

## ATTACHMENT 1 – DRAFT CONDITIONS

### GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Plan No/Reference	Author	Date	Rev.
A-DA5-4H-SP-02 Site Plan	Cox Richardson	4/4/17	3
A-DA5-4H-ELE-02 & ELE-03 Elevation plans		26/8/16	2
A-DA5-4H-ELE-01		17/3/17	3
A-DA5-4H-SEC-01			
A-DA5-4H-ELE-04		8/3/17	1
House Type 9 Floor plans with 2 options for first floor plan:			
A-DA5-4H-FP-H9A		26/8/16	2
A-DA5-4H-FP-H9B		26/8/16	2
A-DA5-4H-FP-H9C		26/8/16	2
A-DA5-4H-FP-H9D		26/8/16	2
House Type 9 Floor plans with single option for first floor plan:			
A-DA5-4H-FP-H9E		26/8/16	2
A-DA5-4H-FP-H9F		26/8/16	2
A-DA5-4H-FP-H9G		17/3/17	3
Elevations Plans for House Type 9:			
A-DA5-4H-ELE-H9A		17/3/17	3
A-DA5-4H-ELE-H9B		17/3/17	3
A-DA5-4H-ELE-H9C		17/3/17	3
A-DA5-4H-ELE-H9D		17/3/17	3
A-DA5-4H-ELE-H9E		26/8/16	2
A-DA5-4H-ELE-H9F		26/8/16	2
A-DA5-4H-ELE-H9G		26/8/16	2
House Type 10 Option 1 and 2 Floor Plans:			
A-DA5-4H-H10A-01 & 02		26/8/16	2
A-DA5-4H-H10B-01 & 02			
A-DA5-4H-H10C-01 & 02			
A-DA5-4H-H10D-01 & 02			
A-DA5-4H-H10E – single option only			
Elevation Plans:			
A-DA5-4H-ELE-H10A		17/3/17	3
A-DA5-4H-ELE-H10B		17/3/17	3
A-DA5-4H- ELE-H10C		17/3/17	3
A-DA5-4H- ELE-H10D		26/8/16	2
A-DA5-4H- ELE-H10E		17/3/17	3

A-DA5-4H-DS-05 Schedule of External Finishes A-DA5-4H-DS-06 Schedule of External Paint Colours			
3235.S.02 Tree Retention Plan 3235.DA.01 Landscape Master Plan 3235.DA.02 Deep Soil Area 3235.DA.03 Residential Houses House Type 9 3235.DA.04 Residential Houses House Type 10 3235.DA.05 Morrison Road Buffer 3235.DA.06 Typical Details 3235.DA.07 Typical Details 2 3235.DA.08 Street Tree Master Plan	Environmental Partnership	April 2017	C
9807/DA103 to 9807/DA105	J. Wyndham Prince	15/7/16	B
9807/DA101, 9807/DA102, 9807/DA106 & 9807/DA107		6/4/17	C
140205 DSUB – Plan of Proposed Sub-Division of Lot 2 in DP 1200121 Sheet 1 of 1	Linker Surveying	04/08/16	1
140205 DSUB CA3 SUB LOT 3 – Plan of Proposed Sub-Division of Lot 3 in DP --- Sheets 1 of 1		04/08/16	1
140205 DSUB CA3 – Plan of Proposed Sub-Division of Lot 4 in DP --- Sheets 1 to 3 of 3		04/08/16	1

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

- (a) Housing type 4H-10E (Lot 1001) incorporates a garage with dimensions capable of accommodating 4 vehicles. This does not comply with the DCP Part 9.3 (Parking) which stipulates single residential dwellings are to provide a maximum of 2 parking spaces. To address this, the garage is to be reduced in depth such to be no greater than 8m long thereby accommodating no more than 2 vehicles but allowing for storage.

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

2. **Staged Development.** The works may be carried out in the following stages:
  - Stage 1 – Site preparation works including excavation
  - Stage 2 – Construction of internal roads and associated works
  - Stage 3 – Construction of dwelling house type 9H
  - Stage 4 – Construction of dwelling house type 10H
  - Stage 5 – Completion of landscape works
3. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 732249M\_05, dated 9 January 2017.
5. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) Protect and support the adjoining premises from possible damage from the excavation, and
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
6. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
7. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
8. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
9. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
10. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
11. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
12. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
13. **Design and Construction Standards** – All engineering works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works and relevant Development Control Plans except as amended by conditions of this consent and the Deed of Agreement between RRCS, Ryde City Council and Frasers Putney.

