

## DRAFT CONDITIONS OF CONSENT

### DEFERRED COMMENCEMENT

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

1. Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, the Applicant must satisfy the following deferred commencement conditions of consent prior to this development consent becoming operative:
  - (a) The Applicant is to enter into a Planning Agreement (as defined pursuant to Section 93F of the Environmental Planning and Assessment Act 1979) with Council for the delivery of the public benefits as identified within the letter of offer from Urbis on behalf of Lachlan's Line Macquarie Park Development Pty Ltd, dated 24 February 2017 and in accordance with the terms accepted by Council at its ordinary meeting 26 April 2017, No. 3/17 in respect of the offer.
2. Evidence that will sufficiently enable Council to be satisfied as to the compliance of those matters in deferred commencement condition 1(a) above, must be submitted to Council within **eighteen (18) months** of the date of determination of this deferred commencement consent, failing which, this deferred development consent **will lapse** pursuant to Section 95(6) of the Environmental Planning and Assessment Act 1979.
3. This development consent will not become operative until such time that the Council notifies the Applicant in writing that the requirements of deferred commencement consent condition 1(a) above have been satisfied.
4. Upon Council giving written notification to the Applicant that the deferred commencement condition has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent.

### GENERAL

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

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
<b>LOT 104</b>		
Key Plan Parking Level 00	27/03/2017	DA02.0B0 Rev J
Key Plan Parking Level 01	27/03/2017	DA02.0B1 Rev J
Key Plan Parking Level 02	27/03/2017	DA02.0B2 Rev H
Key Plan Parking Ground Level	27/03/2017	DA02.100 Rev J
Key Plan Level 01	27/03/2017	DA02.101 Rev H
Key Plan Level 02	27/03/2017	DA02.102 Rev H
Key Plan Level 03	27/03/2017	DA02.103 Rev H
Key Plan Level 04-07	13/07/2016	DA02.104 Rev G
Key Plan Level 08	27/03/2017	DA02.108 Rev G
Key Plan Level 09	27/03/2017	DA02.109 Rev G
Key Plan Level 10	27/03/2017	DA02.110 Rev G
Key Plan Level 11	27/03/2017	DA02.111 Rev G
Key Plan Level 12-13	27/03/2017	DA02.112 Rev G
Key Plan Level 14	16/12/2016	DA02.114 Rev H
Key Plan Level 15-16	15/12/2016	DA02.115 Rev H
Key Plan Level 17	27/03/2017	DA02.117 Rev G
Key Plan Level 18 – Roof Plan	27/03/2017	DA02.118 Rev G
General Arrangement Plan Building L1 - Level 01	16/12/2016	DA03.101 Rev H
General Arrangement Plan Building L1 - Level 02-08	16/12/2016	DA03.102 Rev H
General Arrangement Plan Building L1 - Level 09	16/12/2016	DA03.109 Rev H
General Arrangement Plan Building L1 - Level 10	16/12/2016	DA03.110 Rev H
General Arrangement Plan Building L1 - Level 11	16/12/2016	DA03.111 Rev H
General Arrangement Plan Building L1 - Level 12 (Plant)	13/07/2016	DA03.112 Rev G
General Arrangement Plan Building L2 - Level 01	16/12/2016	DA03.201 Rev H
General Arrangement Plan Building L2 - Level 02-08	16/12/2016	DA03.202 Rev H

Document Description	Date	Plan No/Reference
General Arrangement Plan Building L2 - Level 09	16/12/2016	DA03.209 Rev H
General Arrangement Plan Building L2 - Level 10	16/12/2016	DA03.210 Rev H
General Arrangement Plan Building L2 - Level 11	16/12/2016	DA03.211 Rev H
General Arrangement Plan Building L2 - Level 12-13	16/12/2016	DA03.212 Rev H
General Arrangement Plan Building L2 - Level 14 (Plant)	13/07/2016	DA03.214 Rev G
General Arrangement Plan Building L3 - Level 02	16/12/2016	DA03.302 Rev H
General Arrangement Plan Building L3 - Level 03-08	16/12/2016	DA03.303 Rev H
General Arrangement Plan Building L3 - Level 09	16/12/2016	DA03.309 Rev H
General Arrangement Plan Building L3 - Level 10	16/12/2016	DA03.310 Rev H
General Arrangement Plan Building L3 - Level 11	16/12/2016	DA03.311 Rev H
General Arrangement Plan Building L3 - Level 12-13	16/12/2016	DA03.312 Rev H
General Arrangement Plan Building L3 - Level 14 (Plant)	13/07/2016	DA03.314 Rev G
General Arrangement Plan Building L4 & L5 – Terrace Levels 01,02,03	27/03/2017	DA03.401 Rev H
General Arrangement Plan Building M - Level 02-07	15/12/2016	DA03.602 Rev H
General Arrangement Plan Building M - Level 08	15/12/2016	DA03.608 Rev H
General Arrangement Plan Building M - Level 09-14	16/12/2016	DA03.609 Rev H
General Arrangement Plan Building M - Level 15-16	16/12/2016	DA03.615 Rev H
General Arrangement Plan Building M - Level 17 (Plant)	16/12/2016	DA03.617 Rev G
Elevation Epping Road	13/07/2016	DA07.001 Rev J
Elevation Retail Street	27/03/2017	DA07.002 Rev J
Elevation Delhi Road	27/03/2017	DA07.003 Rev H
Elevations Spine Road	27/03/2017	DA07.004 Rev J
Section Long Section	27/03/2017	DA08.001 Rev H
Section Lachlan's Square Facing Block M	27/03/2017	DA08.002 Rev H
Section Lachlan's Square Facing Block L3	27/03/2017	DA08.003 Rev J

