

## 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:

Document Description	Date	Plan No/Reference
Site Plan	16.11.16	DA0005, Issue A
Basement 1 Plan	28.04.17	DA1000, Issue D
Basement 2 Plan	28.12.12	DA1001, Issue B
Basement 3 Plan	28.12.12	DA1002, Issue B
Basement 4 Plan	28.12.12	DA1003, Issue B
Ground Floor Plan	27.03.17	DA1004, Issue C
Upper Ground Floor Plan	16.11.16	DA1004A, Issue A
Level 1 Plan	13.02.17	DA1005, Issue C
Level 2 Plan	13.02.17	DA1006, Issue B
Level 3 Plan	13.02.17	DA1007, Issue B
Level 5 Plan	13.02.17	DA1008, Issue B
Level 6 Plan	13.02.17	DA1009, Issue C
Level 7 Plan	13.02.17	DA1010, Issue B
Level 8 Plan	13.02.17	DA1011, Issue B
Level 9 Plan	13.02.17	DA1012, Issue B
Level 10 Plan	13.02.17	DA1013, Issue B
Level 11 Plan	13.02.17	DA1014, Issue B
Level 12 Plan	13.02.17	DA1015, Issue B
Level 13 Plan	13.02.17	DA1016, Issue B
Level 15 Plan	13.02.17	DA1017, Issue B
Level 16 Plan	13.02.17	DA1018, Issue B
Level 17 Plan	13.02.17	DA1019, Issue B
Level 18 Plan	13.02.17	DA1020, Issue B
Level 19 Plan	13.02.17	DA1021, Issue B
Level 20 Plan	13.02.17	DA1022, Issue B
Level 21 Plan	13.02.17	DA1023, Issue B
Roof Plan	13.02.17	DA1024, Issue B
Section_A	16.11.16	DA2000, Issue A
Section_B	16.11.16	DA2001, Issue A
Section_C	16.11.16	DA2002, Issue A
Section_D	16.11.16	DA2003, Issue A
Section_E	16.11.16	DA2004, Issue A
North East Elevation	16.11.16	DA3000, Issue A
South East Elevation	16.11.16	DA3001, Issue A
South West Elevation	16.11.16	DA3002, Issue A
North West Elevation	16.11.16	DA3003, Issue A

Basement Ramp Section	28.04.17	DA4000, Issue C
Detail Elevations	16.11.16	DA4007, Issue A
Adaptable Apartment Plans	13.02.17	DA6800, Issue B
Liveable Apartment Plans	16.11.16	DA6900, Issue A
Finishes Schedule	16.11.16	DA8000, Issue A
Landscape Strategy Concept prepared by ASPECT Studios	25.05.17	Issue G
Waterloo Road – Linear Park Strategy	24.05.17	Revision B
Study View	09.08.16	SK-DA-001

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

- (a) **Studies.** The proposed study rooms located in unit types 2B.04, 2B.07C, 2B.10, and 2B.11 are to be amended to ensure the room is not capable of being used as a bedroom. To do this it will be necessary to delete the door and short wall facing the hallway and replace the short wall with a clear glass panel to prevent it from being used as a 2nd bedroom, as shown in Drawing No. SK-DA-001 dated 16/08/16.
- (b) **Studies.** All studies in unit types 2B.12 and 2B.16 are to be amended so that the room is not capable of being used as a bedroom. This is to be achieved by deleting the door and wall facing the hallway, and for Unit type 2B.16 reconfiguring the storage, as indicated in red on Level 1 Plan, Drawing No. DA1005.
- (c) **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.

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(s) numbered 754794M, dated Wednesday, 30 November 2016.
4. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the retail/commercial component in the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the Construction Certificate.

5. **Retail car parking.** Two (2) retail car parking spaces are to be deleted. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
6. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of any trees on the site.

**Note:** Only trees approved for removal under Local Development Application No. LDA2017/204 are to be removed. Trees to be retained are to be protected during construction as required by the conditions of this consent.

7. **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.
8. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".
9. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the shopfront. Separate approval must be obtained for any such works.
10. **Balconies:**
  - (a) **Balconies enclosure.** Balconies on the ten storey and above are not to be fully enclosed so as to allow adequate natural ventilation in accordance with the Apartment Design Guide.
  - (b) **Clothes drying.** No clothes drying on balconies in the public view are permitted.
11. **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.
12. **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.

13. **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.
14. **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.
15. **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.
16. **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.
17. **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.
18. **Pool filter – noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic 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. **Stormwater connection details.** Rock armouring and stormwater connection works shall be constructed generally in accordance with Job Number 161614, drawings DA-C4.01, Revision 3 and DA-C4.21, Revision 2 dated 20 March 2017 and prepared by Northrop.
23. **Flood management.** The applicant shall carry out the recommended works in the Flood Impact Statement and Stormwater Management Report dated 20 March 2017, Revision C, and prepared by Northrop.

24. **Flood management.** The floodway along Shrimpton Creek shall not be filled or obstructed by landscaped works and any structures.
25. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 1985 and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.

Note: A plan of traffic management is to be submitted to and approved by the Consent Authority

26. **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).
27. **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 the conditions herein.
28. **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.
29. **Construction Staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
30. **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	Establishment of tree protection fencing	Principal Contractor	Project Arborist	Prior to site establishment
2	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
3	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
4	Final inspection of trees by project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

31. **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.

32. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
33. **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.
34. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to issue of a Construction Certificate and commencement of any work, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Work*.
  - a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
  - b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
  - c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
  - d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
  - e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an

application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.

