

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	16/3/15	DA-0.03(A), DA-1.04(A), DA-1.12(A), DA-1.15(A), DA-1.16(A), DA2.01(A), DA-2.03(A), DA-2.04(A), DA-2.05(A), DA-3.01(A), DA-3.02(A), DA-3.03(A), DA-3.04(A), DA-3.05(A), DA-6.01(A), DA-6.02(A), DA-6.03(A),
	4/5/15	DA-2.02(B), DA-2.02(A)
	29/6/15	DA-0.02(B), DA-1.01(B), DA-1.02(B), DA-1.03(B), DA-1.08(B), DA-1.09(B), DA-1.11(B), DA-1.13(B), DA-1.14(B), Section – Loading Bay
	31/7/15	DA-0.04(C), DA-1.05(B), DA-1.06(B), DA-1.07(B), DA-1.10(B)
Demolition Plan	March 2015	08/0015(A)
Exterior Finishes	16/3/15	DA-7.05(A)
Landscaping Plans	16/6/15	001(D), 101(D), 102(D), 501(D), 502(D), 101C(D)

2. **Amendments to Approved Plans.** Notwithstanding the approved plans referred to in condition 1, the following amendments are required:
- a) No pedestrian or other form of access gate is to be provided between the subject site and adjoining RMS land.
 - b) The retaining wall proposed on the western rear boundary of No.6 David Avenue is to be redesigned to ensure no adverse impacts occur from the development to Tree 32 (*Cupressus glabra*) located within the boundary of No.6 David Avenue.

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

3. **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.

4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 614900M, 614910M, 614912M and 614919M, dated 12 March 2015.
5. **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.
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. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. 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.

14. **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.
15. **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.
16. **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 a Construction Certificate and commencement of any work, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's 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 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.

17. **Parking/bicycle Spaces.** One hundred and forty seven (147) basement parking spaces are to be provided, with one hundred and twenty four (124) spaces for residents and twenty three (23) for visitor parking. The car parking spaces are to be clearly line marked with the visitor spaces clearly marked "Visitor Parking".

Of the ten (10) parking spaces to be located on the internal access road (as shown on drawing DA-1.02), eight (8) are to be designated and clearly line marked as "Visitor Parking" and two (2) are to be designated and clearly line marked as "Car Share" spaces.

Eight (8) resident parking spaces are to be provided for the dual occupancies.

A minimum of eighteen (18) publically accessible bicycle spaces are also to be provided within the development.

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

18. **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.

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.

19. **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.

20. **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.

21. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).

22. **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.

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

24. **Hazardous materials survey.** A hazardous materials survey of the existing buildings on site is completed prior to demolition.

25. **Removal of hazardous materials.** Any identified hazardous materials, including asbestos, must be removed in a safe manner and in accordance with the requirements of the relevant Australian Standard(s).

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. If requested by Council, a site clearance certificate, prepared by an occupational hygienist stating that the site has been cleared of all asbestos must be submitted to Council.

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 dockets 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 it is virgin natural excavated material, which can be reused onsite in accordance with condition no.91 or on sold to a third party.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

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

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$404,064.26
Open Space & Recreation Facilities	\$994,724.77
Civic & Urban Improvements	\$338,324.53
Roads & Traffic Management Facilities	\$46,149.16
Cycleways	\$28,827.36
Stormwater Management Facilities	\$91,627.14
Plan Administration	\$7,771.66
The total contribution is	\$1,911,488.88

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. Deleted.
34. **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 Construction Certificate 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.
35. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.
36. **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.
37. **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 RMS accredited person and submitted to and approved by Council prior to issue of any Construction Certificate. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.

- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site 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.

38. **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)
39. **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
40. **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.
41. **Dilapidation Survey.** A dilapidation survey is to be undertaken for all properties adjoining the development site, for all structures/ surfaces that may potentially be impacted by construction of the development. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of any Construction Certificate.
42. **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 issue of the relevant Construction Certificate.
43. **Driveway Access and boundary alignment Levels.** The applicant is to apply to Council for site specific driveway access and boundary alignment levels prior to the

issue of any relevant Construction Certificate. The Council issued levels shall be incorporated into the design of the internal road way, 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.

44. **Vehicle Footpath Crossings.** The footpath crossings 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 frontages of the development site and conform to the boundary alignment levels issued by Council's Public Works Group. 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.