Document Description	Date	Plan No/Reference
Section Supermarket/Podium Facing Block L3	27/03/2017	DA08.004 Rev H
Section Supermarket/Podium Facing Block L1	27/03/2017	DA08.005 Rev J
<b>LOT 105</b>		
Title Sheet	08/07/2016	DA-001-001 Rev H
Site Plan	07/07/2016	DA-100-001 Rev G
Building Separation	21/12/2016	DA-100-002 Rev A
Ground Block Plan	22/12/2016	DA-110-000 Rev K
Level 01 Block Plan	15/07/2016	DA-110-001 Rev I
Level 02 Block Plan	15/07/2016	DA-110-002 Rev I
Level 03 Block Plan	15/07/2016	DA-110-003 Rev I
Level 04 Block Plan	15/07/2016	DA-110-004 Rev I
Level 05 Block Plan	15/07/2016	DA-110-005 Rev I
Level 06 Block Plan	15/07/2016	DA-110-006 Rev I
Level 07 Block Plan	15/07/2016	DA-110-007 Rev I
Level 08 Block Plan	15/07/2016	DA-110-008 Rev I
Level 09 Block Plan	15/07/2016	DA-110-009 Rev I
Level 10 Block Plan	15/07/2016	DA-110-010 Rev I
Level 11 Block Plan	29/03/2017	DA-110-011 Rev J
Level 12 Block Plan	29/03/2017	DA-110-012 Rev J
Level 13 Block Plan	29/03/2017	DA-110-013 Rev J
Level 14 Block Plan	29/03/2017	DA-110-014 Rev J
Level 15 Block Plan	29/03/2017	DA-110-015 Rev J
Level 16 Block Plan	29/03/2017	DA-110-016 Rev J
Roof Plan	07/07/2016	DA-110-017 Rev G
Basement 01	15/07/2016	DA-110-B01 Rev L
Basement 02	15/07/2016	DA-110-B02 Rev N

Document Description	Date	Plan No/Reference
Basement 03	15/07/2016	DA-110-B03 Rev M
Ground Level	15/07/2016	DA-112-000 Rev L
Level 01	13/12/2016	DA-112-001 Rev J
Level 02	13/12/2016	DA-112-002 Rev J
Level 03	13/12/2016	DA-112-003 Rev J
Level 04	13/12/2016	DA-112-004 Rev J
Level 05	13/12/2016	DA-112-005 Rev J
Level 06	13/12/2016	DA-112-006 Rev J
Level 07	13/12/2016	DA-112-007 Rev J
Level 08	13/12/2016	DA-112-008 Rev J
Level 09	13/12/2016	DA-112-009 Rev J
Level 10	13/12/2016	DA-112-010 Rev J
Level 11	29/03/2017	DA-112-011 Rev K
Level 12	29/03/2017	DA-112-012 Rev K
Level 13	29/03/2017	DA-112-013 Rev K
Level 14	29/03/2017	DA-112-014 Rev K
Level 15	29/03/2017	DA-112-015 Rev K
Level 16	29/03/2017	DA-112-016 Rev K
Ground Level	15/07/2016	DA-113-000 Rev I
Level 01	13/12/2016	DA-113-001 Rev K
Level 02	13/12/2016	DA-113-002 Rev I
Level 03	13/12/2016	DA-113-003 Rev I
Level 04	13/12/2016	DA-113-004 Rev I
Level 05	13/12/2016	DA-113-005 Rev I
Level 06	13/12/2016	DA-113-006 Rev I
Level 07	13/12/2016	DA-113-007 Rev I

Document Description	Date	Plan No/Reference
Level 08	13/12/2016	DA-113-008 Rev I
Level 09	13/12/2016	DA-113-009 Rev I
Level 10	13/12/2016	DA-113-010 Rev I
Level 11	29/03/2017	DA-113-011 Rev J
Level 12	29/03/2017	DA-113-012 Rev J
Level 13	29/03/2017	DA-113-013 Rev J
Level 14	29/03/2017	DA-113-014 Rev J
Adaptable Apartments	08/07/2016	DA-120-001 Rev G
East Elevation	24/03/2017	DA-250-001 Rev H
West Elevation	24/03/2017	DA-250-002 Rev J
North Elevation	24/03/2017	DA-250-003 Rev E
South Elevation	24/03/2017	DA-250-004 Rev F
North Section	24/03/2017	DA-250-005 Rev D
South Section	24/03/2017	DA-250-006 Rev C
Section A	24/03/2017	DA-350-001 Rev D
Section B	24/03/2017	DA-350-002 Rev D
ADG Diagrams	01/06/2016	DA-730-001 Rev E
Materials and Finishes	07/07/2016	DA-740-001 Rev C
Typical Apartments	09/12/2016	DA-800-001 Rev A
Privacy Screens	14/12/2016	DA-800-100 Rev A
3D View 01	08/07/2016	DA-900-001 Rev G
3D View 02	08/07/2016	DA-900-002 Rev G
3D View 03	08/07/2016	DA-900-003 Rev G
3D View 04	04/07/2016	DA-900-004 Rev G
3D View 05	04/07/2016	DA-900-005 Rev G
3D View 06	04/07/2016	DA-900-006 Rev G