- f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
  - g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips within the carriageway of any public road.
35. **Construction and fit-out of food premises** – All proposed food premises (other than retail meat premises) must be constructed and fitted-out in accordance with the requirements of:
- (a) Food Safety Standard 3.2.3: *Food Premises and Equipment*; and
  - (b) Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*.
36. **Construction of walls** - The walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.
37. **Provision for installation of kitchen exhaust systems** - Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.
38. **Drainage of carwash bays** - The floor of any carwash bays must be graded and drained to a grated drain or collection sump located within the wash bays and drained to the sewerage system in accordance with the requirements of Sydney Water Corporation. Any uncontaminated stormwater must be directed away from the carwash bays.
39. **Installation, operating and maintenance requirements** - Any air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
40. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.

41. **Registration of water-cooling systems** - Any water-cooling regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.  
Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
42. **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.
43. **Inspections – Sydney Trains.** Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
44. **Conditions – Sydney Trains.** Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply 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.

45. **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:

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$522,476.51
Open Space & Recreation Facilities	\$3,882,853.57
Civic & Urban Improvements	\$62,964.53
Roads & Traffic Management Facilities	\$80,501.72



Cycleways	\$8,667.85
Stormwater Management Facilities	\$8,103.91
Plan Administration	\$2,278.86
<b>The total contribution is</b>	<b>\$4,567,846.95</b>

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 Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

**Note:** The above Section 94 monetary contribution amount in Column B allows for an amount equivalent to the contribution attributable to the existing commercial development on the site.

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**. (category: 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. **Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic Report prepared by Renzo Tonin & Associates dated 24 October 2016 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the Construction Certificate plans.
53. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
54. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a registered architect that has overseen the design. This statement must include verification from the registered architect that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed

in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.

55. **Lighting of common area.** A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers lighting for:

- internal driveways,
- visitor parking areas
- around the building entrances and communal areas
- the Waterloo Road interface

The details are to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents. 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.
- Sensor lighting should be installed into areas that may be areas of concealment.
- Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

Details of compliance are to be submitted with the plans for **Construction Certificate**.

56. **Automated Irrigation.** An automatic watering system is to be supplied to all landscape areas including common areas, public and private open spaces to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details of compliance are to be submitted with the plans for **Construction Certificate**.
57. **Screen planting – north-west elevation.** The area directly adjacent to the retail bin holding area and exhaust shaft at the ground floor level within the ‘shared walkway/cycle path’ landscape zone is to include a double row of staggered screen planting spaced at a maximum of 1.5 metre centres. The species selected are to be locally endemic, have a dense form/habit capable of reaching a minimum height of 5 metres and are to be planted at a minimum 75 litre pot size. This landscaping is to be maintained at the selected species full mature height to ensure the loading dock and car parking areas in this location are screened in perpetuity. Details of compliance are to be submitted with the plans for **Construction Certificate**.
58. **Compliance with Access Report.** The development is to comply with the requirements contained in the St Design Review - Accessibility prepared by Philip Chun Building Compliance, dated 24 November 2017 (ref: AN16-2-7384)

and all other relevant BCA access requirements. Details demonstrating compliance are to be submitted on the **Construction Certificate** plans.

59. **Adaptable Units.** Thirty-nine (39) 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, a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.
60. **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**.
61. **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.
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. **Ventilation of Car park:** The basement car park must be provided with an adequate system of natural or mechanical ventilation complying with Building Code of Australia. Any ventilation screens are to be integrated into the façade and landscape design. Details to be submitted to the PCA prior to the issue of the **Construction Certificate**.
64. **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 **Construction Certificate**.
65. **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 and RMS 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.

**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.

66. **Public domain improvements.** The public domain is to be upgraded in the Waterloo Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The work is to include paving, multifunction light poles, street furniture and plantings, 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 **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 Macquarie Park Tree Master Plan.

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

- (c) All telecommunication and utility services are to be placed underground along the Waterloo Road frontage. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. 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, and approved by Council and relevant utility authorities, prior to commencement of work.
- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, with vehicular luminance category V3 and pedestrian luminance category P2 along Waterloo Road.
- (e) Subject to design, it is expected that three new street lights on multifunction poles (MFP) will be required along the Waterloo Road frontage of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works and Infrastructure Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.
- (f) Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works & Infrastructure prior to lodgement of the scheme with Ausgrid for their approval.

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

67. **Public Infrastructure Works.** Public infrastructure works shall be constructed as outlined in this condition of consent. The approved 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, and approved by Council's

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

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

- (a) The removal of all redundant vehicular crossings and replacement with new kerb and gutter.
- (b) The construction of new kerb and gutter along the Waterloo Road frontage of the development site where the existing kerb and gutter is damaged or gets damaged during the construction. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Waterloo Road.
- (c) Re-construction of the existing granite footway along the Waterloo Road frontage of the development site where needed in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.
- (d) Construction of a new paved 4.00m wide pedestrian walkway along the Shrimptons Creek frontage of the development site (see also conditions 68, 70 and 71 below).
- (e) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (f) Staging of the public civil works, if any, and transitions between the stages.
- (g) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

**Note:**

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed buildings.
2. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Section 5 “Standards Enforcement”.

68. **Pedestrian Link.** A pedestrian link with 4m wide accessible paved footpath shall be provided along the Shrimptons Creek boundary of the development site. The pedestrian link shall be accessible to the public at all times.