14. **Service Alterations** – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the applicant's expense.
15. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
16. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to the commencement of the relevant works, 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 submitted to and approved by Council with the *Notice of Intention to Commence Work*.
- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
  - b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
  - c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
  - d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
  - e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for

any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.

- f) **Hoarding Permit** - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) **Skip Bin on Nature Strip** - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips within the carriageway of any public road.

Note: Each permit specifies a required timeframe as to when the permit is to be submitted to Council prior to the works commencing. It will be necessary to ensure that each of these timeframes are complied with.

- 17. **Connection by gravity flow** - All sanitary fixtures must be connected to the sewerage system by gravity flow.
- 18. **Pool filter – noise.** Any mechanical equipment such as motor enclosures, filters and pumps associated with any swimming pool and/or spa must be enclosed in a suitable ventilated acoustic/sound-proofed enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.
- 19. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
- 20. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
- 21. **Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.
- 22. **Deed of Agreement and Deed of Novation.** The terms of the Deed of Agreement as amended by the Deed of Novation dated 15 July 2010 are to be fully complied with.

## **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.

23. **Floor Plan Options.** Where there are floor plan layout options available for House Type 9A, 9B, 9C, 9D and House Type 10A, 10B, 10C and 10D the Certifying Authority shall be provided with the selected floor plan layout option for each dwelling prior to the issue of any relevant Construction Certificate.
24. **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 Certifying Authority prior to the issue of any Construction Certificate.
25. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of any Construction Certificate. (Category: other buildings with delivery of bricks or concrete or machine excavation).
26. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of any Construction Certificate:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
27. **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 Certifying Authority prior to the issuing of any Construction Certificate.
28. **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>

29. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Certifying Authority prior to the release of the relevant Construction Certificate.
30. **BASIX Details to be included on the Construction Certificate:** The relevant Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.
31. **Pool plant details** - Details of the proposed pool plant must be submitted to the Certifying Authority for approval with the application for the relevant Construction Certificate. Such details must include a design certificate from a suitably qualified person certifying that the design of the pool plant complies with the conditions of this Consent.
32. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the relevant **Construction Certificate**.
33. **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).
34. **Driveway Ramp and Crossover Profiles.** All driveway crossovers and access ramps must have ramp grades and transitions complying with AS 2890.1. Where garage levels are set below the immediate adjoining gutter level, a crest threshold must be provided to prevent stormwater runoff from entering the site. To ensure there are no driveway scraping issues for vehicles entering the property, a driveway profile must be prepared, showing ramp lengths, grades and surface RL's produced at both ends of the vehicle entrance from the road carriageway levels to the parking space area. All driveway profiles must demonstrate compliance with AS 2890 and are to be included on the plans submitted to the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage.
35. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the existing trunk drainage system in Susan Schardt Way, generally in accordance with the plans by J. Wyndham Prince Consulting Engineers (Refer to Project No. 9807/DA102 Iss. C dated 6 April 2017).

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate for the relevant stage 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.
- Details of the interallotment drainage system must be finalised prior to the issue of any relevant Construction Certificate.

36. **Construction near Pipeline in Drainage Easement.** To ensure the development structure is not jeopardised by any potential maintenance works in the future drainage easement, all footings for structures adjacent the easement shall be extended below the zone of influence of the foundation of drainage services located in the easement. The zone of influence is to extend from a point offset from the edge of the pit/ pipe by half the pipe diameter, at the depth of the pipe invert and extending upwards at the angle of repose for the given subsurface conditions. To demonstrate compliance with this requirement, cross section details prepared by a suitably qualified engineer, showing the new footing, the exact location and depth of the stormwater pipe in the easement and the resulting zone of influence are to be submitted with the application for the relevant Construction Certificate.

37. **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.

The certification is to be submitted for the approval of the Certifying Authority prior to the issue of any relevant Construction Certificate.

38. **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 any 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.

39. **Permeable Pavement/ Paving in Visitor Parking Bays.** In accordance with the original concept approval, the visitor parking bays in the new lane (Moorong Lane) must have a permeable surface so as to minimise the extent of stormwater runoff being directed to the public drainage system. Details of the permeable paving treatment and associated drainage measures are to be noted on the plans to be submitted with the application for the Construction Certificate relating to the new lane works.
40. **Visitor Parking – Moorong Lane (New Lane).** The development works must construct the new lane (Moorong Lane) to a trafficable state, prior to the issue of any Occupation Certificate. This is to ensure that the first completed stages of the development have access to visitor parking. Civil plans and works details detailing construction of the new lane are to be submitted with the application for the Construction Certificate of these initial stages. Where latter stages of the development involve construction activities to be undertaken in the new lane, these works must provide a temporary means of vehicle access to the spaces and a safe pedestrian pathway to the completed properties.
41. **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 within 30m of a public road.
- 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.

