

Attachment 1

DEFERRED COMMENCEMENT

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

- 1. Root Mapping Investigations.** Detailed root mapping investigations are to be undertaken to determine the likelihood and level of impact the proposed development will have to neighbouring trees at 9-11 St Annes Street. Specifically, the root mapping is to relate to four (4) existing trees located on the neighbouring allotment at 9-11 St Annes Street identified as Trees 1-4 within the Arboricultural Assessment Report prepared by Tree and Landscape Consultants 1st December 2015. Should it be determined that the proposed development activity will result in an unacceptable level of impact, design modifications are to be undertaken and approved by Council which reduce the impact to a sustainable level. Alternatively, owners consent is to be obtained from the neighbouring land owners for the removal of these trees and a tree removal application submitted to Council.

The information required in Part 1 shall be submitted to Council within six months from the date of this notice or the Consent will have lapsed, in accordance with the requirements of Section 95(6) of the Environmental Planning & Assessment Act.

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
Demolition Plan	Dec 2015	DA005 B
Cover Sheet	Dec 2015	DA000 E
Site Plan	Dec 2015	DA006 B
Lower Basement	Dec 2015	DA100 D
Upper Basement	Dec 2015	DA101 D
Lower Ground Floor Plan (Commercial)	Dec 2015	DA102 E
Lower Ground Floor Plan (Residential)	Dec 2015	DA102A D
Ground Floor Plan	Dec 2015	DA103 D
Level 1 Floor Plan	Dec 2015	DA104 D

Level 2 Floor Plan	Dec 2015	DA105 D
Level 3 Floor Plan	Dec 2015	DA106 D
Level 4 Floor Plan	Dec 2015	DA107 E
Level 5 Floor Plan	Dec 2015	DA108 E
Roof Terrace Plan (Level 6)	Dec 2015	DA109 D
Roof Plan	Dec 2015	DA110 C
North and South Elevations	Dec 2015	DA200 C
East and West Elevations	Dec 2015	DA201 D
Section A	Dec 2015	DA300 E
Pre and Post Adaptable Unit Layout	Dec 2015	DA500 C
Finishes Schedule	Dec 2015	DA720 C
Lower Ground Floor Landscape Plan	03.08.16	L01
Ground Floor Landscape Plan	03.08.16	L02
Level 3 Landscape Plan	03.08.16	L03
Level 5 Landscape Plan	03.08.16	L04
Roof Terrace Landscape Plan	03.08.16	L05

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

- (a)**Additional window.** To improve solar access to the second bedroom of units CG03, C103, C203, C303 and C403 a window is to be provided on the northern elevation of Bed 2 in the abovementioned units, as marked in red on the approved architectural plans.
- (b)**Victoria Road Tree Planting.** The proposed raised planters along the Victoria Road frontage are to include an additional three (3) medium sized canopy trees that provide increased screening to the built form. The trees are to be capable of reaching a minimum twelve (12) metres in height and planted at a minimum 75 litre pot size. If necessary the volumes of the planters are to be increased to ensure an appropriately sized trees can be accommodated and their long term health and viability maintained. The trees shall be planted in accordance with the specifications as prescribed in Section 6 of the City of Ryde Urban Forest Technical Manual.
- (c)**Turf Areas.** The narrow turf strips provided to the terrace areas of Units DG01 & DG02 are to be deleted and replaced with low maintenance shrub/groundcover planting.
- (d)**Shade Structure – Level 3.** Part of the timber decking area on the Level 3 communal open space is to include an overhead shade structure to provide adequate protection from the sun. Details of compliance are to be submitted with the plans for Construction Certificate.

(e) **BBQ Facilities.** BBQ facilities are to be provided to the Level 6 communal open space area with connections to hot water and sink facilities also provided. Details of compliance are to be submitted with the plans for Construction Certificate.

(f) **Shade Structure – Level 6.** The communal open space at Level 6 is to include overhead shade structures or sun shading devices to provide appropriate sun protection and ensure a high level of amenity and useability. Details of compliance are to be submitted with the plans for Construction Certificate.

