

## 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	26/8/15	A-0101(05), A-0201(11), A-0203(14), A-0204(13), A-0205(13), A-0206(13), A-0207(13), A-0208(13), A-0209(13), A-0210(12), A-0501(10), A-0502(10), A-0601(11), A-0602(10), A-0603(10), A-0604(03), A-0605(03)
	15/9/15	A-0202(14)
Demolition Plan	26/8/15	A-2501(04)
Exterior Finishes Board	24/2/15	12.4
Stormwater Concept Plans	30/3/15	SW02(B), SW03(B), SW04(B), SW05(B), SW06(B)
Landscaping Plans	24/6/15	LP02/B
	29/6/15	LP04/A
	27/8/15	LP01/C, LP03/D

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 615717M\_03, dated 28 August 2015.
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. **Victoria Road.** All buildings or structures (other than pedestrian footpath awnings) together with any improvements integral to the future use of the site, are to be wholly within the freehold property (unlimited in height or depth) along the Victoria Road boundary.

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6. **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.
7. **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.
8. **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.
9. **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.
10. **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.
11. **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.
12. **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.
13. **Service Alterations.** The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the approved work and as required by the various public utility authorities. All mains, services, poles, etc., which require alteration shall be altered at the developer's expense.
14. **Road Opening Permit.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with the conditions of this consent and with the Road Opening Permit issued by Council as required under sections 138 and 139 of the Roads Act, 1993.
15. **Parking/bicycle Spaces.** Sixty-one (61) parking spaces are to be provided, with forty-four (44) spaces for residents, six (6) for retail and eleven (11) for visitor parking. The car parking spaces are to be clearly line marked with the visitor spaces clearly marked "Visitor Parking". A minimum of one (1) retail parking space is to be made available for use as visitor parking outside of business hours. Appropriate signage is to be erected in this regard.

A minimum of six (6) bicycle spaces are also to be provided within the development.

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Details demonstrating compliance are to be shown on the relevant Construction Certificate plans.

16. **Engineering plans assessment and works inspection fees.** The applicant is to pay to Council for assessment of all engineering and public domain plans, road use permits, work zone permits, crane permits and/or concrete pump permits, and works inspection fees, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.
17. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the non-residential portion of the development, shall comply with the requirements of Part 7.1 of Council's DCP 2014. Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
18. **Retail Food Premises.** A separate Development Application must be submitted to Council if the fit-out and use of any of the approved retail/commercial tenancies as food premises is proposed.
19. **Photographic Archival Recording.** Prior to the commencement of any works, including the dismantling of fabric or demolition, a Photographic Archival Recording of all buildings and structures at 1 Meriton Street and 142-154 Victoria Road, including the interior and exterior, shall be undertaken and submitted to Council.

The Photographic Archival Recording shall be prepared in accordance with the guidelines "*Archival Recording of Heritage Items Using Film or Digital Capture*" published by the Heritage Division of the Office of Environment and Heritage.

Two complete copies of the Photographic Archival Recording shall be submitted to Council. Each copy should contain (for digital projects):

- A brief report or introduction which explains the purposes of the Photographic Archival Recording and gives a brief description of the subject site, as well as details of the sequence in which images were taken. The report may also address the limitations of the photographic record and may make recommendations for future work;
- Plans of the building marked up to indicate where the photographs were taken and the direction of the photograph;
- The report should include all technical details including camera and lenses, image file size and format, technical metadata associated with the images, and colour information;
- Catalogue sheets, photographic plan, supplementary maps;
- Colour thumbnail image sheets (e.g. A4 page with six images by six images) showing images and reference numbers. The thumbnail sheets should be processed with archivally stable inks on archivally acceptable photographic paper and cross referenced to catalogue sheets;
- One full set of 10.5x14.8cm (A6) colour prints OR, if a large project, a representative set of selected images processed with archivally stable inks on archivally acceptable photographic paper.
- A CD or DVD containing electronic image files saved as RAW files with associated metadata, and cross-referenced to catalogue sheets.

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The report should be presented on archival quality paper in a suitable archival binder and slipcase, and all storage of individual components must be in archival quality packaging suitable for long term storage.

