

Attachment 1 Conditions

DEFERRED COMMENCEMENT

Part 1- The following are the Deferred Commencement condition(s) imposed pursuant to Section 80(3) of the Environmental Planning & Assessment Act 1979.

1. Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, the Applicant must satisfy the following deferred commencement condition of consent prior to this development consent becoming operative:

- (a) **Easement registration.** The registration on the title of the property known as 7-11 Glen Street, Eastwood, being Lot 1 in Deposited Plan 303787, Lot 12 in Deposited Plan 8043 (**Servient Tenement**) of a right of carriageway (**ROC**) in favour of the property known as 1-5 Glen Street and 2-8 Lakeside Road, Eastwood, being Lots 3 to 9 (inclusive) in Deposited Plan 8043 (**Dominant Tenement**). The location and dimensions of such ROC is to be provided in accordance with that shown on plan no. DA – 202 Revision C (LDA 2015/605, 7-11 Glen Street) & DA - 304 Revision B (LDA 2015/666, 1-5 Glen Street & 2-8 Lakeside Road), and the terms of same are to be such so as to ensure that adequate and unimpeded vehicular access is provided to and maintained to the Servient Tenement;

Written evidence that the matter identified in deferred commencement condition above has been satisfied, must be submitted to Council within twenty four (24) months from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 95 (6) of the Environmental Planning and Assessment Act 1979; and

Upon Council giving written notification to the Applicant that the deferred commencement condition has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent.

PART 2 - The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL CONDITIONS

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
Site Plan Masterplan	13/02/2015	DA-100 Rev A
Basement 2 Floor Plan	13/02/2015	DA-102 Rev A
Basement 1 Floor Plan	13/02/2015	DA-103 Rev A
Ground Floor Plan	13/02/2015	DA-104 Rev A
Level 1 Floor Plan	13/02/2015	DA-105 Rev A
Level 2 Floor Plan	13/02/2015	DA-106 Rev A
Level 3 Floor Plan	13/02/2015	DA-107 Rev A
Level 3B Floor Plan	13/02/2015	DA-108 Rev A
Roof Plan	13/02/2015	DA-109 Rev A
Section A	13/02/2015	DA-300 Rev A
Section B	26/09/2016	DA-301 Rev B
Section C	13/02/2015	DA-302 Rev A
Section D	13/02/2015	DA-303 Rev A
Section E	20/07/2016	DA-304 Rev B
North Elevation A	13/02/2015	DA-402 Rev A
North Elevation B	13/02/2015	DA-403 Rev A
North Elevation C	13/02/2015	DA-404 Rev A
South Elevation A	13/02/2015	DA-405 Rev A
South Elevation B	13/02/2015	DA-406 Rev A
West and East Elevation A	13/02/2015	DA-407 Rev A
West Elevation B	13/02/2015	DA-408 Rev A
West Elevation	13/02/2015	DA-403 Rev B
East Elevation B	13/02/2015	DA-409 Rev A
Adaptable Type 1	13/02/2015	DA-751 Rev A
Waste Room Details	13/02/2015	DA-803 Rev A
Waste Room Details	13/02/2015	DA-804 Rev A
Materials and Finishes	13/02/2015	DA-904 Rev A
Landscape Plan – Cover Sheet	14/12/2015	DA 2_000 Rev B
Landscape Plan – Level 1	14/12/2015	DA2_101 Rev B
Landscape Plan – Level 1	14/12/2015	DA2_102 Rev B
Landscape Plan – Roof Top	14/12/2015	DA 2 _103 Rev B
Landscape Details	14/12/2015	DA 2 _501 Rev B

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

- a). **Privacy Screen.** To address privacy to the adjoining rear property:
The northern edge of the balconies for Units B2.04, B2.05, B3.04, B3.05, B3B.04 and 3B.05 is to be provided with a 1.7m high privacy screen of permanent construction, as marked in red on the approved architectural plans.

b). Additional Tree Planting. The terraced planters at the rear of the site are to include an additional five (5) medium sized trees so as to provide visual relief to the significant walls and level changes proposed. Details are to be submitted prior to the issue of **Construction Certificate**.

Details to be submitted to and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate.