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

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate numbered 688210M_02 dated 1 June 2016.. **BASIX Details to be included on the Construction Certificate.** The Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
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 boundary of the commercial tenancy facing Victoria Road and Little Church Street.
7. **Studies.** All studies within the development are to be provided with the internal joinery for the construction of a desk. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
8. **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.

9. Hoardings.

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) Coordinated graphics that may form part of the public art program for the site;
- (c) Project consultant information in one location;
- (d) Required safety signage; and
- (e) Solid panels in preference to open mesh and fencing.

10. 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.

11. 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.

12. 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.

13. 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.

14. Roads & Maritime Service (RMS) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works. Details should be forwarded to:

The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

15. RMS. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8849 2114
Fax 8849 2766

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

16. **RMS.** The redundant driveway on Victoria Road shall be removed and replaced with kerb and gutter to match existing. The design and construction of the kerb and gutter on Victoria Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2138).

Detailed design plans of the proposed kerb and gutter are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

17. **RMS.** A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Victoria Road during construction activities.
18. **RMS.** Off-street parking shall be designed and constructed in accordance with AS 2890.1 — 2004 and AS 2890.2 for heavy vehicles.
19. **RMS** All costs associated with the proposed development shall be at no cost to Roads and Maritime.
20. **Pedestrian Sight Lines.** Minimum sight lines for pedestrian safety shall be provided within the property boundary in accordance with Figure 3.3 of AS2890.1-2004.
21. **Carpark exhaust vent** - The carpark exhaust vent must be located at least 3m above ground level or any pedestrian thoroughfare and:
(a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and

- (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

- 22. 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.
- 23. Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
- 24. 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.
- 25. 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 demolitions and site establishment.
3	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to 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	Principal	Project	Prior to issue

	trees by project Arborist.	Contractor	Arborist	of Occupation Certificate.
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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.

26. 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.

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

28. 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.

29. Reason: 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.

30. 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.

31. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
32. **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.
33. **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.
34. **Removal of underground petroleum storage systems** - The removal of the underground petroleum storage systems must be carried out in accordance with:
- (a) Australian Standard AS 4976-2008: *The removal and disposal of underground petroleum storage tanks*; and
 - (b) the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*.
35. **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. All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
36. **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 Part 1: Classifying Waste* (EPA, 2014) before being transported from the site.
37. **Transportation of wastes** - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Tip dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
38. **Salvage of materials and building elements - 10 Little Church Street.**
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.

39. **Surplus excavated material** - All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
40. **Imported fill** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the RCA) before the fill is used.
41. **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. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
 - v. 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.
 - vi. 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.
 - vii. 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.

- viii. 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).
- ix. 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.
- x. Protection of trees and cemetery. - No construction vehicles, equipment, access or materials shall be permitted to stand, be stored or stockpiled or otherwise, on the western kerb side of Little Church Street. No access for construction vehicles or the like shall be permitted over or through the St Anne’s Church and cemetery site.

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.

42. 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	\$259,333.68
Open Space & Recreation Facilities	\$612,181.99
Civic & Urban Improvements	\$225,162.05
Roads & Traffic Management	\$30,790.52

Facilities	
Cycleways	\$19,185.50
Stormwater Management Facilities	\$59,690.96
Plan Administration	\$5,172.67
The total contribution is	\$1,211,517.37

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>.

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

No Construction Certificate is to be issued for 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.

44. **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*.
45. **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.

46. **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**

47. **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**.

48. **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**. (delivery of bricks or concrete or machine excavation OR other building with no other buildings with delivery of bricks or concrete or machine excavation

49. **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

50. **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**.

51. **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>

52. **Acoustic.** The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*. Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.
53. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic Report prepared by Acoustic Logic dated 3/12/2015 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the Construction Certificate (for above ground works) plans.
54. **Compliance with Access Report.** The development is to comply with the recommendations contained in the Accessible Building Solution Report dated 4/12/2015 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the Construction Certificate (for above ground works) plans.
55. **Sample materials.** A detailed sample board of materials and colour finishes to be submitted to the satisfaction of Council's Heritage Advisor prior to the issue of any Construction Certificate. Roofing and other external materials must be of low glare and reflectivity.
56. **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*.
57. **Adaptable Units.** Eleven 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 (for above ground works), a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.