Document Description	Date	Plan No/Reference
<b>Landscaping plans</b>		
Landscape Plan / Overall Site Plan	2016.12.21	16003_DA-001 Rev H
Landscape Plan / Lot 105 Laura's Place	2016.12.21	16003_DA-002 Rev H
Landscape Plan / Lot 104 Lachlan's Square	2016.12.21	16003_DA-003 Rev H
Landscape Plan / Lot 104 Level 01 Courtyards	2016.12.21	16003_DA-004 Rev H
Landscape Plan / Planting Plan	2016.12.21	16003_DA-005 Rev H

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

- (a) Amended plans are to be provided incorporating glazing to the Epping Road elevation (Lot 104) to break up the solid podium through the provision of highlight windows or some other treatment. Details indicating compliance with these requirements are to be submitted to the PCA prior to the Construction Certificate being issued

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

2. **Voluntary Planning Agreement** - Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, the Voluntary Planning Agreement between the City of Ryde and Lachlan's Line Macquarie Park Development Pty Ltd and that relates to the development application the subject of this consent required under deferred commencement condition 1(a), must be lodged for registration on the title of the property within 1 month of signing the Voluntary Planning Agreement.
3. **North Ryde M2 Site Planning Agreement.** The North Ryde M2 Site Planning Agreement, dated 20 October 2016 (as executed pursuant to Section 93F of the Environmental Planning and Assessment Act 1979) and as registered on the title of the land applies to this development. The applicant is to provide the public benefits and securities as outlined in the terms and conditions of the Planning Agreement relating to the land the subject of this consent.

Note: No Construction Certificate, including a Construction Certificate for the basement car park in Lot 104 is to be issued in respect of the Contribution Work referred to in the North Ryde M2 Site Planning Agreement dated 20 October 2016, unless Council has agreed to the works in accordance with Clause 1.2 of the above document.

4. **Public Benefit Works.** All public benefit works as described in the Voluntary Planning Agreement required under deferred commencement condition 1(a)

and the North Ryde M2 Site Planning Agreement referred to in Part 2 condition 3 are to be completed in compliance with that Agreement.

5. **Staging of the development.** Notwithstanding any other condition of this consent, this consent permits separate Construction Certificates and Occupation Certificates to be issued for the development approved by this consent in stages, provided that all relevant conditions of consent relevant to the development incorporated within each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that stage.
6. **No approval for excavation.** This development consent does not permit any excavation or early works. This work is to be completed in accordance with LDA2016/308 and LDA2016/307.
7. **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.
8. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 738993M-03 dated 25 May 2017, 72045M-03 dated 25 May 2017 and 717601M dated 8 July 2016.
9. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the medical centre, supermarket and retail outlets (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**.
10. **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”.
11. **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.
12. **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.
13. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.



- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
14. **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.
15. **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.
16. **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.
17. **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.
18. **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.
19. **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.
20. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
21. **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.
22. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity,

sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.

23. **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*.

In this regard the walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.

Adequate provision must also be made for the installation of kitchen exhaust systems to the proposed food premises.

24. **Medical Centre.** A separate development application is to be submitted for the fitout of the medical centre. The medical centre is to be constructed and fitted out in accordance with the following:

- A hand basin fitted with hands-free taps and supplied with hot and cold running water through a common spout must be provided in a readily accessible location in each consulting room.
- The floors of all procedure rooms must be constructed of a durable, impervious material that is non-slip and capable of being easily cleaned.
- All work surfaces in procedure rooms must be constructed of, or covered with, material that is durable, smooth, impervious to moisture and capable of being easily cleaned.

This application is to include the following information:

- Number of consulting rooms to be provided
- Details of staffing
- Signage details.

25. **Gymnasium.** A separate development application is to be submitted for the gymnasium. This application is to include the following:

- Signage details
- An acoustic report in respect of the operation of the gym and any required acoustic treatments

26. **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*.
27. **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*.
28. **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.
29. **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
30. **Sydney Trains.** Prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project 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 after construction to be observed. The timing of the surveys is to be agreed with Sydney Trains. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
31. **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.

32. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of any **Construction Certificate**.
33. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the relevant **Construction Certificate**.
34. **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 relevant **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation). The Security Deposit must be released after the issue of the relevant Occupation Certificates.
35. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the relevant **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
36. **Driveway Access Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of the relevant **Construction Certificate**.
37. **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**.
38. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to

excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) to apply.

39. **Road and rail noise/vibration.** The development must be designed and constructed to meet the road traffic noise levels and rail noise and vibration levels of the criteria identified in the following provisions:

- Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*; and
- Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008).

Written endorsement of compliance with these requirements must be obtained from a suitably qualified person and submitted with the relevant Construction Certificate.

40. **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 disabled parking spaces are to have an adjoining shared area which is free of obstructions as per AS 2890.6. In this respect, the plans are to be amended to relocate columns to ensure these areas are provided.