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 6891646M dated 23 December 2015. BASIX Details to be included on the Construction Certificate.
4. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a. Protect and support the adjoining premises from possible damage from the excavation, and
 - b. Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
5. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.
6. **Security Grilles.** This consent does not authorise the erection of any security grilles, barriers or roller shutter doors along the front elevation of the development.
7. **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.
8. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
9. **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.

10. **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.
11. **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.
12. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
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. **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.
Note: A plan of traffic management is to be submitted to and approved by the Consent Authority
15. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
16. **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.
17. **Certification.** A Tree Protection Schedule, as indicated below, which provides a logical sequence of hold points for the various development stages including pre construction, construction and post construction and a checklist of various hold points that are to be signed and dated by the

Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to the City of Ryde Council prior to the issue of any Occupation Certificate.

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

18. **Access for waste collection vehicles** - Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction. On-site loading docks must cater for the size of the City of Ryde Waste Vehicles
- a. Building with 55 units or more – minimum height 4.00 metres, minimum length 11.0 metres, maximum weight 24 tonne
- Additional clearances must be provided for overhead and side loading where appropriate.

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

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. **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.

23. **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.

24. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.

25. **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.

26. **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.

27. **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.

Note: An appropriately licensed contractor shall be engaged for the removal of friable asbestos or asbestos containing material greater than 10m2 and Work Cover appropriately notified. All such demolition shall comply with Work Health and Safety Act 2011, Work Health and Safety Regulation 2011 and Protection of Environment Operations Act 1997.

28. **Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
29. **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.
30. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request. All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
31. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
32. **Salvage of materials and building elements.** Traditional building materials and architectural elements (such as windows, doors, internal and external joinery, masonry, tiles etc) are to be dismantled, salvaged and sold to an established dealer in second-hand heritage building materials.

Documentation of the salvage methodology must be submitted for the approval of Council's Heritage Planner prior to the commencement of demolition.

33. **Demolition Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Demolition Traffic Management Plan (DTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to commencing any demolition work.

The DTMP must:-

- i. Make provision for all construction materials to be stored on site, at all times.

- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- iii. 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 is not permitted unless approved by City Works & Infrastructure Directorate.
- iv. Specify that, due to the proximity of the site in vicinity of St Kevin's Catholic Primary School and Marist College Eastwood, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic are permitted in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays).
- v. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- vi. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- vii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- viii. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DTMP 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. These communications must be documented and submitted to Council prior to work commencing on site.
- ix. The DTMP 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).
- x. 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 are to be paid at the time that the Demolition Traffic Management Plan is submitted.

NOTE: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DTMP 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.

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.

34. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$245,438.10
Open Space & Recreation Facilities	\$404,803.43
Civic & Urban Improvements	\$266,453.59
Roads & Traffic Management Facilities	\$36,931.38
Cycleways	\$22,707.44
Stormwater Management Facilities	\$62,367.80
Plan Administration	\$6,126.26
The total contribution is	\$1,044,828.00

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 Interim Update (2014), effective from 10 December 2014.

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.

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

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>.

NOTE: The applicant may seek a "Works-in-Kind" to the above S94 contribution based on the works required under **Condition 35** of the consent.

35. **Public Domain Works – Glen Street / Shaftsbury Road Roundabout.** To mitigate traffic impacts as a result of the development, the intersection of Shaftsbury Road and Glen Street Eastwood must be upgraded to a roundabout traffic controlled intersection, constructed by the developer.

The Developer shall liaise with Council's City Works and Infrastructure Directorate for specific requirements for the roundabout. In accordance with Section 138 of the Roads Act, detailed engineering plans must be prepared by a Civil engineer in accordance with the Council's DCP and Technical Manuals. At a minimum, the plans must show works in plan view, longitudinal sections and details at a scale relevant for the level of detail, and must include all existing services/ infrastructure to be retained, illumination and landscaping, if required in the area of works. All correspondence and approvals between the applicant and utility authorities must be provided to the Council in conjunction with engineering documentation.

These are to be submitted to and approved by Council's City Works & Infrastructure, prior to the issue of the Construction Certificate. The roundabout must be completed to Council's satisfaction at no cost to Council and prior to the issue of any Occupation Certificate.