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 any relevant Construction Certificate.

45. **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) The internal driveway grade up to David Avenue must have grades and transitions complying with AS 2890.2 for the anticipated service vehicles. To this end, detailed plans of the internal roadway approaching David Avenue frontage are to be prepared, demonstrating compliance with this Standard. To maximise the level of pedestrian safety along the footpath on David Avenue frontage, the internal driveway grade must be no greater than 5% for the first 6m. back from the footpath.
- b) The driveway ramp accessing Building "A" carpark from the internal access road must provide a raised threshold between the basement level and the roadway so as to prevent inundation of the basement levels during large storm events. To this end, a crest must be provided between the roadway and basement level, providing some 150mm freeboard above the major overland flow event. In this respect, a driveway profile must be prepared showing ramp lengths, grades, surface RL's and overhead clearance, taken from the Council approved boundary levels to the parking space area. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur.
- c) The sight distance from building "C" garage entry to traffic approaching from the David Avenue access is unsatisfactory. To address this, the façade of the garage must have openings (apertures/ louvres) along the northern side of the garage (at the end of the turning bay) located and sized to permit a driver exiting to see approaching traffic. Further to this, the northern side of the garage entry must provide adequate sight distance from the property along the road frontage, in a region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise void(s)/ apertures may be provided along the façade within 2m. from the garage entry,

no more than 900mm above ground and permitting more than 50% visual permeability from the garage to the roadway.

- d) Similar to the above, Building “D” must ensure drivers have adequate sight distance along the road frontage before emerging from the garage entry. This is to be addressed by the provision of voids/ louvres/ apertures in the façade, located within 2m either side of the garage entry and no greater than 900mm above the ground surface, sufficient for drivers to have clear sight distance to approaching traffic from the basement garage.
- e) The presence of the turning bay in Building “C” garage is crucial for drivers from unit 1 garage to exit in a forward manner. To ensure this is maintained, the turning bay area is to be clearly delineated, linemarked and sign posted such to ensure the area is kept clear at all times to permit its use as a turning bay.

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

46. **Stormwater Management.** All stormwater runoff from the development shall be collected and piped by gravity flow to inground public drainage infrastructure in Whiteside Street, generally in accordance with the plans by Worley Parsons (Refer to “Stormwater Management, Flood Assessment and Infrastructure Servicing Report” Project 301015-03569 Rev. B dated 9 March 2015) subject to the following amendment/ addition:

- (i) Rainwater storage to the volumes required by the BASIX certificate are to be implemented in the design, by either expansion of the proposed onsite detention unit or inclusion of subsurface tanks contained within the building footprints. In such cases where the tanks are below the footprint, they are to be located such to have a direct overflow to the trunk drainage system or, if piped, have a dual line overflow having sufficient capacity for the anticipated level of runoff in the 100yr event and in the event of potential blockage of the system.

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

- Accompanying certification affirming that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) is in accordance with the requirements of AS 3500.3 (2003), 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.
- Onsite detention must be incorporated in the stormwater management system having a minimum SSR of 190 m³ and a maximum PSD of 0.65 m³/s. Any variations attributed to changes required by conditions of this consent, must be in accordance with Council’s DCP requirements for onsite detention and must be validated in the certification of the design required by this condition.
- 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.

The detailed plans and certification of the development's stormwater management system must be submitted with the application for any Construction Certificate.

47. **Stormwater Management - Quality.** A first flush infiltration system is to be designed and installed to capture the initial runoff from parking areas and store this flow off line to allow infiltration to the surrounding soil. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of any Construction Certificate.
48. **Flooding – Risk Assessment.** The peak flow rate in the downstream reach of the site should be maintained to the existing development flow conditions. Prior to the issue of any Construction Certificate, a certificate shall be provided to the Principal Certifying Authority confirming that the proposed development will not increase the risk of flooding to the downstream and adjacent properties.
49. **Internal Inspection – Drainage.** Prior to commencement of the drainage works, an internal inspections of the Council's pit and connecting stormwater conduits to determine their structural conditions must be carried out by Closed Circuit Television (CCTV). The inspection is to ensure that the stability of the Council's stormwater pit is not affected during the construction. The CCTV report must be forwarded to Council for its review and approval prior to the issue of the relevant Construction Certificate.
50. **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,
 - 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.
- Is in accordance with the recommendations of the Geotechnical Report by Douglas Partners (Refer to Project No. 84491.00 Rev 1 dated October 2014).