The paved footpath shall be designed in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor and constructed prior to the issue of the Occupation Certificate. Full construction details are to be

submitted to, and approved by Council prior to the issue of the Construction Certificate. The submission shall include the following details:

- (a) Fully dimensioned plans showing all the details of the pedestrian link: width of the paved footpath, transitions and landscaped areas along the paved footpath;
- (b) Long section and cross sections along the Centre Line of the paved footpath;
- (c) Selection of paving type, colour and dimensions in accordance with Council's requirements;
- (d) Provision of lighting to pedestrian category P2, in accordance with Australian Standards AS/NZS 1158:2010 *Lighting for Roads and Public Spaces*;
- (e) Confirmation that the footpath is accessible for people with disabilities. Adequate details and certification demonstrating compliance with the Disability Discrimination Act and relevant accessibility regulation is to be submitted.

69. **Linear Park.** The Landscape Strategy Concept, prepared by ASPECT Studios, dated 25th May, Issue G; and Waterloo Road – Linear Park Strategy, prepared by ASPECT Studios, dated 24th May 2017, Revision B, are to be amended to improve the activation of the Linear Park. Detailed Landscape Plans for the proposed Linear Park are to be submitted to Council's Open Space Planning and Development Team for approval, prior to the issue of the **Construction Certificate**, and must be completed to Council's satisfaction at no cost to Council prior to any Occupation Certificate.

The Detailed Landscape Plans must include:

- More impervious hard space areas that allow for activation that incorporate WSUD components.
- Good pedestrian circulation and access to Waterloo Road frontage complying with AS1428 (all parts as relevant).
- Flexible gathering areas that includes various seating opportunities.
- An 'activity node' such as an exercise station, table tennis tables, or similar, with consideration to be given to adjoining sites as to direction.
- The use of canopy trees that relate to the indigenous planting communities along Shrimpton's Creek.
- Supplementary lighting that improves night time activity.
- Place markers through the use of public art as way finding and the like.
- Details of plant species to be used in the Linear Park.
- The provision Wi-Fi and power outlets.

70. **Riparian Corridor.** Detailed Landscape Plans of the landscape treatments in the Riparian Corridor are to be submitted to Council's Open Space Planning and Development Team for approval prior to the issue of the **Construction Certificate**. The plans must:



- Provide details of the boardwalk including materials to be used and the type of furniture.
- Provide details of the pathway that are at grade including materials to be used. The plans outline a combination of concrete with granite banding and full granite in key locations. Council would also consider the use of an alternative paver that is imperious and of the same colour as the granite.
- Provide details of plant species to be used in the Riparian Corridor.
- Provide details of lighting.

71. **Landscaping – pedestrian/cyclepath.** All plants and shrubs on the shared pedestrian/cycle path should allow for good lines of sight and ensure that there are no areas of concealment for offenders to hide behind. Low lying, small shrubs should be used. Details are to be included on the amended Detailed Landscape Plans of the landscape treatments.
72. **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 submission of plans for the public domain improvements and infrastructure works. The application shall be accompanied by preliminary 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.
73. **Vehicle Footpath Crossings.** To protect the footpath from damage resulting from the vehicular traffic, the footpath crossings shall be designed and constructed in accordance with the City of Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works, and all relevant Australian Codes and Standards. The crossings shall match the paving style along the frontages of the development site.

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.

74. **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, minimum 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.

75. **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 in the road reserve following completion of the development. The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. 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, during the six (6) months' maintenance period. A bond in the form of a cash deposit or Bank Guarantee in the amount of \$40,000 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.

76. **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.

**Note:** An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the plans for the public domain works.

77. **Waste storage and handling facilities.** 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**.

78. **Waste storage areas.** All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.

- 1100L Bins – width 1.4m, depth 1.1m, height 1.4m
- 660L Bins – width 1.3m, depth 0.8m, height 1.3m

79. **Garbage and recycling rooms.** All garbage and recycling rooms must be constructed in accordance with the following requirements:
- (a) The room must be of adequate dimensions to accommodate all waste containers, and 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) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
  - (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
  - (i) The room must be provided with adequate artificial lighting; and
  - (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning
80. **Storage of commercial wastes** - A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes. Details are to be included on the **Construction Certificate** plans.
81. **Paving to collection point** - The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.
82. **Installation of grease trap(s) and details** - A grease trap(s) must be installed if required by Sydney Water Corporation. The grease trap(s) must be located outside the building or in a dedicated grease trap room(s) and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.
- Details of any proposed grease trap room(s) must be submitted for approval with the application for the **Construction Certificate**.
83. **Evidence of connection by gravity flow** - Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the Construction Certificate.
84. **Public Art.** A Public Arts Plan is to be submitted for approval by Council in accordance with Council's Public Art Policy, prior to the issue of **Construction Certificate**. The public art shall be equal to approximately 0.1% of the estimated total construction cost, is to be prepared by an arts and cultural planner and is to address the following:
- (a) The provision of detailed design stage is to satisfy the City of Ryde that the public art is being developed according to the approved Landscape Strategy Public Art Strategy, and the public art commitments are being fulfilled.

- (b) 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;
- (c) The detail design will be reflect the undertakings as documented in the Landscape Strategy Public Art Strategy.
- (d) 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;
- (e) 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.

85. **Stormwater Trench/Pit Locations.** The alignment of stormwater infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the stormwater pits and trenches 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. Details demonstrating compliance are to be submitted on the Construction Certificate plans. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.

86. **Vegetation Management Plan.** A detailed Vegetation Management Plan (VMP) is to be prepared as part of the Construction Certificate, with the relevant requirements shown on the Construction Certificate plans. The VMP is to be prepared in accordance with the NSW Office of Water Guidelines for Vegetation Management Plans on Waterfront Land 2012, including detailed plans, photographs, vegetation species composition, planting layout, planting densities, costs, local provenance seed collection, a detailed planting program, rehabilitation methods, bush regeneration techniques, maintenance, monitoring, reporting and review.