58. **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**.

59. **Public Arts Plan.** A public art is to be provided as part of the proposed development in accordance with Council's Public Art Policy. A Public Arts Plan is to be submitted for approval by Council prior to the issue of **Construction Certificate** (for above ground works). The public art is to be prepared by an arts and cultural planner and will be required to address the following:

- Identify opportunities for the integration of public art in the proposed development;
- Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area;
- The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate;
- The proposal should provide engineer's drawings and demonstrate:
 - Australian building standards requirements and codes for the structural design;
 - Sound practices for fabrication and construction, and materials appropriate for application;
 - Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.

60. **Vehicular entry.** The vehicular entries are to have high quality finishes and detailing to the walls and ceiling. No service ducts or pipes are to be provided within the vehicular entry. Details demonstrating compliance is to be submitted on the Construction Certificate plans.

61. **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**.

62. **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.

63. **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.
64. **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**.
65. **Mechanical ventilation of rooms** - If the airborne noise level with windows and doors open exceeds the above noise criteria by more than 10dBA, an approved system of mechanical ventilation must be provided so that the building -occupants can leave the windows and doors closed.
66. **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.
 - (c) Where retail and commercial development adjoins residential development, the use of mechanical plant equipment and building services will be restricted and must have acoustic insulation.
67. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling Houses and Dual Occupancy (attached) – Section 2.16 - Fences. Details of compliance are to be provided in the plans for the **Construction Certificate**.
68. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

With respect to this, the following revision(s) must be undertaken;

- a) The vehicle entry ramp from the boundary frontage to the waste loading bay must have ramp grades compliant with AS 2890.2 (Commercial

Vehicles) for the HRV design vehicle. In this respect, due to the length of the ramp and the requirement for transition grades to be no greater than 6.25% over 7m, the maximum grade that could be achieved from the boundary to the southern side of the loading bay area is 12.5%. A revised driveway profile must be submitted to ensure compliance with AS 2890.2. The revised driveway profile must be taken along the shortest path of vehicle travel (inside radius) with transitions having a maximum change in grade no greater than 6.25% for minimum 7m lengths. All overhead structures and services are to be incorporated in the plan, demonstrating that a 4.5m overhead clearance is achieved.

To allow for adequate sight distance from a vehicle exiting the basement garage area to the access lane, both sides of the driveway entry must not have any structures to impede drivers vision along the access lane, 2.4m back from the crest of the ramp.

- b) The shared area adjoining the visitor space 11 must be clear to allow a vehicle reversing from visitor space 12 to partially reverse into and exit in a forward manner. In lieu of a bollard (as required by AS 2890.6) the space must be clearly demarcated and linemarked, clearly indicating to motorists that it is a “No Parking” area.

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

69. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the inground public drainage infrastructure in Victoria Road, generally in accordance with the plans by Australian Consulting Engineers (Refer to Project no. 151168 Dwgs D00 - D06 Rev. A dated 8 December 2016) subject to the following variation(s);

- Plans are to be updated so to be consistent with the approved architectural plan and landscape plan.
- The reconfiguration of the OSD must have a defined failure mode to Victoria Road/ Little Church Street in the event of blockage of the system. Any pit access lids located in the terrace level area (surrounding commercial floor area) must be sealed.
- The proposed angle of connection to the public drainage infrastructure in Victoria Road is not supported. The public drainage infrastructure in Victoria Road must be extended to front the property so as to ensure that a direct and perpendicular connection to this infrastructure can be made. This will require the construction of a new extended kerb inlet pit in Victoria Road (location to be confirmed in consultation with Councils City Works & Infrastructure) and the extension of 375mm RFC drainage line from the existing kerb inlet pit. All works must comply with Council (and RMS where applicable) technical specifications.
- 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 City Works & Infrastructure is to inspect the connection prior to backfill. This is to be noted on the detailed plans.

- In accordance with Council's DCP Part 8.2 (Stormwater and Floodplain Management), the development warrants WSUD measures to be implemented in the system. A WSUD management plan complying with the controls in the aforementioned DCP part must be prepared and detailed on the Stormwater Management 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.