### **DEMOLITION CONDITIONS**

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

A Construction Certificate is not required for Demolition.

20. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
  - (a) Council must be notified of the following particulars:
    - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
    - (ii) The date the work is due to commence and the expected completion date
  - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
21. **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.
22. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
23. **Demolition Work Method Statement.** 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.
24. **Imported fill – type.** All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
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.

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26. **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.
27. **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 docket must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
28. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
29. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.
30. **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.
31. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal 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.

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

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$93,035.90
Open Space & Recreation Facilities	\$250,975.18
Civic & Urban Improvements	\$71,191.92
Roads & Traffic Management Facilities	\$7,648.42
Cycleways	\$6,065.66

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Stormwater Management Facilities	\$17,597.46
Plan Administration	\$1,633.98
Transport and Access	\$391,139.76
<b>The total contribution is</b>	<b>\$839,288.28</b>

The components of the Section 94 levy that fall both within the category of 'Civic – Urban Improvements' and form part of the works required by conditions 54 and 55, may be offset by works-in-kind in accordance with section 2.9 of the Section 94 Contribution Plan.

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

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

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

33. **Compliance with Australian Standards.** The development, including all engineering work, is required to be carried out in accordance with all relevant Australian Standards. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

34. **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 relevant Construction Certificate.
35. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to issue of the relevant Construction Certificate and commencement of relevant work, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Councils website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Work*.

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a

## **Conditions of Consent for LDA2015/0156 :-**

Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.

- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
  - c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
  - d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
  - e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
  - f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
  - g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips within the carriageway of any public road.
36. **Accessibility - left-in/left-out only.** The applicant shall have plans prepared by a qualified person showing the extension of the existing median along Meriton Street for a distance of 20m. The extension of the median strip shall be of 300mm width. The plans shall be submitted to and approved by Council prior to the issue of the relevant Construction Certificate.

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37. **Site Entry – Vehicle queues.** Adequate room to accommodate at least one (1) standard vehicle is to be provided to ensure vehicles queuing are fully within the site before being required to stop. Details demonstrating compliance is to be included on the relevant Construction Certificate plans.
38. **Public Domain Works – Maintenance Bond.** To ensure satisfactory performance of the required public domain works, a maintenance period of six (6) months shall apply to the works in which Council will take ownership of, on completion of the development. The performance period shall commence from the date of issue by Council, of the Compliance Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification. A bond in the form of a cash deposit or Bank Guarantee of \$50,000 shall be lodged with the City of Ryde prior to the issue of any above ground Construction Certificate for the building to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the six (6) months maintenance period.
39. Deleted.
40. **Salvage of Materials and Building Elements.** Prior to the issue of the relevant Construction Certificate and commencement of any demolition works, a Salvage Schedule shall be prepared in accordance with the recommendations of the approved and endorsed Heritage Interpretation Plan, together with the advice of a Heritage Consultant.

The Salvage Schedule shall document the building fabric and elements which are to be salvaged and include a methodology for their removal and interim storage pending the reinstatement and/or incorporation in the new building as per the approved Heritage Interpretation Plan.

The Salvage Schedule shall be submitted to Council for approval by Council's Heritage Advisor.

41. **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 Engineer having experience in the geotechnical and hydrogeological fields, 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 excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,



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- ensure that the treatment and drainage of groundwater will be undertaken in a manner which 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 Monitoring Program (GMP) 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 relevant Construction Certificate.

42. **Site Dewatering Plan.** To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.

The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;

- All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- The consultant is to liaise with Council's Public Works - Stormwater Asset Management section concerning the determination of an appropriate rate of discharge to the public inground drainage system. Consideration will be given to the capacity of the downstream system and the ability of the site to detain stormwater during the construction period. Should there be no public inground drainage infrastructure in which to drain to, the maximum rate of discharge is to be limited to 30L/s to the kerb.
- Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.

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- Be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

43. **Construction Traffic Management Plan.** 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 appropriately qualified traffic engineer 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 appropriately qualified traffic engineer 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 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.