Planting along the Shrimptons Creek edge is to emulate the characteristics of the bush regeneration works on the north-western edge of Shrimptons Creek and that of the 'Coastal Enriched Sandstone Forest' and/or 'Sydney Turpentine Ironbark Forest' communities. No cultivars or non-indigenous native species with potential to spread into the riparian corridor should be planted in proximity to the riparian corridor.

Further the VMP is to include reference to the Shrimptons Creek Plan of Management (City of Ryde 2012) and the Ryde DCP 2014 – Part 4.5 Macquarie Park Corridor.

A copy of the VMP is to be submitted to the Principal Certifying Authority and Council prior to the issue of the **Construction Certificate**.

87. **Lifts.** Lifts are to achieve the lift assessment criteria for handling capacity and wait time as outlined in the lift assessment prepared by Northrop, dated 7.6.17, ref: SY161960-VYL01-VTL01-1. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.

88. **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) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890.1. To demonstrate compliance with this Standard, the development's structural details must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle. NOTE: The driveway profiles depicted on the approved architectural plans incorrectly show a vertical height clearance. The actual height clearance is perpendicular to the plane of travel (refer to AS 2890.1).
- b) All internal driveways must be modified to provide a 2m by 2m splay on the inside corner of the right-angled sections of each ramp, so as to accommodate the inside swept path of a vehicle and enable two way vehicle flows on the ramp.
- c) To ensure the vehicle turntable for the loading bay area may be safely operated, the plans are to detail a minimum 1m. clearance envelope around the largest vehicle to be located on the turntable. Detailed section views are to be prepared demonstrating compliance with this requirement. The section views must show the rotated envelope of the largest vehicle to be accommodated and any surrounding structural elements and service ducts at the worst (most imposing) sections.

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

89. **Vehicle Turntable.** To ensure safe and efficient operation of the vehicle turntable unit to be located in the loading bay, the following measures must be implemented in the completed development;

- a) The turntable must have line marking depicting the centre of the turn table, maximum radius in which a vehicle is to be contained upon the turn table itself and the maximum swept path radius and associated "Keep Clear" marking, as a result of the swept path of a vehicle overhanging the turntable.

- b) The turntable controls / control pad must be located in close proximity to the turntable and are to be clearly marked and visible from the turntable. Controls are to include an emergency stop button, rotation control and a programmed/ defined turning movement designed to facilitate manoeuvring a vehicle from the typical approach to the typical exit, operated with a single button.
- c) A maintenance number is to be listed on the control panel area so as to minimise the downtime should the device breakdown.

Plans, documentation and certification demonstrating compliance with these requirements must be submitted for the approval of the Accredited Certifier, prior to the release of the **Construction Certificate**.

90. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the inground public drainage infrastructure in Waterloo Road, generally in accordance with the plans by Northrop Consulting Engineers (Refer to Project No. 161614 Dwgs DA-C1.01, DA-C4.01, DA-C4.11, DA-C4.21 and DA-C8.01 Rev 2 dated 20 March 2017) subject to any variations marked in red on the approved plans and noted following;

- To minimise the extent of stormwater runoff from the vehicle accessway entering the basement garage, the vehicle entry point must incorporate a raised threshold/ driveway crossover treatment at the intersection with the accessway.
- Connection to the public drainage infrastructure will require a road opening permit. Plans detailing these works are to be provided with the permit application and Council's Public Works is to inspect the connection prior to backfill. This is to be noted on the detailed plans.

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

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

91. **Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with Council's Floodplain Risk Management controls, the following measures are required to be implemented in the development.

- a) The habitable floor levels of all dwellings encompassed under this approval must not be less than the adjoining flood levels plus *freeboard* as determined in the Flood Impact Statement by Northrop Consulting Engineers (Rev B dated 23 November 2016).
- b) All structures subject to flooding and overland flows must be constructed of flood compatible building components (refer to Schedule 3 of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures,
- c) External structures subject to flooding and overland flows must be structurally designed to withstand the forces imposed by these flows, including forces imposed by floating debris and buoyancy. To achieve this, the structure must be designed and certified by a suitably qualified structural engineer to comply with this condition.
- d) The proposed retaining wall bounding the southern portion of the development and extending north along the eastern boundary alignment, as shown on the plan by Northrop Consulting Engineers (refer to Project No. 161614 Dwg DA-C3.01 Rev 3 dated 20 March 2017) must be designed and constructed as an impermeable barrier so as to prevent inundation of the site and basement levels due to flooding/ overland flow anticipated to arise from a PMF storm event. Construction details of the retaining wall demonstrating compliance with this condition must be noted on the plans submitted with the application for a construction certificate.

Certification of the structural design and details complying with this condition must be submitted to the Accredited Certifier for approval prior to the issue of a **Construction Certificate**.

92. **Geotechnical Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
  - provide appropriate support and retention to neighbouring property,
  - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
  - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and

structural impacts that may arise from alteration of the pre-developed groundwater table.

- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
- is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
  - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
  - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
  - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
  - Is in accordance with the recommendations of the Douglas Partners Geotechnical Investigation Report dated November 2016.

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

93. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work, namely 80 Waterloo Road/ 16 Byfield Street, 10 Byfield Street and 6 to 8 Byfield Street. A copy of the dilapidation survey is to be submitted to the Accredited Certifier *and Council* prior to the release of the Construction Certificate.
94. **Public Drainage Infrastructure – Pre-Construction Dilapidation Report.** A dilapidation report must be submitted to Council, detailing the state of the public drainage line located in the easement in 6 to 8 Byfield Street, adjoining the works. The report must also include a CCTV (closed circuit television) inspection of the length of the public drainage infrastructure adjoining areas of excavation, is to be in DVD format, in colour, digital and date stamped. The report is to record and specify the location and nature of any damage of the infrastructure. If the required report is not submitted then it is to be assumed that there is no damage to assets in the Public Domain prior to the commencement of any work under this consent.
95. **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.