70. Stormwater Management – Connection to Public Drainage System. The connection to the public inground stormwater drainage infrastructure located in Victoria Road will require the assessment, approval and inspection by Council's City Works & Infrastructure section to ensure the integrity of this asset is maintained. Engineering plans detailing the method of connection complying with Council's DCP and Technical Standards and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

Where the point of connection is in neighbouring property, the applicant must provide written notification to the affected property owner no less than a week prior to the works and all structures/ surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner.

71. 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.

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

72. 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.

73. Dilapidation Survey. A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work, namely 9 to 11 Saint Annes Street and 721 Victoria Road. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of the Construction Certificate.

74. Waste and Service Vehicle Access/facilities. The access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of 11m Council's waste vehicle, as a minimum requirement. The height clearance required is 4m. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 11m Council's waste vehicle shall be submitted to and approved by the Council's Traffic Engineer prior to the issue of the Construction Certificate. On-site loading docks must cater for the size of the City of Ryde Waste Vehicles. Minimum height 4m, minimum length 11m and maximum weight 24 tonne.

Safe easy access must be provided for waste collection vehicles to service the waste containers. A waste collection loading dock must be provided adjacent to the bin storage room and bulky waste collection area ensuring that WHS guidelines are adhered to. Details demonstrating how safe access will be achieved must be approved by the City of Ryde Council prior to the issue of any Construction Certificate.

75. No Parking Restriction. "NO PARKING" signs shall be installed on St Annes Street to enable unimpeded access for Council's 11m waste vehicle to enter and exit the site on waste collection day(s) only. A swept path diagram plan identifying the extent of parking required to be removed shall be submitted to and approved by the Council's Traffic Engineer prior to the issue of the Construction Certificate.

76. Kerb Splay. A plan showing the modified kerb splay to enable Council's 11m waste vehicle to enter and exit the site without encroaching on to the

proposed kerb shall be submitted to and approved by the Council's City Works and Infrastructure prior to the issue of the Construction Certificate.

- 77. Removal of Redundant Driveways.** Roads and Maritime Services requested the redundant driveway on Victoria Road be removed and replaced with kerb and gutter to match existing. See Condition 16 above. The design and construction of the kerb and gutter on Victoria Road shall be in accordance with Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 8849 2138).

Detailed design plans of the proposed kerb and gutter are to be submitted to Council and Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works.

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.

- 78. 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:-

- 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 are not permitted unless approved by Council's Public Works.
- iv. 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
- v. 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.

- vi. 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.
- vii. 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).
- viii. 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.
- ix. Protection of trees and cemetery. - No construction vehicles, equipment, access or materials shall be permitted to stand, be stored or stockpiled or otherwise, on the western kerb side of Little Church Street. No access for construction vehicles or the like shall be permitted over or through the St Anne’s Church and cemetery site.

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.

79. Public domain improvements - The public domain is to be upgraded along all three frontages of the development site – Victoria Road, Little Church Street and St Anne’s Street, in accordance with the City of Ryde *Public Domain Technical Manual, Section 7 – Ryde Town Centre*. The work is to include but not be limited to paving, lighting upgrade, street furniture and plantings.

A public domain plan for the following works shall be submitted to Council for approval by Council, 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 Ryde Town Centre Street Tree Master Plan. The designated species are “*Lophostemon confertus*” (Brush Box) for Victoria Road frontage of the development.

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 Victoria Road, Little Church Street and Saint Anne's Street 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) The street lighting along the Victoria Road, Little Church Street and Saint Anne's Street frontages is to be upgraded in accordance with Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with vehicular luminance category V5 and pedestrian luminance category P3 along Little Church Street, and Saint Anne's Street, and vehicular luminance category V3 and pedestrian luminance category P2 along Victoria Road. RMS's concurrence for the Victoria Road lighting shall be required. The street lighting shall remain on the Ausgrid network, and LED luminaires shall be used where possible. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for the upgrade to the network, and are to be submitted to Council and Ausgrid for approval prior to commencement of work.

80. Public Infrastructure Works – Public infrastructure works shall be constructed as outlined in this condition of consent. All works 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 Council for approval 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*, and the *Public Domain Technical Manual, Section 7 – Ryde Town Centre*, 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 all proposed public domain works into the remaining street scape.