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

41. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow directly to the inground public drainage infrastructure fronting the site, generally in accordance with the plans by Wood and Grieve Engineers (Refer to Project No. 29130-SYD Dwgs C-201,C-202,C-211,C-212,C-221,C-222,C-251 & C-271 Rev 1 dated 16 September 2016).

The detailed plans, documentation and certification of the drainage system must be submitted with the application for the relevant 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.

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

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

43. **Geotechnical Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures 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,
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
  - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,

- details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

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

44. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for the relevant Construction Certificate. The ESCP must be in accordance with the manual *“Managing Urban Stormwater: Soils and Construction”* by NSW Department – Office of Environment and Heritage and must contain the following information;

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

45. **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 relevant Construction Certificate.

- 46. **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 relevant Construction Certificate.
- 47. **Grease trap room 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 relevant Construction Certificate.

- 48. **Construction of garbage rooms.** All garbage 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 cock must be provided in or adjacent to the room to facilitate cleaning.

In addition to the above, 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.

Details demonstrating compliance with this requirement must be submitted on the relevant Construction Certificate plans.

49. **Storage of commercial wastes.** A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes. This space must be separate from the residential waste. Details are to be submitted on the relevant Construction Certificate plans.
50. **Waste and Service Vehicle Access.** The access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of 11m Council's waste vehicle, as a minimum requirement. The height clearance required is 4m. A plan showing the swept path diagram of 11m Council's waste vehicle shall be submitted to and approved by the Council's Traffic Engineer prior to the issue of the relevant Construction Certificate.
51. **Driveway Access and boundary alignment Levels** - The applicant is to apply to Council for site specific driveway access and boundary alignment levels prior to the issue of the relevant Construction Certificate. The application shall be accompanied by engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
52. **Vehicle Footpath Crossings.** The footpath crossings shall be designed and constructed to protect the footpath from damage resulting from the vehicular traffic. The crossing shall match the paving style along the frontages of the

development site. The location, design and construction shall comply with the City of Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works, and all relevant Australian Codes and Standards.

In order to avoid the access driveway looking like a public road, kerbs shall not be returned to the boundary alignment line.

The applicant shall provide Council with certification from a Chartered Civil Engineer (registered on the NER of Engineers Australia) confirming that the vehicle footpath crossing and driveway design meet Council requirements and the relevant standards, prior to the issue of the relevant Construction Certificate.

53. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's City Works & Infrastructure Directorate, as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to the applicant paying all applicable fees in accordance with Council's Schedule of Fees & Charges at the time of the application.
54. **Notice of Intention to Commence Work.** Prior to commencement of the public domain works, a *Notice of Intention to Commence Work* shall be submitted to Council's City Works and Infrastructure Directorate. This Notice shall include the name of the Supervising Engineer, who will also be responsible for providing the certifications required at the hold points during construction, and copies of all Road Activity Permits issued for the works.
55. **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 the relevant 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 Road Occupancy Licence 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.
56. **Approval of the waste storage and handling system.** Final details of the proposed waste storage and handling facilities must be approved by City of Ryde Council in writing before the issue of the relevant Construction Certificate.
57. **Compaction prohibited.** Council does not permit the use of compaction when utilising a chute system.
58. **Doorways to the 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
- 240L Bins – width 0.6m, depth 0.8m, height 1.1m

59. **Access to the waste collection area.** Access to the hard waste area must be provided for collection contractors. Suitable details must be clearly shown on the approved plan before the issue of the relevant Construction Certificate.
60. **Waste Storage.** On-site storage of 41m<sup>2</sup> is to be provided on Parking Level 1 next to the Truck Loading Bay. Suitable details must be provided as to how residents from Lot 105 will access and offload their unwanted waste to this collection point on the approved plan before the issue of the relevant Construction Certificate.
61. **Signage.** Signage needs to be provided at the entry/exit points and throughout the development to assist users. This is particular important in terms indicating the residential and restricted areas. The signs should be clear, legible and useful. The front of the building should have clear signage in regard 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. Details of the proposed way finding signage is to be submitted with the relevant Construction Certificate.
62. **Outdoor Lighting.** Details and plans of outdoor lighting to the public open space areas including Lachlan's Square and Laura's Place are to be provided to and approved by the PCA prior to the issue of the relevant Construction Certificate. The design of all outdoor lighting is to be in accordance with the relevant Australian Standards.
63. **Irrigation.** An automatic watering system is to be supplied to all landscape areas including common areas and public spaces as well as to the balcony planters and cascading planters to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details are to be submitted prior to the issue of the relevant Construction Certificate.
64. **Sydney Trains.** A Construction Certificate for any works on Lot 105 as part of this Development Application shall not be issued by the Principal Certifying Authority until written confirmation has been received from Sydney Trains that the Deferred Commencement Conditions provided in Development Application LDA2016/0308 have been satisfied and that LDA2016/0308 is operational.

NOTE: The Applicant will be required to submit to Sydney Trains the engineering/loading details attributed to this Development Application with the engineering design package submitted to Sydney Trains for endorsement as required in the Deferred Commencement Conditions in Development Application LDA2016/0308.