96. **Excavation and Construction Works - Sydney Trains.** All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations detailed in the following documents:

- (a) Structural Drawings prepared by Northrop numbered as follows:
  - S010 Revision 7
  - S012 Revision 3
  - S013 Revision 3
  - S014 Revision 3
  - SK-023 Revision 1
  - SK-024 Revision 1
- (b) Vibration & Acoustic Monitoring Report Ref. TJ347-01F02 prepared by Renzo Tonin & Associates.
- (c) Geotechnical Monitoring Plan, Work Method Statement and Risk Analysis Plan prepared by Douglas Partners, reference 85568.01.R.002.Rev0 dated 12 May 2017.
- (d) Electrolysis Testing Report prepared by Corrosion Control Engineers P/L Ref No. W14681A/J740 dated 23 May 2017
- (e) "Report on Numerical Modelling", Ref: 85568.01.R.001.Rev0, dated 11 May 2017 prepared by Douglas Partners

The Principal Certifying Authority is not to issue the **Construction Certificate** until the measures detailed in the documents approved/certified by Sydney Trains under this Condition are incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of

works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

97. **Excavation and Construction Works Details - Sydney Trains.** The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:

- Machinery to be used during excavation/construction
- Construction, Excavation and Demolition plan listing the vibration generating equipment, anticipated levels of vibration and proposed method of monitoring

The Principal Certifying Authority is not to issue the **Construction Certificate** until it has received written confirmation from Sydney Trains that this condition has been complied with.

98. **Non-Shrink Grout - Sydney Trains.** All Non-Shrink Grout shall comply with relevant appropriate Australian and/or Rail Infrastructure Standards. Details shall be submitted to the Certifying Authority with the application of a **Construction Certificate**.

99. **Work Method Statement and Risk Analysis Plan - Sydney Trains.** Final Work Method Statement and Risk Analysis Plan shall be submitted to Sydney Trains for approval prior to the issue of a **Construction Certificate**.

100. **Tunnel Monitoring Plan - Sydney Trains.** A tunnel monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a **Construction Certificate**. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the tunnel monitoring plan, and if required, that it has been endorsed.

101. **Craneage and Other Aerial Operations Details - Sydney Trains.** Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations including loading details for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the **Construction Certificate** until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

102. **Public Liability Insurance Cover – Sydney Trains.** If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level

of insurance required for this particular proposal. Prior to issuing the **Construction Certificate** the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

103. **Bank Guarantee – Sydney Trains.** If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the **Construction Certificate** the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
104. **Submission of documentation to Council – Sydney Trains..** Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
105. **Dilapidation Survey Report – Sydney Trains.** In accordance with Cl.10.1 of TfNSW standard T HR CI 12051 ST "Developments near rail tunnels (issued 14.11.2016)", for tunnel constructed within 30 years, a dilapidation survey report shall be submitted for Sydney Trains' approval prior to the issue of a **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.

106. **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.
107. **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.
108. **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.
109. **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.
110. **Notice of Intention to Commence Work –** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works and Infrastructure Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and 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.
111. **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 dated and 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 shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted.

112. **Temporary Footpath Crossing** - A temporary footpath crossing must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.

## 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.

113. **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*.
114. **Construction requirements** - All acoustic and vibration control measures and treatments nominated in the acoustical assessment report(s) and any related project documentation must be implemented during construction.
115. **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.
116. **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.
117. **Removal of underground storage tanks** - The removal of any underground storage tanks 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 2014*.
118. **Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.
119. **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. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
120. **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.

121. **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.
122. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
  - (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
123. **Construction materials.** All materials associated with construction must be retained within the site.
124. **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.
125. **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.
126. **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".
127. **Tree protection – during construction.** Trees that are not approved for removal must be protected against damage during construction. All tree protection works including installation of any fencing is to be undertaken prior to any works on site.
128. **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.

129. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 *Protection of trees on development sites* and the Arboricultural Assessment prepared by SLR Consultancy dated 29.11.2016. 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 Council prior to the commencement of construction.
130. **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.
131. **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.
132. **Canopy Tying.** Where possible tree branches overhanging the construction zones are to be tied back to the main trunk rather than pruned.
133. **Machinery Damage.** Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy & construction activities, the advice of the Project Arborist must be sought.
134. **Tree Damage.** In the event of any tree being damaged during the construction period, the Project Arborist is to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.
135. **Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.
136. **Canopy Pruning.** All canopy pruning work required shall be carried out in accordance with Australian Standard 4373-2007 – Pruning of Amenity Trees. All pruning work shall be carried out by an experienced Arborist with minimum AQF Level 3 qualifications. No branches of greater than 100mm in diameter should be removed or pruned without further advice from the Project Arborist.
137. **Soil Moisture within TPZ.** Soil moisture levels within all TPZs are to be regularly monitored by the Project Arborist. If temporary irrigation or watering is

required within the TPZ, then any above-ground irrigation system is to be installed and maintained by a suitably qualified individual.

138. **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.

139. **Hold Points during construction – Drainage Works.** Construction inspections shall be required by Council's Stormwater Engineer for the following stormwater works.

- (a) Stormwater connection works at Council's pit on Waterloo Road.
- (b) Rock armouring works on Shrimpton Creek.

Inspections shall be carried out at the following hold points: -

- (a) Upon excavation of trenches shown on the approved drainage drawings.
- (b) Upon installation of pipes and other drainage structures.
- (c) 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.

140. **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.

141. **Hold Points during construction - Public Domain.** Council requires inspections 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 or construction 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.