**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.

42. **Public domain improvements** - The public domain is to be constructed along all frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*. The work is to include paving and must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate.

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) An at-grade Porphyry stone or equivalent threshold treatment to the entry point to the private road (Road 4) to delineate between the public and private roads. Concept details are available from Council's City Works and Infrastructure Directorate.
- (c) All telecommunication and utility services are to be placed underground along all frontages. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning any existing network and constructing the new network; and are to be submitted to the Certifying Authority and relevant utility authorities for approval prior to commencement of work.

43. **Public Infrastructure Works** – Public infrastructure works shall be constructed as outlined in this condition of consent, and must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works and Infrastructure for the issue of a Construction Certificate for the works listed in Condition 42. 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, as amended by the Deed of Agreement, and all relevant Australian codes and standards.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns and other relevant details for the new works and also demonstrate the smooth connection of the proposed road pavement in the remaining street scape.

- (a) Construction of a plain concrete footway 1.20 metres wide along the Morrison Road frontage (proposed road 6 to 21), and Proposed Road 6. The footpath on the Morrison Road frontage is to be removed and re-constructed to match the existing levels and ensure that trees are retained in accordance with Condition 53. In any conflict, the requirements of condition 53 take precedence over the requirements of the City of Ryde DCP Part 8.5 – Public Services Works.
- (b) Construction of an at-grade Porphyry stone or equivalent threshold treatment to the entry point to the private road (Road 4) to delineate it as a shared private road environment. The threshold treatment shall extend from the proposed dish crossing to the extent of the driveway of the proposed Lot 901 along Road 4.
- (c) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to the Certifying Authority 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".
44. **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 works. 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.
45. **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.
46. **Tree Planting – House Type 10.** The front open space of House Type 10 is to include one (1) canopy tree planting capable of reaching 10m in height with a minimum pot/container size at planting of 45 Litres. Additionally, the rear open space of House Type 10 is to include one (1) canopy tree capable of reaching 10 metres in height with a minimum pot/container size at planting of 45 Litres. Details of compliance are to be shown on the plans for the relevant Construction Certificate.
47. **Tree Planting – House Type 9.** The central courtyard of House Type 9 is to include one (1) canopy tree planting capable of reaching 10m in height with a minimum pot/container size at planting of 45 Litres. Details of compliance are to be shown on the plans for the relevant Construction Certificate.

## **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.

48. **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.

49. **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.

50. **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.

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

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

The report is to be submitted to, and accepted 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.

52. **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 Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

53. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by the following table of this consent or otherwise necessary as a result of construction works approved by this consent:

Tree No.	Species	Recommendation
1 to 5	<i>Lophostemon confertus</i> Brush Box	Retain and protect

Trees that are shown on the approved plans as being retained must be protected against damage during construction.

54. **Tree Protection Schedule.** Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Impact Assessment Report prepared by Urban Forestry Australia dated April 2016. 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 the Certifying Authority prior to the commencement of construction.

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

55. **Provision of Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Project Arborist alter them, Council is to be notified, in writing, within seven days.
56. **Tree Protection.** All tree protection works, including installation of any fencing and maintenance of any existing fencing, is to be undertaken prior to any works on site.



57. **Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.
58. **Underground Utilities.** Any utility services to be located underground within the TPZ are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non-motorised hand tools or directional drilling.
59. **Excavation within TPZ** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

## **DURING DEMOLITION/EXCAVATION/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.

60. **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.
61. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
62. **Hold Points during construction - Public Domain -** Inspections shall be required to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the following hold points: -
- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
  - b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
  - c) Upon compaction of the applicable sub-base course.
  - d) Upon compaction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course)

- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

The 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.

- 63. **Noise from construction and demolition work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from demolition and construction work.
- 64. **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.
- 65. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
- 66. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
  - a. Fill is allowed under this consent;
  - b. The material is deemed suitable through validation by a geotechnical engineer.
- 67. **Construction materials.** All materials associated with construction must be retained within **the** site.
- 68. **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.
- 69. **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.