36. **Driveway Construction.** Prior to the issue of any Construction Certificate for the development, the driveway depicted in plan No. DA 202, revision C and DA- 304, Revision B, (**Driveway**) on the adjoining site at 7-11 Glen Street is to be constructed and fit for use in accordance with the terms of the Right Of Carriage referred to in Deferred commencement condition (A) (1) above. To ensure that the driveway have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained and Council's Traffic and Development Engineer have inspected and given written approval prior to the release of any Construction Certificate. For the avoidance of

doubt, consent is not granted nor implied as to the construction of the Driveway.

37. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
38. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
39. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
40. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
41. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
42. **Detailed site investigation report.** The proponent must submit a detailed site investigation report for Council's consideration. The detailed site investigation 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, or that the site can be remediated to the extent necessary for the proposed use. The report is to be submitted to Council's Environmental Health Officer for approval prior to the issue of the **Construction Certificate**.

No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation. If requested by Council, the proponent must submit a site audit statement and a site audit summary report from an accredited site auditor under the *Contaminated Land Management Act*

1997, verifying the information contained in the detailed site investigation report.

Note: Remediation of land following detailed site investigation - If required by the detailed site investigation report, the land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use

43. **Notice of remediation work** - Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.
44. **Remediation work** - All remediation work must be carried out in accordance with the requirements of:
 - a. *State Environmental Planning Policy No. 55 - Remediation of Land*;
 - b. any relevant guidelines published by the NSW Environment Protection Authority; and
 - c. any council policy or development control plan relating to the remediation of land.
45. **Council may require site audit of validation report** - If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the *Contaminated Land Management Act 1997* must be submitted to Council verifying the information contained in the site validation report.
46. **Detailed groundwater assessment report**. The proponent must submit a detailed groundwater assessment report for Council's consideration. The assessment must be carried out by suitably qualified environmental consultant in accordance with the *Guidelines for the Assessment and Management of Groundwater Contamination* (DEC, 2007) and determine:
 - a. whether the concentrations of contaminants in the groundwater are naturally occurring;
 - b. whether concentrations of contaminants in the groundwater are likely to have a detrimental impact on the receiving waters; and
 - c. if a detrimental impact is likely, what management options were available to protect the receiving waters.

This report is to be submitted to Council's Environmental Health Officer for approval prior to the issue of the Construction Certificate.

Note: Council may require site audit of groundwater assessment report. If requested by Council, the proponent must submit a site audit statement and a site audit summary report from an accredited site

auditor under the *Contaminated Land Management Act 1997*, verifying the information contained in the detailed groundwater assessment report.

47. **Groundwater Management Plan** - If the groundwater assessment report concludes that the concentrations of contaminants in the groundwater are likely to have a detrimental impact on the receiving waters a groundwater management plan must be prepared by a suitably qualified environmental consultant and be submitted to and approved by Council before the issue of a Construction Certificate.
48. **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 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 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.
49. **Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, eg relocating or moving an asset.

Sydney Water's [Tap in™](https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm) online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>.

50. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic Report prepared by Renzo Tonin & Associated dated 16 November 2015 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the Construction Certificate plans.

51. **Compliance with Geotechnical Report.** Designed and constructed in accordance with the various recommendations as contained in the reports by Coffey dated 29 March 2015 and 1 April 2016, plus:
- the proposed detention tank be supported on piers bearing on the underlying weathered shales.
52. **Compliance with Access Report.** The proposed development is to comply with the requirements contained in the Statement of Compliance Access for People with a Disability prepared by Accessible Building Solutions and all other relevant BCA access requirements. Details demonstrating compliance are to be submitted on the Construction Certificate plans.
53. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
54. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a qualified designer. This statement must include verification from the designer that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.
55. **Adaptable Units.** Five 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 requirements as outlined in AS4299. Details demonstrating compliance is to be provided on the Construction Certificate plans. Prior to the issue of the **Construction Certificate**, a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.
56. **Service infrastructure/utilities.** Unless specifically shown on the approved architectural plans, all service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval, such infrastructure shall be located on the subject site and appropriately screened from view. Electrical substations specifically shown on the approved architectural plans should also include appropriate screening where possible.

Details of all service infrastructure/utilities are to be approved prior to the issue of the **Construction Certificate**.

57. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Apartment Design Guide. 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 **Construction Certificate**.
58. **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 Apartment Design Guide. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.
59. **Retaining Walls.** Retaining walls should be a maximum of 900mm high. Where necessary retaining walls should be tiered to suit level changes to reduce potential fall risks and ensure that additional barrier fencing is not required. All fencing or balustrades on top of retaining walls which are higher than 1m is to be a minimum of 1m high in accordance with the Building Code of Australia. Details of the retaining walls are to be provided prior to issue of the Construction Certificate.
60. **Irrigation.** An automatic watering system is to be supplied to all landscape areas including common areas, private open spaces as well as to the rooftop gardens to ensure adequate water is available to lawns and vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details are to be submitted prior to the issue of **Construction Certificate**.
61. **Mechanical ventilation details.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted for approval with the application for the **Construction Certificate**. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems; and
 - (b) A design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and the conditions of this Consent.
62. **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.
- 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.
- Specify that, due to the proximity of the site in vicinity of St Kevin's Catholic Primary School and Marist College Eastwood, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic are permitted in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays).
- 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 Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure
- 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 trees.
- 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 submitted to Council prior to work commencing on site.
- 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 are to be paid at the time that the Construction Traffic Management Plan is submitted.

Note: 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.

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

- The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes. All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property (660L Bins – width 1.3m, depth 0.8m, height 1.3m & 240L Bins – width 0.6m, depth 0.8m, height 1.1m) to fit through the opening including the door.
- 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;
- The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- 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;
- The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- 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;
- 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;
- The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- The room must be provided with adequate artificial lighting; and
- A hose cock must be provided in or adjacent to the room to facilitate cleaning.
- Staff or contractors must be employed to ensure that all the waste & recycling bins are brought to the residential garbage room prior to the collection day.

Details of the above are to be provided on the Construction Certificate plans.

64. **Garbage Room.** A separate garbage/recycling room for the storage of residential waste and commercial waste must be provided in an approved location within the basement of the premises as shown on the approved plans. Access to the bulky waste room must be provided for collection contractors. Suitable details must be clearly shown on the approved plan before the issue of any Construction Certificate

Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.

Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key should be installed so the

contractor can access the room for servicing bins or collect the household cleanup items.

65. **Pre-Construction Dilapidation Report.** To ensure Council's infrastructures are adequately protected a pre-construction 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 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, and approved by Council's Traffic Development Engineer, prior to any work commencing.

All fees and charges associated with the review of this report shall 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.

66. **Work Zones and Permits.** The applicant is to pay to Council for the assessment of all applications of road use permits, work zone permits, crane permits and/or concrete pump permits, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.
67. **Public domain improvements** - The public domain along both frontages - the Glen Street frontage and the Lakeside frontage, of the development site is to be upgraded in accordance with the City of Ryde Public Domain Technical Manual, Section 3 – Eastwood, and **the revised technical standards** as advised by Council's City Works and Infrastructure Directorate. The Developer shall liaise with Council's City Works and Infrastructure Directorate for specific requirements along the Glen Street and Lakeside Road frontages of the development site.

A public domain plan for the following works shall be submitted to, and approved by Council's City Works & Infrastructure, prior to the issue of the Construction Certificate.

- (a) Footpath Paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Eastwood Town Centre Street Tree Master Plan. The designated species are "Acer negundo" (Box Elder) for the Glen Street and Lakeside Road frontages of the development site – *Refer to Open Space Planning and Design Team for exact wording*

required by them. Note that there are a number of mature trees in the footway area, and advice is to be sought as to whether these will be removed and replaced with the street trees in the Master Plan.

Note: In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no conflicts with the proposed street lights, utilities and driveway accesses. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.

- (c) All telecommunication and utility services are to be placed underground along the Glen Street and Lakeside 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.
- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with vehicular luminance category V5 and pedestrian luminance category P2 along the Glen Street and Lakeside Road frontages of the development site.

Subject to final design, it is expected that three new street lights on multi-function poles (MFPs) will be required along the Glen Street frontage and three more street lights on multi-function poles (MFP's) will be required along the Lakeside Road frontage of the development site. The consultant shall liaise with Council's City Works and Infrastructure Directorate in obtaining Council's requirements and specifications for the MFPs and components, including the appropriate LED luminaire and location of the meter boxes.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works & Infrastructure prior to lodgement of the scheme with Ausgrid for their approval.