- (a) Full width coloured concrete footpath with pink granite banding along Little Church Street and Saint Anne's Street in accordance with the secondary street paving treatment for the Ryde Town Centre.
- (b) New 2.0m wide (measured from the back of kerb) coloured concrete footpath with pink granite banding along Victoria Road. Refer to the secondary street paving treatment for the Ryde Town

Centre. The verge between the edge of the new footpath and the boundary alignment shall be turfed and landscaped. Please consult with Council's Open Space Planning and Development for the finish/material at this location.

- (c) The removal of all redundant vehicular crossings and replacement with new kerb and gutter.
- (d) The construction of new kerb and gutter along the Victoria Road, Little Church Street and St Anne's frontages of the development site, where required in order to achieve the correct levels for the public domain. Smooth connections with the existing infrastructure shall be provided.
- (e) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

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 building.
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*".

81. 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.

82. 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 frontages 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.

83. **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.

84. **Public Domain Works – Maintenance Bond.** To ensure satisfactory performance of the public domain works, a maintenance period of six (6) months shall apply to the works for which Council will take ownership of, following completion of the development. The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification. A bond in the form of a cash deposit or Bank Guarantee of \$50,000 shall be lodged with the City of Ryde prior to the issue of 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.

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85. **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.

86. **Garbage & Recycling room.** All garbage and recycling rooms must be constructed in accordance with the following requirements and provided prior to Construction Certificate. Details of which is to be submitted and approved by Council's Waste Officer prior to release of Construction Certificate.

- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
- (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;

- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
- (g) 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.

87. Waste Storage. Final details of the proposed waste storage and handling facilities must be approved by City of Ryde Council in writing before the issue of a Construction Certificate. Council does not support the use of a Private Contractor for the removal of waste & recycling. A separate room or caged area must be provided in the basement carpark of the residential flat building for the storage of bulky discarded items such as furniture and white goods. Access to the bulky waste area must be provided for collection contractors. Suitable details must be clearly shown on the approved plan before the issue of any Construction Certificate. The waste & recycling loading dock must be located adjacent to the bin & bulky waste collection area to ensure that WHS guidelines are met.

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.

88. Photographic Archival Recording – 10 Little Church Street

Prior to the commencement of any works, including the dismantling of fabric or demolition, a Photographic Archival Recording shall be undertaken and submitted to Council.

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

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

- A brief report or introduction which explains the purposes of the Photographic Archival Recording and gives a brief description of the subject site, as well as details of the sequence in which images were taken. The report may also address the limitations of the photographic record and may make recommendations for future work;

- Plans of the building marked up to indicate where the photographs were taken and the direction of the photograph;
- The report should include all technical details including camera and lenses, image file size and format, technical metadata associated with the images, and colour information;
- Catalogue sheets, photographic plan, supplementary maps;
- Colour thumbnail image sheets (e.g. A4 page with six images by six images) showing images and reference numbers. The thumbnail sheets should be processed with archivally stable inks on archivally acceptable photographic paper and cross referenced to catalogue sheets;
- One full set of 10.5x14.8cm (A6) colour prints OR, if a large project, a representative set of selected images processed with archivally stable inks on archivally acceptable photographic paper.
- A CD or DVD containing electronic image files saved as RAW files with associated metadata, and cross-referenced to catalogue sheets.

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

89. Site Sign

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

90. Residential building work – provision of information. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA has given the Council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:
 - the name and licence number of the principal contractor; and
 - the name of the insurer by which the work is insured under Part 6 of that Act.
- (b) in the case of work to be done by an owner-builder:
 - the name of the owner-builder; and
 - if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If any of the above arrangements are changed while the work is in progress so that the information notified under this condition becomes out of date, further work must not be carried out unless the PCA for the development to which the work relates has given the Council written notice of the updated information (if Council is not the PCA).

91. 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.

92. Excavation works. To minimise vibration and risk to the structural stability and integrity of the adjoining heritage item, all excavation works shall employ such techniques and equipment which minimises the amount of ground vibration.

In this regard, excavation of the site by use of pneumatic drill for the breaking of rock shall not be permitted.