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.

51. **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.
- 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.

52. **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 any 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.

53. **Public Domain Works.** The public domain is to be upgraded in both Whiteside Street and David Ave frontages of the development site. This work is to include but not be limited to paving and light poles. A detailed 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 Whiteside Street and David Avenue 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) The existing Ausgrid street lighting along the Whiteside Street and David Avenue frontages and the shared pathway between David Avenue and Epping Road (Hawkes Pathway) shall be upgraded in accordance with Australian Standard AS1158.3.1-1999 Road Lighting, using LED luminaires with vehicular luminance category V5 and pedestrian luminance category P3.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for the above improvements, and are to be submitted to Council and Ausgrid for approval prior to commencement of work.

54. **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. All works 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 surface levels, drainage pit configurations, kerb returns and other relevant details for the new works and also demonstrate the smooth connection of the proposed road pavement into the remaining street scape.

- (a) The removal of all redundant vehicular crossings and the construction of new kerb and gutter along the Whiteside Street and David Avenue frontages of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Whiteside Street and David Avenue.
- (b) The provision of a two-way access driveway onto David Avenue.
- (c) Construction of minimum 1.20m wide concrete footpath along the Whiteside Street and the southern section of the David Avenue frontages of the development site.
- (d) Construction of a 2.5m shared pathway along the northern section of the David Avenue frontage of the development site and continuing through Hawkes Pathway to Epping Road.
- (e) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

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".

55. **Landscape Plan.** A detailed landscape plan is to be submitted with the relevant Construction Certificate for Council's approval. This plan is to include but not be limited to the following:

- Resolution of all external levels and access;
- Streetscape treatment and street trees;
- Pedestrian and vehicle entry treatments;
- Consideration of visual impacts mitigation and screening;
- All landscape areas and their proposed treatment (mass planting beds, paving, lawn etc), planting arrangement, planting schedule, pot size, planting and staking details;
- Drainage, waterproofing and irrigation recommendations for any podium planters;
- Soil type selections for any podium planters;
- Fencing types, heights and locations; and
- Sections and elevations of important features.

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

57. **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:

- (a) Plans and specifications of the mechanical ventilation systems including the basement car park; 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.

58. **Fresh air intake vents.** All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge. Details demonstrating compliance are to be submitted with an application for the relevant Construction Certificate.
59. **Carpark exhaust vent.** Any carpark exhaust vents must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

Details demonstrating compliance are to be submitted with an application for the relevant Construction Certificate.

60. **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.
61. **Plumbing and Drainage.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation.
62. **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 relevant Construction Certificate, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

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

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

Or telephone 13 20 92.

63. **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.
64. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic Impact Assessment prepared by SLR Consulting Australia dated 19 March 2015 and all other relevant BCA acoustic

requirements. Details demonstrating compliance are to be submitted on the plans for the relevant Construction Certificate.

65. **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.
66. **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).
67. **Adaptable units.** A total of seventeen (17) 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 Construction Certificate plans. Prior to the issue of the relevant **Construction Certificate**, a suitably qualified access consultant is to certify that the development achieves the spatial requirements of DCP 2010 Part 9.2 and AS4299.
68. **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*.
69. **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.
70. **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.
71. **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.

72. **Studies.** All studies within the development are to be provided with the internal joinery for the construction of storage areas. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
73. **BASIX details to be included on the Construction Certificate.** The Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
74. **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.
75. **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.
76. **Lighting of common areas (internal roadway etc).** Details of lighting for the internal roadway, 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.
77. **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
- (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.

78. 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.

79. 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.

80. 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.

81. 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 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.

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.

- 82. **Traffic Management.** Any traffic management procedures and systems must be in accordance with *AS 1742.3 1985* and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
- 83. **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.
- 84. **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*.
- 85. **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. All noise and vibration control measures nominated in the acoustical consultant's report and any related project documentation must be implemented.
- 86. **Hold Points during construction.** Inspections shall be required to be undertaken by a Chartered Civil Engineer (with NPER registration with Engineers Australia), 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.