65. **Sydney Trains.** Prior to the issue of any Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk

to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

66. **Sydney Trains.** If required by Sydney Trains, prior to the issue of any Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
67. **Sydney Trains.** Prior to the issue of any 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 is to be for the 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 any 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.
68. **Sydney Trains.** Prior to the issuing of any Construction Certificate the applicant is to submit to Sydney Trains for review and endorsement a report detailing all machinery to be used during excavation/construction.

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

69. **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 any Construction Certificate.
70. **Sydney Trains.** If required, prior to the issue of any 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.
71. **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 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.

72. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the relevant **Construction Certificate**.
73. **Disabled access.** Prior to the issue of the relevant **Construction Certificate**, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the PCA and Council (if Council is not the PCA).
74. **Adaptable Units.** A total of 82 adaptable units 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 relevant Construction Certificate, a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.
75. **Design verification.** Prior to the relevant Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a qualified designer. This statement must include verification from the designer that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development* as were in effect at the time of the lodgement of the development application. This condition is imposed in accordance with Clause 143A of the *Environmental Planning and Assessment Regulation 2000*.
76. **Service infrastructure/utilities.** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to the issue of the relevant **Construction Certificate**.
77. **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.
78. **Soil Depth Over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Residential Apartment Guide.

Information verifying that the development complies with these requirements to be provided on the relevant Construction Certificate plans.

79. **Acoustic Requirements.** The development shall be carried out in accordance with the recommendations provided within the Acoustic Impact Assessment Reports prepared by Wood and Grieve Engineers for Lot 104 dated 19 July 2016 and Lot 105 dated 27 June 2016 and any findings/recommendations resulting from the required Detailed Acoustic Assessment (per Condition 85) are to be demonstrated on the Construction Certificate plans. Details indicating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued. Prior to the occupation of the development, a suitably qualified acoustic consultant is to verify that the development complies with these recommendations in the above report.
80. **Detailed Acoustic Report Required.** Due to the nature of the unpredictable variables involved in the acoustic impact assessment (coupling losses from soil to structure, soil attenuation etc.) and the potential for the regenerated noise to be low frequency, a Detailed Acoustic Assessment must be conducted, in order to determine the likelihood of any adverse impacts. Details indicating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.
81. **Arts Plan.** Prior to the issue of the relevant Construction Certificate, a site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be in accordance with the public art plan prepared by Guppy Associates Art Management.
82. **Safer by Design.** All recommendations contained in the Crime Prevention through Environmental Design (CPTED) Assessment Report prepared by Urbis dated June 2016 are to be implemented. Details demonstrating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.
83. **Wind Tunnel Study.** The development shall be carried out in accordance with the recommendations provided within the Wind Tunnel Study prepared for Lots 104 and 105 by Wind Tech dated 10 August 2016. Details indicating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate for the building facades being issued. Prior to the occupation of the development, a suitably qualified Wind Consultant is to verify that the development complies with the recommendations in the above report.
84. **Environmental Performance.** Prior to the issue of the relevant Construction Certificate, the following details are to be submitted to the PCA (and Council if Council is not the PCA):
  - A copy of the registration certificate from the Green Building Council of Australia for a 4 star Green Star – Residential v1 design rating.
  - Details confirming the location of a smart water metering system.

- Plans confirming the location of electro-voltaic charging infrastructure.

Prior to the issue of any Occupation Certificate, the PCA is to be provided with evidence that the above requirements have been implemented in the buildings.

85. **Lachlan's Square.** The Landscape Strategy Concept, prepared by ASPECT Studios, dated 11/7/16, Issue G in respect to Lachlan's Square are to be amended to improve the useability of the space. Detailed Landscape Plans for Lachlan's Square are to be submitted to Council's Open Space Planning and Development Team for approval, prior to the issue of the relevant **Construction Certificate**, and must be completed to Council's satisfaction at no cost to Council prior to the issue of any Occupation Certificate for the retail, commercial, community or residential uses on Lot 104.

The Detailed Landscape Plans are to include elements such as:

- The poles in respect to the auditorium are to be either removed or reduced in number to increase the flexibility of the space.
- The extent of the wet/splash zone for the water feature is to be clearly identified to ensure a dry path of travel can be achieved. The current design is to be amended to provide a more interesting arrangement conducive of play as indicated by the indicative images provided. This should include run around areas that provides for hop in hop out action as well as proximity seating for carers.
- Further detail is to be provided in respect of the tree planting and proposed methodology. The plans are to demonstrate adequate soil depth/volumes above the car park can be provided to sustain root growth, finished surface to adjoining pavement and intended canopy size.
- Install a minimum of 14 trees (*Ulmus parvifolia* 'Todd') at a minimum size of 300L.
- The design is to incorporate a more intimate design by providing planter beds and/or lawn areas as well as casual seating options. In this respect consideration is to be given to incorporating features similar to the podium planting such as sinuous edge and integrated seating.
- Details are to be submitted in respect of the interface between tree/garden planting and adjoining pavement pattern.
- Details are to be submitted in respect of the interface between the paving and Lachlan's Square and the streetscape paving.
- The provision of twenty (20) bicycle parking rails. These are to be designed in accordance with AS2890.3 and must be provided in a suitable location for the convenience of visitors to the site.



- Detailed lighting strategy to be provided to demonstrate provision of functional and aesthetic lighting, such as light poles and up lights for trees.