142. **Waste disposal.** 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 inspections.

143. **Site maintenance.** 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

144. **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.

Accordingly, a detailed plan of traffic management prepared by a traffic engineer including certification indicating compliance are to be submitted with the Construction Certificate application.

145. **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.

146. **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 Northrop Consulting Engineers (Refer to Project No. 161614 Dwgs DA-C1.01, DA-C4.01, DA-C4.11, DA-C4.21 and DA-C8.01 Rev 2 dated 20 March 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.

147. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Northrop Consulting Engineers (Refer to Project No. 161614 Dwgs DA-C2.01 & DA-C2.11 Rev 2 dated 20 March 2017) 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.

All relevant requirements of the plan must be implemented throughout the period of construction.

148. **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.
149. **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.
150. **Construction Noise Control** - A comprehensive construction noise and vibration management plan to protect the amenity of the adjacent properties must be prepared by a suitable qualified acoustic consultant and submitted to the Principal Certifying Authority before any works on site commence. The plan must be prepared in accordance with the relevant requirements of Interim Construction Noise Guideline (DECC, 2009) and AS2436-2010 *“Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites”* 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 or businesses.
  - (f) Complaints management procedures.

**Note:** Appropriate background noise levels relevant to the most sensitive receivers will be required to support the plan.

All relevant requirements of the plan must be implemented throughout the period of construction.

151. **Dust Control**– A dust control plan must be prepared in accordance with relevant legislation and guidelines and submitted to the Principal Certifying Authority before any works on site commence to prevent the escape of dust from the site during construction and include:
- (a) Physical barriers being placed around the site and other dust sources to prevent wind or work activities from generating dust.
  - (b) Watering areas of exposed soil during dry windy weather.
  - (c) Covering or watering stockpiles during dry windy weather.
  - (d) Watering the work area or use of fog cannons during excavation work.
  - (e) Stopping excavation work during periods of high winds if dust emissions cannot be prevented.
  - (f) Watering haul roads during dry weather.
  - (g) Ensuring that all excavated materials transported from the site are covered.
  - (h) Re-stabilisation of disturbed areas as soon practicable after work is completed.

All relevant requirements of the plan must be implemented throughout the period of construction.

152. **Geotechnical Engineer Supervision - Sydney Trains.** Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
153. **Sydney Trains Property or Easements - Sydney Trains.** No rock anchors/bolts are to be installed into Sydney Trains property or easements.

## **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.

154. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 754794M, dated Wednesday, 30 November 2016.

155. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of any **Occupation Certificate**.
156. **Landscape Maintenance Plan.** A Landscape Maintenance Plan is required prior to the issue of any 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.
157. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.
- Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.
- Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.
158. **Public Art Plan.** Prior to the issue of any Occupation Certificate, the approved works contained in the Public Art Plan approved by Condition 84 shall be implemented.
159. **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 Renzo Tonin & Associates dated 24 October 2016 must be submitted to the Principal Certifying Authority before the issue of any **Occupation Certificate**.
160. **Car Share Provider.** The submission of documentary evidence to Council that an agreement with a car-share provider has been entered into for the seven (7) car share spaces on site, prior to the issue of any **Occupation Certificate**.
161. **CCTV Report.** Prior to the issue of an Occupation Certificate, the Council shall be provided with an electronic closed circuit television report (CCTV report) prepared by an accredited operator that assesses the condition of the newly constructed drainage connection works at Waterloo Road. Any defects in the

drainage connection works identified in the report shall be rectified to Council's satisfaction.

162. **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.

163. **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.
164. **Loading Dock Management Plan.** A Loading Dock Management Plan will need to be prepared by the applicant and submitted to and approved by Council prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how safe waste collection will be undertaken without interrupting traffic flow within the basement.
165. **Ongoing Management.** The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the project. Under the direction of Council, the applicant will make good any roadside facilities being footpaths, road pavement, et cetera; to Council's (City of Ryde) satisfaction.
166. **Public Access and Right of Way.** Prior to the issue of the Occupation Certificate, a Right of Way (ROW) shall be created over the pedestrian link and the linear park in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of any Occupation Certificate.

The terms of the Right of Way must ensure that:

- (a) The Pedestrian Link and Linear Park are accessible at all times to the Public;
  - (b) The Pedestrian Link and Linear Park will be adequately maintained by the occupier/ owner of the site at all times;
  - (c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.
  - (d) The registered owner of the land, at his / her / its own cost and risk maintain at all times, public liability insurance for at least \$20 million, with Council identified as an interested party in that insurance policy.
167. **Wind Impact.** A report from a qualified wind consultant demonstrating compliance with the Acceptable Criteria for Environmental Wind Conditions

including compliance with the recommendations contained in the Pedestrian Wind Environment Study prepared by Windtech dated 11 November 2016, and the Pedestrian Wind Environment Memo prepared by Windtech dated 28 April 2017, must be submitted to the Principal Certifying Authority before the issue of any **Occupation Certificate**.

168. **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 installed street lighting.
169. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Certificate of *Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and 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.
170. **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.
171. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies – AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and approved by Council, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.  
The Works-as-Executed Plans shall note all departures clearly in red, on a copy of the approved public domain works drawings.
172. **Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
173. **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 shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works and Infrastructure Directorate, prior to issue of the 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 shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the Dilapidation Report is submitted.

174. **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.
175. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works & Infrastructure Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.  
A minimum 48 hours' notice will be required when booking for the final inspection.
176. **Compliance Certificate** – 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 have been completed to Council's satisfaction and in accordance with the Council approved drawings:
- in the road reserve including all public domain improvement works; and
  - in the pedestrian link.

The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.