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44. **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)
45. **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
46. **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.
47. **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 156 Victoria Road & 3 Meriton Street. 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.
48. **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). Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate
49. **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 revision(s) must be undertaken;

- a) To allow for adequate sight distance from a vehicle emerging up from the internal basement ramp along the access aisle to the vehicle entrance from Meriton Street, the "Temporary Bin Storage" room and wall on the western side of the ramp, must be setback at least 2.5m from the crest of the ramp so as to permit unobstructed vision between a vehicle emerging up from the ramp and any traffic approaching from the upper basement level or vehicle entry on Meriton Street. The temporary bin storage room may be relocated to the area opposite of the loading bay, adjoining the proposed substation.
- b) Further to the above, the internal basement ramp on the eastern side is to be splayed so as to accommodate the inside swept path of a vehicle emerging from the ramp and approaching the exit. This is to minimise the extent of swept path of a vehicle sweeping into the opposing lane of traffic.

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- c) The vehicle entry shutter must be further recessed into the property to allow for an entering vehicle to stand wholly in the property boundary, whilst waiting for the shutter to open. This is to ensure that any vehicle waiting to enter does not impose on pedestrians and traffic in the public domain. The shutter width is to be sufficient to account for the swept turning path of the largest vehicle intending to utilise the loading bay.

Details demonstrating compliance with these amendments are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

50. **Maintenance of Stormwater Filter.** The proposed Stormwater Filter 360 to treat the runoff shall be carried out in accordance with S&G Consulting Pty Ltd drawing SW03 Revision B, dated 30 March 2015. Regular maintenance is essential to ensure the performance of Stormwater Filter 360. Prior to the issue of the relevant Occupation Certificate, a maintenance schedule shall be provided to the Principal Certifying Authority confirming that the regular maintenance of the Stormwater Filter 360 will be carried out by the Strata Management of the property.
51. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the kerb in Meriton Street, generally in accordance with the plans by S&G Consultants Pty Ltd. (Refer to Project No. 20140353 Dwgs SW02 - SW06 dated 30 March 2015) subject to the following variation(s);
- Council's DCP does not permit sites to discharge to the kerb greater than 30L/s. Accordingly the OSD system will need to be revised ensure the PSD rate does not exceed 30L/s. This will require enlargement of the storage unit – refer to Section 1.4.3 of the DCP Part 8.2 Technical Manual. An SSR of 71.69m<sup>3</sup> is estimated and orifice plate diameter of 115mm is required based on the same level of head being retained.

Detailed plans, documentation and certification of the system are to be prepared by a chartered civil engineer, must be submitted with the application for the relevant Construction Certificate and must comply with the following;

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
  - The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
  - The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.
52. **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. Details demonstrating

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compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the any Occupation Certificate

53. **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 the relevant 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.

54. **Public Domain Works.** Public domain improvement works are to be undertaken along the Meriton Street and Victoria Road frontages of the development site in accordance with the City of Ryde Development Control Plan 2014 Part 4.6 Gladesville Town Centre and Victoria Road Corridor and City of Ryde Public Domain Technical Manual, Section 2 – Gladesville. 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, prior to the issue of the relevant Construction Certificate.

(a) All telecommunication and utility services are to be placed underground along the Meriton Street and Victoria Road frontages. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to 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 (MFPs) shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting vehicular luminance category V5 and pedestrian luminance category P2 along Meriton Street, and Road Lighting vehicular luminance category V3 and pedestrian luminance category P2 along Victoria Road.

The lighting consultant will be required to confirm the lighting layout has achieved compliance with the illumination levels required by this condition of consent. Plans

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are to be submitted to Council for approval prior to lodgement of the scheme with Ausgrid for their approval.

**Note:** Council has prepared a schema for the provision of the street lighting on MFPs. The consultant shall liaise with Council's Public Works Group in obtaining Council's street lighting schema, requirements and specifications for the MFP's and components, including the appropriate LED luminaire and location of the meter box. As a guide, Council's schema identified up to three MFPs along the Victoria Road frontage and one MFP along the Meriton Street frontage of the development site.

c) Landscaping and street tree planting – the Public Domain Technical Manual specifies *Pyrus calleryana* "Capital" (Ornamental Pear) 200L, pit size 3m x 1.5m and *Liriope muscari* "Royal Purple" at base for the Victoria Road frontage and along the Meriton Street frontage. The existing potted trees along Victoria Road are not to be reinstated.

d) Street furniture – new seats and bins are to be provided, to replace existing, along the Victoria Road frontage of the development site.