86. **Laura's Place.** The Landscape Strategy Concept, prepared by ASPECT Studios, dated 11/7/16, Issue G in respect to Laura's Place Square are to be amended to improve the useability of the space. Detailed Landscape Plans for Laura's Place are to be submitted to Council's Open Space Planning and Development Team for approval, prior to the issue of the relevant **Construction Certificate**, and must be completed to Council's satisfaction at no cost to Council prior to the issue of any Occupation Certificate for the retail or residential uses on Lot 105.

The Detailed Landscape Plans are to include elements such as:

- The layout of this area is to provide for pedestrian movement and connection to Central Park. The alignment of the thoroughfare is to be adjusted so that it lines up with the pedestrian crossing on Retail Road. The edge of the thoroughfare is to be sinuous in form with integrated seating provided along both sides of the thoroughfare at suitable locations.
- Further detail is to be provided in respect of the tree planting and proposed methodology. The plans are to demonstrate adequate soil depth/volumes above the car park can be provided to sustain root growth, finished surface to adjoining pavement and intended canopy size.
- Details are to be submitted in respect of the interface between Laura's Place pavement pattern and the streetscape paving.
- Install a minimum of 14 trees (7 of which will be provided in the pavement and 7 of which will be provided in the garden bed).
- Detailed lighting strategy to be provided to demonstrate provision of functional and aesthetic lighting, such as light poles and up lights for trees.

87. **Unit Storage Provision.** All units must provide storage compliant with ADG requirements. Specifically, additional 4m<sup>3</sup> of storage must be provided within the following units (or basement level) within Lot 105, Building J: J.1.09, J.2.09, J.3.09, J.4.09, J.5.09, J.6.09, J.7.09, J.10.08, J.11.08, J.12.08 and J.13.08.

Details indicating compliance with these requirements are to be submitted to the PCA prior to the issue of the relevant Construction Certificate.

## **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

88. **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.
89. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.
90. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.
91. **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.
92. **Pre-Construction Dilapidation Report.** To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
- (a) Road pavement,
  - (b) Kerb and gutter,
  - (c) Footpath,
  - (d) Drainage pits,
  - (e) Traffic signs, and
  - (f) Any other relevant infrastructure.

The report is to be submitted to, and approved by Council's City Works & Infrastructure Directorate, prior to any work commencing.

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

## 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.

93. **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*.
94. **Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.
95. **Noise management plan.** Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:
- (a) Identification of nearby affected residences or other sensitive receivers.
  - (b) An assessment of the expected noise impacts.
  - (c) Details of the work practices required to minimise noise impacts.
  - (d) Noise monitoring procedures.
  - (e) Procedures for notifying nearby affected residents.
  - (f) Complaints management procedures.
96. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
97. **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.

98. **Construction materials.** All materials associated with construction must be retained within the site.
99. **Site Facilities.**  
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with Safework 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.
100. **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.
101. **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".
102. **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 Wood and Grieve Engineers (Refer to Project No. 29130-SYD Dwgs C-201,C-202,C-211,C-212,C-221,C-222,C-251 & C-271 Rev 1 dated 16 September 2016) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
103. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
104. **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.

105. **Construction requirements.** All acoustical treatments nominated in the acoustical assessment report and any related project documentation must be implemented during construction.
106. **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.
107. **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) prepared by Ganellan dated 23 March 2017 (reference: 17002). 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.
108. **Tip dockets.** Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
109. **Illegal dumping of waste.** 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.
110. **CCTV Cameras.**
- a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. 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 and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.
  - b) As a minimum, CCTV cameras at entry and exit points including the car park entry/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.
  - c) 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.

d) If requested by police, the applicant is to archive any recording until such time as they are no longer required.

e) 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.

f) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.

g) If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.

h) CCTV should be installed throughout the basement car park area and should include the entry and exit points to the car park.

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

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- Sensor lighting should be installed into areas that may be areas of concealment.
- All outdoor public spaces should be well lit to ensure safety during the hours of darkness.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.

112. **Access control.** The following measures shall be addressed in the fit out of the building:

- a) All areas should be fitted with doors that comply with Australian Design Standards.
- b) The locks fitted to the doors should be of a high quality and meet the Australian design standards.
- c) Any glass within these doors should be laminated to enhance the physical security of the doors.
- d) Access control should be set in place to exclude unauthorized access to restricted areas.
- e) Access should be restricted to residents only to the lifts and stairs leading to the apartments.
- f) Fire exit doors to the development should be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.

- g) The main entry/exit doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit.
- h) The balcony doors to individual units should also be fitted with single cylinder locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit.
- i) The windows to individual units should also be fitted with key operated locksets (Australia and New Zealand Standard – Lock Sets) to restrict unauthorized access to the unit
- j) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.
- k) Mail theft is an emerging crime in the Sydney Metropolitan area and as such letterboxes should be secured in a location that can be accessed by residents only. Having the letter box opening where mail can be inserted by Australia Post on the external area of the buildings, but having access to the rear of the letter box where you retrieve the mail on the internal side of the building is strongly recommended. The access to the mail area on the internal side of the building should be through a type of secured “mail room” which is accessed by a type of swipe card system or similar.
- l) The basement car parking areas have some type of security gate or security roller shutter that can be closed to prevent people loitering in the car park and to prevent crimes such as malicious damage, stealing, assaults and sexual assaults. If possible residential parking should only be able to be accessed by residents. A security roller door or similar should be used to restrict access by non-residents.
- m) It is recommended that if there are secure storage facilities for individual units in the basement car park that these facilities have good quality locks and ideally would be of a type that people cannot see into.