Note: Council has prepared a design guide and schema for the provision of the street lighting on MFPs. A copy of the design guide and schema can be made available to the Electrical Design Consultant upon request to Council's City Works and Infrastructure Directorate.

68. **Public Infrastructure Works** – Public infrastructure works shall be constructed as outlined in this condition of consent, and must be

completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works and Infrastructure prior to the issue of a 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 surface levels, drainage pit configurations, kerb returns and other relevant details for the new works and also demonstrate the smooth connection of the proposed works with the remaining street scape.

- a) The full reconstruction of half road width for the Glen Street frontage of the development site in accordance with Clause 1.1.4 – Constructing Half Road of the City of Ryde DCP 2014 Part 8.5 - Public Civil Works.
- b) The full reconstruction of half road width for the Lakeside Road frontage of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 – Public Civil Works. The Applicant is to prepare detailed design drawings for the reconstruction of Lakeside Road between the two intersections with Hillview Road and Glen Street.
- c) The removal of all redundant vehicular crossings along Glen Street and Lakeside Road frontages of the development site, and replacement with new kerb and gutter.
- d) The construction of new kerb and gutter along the entire length of the Glen Street and Lakeside Road frontages of the development site.
- e) The construction of the footway in accordance with the City of Ryde Public Domain Technical Manual Section 3 – Eastwood, and **the revised technical standards** as advised by Council's City Works and Infrastructure Directorate.
- f) The construction of three kerb ramps: two at the intersection of Glen Street and Lakeside Road and one at the existing pedestrian crossing in Lakeside Road.
- g) 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.

Notes:

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed buildings.
2. 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".

69. **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 the Construction Certificate. The application shall be accompanied by engineering plans of civil works along the frontage of the development site. 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.

Note: The Applicant is advised to apply for the driveway access and boundary alignment levels as early as possible in order to provide adequate information for the design of the internal driveway and entry ramps.

70. **Vehicle Footpath Crossings** – The footpath crossings shall be designed and constructed to protect the footpath from damage resulting from the vehicular traffic. The crossing shall match the paving style along the frontage of the development site. 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 (registered on the NER of Engineers Australia) confirming that the vehicle footpath crossing and driveway design meet Council requirements and the relevant standards, prior to the issue of the Construction Certificate.

71. **Ground Anchors** – The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's City Works & Infrastructure Directorate, as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to the applicant paying all applicable fees in accordance with Council's Schedule of Fees & Charges at the time of the application.

72. **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 in the amount of \$30,000 shall be lodged with the City of Ryde prior to the issue of a 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.

Engineering plans assessment and works inspection fees – The applicant is to pay to Council, fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the assessment, prior to any approval being granted by Council.

73. **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) Ground Level – To enhance the safety of the intersection between the entry access ramp and the through traffic lane for service vehicles leading to the Loading Bay, the intersection point is to be delineated with linemarking, separating the lanes of traffic flow and nominating a traffic control system (eg "Give Way" for service vehicles).
- b) Ground Level – To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) All internal driveways and vehicle access ramps must have ramp grades and transitions complying with AS 2890.1. In this respect, ramps must be no greater than 25% for 20m and any ramp transitions must be no greater than 12.5% for crest's and 15% for sag's, for a minimum length of 2m. A driveway profile must be prepared, showing ramp lengths, grades, surface RL's and overhead clearances, 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

and is to demonstrate compliance with AS 2890 for the respective type of vehicle.

- d) Basement 1 – The internal security gate separating the resident parking area from the retail has no intercom system in which to make this area readily accessible for visitors wishing to park. To circumvent visitor parkers simply occupying the retail spaces, the security gate is to be relocated to the crest of the ramp descending from Basement 1 to the residents own parking area.
- e) Basement 1 – The onsite detention storage is to be relocated further west in the parking area to overcome shortfall in the design. To achieve this, the detention storage is to be located over the 4 spaces west of the garbage room in the southern corner, and these spaces are to be located in place of the originally proposed onsite detention tank. Refer to condition “*Stormwater Management*” for details.

These amendment(s) must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of a Construction Certificate.

74. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the kerb inlet pit in Glen Street, generally in accordance with the plans by Webb Australia (Refer to Project No. 152644 Dwgs H000, H101 to H104 Rev A dated 17 December 2015) subject to the following variation(s);
- The onsite detention system design has not accounted for a submerged outlet during an extreme storm event (100yr ARI). To address this, the detention tank is to be relocated in the basement level, to occupy the 4 parking spaces west of the garbage room located in the southern corner (area occupied by 2 resident spaces, 2 disabled space with shared zone). The detention tank is to be re-designed with intent to raise the level of the discharge outlet, potentially locating rainwater storage in a sump area. A PSD no greater than xx L/s must be achieved.
 - Connection to the public drainage infrastructure will require a road opening permit. Plans detailing these works are to be provided with the permit application and Council’s Public Works is to inspect the connection prior to backfill. This is to be noted on the detailed plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a chartered civil engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as 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.

75. **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 approved Geotechnical Report.

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

76. **DPI (Department of Primary Industries Water).** The proposal must not incorporate provision for the permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used. Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then DPI Water should be notified.
77. **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 a 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 maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging 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.

78. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work, namely 10 to 12 Lakeside Road, 7 Glen Street and structures on St Kevin's Public School located in the zone of influence of the excavation. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of the Construction Certificate.
79. **Awning over Council footpath.** The proposed awning extending over Council's verge and footway area must provide no less than 3m. clearance above the footpath and a minimum clearance of 600mm from the vertical alignment of the immediate kerb. 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.
80. **Stormwater Design Drawings** - Prior to the issue of the Construction Certificate, detailed stormwater drawings for the street drainages shall be submitted to Council's Stormwater Engineer for its approval. The plans are to be prepared by a suitably qualified stormwater/civil engineer (registered on the NER of Engineers Australia. The hydraulic consultant shall use the latest version of DRAINS model for the hydraulic analysis.
81. **Stormwater Works Maintenance Bond** - To ensure the proposed drainage system along Glen Street is constructed to Council's standards, specifications and satisfaction and operates as designed, the applicant must submit a bond to Council equal to the total cost of the drainage works based on quotations or detailed estimated costs. To ensure satisfactory performance of the public infrastructure works, a maintenance period of six (6) months shall apply following the issue of the Occupation 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. The bond money, in the amount of \$150,000, in the form of a cash deposit or Bank Guarantee must be lodged with the Council prior to issue of a Construction Certificate. The bond money will be refunded after the 6 months satisfactory maintenance period and will require CCTV inspection of the drainage line to clarify this.

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.

82. Site Sign

A sign must be erected in a prominent position on site, prior to the commencement of construction:

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

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.

83. Pre-Construction Dilapidation Report. To ensure Council's infrastructures are adequately protected a pre-construction 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 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, and approved by Council's City Works & Infrastructure Directorate, prior to any work commencing.

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.

84. 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.

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

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.

87. **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*.
88. **Noise management plan** - Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:
- (a) Identification of nearby affected residences or other sensitive receivers.
 - (b) An assessment of the expected noise impacts.
 - (c) Details of the work practices required to minimise noise impacts.
 - (d) Noise monitoring procedures.
 - (e) Procedures for notifying nearby affected residents.
 - (f) Complaints management procedures.
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. **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.

91. **Construction materials.** All materials associated with construction must be retained within the site.

92. **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.

93. **Site maintenance**

The applicant must ensure that:

- (d) approved sediment and erosion control measures are installed and maintained during the construction period;
- (e) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
- (f) the site is clear of waste and debris at the completion of the works.

94. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

95. **Tree protection.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans. Trees that are shown on the approved plans as being retained must be protected against damage during construction.

96. **Tree Removal/protection** The trees to be removed (Trees 2, 15-19, 28, 29, 30, 32, 33, 35, 44, 45, 46, 48, 57 and 59) as identified in the Arboricultural Impact Assessment Report dated 18.12.2015 prepared by Advanced Treescape Consulting are to be removed in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications. This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.

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 neighbouring allotments and Council verge prior to any demolition or construction works taking place. Tree protection is to be carried out in accordance with the Arboricultural Impact Assessment prepared by Advanced Treescape Consulting dated 18.12.2015 with all trees being 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.

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

97. **Hold Points during construction - Public Domain** - Inspections are required to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council's City Works and Infrastructure, certification from the Engineer, at each stage of the inspection listed below. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

Council shall confirm receipt of the certificates and approval at each stage during the construction, before works are to proceed to the subsequent stage.