93. 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.

94. 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.

95. Work Zones and Permits. 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.

96. **Notice of Intention to Commence Work** – Prior to commencement of the public domain works, a *Notice of Intention to Commence Work* shall be submitted to Council's City Works and Infrastructure Directorate. This Notice shall include the name of the Supervising Engineer, who will also be responsible for providing the certifications required at the hold points during construction, and copies of all Road Activity Permits issued for the works.

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

98. **Pre-commencement dilapidation report** - The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of the St Annes Church building and ancillary structures.

The dilapidation report shall be undertaken by a qualified Structural Engineer.

A copy of the report must be provided to the satisfaction of Council, any other owners of public infrastructure and the owners of adjoining and affected private properties.

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

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- 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.

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.

100. **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.

101. **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.

102. **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.

103. **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*.
104. **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.
105. **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.
106. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- Fill is allowed under this consent;
 - The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - the material is reused only to the extent that fill is allowed by the consent.
107. **Construction materials.** All materials associated with construction must be retained within the site.
108. **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.
109. **Site maintenance**
The applicant must ensure that:
- a. approved sediment and erosion control measures are installed and maintained during the construction period;
 - b. building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - c. the site is clear of waste and debris at the completion of the works.

110. **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".
111. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
112. **Tree Protection – St Annes Church.** The existing trees located to the north-west of the subject site within the grounds of St Annes Church are to be protected from any damage, including damage to the canopies overhanging Little Church Street. The Project Arborist is responsible for ensuring adequate safeguards are in place to minimise risk of damage. Where necessary, branches are to be strapped or tied back to allow vehicular and machinery access.
113. **Tree removal.** Removal of Trees 5 & 11 are supported. That these trees be removed in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications
114. **Traffic Management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
115. **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.
116. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Australian Consulting Engineers (Refer to Project no. 151168 Dwgs D07 Rev. A dated 8 December 2016) 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.

117. **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.
118. **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.
119. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Australian Consulting Engineers (Refer to Project no. 151168 Dwgs D00 - D06 Rev. A dated 8 December 2016) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in relation to the connection to the public drainage system.
120. **Public Domain Works – Construction Inspections.** Any works in the Public Domain or alterations to public infrastructure that will come under the care and control of Council upon completion of the development, will require inspection by Council’s City Works & Infrastructure section (the relevant officer) at the following hold points: -
- a) Prior to the commencement of construction and following the set-out on site of the position of the drainage works to the levels shown on the approved drainage drawings.
 - b) Upon excavation of trenches and for other drainage structures to the line, grade, widths and depths shown on the approved drainage drawings.
 - c) Upon installation of any pipe and other drainage structures.
 - d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
 - e) Upon the completion of all drainage works and prior to practical completion.
121. **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.

122. **Tip Dockets.** Tip dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspection.

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.

123. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 68821_020M dated 1 June 2016.
124. **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.
125. **Public Art and Cultural Plan.** Prior to the issue of the any Occupation Certificate, the approved works contained in the Art and Cultural Plan approved by Condition no 36 shall be implemented.

126. **Acoustics.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including compliance with the recommendations contained in the Acoustic Report prepared by Acoustics Logic must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.
127. **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.
128. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's 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.
129. **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 trunk 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 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 is not accepted. 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.

130. **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 the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- (e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- (f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.

- (g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- (h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

131. **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).

132. **Right of Carriageway (New Access Lane).** The proposed public access way requires the creation and registration of a public right of carriageway (ROC) in favour of Council on the title of the property, prior to the issue of any Occupation Certificate for the development.

The ROC must be defined in stratum with sufficient clearance to accommodate the access requirements of a HRV vehicle (4.5m) and be 7m wide.

The terms of the ROC shall be to Council's satisfaction and must include provisions to ensure;

- The surface and condition of the ROC is to be maintained at all times, to provide safe, unobstructed access to the public.
- Comply with any request from Council, to correct deficiencies within reasonable timeframe,
- All costs related to maintenance of the ROC to be borne by the registered proprietor of the land,
- Council is to be indemnified from any public liability claims arising from use of the ROC and such matters are to be borne by the registered proprietor of the land.