177. **Waste management – Garbage services.** Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate.
178. **Waste management – Compaction cutes.** No compaction units will be permitted in the management of waste in the domestic chute rooms.
179. **Waste management – Waste collection.** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, the property owner must indemnify Council and its contractor in writing against claims for damage to the driveways and manoeuvring areas. This indemnity must be submitted to the City of Ryde Council prior to the issue of any Occupation Certificate.
180. **Final Assessment of Trees.** At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any occupation certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.
181. **CCTV cameras.** Surveillance cameras and recorders must be installed and maintained to monitor and record all entrance and exit points to the buildings.
- (a) The cameras should include the foyer area to the buildings including the area around the mail boxes as mail theft in unit complexes in the Sydney Metropolitan area is an emerging crime. 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, retail space and the basement car park areas, including the entry and exit points to the car park.
  - (b) Recordings must be made twenty four (24) hours a day seven (7) days a week.
  - (c) 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.
  - (d) 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.
  - (e) If requested by police, any recordings are to be archived until such time as they are no longer required.
  - (f) 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.
  - (g) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.



- (h) If the CCTV system is not operational, immediate steps are to be taken by the applicant, site manager or owner to ensure that it is returned to a fully operational condition as soon as possible.
182. **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**.
183. **Lockable gates.** For security purpose the pedestrian access to the private open space courtyard of Units W0001 and W002 are to include a lockable gate to ensure that access to this area is for the residents only.
184. **Lift access and security.** Access control should be set in place to exclude unauthorized access to the buildings as well as to restricted areas. 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**.
185. **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**.
186. **Balcony doors and windows to units.** Windows to units are to be fitted with key operated locksets (Australia and New Zealand Standard – Lock Sets), and 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**.
187. **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**.

188. **Residential basement storage.** Secure storage facilities for individual units in the basement car park area are to have good quality locks and are to be of a type or material that prevents visibility into the storage facility. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an **Occupation Certificate**.
189. **Travel Place.** A Framework Travel Plan (FTP) to be submitted to Council detailing the promotion, development, implementation and monitoring of a co-ordinated transport strategy for the building. The objectives of the FTP are to encourage/provide incentives for residents to utilise public transport, walking and cycling and to investigate alternative modes of transport (away from single-occupancy car use) to more sustainable forms of transport and how the plans will achieve and monitor the objectives. The FTP is to be submitted and approved by Council prior to the issue of any **Occupation Certificate**.
190. **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.
191. **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.
192. **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.

193. **Floodway - Restriction as to User.** A Restrictive Covenant must be registered on the property title to address the following matters, essential to flood mitigation / protection to the development. The covenant terms must;

- a) prevent any works in the defined overland flowpath adjoining the southern boundary of the lot or alteration to the drainage infrastructure inlet designed to accommodate a portion of this overland flow, which would result in the imposition or diversion of overland flow anticipated to occur in this area during extreme storm events.
- b) Ensure the retaining wall bounding the southern side of the development and extending north along the eastern side of the driveway, is maintained as an impermeable structure to the level nominated, so as to prevent the ingress of flood water.

The terms of the restriction shall be generally in accordance with Council's terms for provision for overland flow, to the satisfaction of Council and must be registered on the title of the property prior to the release of any Occupation Certificate.

194. **Vehicle Turntable - Positive Covenant.** 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 vehicle turntable system. For reasons related to traffic safety and efficient vehicle access, it is crucial the unit operate throughout the life of the development. The terms of the instrument are to be generally in accordance with the general terms as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of any Occupation Certificate. The application to Council for endorsement of the positive covenant must be accompanied by a compliance certificate required by the condition "*Compliance Certificates – Engineering*" related to the vehicle turntable.

**195. Public Drainage Infrastructure– Post Construction Dilapidation Report.**

Upon completion of development works, a dilapidation report must be submitted to Council to verify that the works have not damaged public drainage assets located in the easement in 6 to 8 Byfield Street, adjoining the property. The report must include a CCTV (closed circuit television) inspection of the length of all adjoining drainage infrastructure in DVD format, in colour, digital and date stamped. The report and DVD must be submitted to Council's City Works & Infrastructure section for approval, prior to the release of the damage bond.

**196. 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, Council's DCP 2014 Part 9.3 (Parking Controls) and conditions in this consent related to parking.
- b) Certification from a Hydraulic Engineer that the finished ground levels, floor levels and retaining wall along the southern boundary have been constructed and the overland flow path has been maintained as designed.
- c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- g) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public domain, have been de-stressed and are no longer providing any structural support.

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

197. **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).
198. **Dilapidation Surveys – Sydney Trains.** Prior to the commencement of works, prior to the issue of an Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed.
199. **As-Built Drawings – Sydney Trains.** Prior to the issue of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final **Occupation Certificate** until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

## 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.

200. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;
- 315 residential spaces
  - 36 visitor spaces
  - 7 car-share spaces,
  - 2 retail spaces and
  - 32 bicycle parking spaces.

201. **Car Share Parking.** To maintain, facilitate and encourage the use of the car share scheme implemented in the development, the following requirements are to be maintained for the ongoing serviceable life of the development;
- All car share spaces must be publicly accessible 7 days of the week, 24 hours of the day.
  - Carshare parking spaces must be clearly designated and linemarked in the development.
  - Must be retained as Common Property by any future strata subdivision of the development lot.
202. **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).
203. **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.
204. **Communal spaces.** The indoor and outdoor communal spaces of the development are not to be used for commercial purposes including:
- function rooms, games area, deck BBQ area, outdoor lounge and communal outdoor area located on the ground floor;
  - music room and outdoor library on Level 1;
  - pool, spa and surrounding area on Level 2;
  - gym and gym shared deck on Level 3; and
  - communal roof garden and roof lounges on Levels 5 and 20.
205. **Public Health Act.** The gymnasium is to be comply with the Public Health Act 2010 and Public Health Regulations 2012.
206. **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. If necessary, the sides of the carwash bay must be enclosed to prevent splash contamination of the surrounding area.  
Any uncontaminated stormwater must be directed away from the carwash bay and discharged to Council's stormwater drainage system.
207. **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.
208. **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*.