- 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 Engineer's certificate for the final inspection shall confirm that the works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

98. **Hold Points during construction – Drainage Works** - Construction inspections shall be required by Council's Stormwater Engineer for the Council stormwater drainage works at the following hold points: -

- Upon excavation of trenches shown on the approved drainage drawings.
- Upon installation of pipes and other drainage structures.
- Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

An inspection fee is applicable for each visit, and at least 24 hours' notice will be required for the inspections.

99. **Utility Services** - The applicant shall undertake and bear all costs associated with the liaison, approval and relocation of any utility services. All correspondence and approvals between the Applicant and utility authorities shall be provided to the Council in conjunction with engineering documentation for the stormwater drainage works.
100. **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.
101. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Webb Australia (Refer to Project No. 152644 Dwgs SW001 Rev A dated 17 December 2015) at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document. No sediment, dust, soil or similar material shall leave the site during construction work.
102. **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.
103. **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.

104. **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.
105. **Public Domain Works – Construction of Glen Street / Shaftsbury Road Roundabout.** The construction of the roundabout on the intersection of Glen Street / Shaftsbury Road intersection required by this consent must be constructed in accordance with the approved civil infrastructure plans, documentation and any associated conditions (including specified hold points for inspection) as issued by Council's City Works & Infrastructure section under the provisions of Section 138 of the Roads Act and Local Government Act. Council may elect to utilise any bond held in relation to the works to rectify/ address any deficiencies in the construction works if not undertaken by the Developer in a reasonable timeframe when requested to do so.

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.

106. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 691646M dated 23 December 2015.
107. **Compliance -Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of any **Occupation Certificate**. Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect

confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

108. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of an Occupation Certificate. The Landscape Maintenance Plan should include the following requirements:
- a. Regular maintenance and trimming of shrubs and plantings.
 - 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.
109. **Ongoing Management.** The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the project. Under the direction of Council, the applicant will make good any roadside facilities being footpaths, road pavement, et cetera; to Council's (City of Ryde) satisfaction.
110. **Loading Dock Management Plan.** A Loading Dock Management Plan will need to be prepared by the applicant and submitted to and approved by Council prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how safe waste collection will be undertaken without interrupting traffic flow within the basement.
111. **Work-As-Executed Drawings.** Prior to the issue of an Occupation Certificate, 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.
112. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of any Occupation Certificate.
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 any Occupation Certificate.

114. 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.

The cameras should include the foyer area to the buildings including the area around the mail boxes. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also cover any communal areas, lifts, public spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.

As a minimum, CCTV cameras at entry and exit points to the premises **MUST** record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras **MUST** record footage of a nature and quality in which it can be used to recognise a person recorded by the camera. The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.

If requested by police, the applicant is to archive any recording until such time as they are no longer required. Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.

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

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

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.

- Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

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

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

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

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

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

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

119. **CCTV Report** - Prior to the issue of an Occupation Certificate, the Council shall be provided with an electronic closed circuit television report (CCTV report) prepared by an accredited operator that assesses the condition of the newly constructed drainage network. Any defects in the drainage network identified in the report shall be rectified to Council's satisfaction.

120. **Works-as Executed Drawings** – Stormwater Drainage - Prior to the issue of an Occupation Certificate, Works-As-Executed Drawings for the Council stormwater drainage works shall be submitted to and approved by Council's Stormwater Engineer. The Works-as-Executed Drawings shall be accompanied by a certificate from a suitably qualified engineer (registered on the NER of Engineers Australia), certifying the drawings are a true and accurate representation of the constructed works

121. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
122. **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, charged/ siphonic and WSUD (water sustainable urban design) 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 standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.
123. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- a. All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- b. The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- c. The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- d. Signage is to be placed on or in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- e. Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from

the road reserve or public domain will require approval on each occasion. Areas are to be demarcated if required.

- f. Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.

124. 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.

125. 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).

126. Engineering plans assessment and works inspection fees – The applicant is to pay to Council, fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the assessment, prior to any approval being granted by Council.

127. Electricity accounts for new street lighting - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Asset Networks Section regarding the setting up of the electricity account/s in order to energise the newly constructed street lighting.