- 113. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.
- 114. **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.
- 115. **Sydney Trains.** No rock anchors/bolts are to be installed into Sydney Trains property or easements/stratums.
- 116. **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.

117. **Drainage of carwash bays.** The floor of the 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.
118. **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.
119. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
120. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
121. **Entries to shops, community centre and medical centre.** All entries to the shops, community centre and medical centre on the ground floor are to be at the level threshold with the street footpath to ensure suitable accessibility.

## **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.

122. **Public Benefit Works.** All public benefit works as identified in the VPA required under deferred commencement condition 1(a) and the North Ryde M2 Site Planning Agreement referred to in Part 2 Condition 2 are to be completed to Council's satisfaction prior to the issue of any Occupation Certificate unless varied by any other condition of consent.



123. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 738993M-03 dated 25 May 2017, 72045M-03 dated 25 May 2017 and 717601M dated 8 July 2016.
124. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the relevant **Occupation Certificate**.
125. **Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of the relevant Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to [www.sydneywater.com.au/section73](http://www.sydneywater.com.au/section73) or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

126. **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.
127. **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.
128. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the pump/ sump and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by

the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

129. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

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

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

130. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).

- b) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- c) Certification from a qualified and practising Traffic Engineer that the automation of the vehicle turntable and mechanical parking device (Wohr Crossparker) has been implemented as designed and in accordance with the requirements of the condition labelled "*Vehicle Turntable and Mechanical Parking Device Requirements*" and installed in accordance with the manufacturers requirements/ endorsement.
- d) 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.
- e) 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.
- f) 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.
- g) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- h) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- i) 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.
- j) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

131. **RMS.** The applicant, in consultation with TfNSW and Roads and Maritime, shall undertake a Transport Management Study to identify pedestrian safety and traffic impact on the network. The applicant is to implement all the required mitigation measures identified in the study prior to the issue of the first Occupation Certificate.

132. **Compliance report.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate.
133. **Signage and Linemarking – External.** The applicant shall reinstate all signage and line marking as per the approved plans under SSD\_5093. This will be undertaken by the applicant prior to the issue of the relevant Occupation Certificate, at no cost to Council.
134. **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 the relevant Occupation Certificate. The Plan will need to demonstrate how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic.
135. **Post-Construction Dilapidation Report.** To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
- (a) Road pavement,
  - (b) Kerb and gutter,
  - (c) Footpath,
  - (d) Drainage pits,
  - (e) Traffic signs, and
  - (f) Any other relevant infrastructure.

The report is to be submitted to, and approved by Council's City Works and Infrastructure Directorate, prior to issue of Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

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

136. **Collection of Wastes.** 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.
137. **Indemnity for waste collection vehicles.** 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

138. **Universal Council Key.** Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key should be installed so the contractor can access the room for servicing bins or collect the household cleanup items.
139. **Street Signage.** A street sign is to be prominently displayed at the front of the development to comply with the Local Government Act, 1993, Section 124, Order no. 8.
140. **Sydney Trains.** Prior to the issuing 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 stratum/easements, unless agreed to by Sydney Trains. 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.
141. **Public access to publicly accessible areas.** Public access is to be available at all times to the areas identified as Lachlan's Square and Laura's Place and other externally publicly accessible areas on the approved architectural plans. Prior to the issue of the relevant Occupation Certificate a right of way permitting access at all times to all members of the public is to be created over these areas. Terms regarding the creation of the right of way are to be submitted and approved by Council prior to the lodgement at the Lands and Property Information Office. The terms are to include issues such as maintenance of these spaces, the provision of adequate lighting and public liability. Evidence regarding the effective registration of the right of way is to be submitted to Council and the PCA prior to the issue of the relevant Occupation Certificate.
142. **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.
143. **Wayfinding and directional signage.** Prior to the issue of the relevant Occupation Certificate, wayfinding and directional signage is to be provided on the site.
144. **BASIX Commitments.** Prior to the issue of the Occupation Certificate, the Principle Certifying Authority is to ensure that the BASIX commitments have been implemented in accordance with the approved BASIX Certificate. Note: Certificates from suitably qualified persons are to be submitted to the Principle Certifying Authority (if Council is the PCA) verifying that all BASIX commitments listed have been fulfilled in accordance with the BASIX Certificate.

145. **Design Verification.** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development as were in effect at the time of the lodgement of the development application. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.
146. **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.
147. **Landscape Implementation, Maintenance and Management Plan.** To provide for the implementation, management and maintenance of the proposed landscaping arrangements, a Landscape Implementation, Maintenance and Management Plan is to be prepared by a registered landscape architect and submitted to Council for approval prior to the issue of any Occupation Certificate. This plan is to include measures to ensure the landscape design is implemented in full without any diminution of the design intent either at installation or into the future through poor management and maintenance.
148. **Signage in Waste Areas.** 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. These signs are to be erected prior to the issue of the relevant Occupation Certificate.
149. **Signage in car parks.** Signage is to 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. These signs are to be erected prior to the issue of the relevant Occupation Certificate.
- Signage is also to be provided on both ends of the tunnels advising that no pedestrian access is permitted in the tunnel. These signs are to be erected prior to the issue of the relevant Occupation Certificate.
150. **Shopping trolleys.** A mechanism, to the satisfaction of the Council, must be installed and maintained at all times, to prevent shopping trolleys being taken from the site. Evidence of compliance with this condition is to be provided to the PCA prior to the issue of an Occupation Certificate in respect of the supermarket.
151. **Travel Information Guides.** All new owners and residents of the development are to be provided with a transport package that includes travel information guides and details of the car share scheme. Evidence of compliance with this

condition is to be provided to the PCA prior to the issue of any relevant Occupation Certificate.