The Applicant shall submit certification from the Engineer, at each stage of the inspection listed above, confirming that the works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

A final inspection for the purpose of the handover to Council, of the public infrastructure assets, shall be conducted in conjunction with Council's Engineer following the completion of the external works. Additional inspections, if required, shall be subject of additional fees payable in accordance with Council's Schedule of Fees & Charges at the time.

87. **Construction Inspections.** Construction inspections shall be required by Council's Senior Asset Engineer, Stormwater Asset at the following hold points: -
- Prior to the set-out on site of the position of the drainage connection works to the existing Council's drainage line at Whiteside Street.
 - Upon installation of any pipe connection to the existing Council's drainage line and other associated drainage structures.

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

88. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments and that recommendations contained within the Arboricultural Impact Assessment, dated 3 August 2015, prepared by Red Gum Horticultural are carried out.

All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised throughout construction. All tree works must be carried out in accordance with all relevant Australian Standards.

Details of the Project Arborist are to be submitted to Council prior to the commencement of construction. Should these details change during the course of works, or the appointed Consultant Arborist alters, Council is to be notified, in writing, within seven working days.

89. **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.

90. **Dust control.** 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.
91. **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.
92. **Construction materials.** All materials associated with construction must be retained within the site unless otherwise approved by Council.
93. **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.
94. **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.
95. **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.
96. **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.

97. **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.
98. **Construction Traffic Management Plan - Implementation.** 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.
99. **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 Worley Parsons (Refer to “Stormwater Management, Flood Assessment and Infrastructure Servicing Report” Project 301015-03569 Rev. B dated 9 March 2015) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in connection to the trunk drainage system.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

100. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 614900M, 614910M, 614912M and 614919M, dated 12 March 2015.

101. **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 for the first apartment building. 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.
102. **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, WSUD and pump/ sump components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's draft terms for these systems as specified in Council's 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 any relevant Occupation Certificate for that title. Note that Council requires a copy of the Works-As-Executed plans and certification of the completed system demonstrating compliance with the conditions of this consent, prior to endorsement of the positive covenant.
103. **Internal Inspections – Drainage.** Upon completion of the drainage works, an internal inspection of the Council's pit and connecting stormwater conduits to determine their structural conditions must be carried out by Closed Circuit Television (CCTV). The inspection is to ensure that the stability of the Council's stormwater pit has not been affected during the construction. The CCTV reports must be forwarded to Council for its review and approval prior to issue of an Occupation Certificate for the first apartment building.
104. **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 relevant 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 constructed interallotment drainage system complies with the construction plan requirements and the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
 - c) 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.
 - d) 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.

- e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

105. **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 Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

106. **Design Verification.** Prior to an Occupation Certificate being issued for any apartment building to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154 of the *Environmental Planning and Assessment Regulations 2000*.

107. **Signage and Linemarking – External.** A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of an Occupation Certificate for any apartment building.

Note: The applicant is advised that the plan will require approval by the Ryde Traffic Committee and adequate time should be allowed for this process.

108. **Signage and Linemarking – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of an Occupation Certificate for any apartment building.

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

110. **Acoustics.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including compliance with the recommendations contained in the Acoustic Impact Assessment prepared by SLR Consulting Australia dated 19 March 2015 must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate for any apartment building.
111. **Mechanical ventilation of rooms.** If the airborne noise level with windows and doors opens exceed 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 an Occupation Certificate for any apartment building.
112. **Certification of Mechanical Ventilation Work.** Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate for any apartment building.
113. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

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

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

114. **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.
115. **CCTV Cameras.** CCTV cameras will be required to be installed in the following locations:
- The residents carpark;
 - The ground floor lobby and lifts
 - The car park entry/exit points.

Digital technology will be required to be used to record images from the camera and this is to be located in a secure location. As a minimum, the cameras at the entry and exit points 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. It must be maintained in working order at all times and installed by a qualified and reputable company.

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

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

117. **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 relevant Occupation Certificate.

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

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

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

120. **Intercom System.** Intercom facilities should be incorporated into these entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development. An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.

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

121. **Balcony doors to units.** Balcony doors to units are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised

access to units. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for any apartment building.