128. Compliance Certificate – Street Lighting – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

129. Public Domain Works-as-Executed Plans – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies – AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and approved by Council, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

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.

130. Final Inspection – Assets Handover - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be

conducted in conjunction with Council's Engineer following the completion of the external works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

131. **Compliance Certificate – External Works** – Prior to the issue of the Occupation Certificate, a compliance certificate shall be obtained from Council's City Works and Infrastructure confirming that all works in the road reserve including all public domain improvement works have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.
132. **Certification of mechanical ventilation work** - Where any mechanical ventilation systems have been installed or altered, an installation certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.
133. **Compliance Report.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the issue of an Occupation Certificate.
134. **Restriction as to User - Floodway.** A restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in the 100ARI, such to adversely impact flood protection of the approved dwelling or have an adverse impact on neighbouring properties. The terms of the restriction shall be generally in accordance with Council's draft terms for provision for overland flow, to the satisfaction of Council and must be registered on the title of the property prior to the release of any Occupation Certificate.
135. **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.

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.

136. **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.

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.

137. **Indemnity.** If 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. This is to be submitted to Council's Public Waste Officer prior to the issue of the Occupation Certificate.

138. **Waste Collection.** Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate.

OPERATIONAL CONDITIONS

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

139. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;

- A minimum 63 and maximum 87 residential spaces (including 8 disabled spaces)
- 15 visitor spaces
- 82 retail parking spaces

140. **Stormwater Management – Implementation of maintenance program.**

The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP).

141. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.

142. **Installation of grease trap** - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted

143. **Connection by gravity flow** - All sanitary fixtures must be connected to the sewerage system by gravity flow.

144. **Construction of walls** - The walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.
145. **Provision for installation of kitchen exhaust systems** - Adequate provision must be made for the installation of kitchen exhaust systems to all proposed food premises.
146. **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. All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.
147. **Installation, operating and maintenance requirements** - All air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
148. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.
149. **Registration of water-cooling systems** - All water-cooling systems regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation. Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
150. **Vehicle Entry Security Gate.** To ensure vehicle access to the retail and visitor parking areas are facilitated during operating periods of the developments retail / commercial components, the parking security gate is to remain open, such to provide clear vehicle access, for periods no less than 30 minutes prior to and after, the practised trading hours for the life of the development.
151. **Waste storage/disposal** . All wastes generated on the premises:
- must be stored and disposed of in an environmentally acceptable manner.
 - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
 - Wastes for recycling should be the stored in separate bins or containers and transported to a facility where the wastes will be recycled or re-used.
 - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the

requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.

- The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
- Signs are required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.
- All material in the bulky items/hard waste storage room is to be taken to the collection area on the kerbside stipulated by Council, by the building management or cleaners. The material is to be placed in such a manner so that it will not impede the access to pedestrian access.
- Staff or contractors must be employed to take the recyclable materials from the service compartments and sort the materials into the containers provided in the garbage and recycling room.
- Access to the hard waste area must be provided for collection contractors. The door way must be wide enough to allow a lounge or fridge to be taken in and out of the room in a safe and easy manner.

152. Commercial waste:

- The occupier must enter into an agreement with a licensed waste transporter for the collection and disposal of clinical wastes generated on the premises, and a copy of the service contract must be provided to Council on request.
- All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.
- The applicant must contact the Wastewater Source Control Branch of Sydney Water Corporation on Tel. 13 11 10 to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.

153. Loading/unloading. All loading and unloading in relation to the use of the premises shall take place wholly within the property. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 7am on any day. Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.

154. Noise and vibration from plant or equipment - The operation of any plant or equipment installed on the premises must not cause:

- a. The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied

for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).

- b. An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
- c. The transmission of vibration to any place of different occupancy.

155. Clean water only to stormwater system - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.

156. Clean-up materials to be kept on premises - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills. All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.

157. Duty to notify. Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the Protection of the Environment Operations Act 1997.

158. 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.

159. Operation for the Commercial/retail uses. To ensure that the residential amenity of the nearby residential apartments are not adversely impacted on, the hours of operation for the commercial uses are to be restricted between the hours of 7.00am and 10. 00pm Monday to Sunday. Any extension beyond these hours would require the approval of Council. Retail premises must limit any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places.

Advisory Note:

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