55. **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 the issue of the relevant Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.

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

- (a) The removal of all redundant vehicular crossings and roof water drainage connections, and the construction of a new vehicular crossing in Meriton Street and reinstatement of the kerb and gutter where appropriate.
- (b) The removal of all redundant kerb and gutter and the construction of new kerb and gutter along the Meriton Street frontages of the site, and the smooth connections to existing kerb and gutter. A longitudinal section showing the existing and the proposed levels of the kerb profile for the whole length of the works shall be included in the engineering drawings submitted to Council. The replacement of the existing kerb and gutter will involve reconstruction of a strip of road pavement for a minimum 500mm wide.
- (c) Plans showing all necessary details of the footpath upgrade to granite paving (Type1) in accordance with the City of Ryde Public Domain Technical Manual Section 2 – Gladesville.
- (d) Typical cross sections of the proposed footpath upgrade along the Meriton Street and Victoria Road frontages of the development site.
- (e) Detailed cross sections of the Meriton Street and Victoria Road footpath upgrade at key locations and at maximum 10m intervals.

## **Conditions of Consent for LDA2015/0156 :-**

- (f) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

**Note:** Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Section 5 "Standards Enforcement".

56. **Driveway and Boundary Alignment Levels.** The applicant is to apply to Council for site specific driveway and boundary alignment levels prior to the issue of the relevant Construction Certificate. The Council issued levels shall be incorporated into the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
57. Deleted.
58. **Tap Connections.** The roof terrace private open spaces and the communal open space on Level 3 are all to be provided with hose cock / tap connections to ensure adequate water supply is available. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
59. **Podium Landscaping & Paved Areas.** All podium landscaping and paved areas shall be drained into the stormwater drainage system. All waterproofing for planters on slab shall be installed and certified by a licensed waterproofing contractor. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
60. **Irrigation.** A fully automated irrigation system, approved by Sydney Water, shall be installed and maintained to ensure adequate water is provided to the podium/roofing landscaping. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
61. **Vehicle Footpath Crossing.** The footpath crossing shall be constructed where vehicles cross the footpath, to protect it from damage resulting from the vehicular traffic. The crossing is to be constructed to match the paving style along the frontage of the development site and conform to the boundary alignment levels issued by Council's Public Works Division. The location, design and construction shall comply with the City of Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works, and all relevant Australian Codes and Standards.

In order to avoid the access driveway looking like a public road, 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, prior to the issue of the relevant Construction Certificate.

62. **Mechanical Ventilation Details.** Details of all proposed mechanical ventilation systems must be submitted for approval with the application for the relevant Construction Certificate. Such details must include:

## **Conditions of Consent for LDA2015/0156 :-**

- (a) Plans and specifications of the mechanical ventilation systems including the basement car park;
- (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers; and
- (c) 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.

63. **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 relevant Construction Certificate.
64. **Plumbing and Drainage.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
65. **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 any 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.

66. **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 relevant Construction Certificate.
67. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the DA Noise Assessment prepared by Acoustic Logic dated 3 March 2015 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the relevant Construction Certificate plans.
68. **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 relevant Construction Certificate.
69. **Disabled access.** Prior to the issue of the relevant 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).



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70. **Adaptable Units.** A total of six (6) adaptable apartments, each with an allocated disabled parking space, 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 relevant 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 A54299.
71. **Design verification.** Prior to the relevant 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*.
72. **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 relevant Construction Certificate.
73. **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 relevant Construction Certificate plans.
74. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Residential Flat Design Code. Details of the location of the storage and dimensions of the storage areas are to be provided on the Construction Certificate plans. The architect is to verify in writing that the development complies prior to the issue of the relevant Construction Certificate.
75. **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 relevant Construction Certificate plans.
76. **BASIX & Energy Efficiency details to be included on the Construction Certificate.** The relevant Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.

The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the relevant Construction Certificate.