122. **Unit windows.** The windows to individual units are to be fitted with key operated locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised access to units. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for any apartment building.
123. **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 an Occupation Certificate for any apartment building.
124. **Post-construction dilapidation report.** 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 is to be provided to Council and any other owners of public infrastructure prior to the issue of an Occupation Certificate for the final apartment building. Following a review of the report and prior to the issue of an Occupation Certificate, Council is to confirm in writing that no restoration works are required.
125. **Compliance Certificate – External Works.** Prior to the issue of the Occupation Certificate for the final apartment building, a compliance certificate shall be obtained from Council confirming that all external works have been completed to Council's satisfaction. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.
126. **Public Domain Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed Plans certified by a Registered Surveyor, shall be submitted to Council for review with any rectifications required by Council to be completed by the developer prior to issue of any Occupation Certificate for the first apartment building.

The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Construction Certificate drawings, and certification from a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

127. **Works-As-Executed.** Prior to the issue of an Occupation Certificate for the first apartment building, Works-As-Executed Drawings for the Council stormwater pit and drainage connections works at Whiteside Street shall be submitted to and approved by Council. The Works-as-Executed Drawings shall be accompanied by a certificate from a suitably qualified engineer, certifying the drawings are a true and accurate representation of the constructed works.
128. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of an Occupation Certificate for the first apartment building. 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.
- 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.

129. **Sustainable Travel Plan.** The 'Strategies to Promote Actions' contained in the Sustainable Travel Plan, prepared by Traffix and dated 13 March 2015, shall be complied with. Details confirming how the strategies have been satisfied or mechanisms to ensure that the strategies will be satisfied are to be provided to Council for approval prior to issue of any Occupation Certificate for the first apartment building.

130. **Car Share Parking.** The required two car share parking spaces are to be:

- i. publicly accessible 24 hours a day seven days per week;
- ii. designated for use only by car share vehicles by signage; and
- iii. are to be retained as common property by the Owners Corporation of the site.

In addition, an agreement for use of the two spaces with a car-share provider is to be executed.

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

131. **Lockable Gates.** If the Loading Bay has lockable gates, the universal Council locking system is to be installed for access by the contractor for access bins for servicing. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for apartment building A.

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132. **Parking allocations.** All car parking, car share, motorcycle and bicycle space allocations approved under condition no.17 are to be maintained in perpetuity.

133. **Monitoring and Reporting.** With regard to the Sustainable Travel Plan, prepared by Traffix and dated 13 March 2015, the following monitoring and reporting requirements are to be undertaken:

- A Travel Plan Coordinator shall be appointed by the Owners' Corporation.
- The Travel Plan Coordinator shall conduct an annual review of the Sustainable Travel Plan to determine whether the plan is achieving its objectives and whether additional measures are necessary.
- As part of the review the Travel Plan Coordinator shall conduct an annual travel survey to assess the travel behaviour of residents against the targets outlined in the Sustainable Travel Plan.
- The Travel Plan Coordinator shall provide the results of the review and travel survey to Council for comments.

These reviews must take place for a minimum of 5 years.

134. **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*.
135. **Noise and Vibration from Plant or Equipment.** 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.
136. **Management of Waste Areas.** Staff or contractors are to be employed to:
- Take the waste containers from the waste storage rooms to the containers emptying point for servicing and return the containers to the waste storage rooms after servicing.
 - Take the recycling waste containers from the waste rooms to the Porter Street frontage for servicing and return the containers to the waste storage rooms after servicing.
 - Clean and maintain the waste storage and handling facilities.
137. **Waste Collection Services.** Arrangements must be made with Council for the provision of waste collection services **before occupation commences**.
138. **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 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.
139. **Maintenance of Waste Areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.
140. **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.
141. **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.

ADVISORY NOTES

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

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

Transport Subsidy. The Sustainable Travel Plan provides that 'A single and one-off yearly rail pass from Macquarie Park to the Sydney CBD will be provided to the purchaser/s of each apartment.' Please consider issuing residents with Opal Cards with a pre-loaded value, instead of a rail pass, as this would allow residents to access trains, buses and ferries in all directions.

Transport Access Guide. The Transport Access Guide is a significant initiative in the Sustainable Travel Plan and should be enhanced by:

- A general statement outlining the benefit of using sustainable transport to residents of the development; and
- Reference to the Development's Car Share Scheme and how residents can participate.

End of consent