors should be laminated to enhance the physical security of the doors.
75. **Registration of water-cooling systems** - All water-cooling systems regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.
- Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
76. **Access for waste collection vehicles.** Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.
- Additional clearances must be provided for overhead and side loading where appropriate.
77. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
78. **Installation of grease trap** - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.
79. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1996* 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.
80. **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.
81. **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.

82. **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.
83. **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 submitted in compliance to the condition labelled “Stormwater Management.”
84. **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”.
85. **Tree Removal.** This consent authorises the removal of the following trees:
- Tree 4 – *Casuarina cunninghamia*
  - Tree 5 – *Eucalyptus saligna*
  - Tree6 - *Casuarina cunninghamia*
  - Tree 7 - *Casuarina cunninghamia*
  - Tree 8 – *Eucalyptus saligna*
  - Tree 9 – *Eucalyptus saligna*
  - Tree 10 – *Eucalyptus saligna*
  - Tree 11 – *Eucalyptus saligna*
  - Tree 12 – *Eucalyptus saligna*
  - Tree 13 - *Casuarina cunninghamia*
  - Tree 14 - *Casuarina cunninghamia*
  - Tree 15 – *Eucalyptus saligna*
  - Tree 17 – *Cupressus sp.*
  - Tree 18 – *Cupressus sp.*
  - Tree 19 – *Eucalyptus saligna*
  - Tree 20 – *Eucalyptus saligna*
  - Tree 21 – *Eucalyptus saligna*
  - Tree 22 – *Eucalyptus saligna*
  - Tree 23 – *Eucalyptus saligna*
  - Tree 24 – *Eucalyptus saligna*
  - Tree 25 – *Eucalyptus saligna*
  - Tree 26 – *Eucalyptus saligna*.

86. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically authorised by a condition of this consent. Trees shown on the approved plans as being retained must be protected against damage during construction. The tree protection measures as outlined in the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees dated 2 April 2014 are to be implemented prior to any work occurring on the site.
87. **Tree Works – Arborist Supervision.** An AQK Level 5 Arborist is also to be engaged to monitor the trees throughout the development process and ensure compliance with the tree protection measures.

#### Hold points and certification

The following Tree Protection Schedule provides a checklist of the 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 submitted to Council prior to the issue of any Occupation Certificate.

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2	Establishment of tree protection fencing and additional root, trunk and/or branch protection	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavations 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 the issue of

				Occupation Certificate
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88. **Tree works – provision of Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Project Arborist alter, Council is to be notified, in writing, within seven working days.

## 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.

89. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.
90. **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.

91. **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.

92. **Certification of fit-out work** - Where Council is not the Principal Certifying Authority, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an Occupation Certificate.
93. **Certification of mechanical ventilation work** - Where any mechanical ventilation systems have been installed, 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.
94. **Registration of premises** - The operator of the business must register the premises with Council's Environmental Health Unit before trading commences.  
  
The operator of the business must also notify their business details to the NSW Food Authority before trading commences. Notifications may be lodged on-line at [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au).
95. **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.
96. **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 component 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.
97. **Redundant Footpath Crossing(s).** The existing footpath crossing(s) and associated gutter crossover(s) which are not accessing approved vehicle access points must be removed and restore kerb and gutter, verge and footway to match existing adjoining sections. All new levels and materials must be flush and consistent with adjoining sections and all costs are to be borne by the

applicant. The works must be completed to Councils satisfaction, prior to the issue of the Final Occupation certificate.

98. **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 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”.
  - e) 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.
  - f) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.
99. **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).
100. **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.

101. **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.

102. **Public Art.** Prior to the issue of any Occupation Certificate, the public art as approved in the Public Arts Plan as required in condition 56 is to be provided on the site.
103. **Asset Protection Zone.** To prevent the spread of fire towards the building and to provide a defensible space on site, an Asset Protection Zone must be established and managed as per Section 3.1 of the Bushfire Hazard Assessment Report prepared by GN Consulting dated 17/6/2014.
104. **Green Travel Plan.** Prior to the issue of an Occupation Certificate, the actions as identified in the Green Travel Plan prepared by Bitzios Consulting dated 30 June 2014 are to be completed. These actions are to be completed in a Green Travel Plan that is to be provided to each occupier of the building.

## 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.

105. **Hours of operation.** The hours of operation for the café are to be restricted to:
- 6am to 11pm (Monday-Friday).
  - 6am to 10pm (Saturday)
  - 7am to 10pm (Sundays and public holidays)
106. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.

An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.



All waste storage areas must be maintained in a clean and tidy condition at all times.

107. **Green Travel Plan.** The actions and timeframes as identified in the Green Travel Plan are to be implemented over the first 12 months of occupation of the building. At the end of this 12 months, monitoring of the actions should be undertaken to assess if the actions have been successful. The responsibility for adoption of this plan and monitoring is to be the site manager. If requested by Council, the findings of this monitoring are to be made available to Council.

108. **Disposal of liquid wastes** - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.

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.

109. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.

110. **Standards of air impurities not to be exceeded** - Any discharge to atmosphere from the premises must comply with the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

111. **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*.

112. **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.

113. **Noise from emergency generators** - The noise emitted by the emergency generators must comply with the following criteria:
- (a) The  $L_{A10}$  noise level must not exceed the background noise level by more than 15 dBA and, in any case, a noise level of 65 dBA, when measured at the boundary of any affected industrial or commercial premises in the vicinity.
  - (b) Between 7.00am and 10.00pm the  $L_{A10}$  noise level must not exceed the background noise level by more than 10 dBA and, in any case, a noise level of 55 dBA, when measured at the boundary of any affected residential premises in the vicinity.
  - (c) Between 10.00pm and 7.00am the  $L_{A10}$  noise level must not exceed the background noise level by more than 5 dBA and, in any case, a noise level of 45 dBA, when measured at the boundary of any affected residential premises 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).

114. **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.
115. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
116. **Clean-up materials to be kept on premises** - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills. All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.
117. **Duty to notify** - Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the Protection of the Environment Operations Act 1997.

## ADVISORY NOTES

1. **Inspections and fees** - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.  
The approved fees are contained in Council's Management Plan and may be viewed or downloaded at [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au).
2. **Saturated and trans fats** - To minimise the risk of cardiovascular disease in the community, fats and cooking oils that are high in saturated and/or trans fats should not be used in the preparation or cooking of food. Alternatively, instead of deep frying, change to healthier cooking methods such as baking,

grilling, steaming or microwaving or use mono/polyunsaturated fats or oils such as canola, olive, sunflower, soybean and safflower oils and margarines.