70. **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.
71. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
72. **Stormwater Management - Construction.** The stormwater drainage system for works undertaken in the relevant stage must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by J. Wyndham Prince Consulting Engineers (Refer to Project No. 9807/DA102 Iss. C dated 6 April 2017) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system. The interallotment drainage system must be completed in the first stage of works so as to ensure all facets of the development have access to a trunk drainage system.
73. **Stormwater & Services Location.** The location of stormwater infrastructure and other services located along the Morrison Road boundary are to be located as far away from existing trees to be retained as practical. Should the excavation for services conflict with any major structural roots (greater than >25 mm diameter) of existing trees, their location and alignment is to be modified in consultation with the Project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.
74. **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.
75. **Visitor Parking – Moorong Lane (New Lane).** To ensure the first completed stages of the development have access to visitor parking, the development works must construct the new lane (Moorong Lane) to a trafficable state prior to the issue of any Occupation Certificate. Where latter stages of development involve construction activities to be undertaken in the new lane, these works must provide a temporary means of vehicle access to the spaces and a safe pedestrian pathway to the completed properties.
76. **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.

77. **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 PCA) before the fill is used.
78. **Plumbing and Drainage.** 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.
79. **Archaeological Finds.** If any unexpected archaeological finds (relics/foundations associated with early European occupation) or Aboriginal relics are encountered during **excavation**, works in the vicinity of the finds should cease and a suitable archaeologist should be engaged to assess the significance of the material. If relics are encountered, the Heritage Division of the Office of Environment and Heritage as well as Council are to be notified and further archaeological work may be required before works could re-commence. Approvals from the Heritage Branch may also be required to disturb relics.
80. **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".
81. **Works/Regulatory Signposting.** All works/regulatory signposting associated with the proposed development are to be provided at no cost to Council or Roads and Maritime.
82. **Lighting.** Lighting is to be provided around the site and all lighting is to comply with the following requirements:
- The areas around the entrances and communal areas should be well lit and that all 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.
  - Sensor lighting is to be installed in potential concealment areas.
83. **Site signage.** Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful. The front of the buildings should have clear signage in regards to street numbers so that emergency services are able to clearly read the numbers. Location maps are recommended to be used throughout the complex to indicate to visitors where they are.
84. **Access control.** The following measures shall be addressed
- All dwellings should be fitted with doors that comply with Australian Design Standards.
  - The locks fitted to the doors should be of a high quality and meet the Australian design standards.

- Any glass within these doors should be laminated to enhance the physical security of the doors.
- The main entry/exit doors to individual dwellings should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the dwelling.
- The balcony doors to individual dwellings should also be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the dwelling.
- The windows to individual dwellings should also be fitted with key operated locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to them.
- Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the dwelling.
- As mail theft is an emerging crime in the metropolitan area, letter boxes should be lockable and accessed by residents only.

85. **Drop-edge beams.** Perimeters of slabs are not to be visible and are to have face brickwork from the natural ground level.

86. **Ongoing Management of the road reserve.** The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the project. Under the direction of Council, the applicant will make good any roadside facilities being footpaths, road pavement, et cetera; to Council's (City of Ryde) satisfaction.

87. **Stormwater Drainage Works Inspections.** Construction inspections shall be required by Council's Senior Asset Engineer, Stormwater for the Council stormwater drainage works at the following hold points: -

- (a) Upon installation of bedding material.
- (b) Upon installation of any pipe, culvert and other drainage structures.

An inspection fee is applicable for each visit. At least 24 hours' notice shall be given to Council for the inspection.

88. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

89. **No storage of materials beneath trees.** No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

90. **Removal of refuse.** All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

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



92. **Site waste management.** The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken. Adequate facilities shall be provided to facilitate this.

## 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.

93. **BASIX Commitments.** Prior to the issue of the relevant Occupation Certificate, the Principal Certifying Authority is to ensure that the BASIX commitments have been implemented in accordance with the approved BASIX Certificate.

**Note:** Certificates from suitably qualified persons are to be submitted to the Principal Certifying Authority (if Council is the PCA) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.

94. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of any **Occupation Certificate** for the last dwelling.

At the completion of the landscaping works, the landscape consultant who supervised the works shall submit to the Principal Certifying Authority a Landscape Compliance Report that establishes satisfactory completion of the landscaping works approved by this consent.

95. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the relevant Occupation Certificate.

96. **Drainage Network CCTV Report.** The Council shall be provided with an electronic closed circuit television report (CCTV report) prepared by an accredited operator that assesses the condition of the newly constructed drainage network, and any defects in the drainage network identified in the report shall be rectified.



97. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate for the relevant stage of works. 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. A WAE is required for the interallotment drainage system prior to the issue of the first Occupation Certificate.
98. **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 Principal Certifying Authority prior to the release of the relevant Occupation Certificate unless stated otherwise. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
  - b) Confirming that the constructed interallotment drainage system complies with the construction plan requirements and the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures must be submitted prior to the release of any relevant Occupation Certificate.
  - c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the relevant section of the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
  - d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
  - e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
  - f) Confirming that any footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
  - g) 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).

- h) 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.
- i) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

99. **Post-Construction Dilapidation Report.** To ensure Council's infrastructures are 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 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 accepted by Council's City Works and Infrastructure Directorate, prior to issue of any Occupation Certificate for the last dwelling. 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 return of the security deposit required under Condition 25.

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.

100. **Compliance Certificate – External Works** – Prior to the issue of the relevant 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.

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

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

102. **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.

103. **Swimming pools.** Prior to the issue of the relevant Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

(a) Access to the pool/spa shall be restricted by a child resistant barrier in accordance with the regulations prescribed in the Swimming Pools Act, 1992:

- I. The pool shall not be filled with water or be allowed to collect stormwater until the child resistant barrier is installed; and
- II. The barrier is to conform to the requirements of AS 1926-1 2012 Fences and Gates for Private Swimming Pools.
- III. The pool/spa has been registered on the NSW Swimming Pool Register in accordance with the Swimming Pools Act 1992 ([www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au) <<http://www.swimmingpoolregister.nsw.gov.au>>).

104. **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.

105. **Waste Collection Services.** Arrangements must be made with the City of Ryde Council for the provision of garbage services to the site prior to the issue of any Occupation Certificate.

## OPERATIONAL CONDITIONS

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

106. **Waste Servicing.** All waste (including bins and pre-booked kerbside collection) is to be serviced from Collingridge Drive and Susan Schardt Way respectively – no waste will be collected from Moorong Lane. Garbage and recycling bins must always be stored on-site between collections.

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

- A maximum of 2 residential spaces per dwelling
- 18 visitor spaces

108. **Offensive noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

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

110. **Noise control - plant and machinery (Air conditioning).** All noise generating equipment associated with any proposed mechanical ventilation system/s, such as air conditioning units, shall be located **and/or** soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measured at the nearest boundary.

**Note:** Where practicable any air conditioning unit should be located along the rear elevation of the principle dwelling to prevent acoustic impacts to neighbouring side boundary habitable rooms.

111. **Pool fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*.

**N/B** The required resuscitation chart shall be provided in the immediate vicinity of the pool area, so as to be visible from all areas of the pool, and maintained within this area at all times.

## **PRIOR TO SUBDIVISION CERTIFICATE**

The following conditions in this Part of the consent apply to the Subdivision component of the development.

All conditions in this Part of the consent must be complied with prior to the issue of a Subdivision Certificate.

112. **Final Plan of Subdivision.** The submission of a final plan of subdivision plus three copies suitable for endorsement by the Authorised Officer for the relevant stage of subdivision.
113. **Final plan of subdivision - title details.** The final plan of subdivision shall contain detail all existing and/or proposed easements, positive covenants and restrictions of the use of land
114. **Existing Easements and Restrictions.** The applicant must acknowledge all existing easements and restrictions of the use of land on the final plan of subdivision.
115. **Removal of encroachments.** All structures, services etc. are to be wholly contained within the legal property boundaries of each lot. All existing structures and services etc are either to be demolished, relocated and/or have appropriate easement/s registered over the encroachment to ensure their legal operation. Prior to issue of Subdivision Certificate for the relevant stage of subdivision, a certificate shall be obtained from a registered surveyor and submitted to the Principal Certifying Authority to confirm this requirement has been met.
116. **Registration of easements.** The registration of all necessary easements is required to ensure all proposed lots will have legal access to all utility services, drainage and vehicular access. Prior to release of the Subdivision Certificate, certification shall be obtained from a registered surveyor and submitted to Council confirming the above requirement will be met upon registration of the linen plan at the Land and Property Information.
117. **Section 73 Certificate.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation for the relevant stage of subdivision. A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority prior to the Subdivision Certificate

being issued. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to issue of the Subdivision Certificate for the relevant stage.

118. **Utility provider** - compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, Council etc).
119. **88B Instrument.** The submission of an instrument under Section 88B of the Conveyancing Act 1919 with 2 copies, creating any Easements, Positive Covenants and Restrictions on use, the City of Ryde being the authority empowered to release vary or modify the same for the relevant stage of subdivision.