## **Conditions of Consent for LDA2015/0156 :-**

77. **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 relevant Construction Certificate plans.
78. **Retaining Walls.** Unless otherwise specifically approved by the plans referred to in condition 1, 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 relevant Construction Certificate.
79. **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 relevant Construction Certificate. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
80. **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 allow easy access to the containers and equipment for users and servicing purposes;
  - (b) 1100L bins are to be used instead of 240L bins;
  - (c) 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;
  - (d) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
  - (e) 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;
  - (f) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
  - (g) 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;
  - (h) 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;
  - (i) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
  - (j) The room must be provided with adequate artificial lighting; and

## **Conditions of Consent for LDA2015/0156 :-**

- (k) 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 relevant Construction Certificate plans.

### **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.

#### **81. Site Sign.**

- a. A sign must be erected in a prominent position on site, prior to the commencement of demolition/excavation/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.

#### **82. 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.

#### **83. 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.

#### **84. 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,

## **Conditions of Consent for LDA2015/0156 :-**

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 Traffic Development Engineer, prior to works commencing with another similar report submitted at completion and prior to issue of any 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.

All fees and charges associated with the review of this report is to be in accordance with Council's Schedule of Fees and Charges and is to be paid at the time that the Dilapidation Report is submitted.

85. **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.
86. **Awning over Council verge.** The proposed awning extending over Council's verge and footway area must provide no less than 3m clearance above the footpath and setback 600mm from the vertical alignment of the kerb fronting the site. The structure is to be designed and certified by an appropriately qualified Structural Engineer. This engineer is to provide certification with the application for a Construction Certificate that the structure has been designed in accordance with the relevant Australian Standards to ensure public safety.
87. **RMS Approval of Site and Support Structures.** The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:  
Project Engineer, External Works  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124.

If it is necessary to *excavate* below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least *seven* (7) days notice of the intention to *excavate* below the base of the footings. The notice is to include complete details of the work.

88. Deleted.

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89. **Road Occupancy Licence.** A Road Occupancy Licence should be obtained from Roads and Maritime Services for any works that may impact on traffic flows on Victoria Road during construction activities.

### **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.

90. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 1985 and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities. A plan of traffic management is to be submitted to and approved by the Consent Authority.
91. **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*.
92. **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.
93. **Hold Points during pavement construction** - Inspections shall be required by Council's Engineer, at the following hold points: -
- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
  - b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
  - c) Upon compaction of the applicable sub-base course.
  - d) Upon compaction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course)
  - e) Upon installation of any formwork and reinforcement for footpath concrete works.
  - f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

Fees are payable in respect to the inspections in accordance with Council's Schedule of Fees & Charges at the time of the inspections.

Alternatively, the Applicant may submit certification from a Chartered Civil Engineer (with NPER registration with Engineers Australia), at each stage of the inspection

## **Conditions of Consent for LDA2015/0156 :-**

listed above, confirming that the works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

94. **Construction noise.** The L<sub>10</sub> 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. All noise and vibration control measures nominated in the acoustical consultant's report and any related project documentation must be implemented.
95. **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.
96. **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.
97. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work. Appropriate measures must be taken to control the generation of dust during demolition work:
  - (a) Any existing accumulations of dust (eg. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.
  - (b) Any materials that are likely to generate dust during demolition or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
  - (c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
  - (d) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.
98. **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.
99. **Construction materials.** All materials associated with construction must be retained within the site.
100. **Site Facilities.**

The following facilities must be provided on the site:

## **Conditions of Consent for LDA2015/0156 :-**

- (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.

### **101. 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.

### **102. 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.

### **103. Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

### **104. Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

### **105. Implementation of Construction Traffic Management Plan.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

### **106. 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 S&G Consultants Pty Ltd. (Refer to Project No. 20140353 Dwgs SW02 - SW06 dated 30 March 2015) submitted in compliance to the condition labelled “Stormwater Management.”

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### **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.

107. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate numbered 615717M\_03, dated 28 August 2015.
108. **Right of Way.** A Right of Way (ROW) for public access shall be created over the 2m wide section of widened pathway along the Meriton Street frontage as denoted on architectural drawings A-0202(12) and A-0203(13) as 'footpath extension'. The ROW shall be accessible at all times to members of the public. Terms regarding the creation of the ROW are to be submitted to Council for approval prior to registration with the office of Land & Property Information (LPI) Division. Proof of this registration is to be submitted to Council prior to the release of any Occupation Certificate. All costs associated with this condition are to be borne by the applicant.
109. **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 any 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.
110. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD 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 instrument are to be in accordance with the Council's 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. Note that completed WAE plans as well as certification of the completed stormwater management system must be provided with the application, prior to it being endorsed by Council.



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111. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
  - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
  - 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.
  - d) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
  - e) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
  - f) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
  - g) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.
112. **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).
113. **Design Verification.** Prior to any 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

## **Conditions of Consent for LDA2015/0156 :-**

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*.

114. Deleted.

115. Deleted.

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

117. **Acoustics.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including compliance with the recommendations contained in the DA Noise Assessment prepared by Acoustic Logic dated 3 March 2015 must be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

118. **Mechanical ventilation of rooms.** 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. Details demonstrating compliance must be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

119. **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 any Occupation Certificate.

120. **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.

121. **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.

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

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- 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 any Occupation Certificate.

123. **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 any Occupation Certificate.

124. **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 any Occupation Certificate.

125. **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 any Occupation Certificate.

126. **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 unauthorised access to the unit.

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

127. **Intercom System.** Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate and identify with people prior to admitting

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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 any Occupation Certificate.

128. **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 any residential Occupation Certificate.
129. **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 any residential Occupation Certificate.
130. **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's residence is 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 any residential Occupation Certificate.
131. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.
132. Deleted.
133. Deleted.
134. **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. All public domain works are to be completed to Council's satisfaction prior to the issue of any Occupation Certificate.
135. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of the final Occupation Certificate. The Landscape Maintenance Plan should include the following requirements:
  - a. Regular maintenance and trimming of shrubs and plantings.
  - 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.

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- 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.

136. **Lockable Roller Door.** The universal Council locking system is to be installed for the roller door between the retail and residential waste rooms for access by the contractor during the designated clean up week or to access bins for servicing. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

137. **Accessibility - left-in/left-out only.** The works associated with the plans approved under condition 36 shall be implemented prior to the issue of any Occupation Certificate to Councils satisfaction.

### **OPERATIONAL**

138. **Parking allocations.** All car parking, motorcycle and bicycle space allocations approved under condition no.15 are to be maintained in perpetuity.

139. **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*.

140. **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.

141. **Management of Waste Areas.** Staff or contractors are to be employed to:

- o Take the waste containers from the waste storage rooms to the waste collection area/loading bay for servicing and return the containers to the waste storage rooms after servicing.
- o Take the recycling waste containers from the waste rooms to the waste collection area/loading bay for servicing and return the containers to the waste storage rooms after servicing.
- o Clean and maintain the waste storage and handling facilities.

142. **Waste Collection Services.** Arrangements must be made with Council for the provision of waste collection services **before occupation commences**.

143. **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 premises for the storage of

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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.

144. **Maintenance of Waste Areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.
145. **Use of the Premises.** 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.
146. **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.
147. **Vehicle shutter.** To ensure that the development provides safe and efficient vehicle entry throughout times of busy pedestrian and traffic volumes in the public domain and prevent vehicles having to reverse out of the property in the event access cannot be attained, the vehicle entry shutter is to remain open from the periods from 7am to 7pm seven days per week, throughout the serviceable life of the development.
148. **Security Grilles.** Security grilles may be erected for each shopfront. Blank roller shutter doors are not permitted.
149. **Hours of Use.** The following hours of operation apply to the retail/commercial tenancies:  
Monday to Saturday: 7am to 10pm  
Sundays and Public Holidays: 8am to 9pm

### **ADVISORY NOTES**

**Retail Food Premises.** As per condition no.18, a separate development application will be required to be submitted for the fitout and use of any of the approved retail/commercial tenancies as retail food premises. If it is intended to utilise any of these tenancies as a food premises, regard should be had at the current stage to potential design implication requirements i.e. air intake and air discharge vents, kitchen exhaust vents, grease traps, toilets etc. It may otherwise not be possible to obtain future consent for food premises within these tenancies.

**End of consent**