Additional terms may be considered warranted following Council's review and following completion of the development.

The survey alignment and terms of the ROW shall be submitted to Council for assessment and approval. All costs associated with the review and registration of the ROC must be borne by the applicant it must be registered at the Lands and Property Information Office, prior to the issue of any Occupation Certificate.

133. **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.

134. **Compliance Certificate – External Landscaping Works** – 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.
135. **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.
136. **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.
137. **Public Domain Works-as-Executed Plans** – 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, Civil CAD, 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.

138. **Post Construction Dilapidation Report.** To ensure Council’s infrastructure is adequately protected a post construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel

routes of all construction vehicles is to be submitted to Council. The report shall include details of the location, description and photographic record of any observable defects of 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 and Infrastructure Directorate, prior to issue of Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

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

139. **Decommissioning of Ground Anchors** – Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
140. **Final Inspection – Assets Handover** - A final inspection for the purpose of the handover to Council, of the public infrastructure assets, shall be conducted in conjunction with Council's Engineer following the completion of the external works. Additional inspections, if required, shall be subject to additional fees payable in accordance with Council's Schedule of Fees & Charges at the time.
141. **Compliance Certificate – External Works** – Prior to the issue of any 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.
142. **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.
143. **Signage and Linemarking – External.** "NO PARKING" signs shall be installed on St Annes Street to enable unimpeded access for Council's 11m waste

vehicle to enter and exit the site on waste collection day(s) only. 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.

144. **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.

145. **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.

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

147. **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.

148. **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.

149. **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.

150. **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.

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

152. **Lift access and security.** Electronic access controls are to be installed on the lift. The equipment should include card readers to restrict access to the level a resident resides on, to the car parking levels and to the Ground Floor. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.
153. **Indemnity.** Prior to the waste collection vehicles entering 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 maneuvering areas. This indemnity must be submitted to the City of Ryde Council prior to the issue of any Occupation Certificate
154. **Certification of fit-out work.** If the use of the commercial premise is for a food premises and where Council is not the Principal Certifying Authority, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an **Occupation Certificate**.

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.

155. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the parking allocations as follows;
- A minimum 82 and maximum 118 residential spaces
 - Minimum 21 visitor spaces
 - 7 commercial parking spaces
 - 15 bicycle parking spaces within the upper basement level

To comply with the commercial car parking, one (1) residential parking space is to be reconfigured as commercial parking. This is to ensure the allocation of parking on the site is in accordance with Council's parking requirements.

156. **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).
157. **Residential Amenity - Noise Limits.** Noise from the commercial premises shall not be audible in any habitable room in any residential premises between the hours of 10pm and 7.00am. Noise mitigation measure should be investigated where ever it is anticipated that activities or the use of plant and equipment may generate a noise disturbance to surrounding premises.

Within the communal open space area, the playing of amplified music or messages, any spruiking and the likes are not to disturb the amenity of other public and private places.

158. **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.
159. **Drainage of carwash bay.** The floor of the carwash bay must be graded and drained to a grated drain or collection sump located within the wash bay and drained to the sewerage system in accordance with the requirements of Sydney Water Corporation.
160. **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.
161. **Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner. An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste. 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.
162. **Commercial Waste.** A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes.
163. **Recyclable wastes** - Wastes for recycling must be stored *in* separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.
164. **Accessibility – Lock requirements.** Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key shall be installed so the contractor can access the room for servicing bins or collect the household cleanup items.
165. **Waste room signage.** 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.
166. **Waste Collection Services.** Arrangements must be made with Council for the provision of waste collection services **before occupation commences**.
167. **Plant Establishment Period/ Maintenance Period.** The trees within the public domain will incur a 24 month maintenance period to ensure the successful establishment of the plant material. If any trees within this period die, they are to be replaced immediately.

168. **Registration of premises.** The operator of the business (retail premises) must register the premises with Council's Environmental Health Unit before trading commences.
169. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy.
170. **Trade waste permit.** 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.
171. **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. The applicant should liaise with Australia Post and develop strategies in relation to security of mail boxes.

ADVISORY CONDITIONS

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

Please note that the proposal must not incorporate provision for permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used.
2. **Inspections and fees** - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.