152. **Public Art.** Prior to the issue of any Occupation Certificate for the final building, the public art as detailed in condition 78 is to be completed and erected on the site.
153. Any damage that occurs to the public domain is to be restored as existing prior to any works commencing on the site. The final finishes are to comply with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.

## 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.

154. **Hours of operation.** The hours of operation are to be restricted to:
- Supermarket: Monday to Sunday 6am to midnight.
  - Retail premises: Monday to Sunday 6am to midnight.
  - Gym: 24 hours
  - Community Facilities: Monday to Sunday 6am to midnight
  - Medical Centre: Monday to Sunday 7am to 9pm.
155. **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*.
156. **Delivery and loading/unloading – hours.** No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 7am on any day.
157. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property.
158. **Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.
159. **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*.
160. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;
- 625 residential spaces
  - 49 visitor spaces

- 30 motorbike parking spaces
  - 192 bicycle parking spaces
  - 12 car share spaces
  - 25 community spaces
  - 180 commercial (including medical centre, supermarket, retail and gym) spaces.
161. **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).
162. **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.
163. **Loading Bay Management.** To ensure the efficient use of the Loading Bay and prevent loading/ service movements occupying onstreet parking, the strata plan of management must include a mechanism for the scheduling of the Loading Bay by occupants of the development during the weekday evenings (from 6pm) and on the weekends. Deliveries by articulated vehicles are to be undertaken outside of peak commute periods or hours of heavy pedestrian activity. The Loading Bay schedule is to be overseen by the strata manager or caretaker of the development and its implementation is to be clearly displayed in common areas to ensure occupants are aware of the schedule system. The schedule is also to be mindful of the operating times for waste or essential services requiring the use of the Loading Bay.
164. **Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
165. **Medical Centre - Clinical wastes.** The occupier must enter into an agreement with a licensed waste transporter for the collection and disposal of clinical wastes generated on the premises, and a copy of the service contract must be provided to Council on request.
166. **Medical Centre - Used sharps.** Used sharps must be placed into a sharps container immediately after use. The container must comply with the requirements of Australian Standards AS 4031-1992 *'Non-reusable containers for the collection of sharp medical items used in health care areas'* or AS 4261-1994 *'Reusable containers for the collection of sharp medical items used in health care areas'* and be securely sealed with a lid before disposal.



167. **Medical Centre - Non-sharps clinical wastes.** Non-sharps clinical wastes must be placed in a dedicated waste container with a yellow plastic liner clearly labelled 'contaminated waste'.
168. **Medical Centre - Storage of clinical wastes.** All clinical wastes must be stored in a cool dry secure place until collected by the waste transporter.
169. **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.
170. **Trade waste permit.** The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
171. **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*.
172. **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.
173. **Booking of Household Cleanups.** The building caretaker will be responsible for making Pre-Booked Household Cleanup bookings.
174. **Recycling Bins not to be contaminated with non recyclable material.** The building caretaker will be responsible for ensuring that the recycling bins at the base of the E-Diverter chutes are not contaminated with non recyclable material.
175. **Maintenance of the waste storage areas.** All waste storage areas must be maintained in a clean and tidy condition at all times
176. **Movement of Waste containers.** Staff or contractors must be employed to take the waste containers from garbage and recycling chute rooms to the

residential garbage room located next to the Truck Loading Bay for servicing and to return the containers to the garbage rooms after servicing.

177. **Recyclable materials.** Staff or contractors must be employed to take the recyclable materials from the service compartments and sort the materials into the containers provided in the garbage and recycling room.
178. **Storage of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
179. **Medical Centre - Radiation apparatus used in diagnostic imaging** - All radiation apparatus used in diagnostic imaging must comply with the requirements of the *Radiation Control Act 1990* and *Radiation Control Regulation 2013*.
180. **Paid parking schemes.** Any paid parking schemes adopted for the development site must be appropriately managed to minimise on-street parking in the local area to the satisfaction of the Council and RMS.
181. **Use of loading dock by removalist vehicles.** All removalist vehicles are to utilise the loading docks.
182. **Use of Lachlan's Square and Laura's Place.** The hours of use for the public plazas known as Lachlan's Square and Laura's Place for entertainment and community events are limited to between 8.00am to 11.00pm Monday to Friday, and between 9.00am and 11.00pm Saturdays, Sundays and Public Holidays. Any use of these spaces for entertainment and community events outside of these times is to be notified to the Council and approval in writing prior to use.
183. **Publicly accessible areas.** All external publicly accessible areas within the site are to be accessible 24 hours a day, Monday to Sunday.