209. **Bin area 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
210. **Recyclable materials.** Staff or contractors must be employed to ensure that the recyclable materials is free from contamination prior to taking the bins to the collection point for servicing
211. **Household cleanup.** The building caretaker will be responsible for booking in household cleanup collections as required.
212. **Waste storage.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
213. **Signage.**
- (a) Signage is to be provided at entry/exit points and throughout the development to assist users. Clear signage should indicate residential, retail and restricted areas.
  - (b) Signage is to be provided on any fire exit doors warning users that the doors are to be used for emergency purposes only.
  - (c) Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful. The front of the building should have clear signage in regards to street numbers so that emergency services are able to clearly read the numbers. To assist with way finding for emergency services, numbering of street numbers, building numbers, levels of the building and unit numbers should be clearly displayed.
  - (d) Signs should be erected in the car parks and near entry and exit points which details security measures and reminds people to lock their vehicles and remove valuables from their vehicles.
  - (e) Location maps should be used throughout the complex to indicate to visitors where they are.
214. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
215. **Disposal of liquid wastes** - 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.
216. **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.
217. **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*.

218. **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.
219. **Residential Amenity - Noise Limits.** Noise from any residential communal indoor spaces of the development including the gymnasium, function room, music room, or any commercial premises shall not be audible in any habitable room in any residential premises between the hours of 10pm and 7.00am. Any amplified music used within the gym or music room shall be limited in volume so as not to cause a disturbance to the amenity of the adjoining residences. Noise insulating materials or construction (such as acoustic rubber matting or paneling) should be installed 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.

## DEPARTMENT OF PRIMARY INDUSTRIES WATER CONDITIONS

The conditions in this Part of the consent relate to the controlled activities of the development as specified by the NSW Department of Primary Industries.

### General Terms of Approval

#### **Plans, standards and guidelines**

220. These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to LDA2016/0602 and provided by Council:
- (i) Site plan, map and/or surveys

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.



221. Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from DPI Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
222. The consent holder must prepare or commission the preparation of:
- (i) Vegetation Management Plan
  - (ii) Erosion and Sediment Control Plan
  - (iii) Soil and Water Management Plan
223. All plans must be prepared by a suitably qualified person and submitted to the DPI Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with DPI Waters guidelines located at [www.water.nsw.gov.au/ Water-Licensing/Approvals](http://www.water.nsw.gov.au/Water-Licensing/Approvals).
- (a) Vegetation Management Plans
  - (b) Riparian Corridors
  - (c) Outlet structures
224. The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to DPI Water.

### **Rehabilitation and maintenance**

225. The consent holder must carry out a maintenance period of two (2) years after practical completion of all controlled activities, rehabilitation and vegetation management in accordance with a plan approved by the DPI Water.
226. The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the DPI Water.

### **Reporting requirements**

227. The consent holder must use a suitably qualified person to monitor the progress, completion, performance of works, rehabilitation and maintenance and report to DPI Water as required.

### **Security deposits**

228. The consent holder must provide a security deposit (bank guarantee or cash bond) - equal to the sum of the cost of complying with the obligations under any approval - to DPI Water as and when required.

### **Access-ways**

229. The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by DPI Water.

### **Bridge, causeway, culverts, and crossing**

Not applicable.

### **Disposal**

230. The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by DPI Water.

### **Drainage and Stormwater**

231. The consent holder is to ensure that all drainage works (i) capture and convey runoffs, discharges and flood flows to low flow water level in accordance with a plan approved by DPI Water; and (ii) do not obstruct the flow of water other than in accordance with a plan approved by DPI Water.
232. The consent holder must stabilise drain discharge points to prevent erosion in accordance with a plan approved by DPI Water.

### **Erosion control**

233. The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.

### **Excavation**

234. The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.

### **River bed and bank protection**

235. The consent holder must clearly mark (with stakes using a GPS or peg out survey), protect and maintain a riparian corridor with a width of an average 20 metres measured horizontally landward from the highest bank of the river for the length of the site directly affected by the controlled activity in accordance with a plan approved by DPI Water.
236. The consent holder must establish a riparian corridor along Shrimptons Creek in accordance with a plan approved by DPI Water.

## **Aquifer Interference Activity – General Terms of Approval**

### **General**

237. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
238. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
239. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
- (a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
  - (b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and
  - (c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
240. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
241. Documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted in a format

consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

### **Prior to excavation**

242. The following shall be included in the initial report:

- (a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
- (b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
- (c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.
- (d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [Note that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]

243. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.

244. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered

groundwater and present the details of all assessments and plans in the initial report.

245. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
246. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug-testing, pump-testing or other means).
247. A copy of a valid consent for the development shall be provided in the initial report.
248. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
249. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

### **During excavation**

250. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
251. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
252. Measurement and monitoring arrangements to the satisfaction of the approval body are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

253. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
254. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
255. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
256. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the approval body under appropriate safety procedures.

### **Following excavation**

257. Following cessation of the dewatering operations, the applicant shall submit the completion report which shall include:
- (a) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
  - (b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
  - (c) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
258. The completion report is to be assessed by the approval body prior to any certifying agency's approval for occupation or use of the completed construction.

### **End of consent.**