

**DRAFT CONDITIONS – 112 Talavera Road Macquarie Park
LDA2018/0269**

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

(A) Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to LDA2018/0269 subject to the following conditions of consent:

1. **Controlled activity approval.** Separate approval under the Water Management Act 2000 for any work carried out in, on or under waterfront land must be obtained.

(B) The approval or a notice of exemption in relation to the approval identified in deferred commencement condition (A) (1) above must be obtained and submitted to Council within twelve (12) months from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 4.53 (6) of the Environmental Planning and Assessment Act 1979.

(C) This Development Consent will not operate until such time that the Council notifies the Applicant in writing that that deferred commencement consent condition (A) (1) above has been satisfied; and

Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1) above has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent:

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

GENERAL

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

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

Document Description	Date	Plan No/Reference
<i>Architectural Plans prepared by DKO Architecture - Project Number 11528</i>		
Site Plan	24/4/19	TP108, Rev F
Ground Floor	24/4/19	TP201, Rev L
Level 1	8/3/19	TP202, Rev F

Document Description	Date	Plan No/Reference
Level 2	8/3/19	TP203, Rev F
Level 3	8/3/19	TP204, Rev F
Level 4	8/3/19	TP205, Rev F
Level 5	15/4/19	TP206, Rev G
Level 6	8/3/19	TP207, Rev F
Level 7-9	8/3/19	TP208, Rev F
Level 10-25	8/3/19	TP209, Rev F
Level 26	8/3/19	TP210, Rev F
Roof	8/3/19	TP211, Rev F
Basement Plan	23/4/19	TP212, Rev B
North Elevation	8/3/19	TP301, Rev F
South Elevation	8/3/19	TP302, Rev F
East Elevation	8/3/19	TP303, Rev F
West Elevation	8/3/19	TP304, Rev F
Sections	8/3/19	TP305, Rev E
Sections	8/3/19	TP306, Rev E
Staging Sections	14/2/19	TP308, Rev A
Material Finishes	14/2/19	TP403, Rev C
Apartment types - 1 Bedders	14/2/19	TP507, Rev A
Apartment types - 1 Bedders	14/2/19	TP508, Rev C
Apartment types - 2 Bedders	14/2/19	TP509, Rev C
Apartment types - 3 Bedders	14/2/19	TP510, Rev C
Apartment types - Penthouses	14/2/19	TP511, Rev C
Apartment types - Penthouses	14/2/19	TP512, Rev A
Apartment types - Terraces	14/2/19	TP514, Rev B
Apartment types - Terraces	14/2/19	TP515, Rev A
Adaptable Unit Location	14/2/19	TP518, Rev B
<i>Civil Works Package prepared by AT&L - Project Number 16/428</i>		
Cover Sheet and Locality Plan	17/5/19	DAC001, Issue H
General Notes and Legends	17/5/19	DAC002, Issue H
Phasing Plan	17/5/19	DAC003, Issue H
General Arrangement Plan	17/5/19	DAC004, Issue D
Typical Sections Sheet 1	17/5/19	DAC005, Issue D
Typical Sections Sheet 2	17/5/19	DAC006, Issue D
Typical Sections Sheet 3	17/5/19	DAC007, Issue D
Siteworks and Stormwater Drainage Plan Sheet 1	17/5/19	DAC010, Issue J
Siteworks and Stormwater Drainage Plan Sheet 2	17/5/19	DAC011, Issue J
Siteworks and Stormwater Drainage Plan Sheet 3	17/5/19	DAC012, Issue H
Siteworks and Stormwater Drainage Plan Sheet 4	17/5/19	DAC013, Issue H
Siteworks and Stormwater Drainage Plan Sheet 5	17/5/19	DAC014, Issue H
Siteworks and Stormwater	17/5/19	DAC015, Issue H

Document Description	Date	Plan No/Reference
Drainage Plan Sheet 6		
Siteworks Details Sheet 1	17/5/19	DAC020, Issue G
Siteworks Details Sheet 2	17/5/19	DAC021, Issue G
Stormwater Details Sheet 1	17/5/19	DAC022, Issue G
Stormwater Details Sheet 2	17/5/19	DAC023, Issue G
Stormwater Details Sheet 3	17/5/19	DAC024, Issue E
Internal Road Longitudinal Section	17/5/19	DAC025, Issue E
Pavement Plan	17/5/19	DAC030, Issue H
Overall Stormwater Drainage Catchment Plan	17/5/19	DAC040, Issue H
Stormwater Drainage Catchment Plan	17/5/19	DAC041, Issue A
Flood Risk Plan	17/5/19	DAC045, Issue H
Stormwater Longsection	17/5/19	DAC050, Issue C
Stormwater Calculation Sheet	17/5/19	DAC051, Issue C
Erosion and Sedimentation Control Plan and Details	17/5/19	DAC070, Issue H
<i>Landscape Plans prepared by Sturt Noble</i>		
Overall Ground Floor	7/3/19	DA-1816-02, Issue H
Ground Floor	7/3/19	DA-1816-03, Issue H
Ground Floor Section	1/3/19	DA-1816-04, Issue F
Level 5 – Childcare	1/3/19	DA-1816-06, Issue F
Level 5 – Childcare Sections	1/3/19	DA-1816-07, Issue F
Level 6 – Communal Space	1/3/19	DA-1816-08, Issue F
Level 6 – Communal Space Sections	1/3/19	DA-1816-09, Issue F
Roof Terraces	1/3/19	DA-1816-10, Issue F
Roof Terraces Sections	1/3/19	DA-1816-11, Issue F
Planting Schedule and Images	1/3/19	DA-1816-12, Issue F
<i>Supporting Documentation</i>		
Arboricultural Impact Assessment Report, prepared by Jacksons Nature Works	21/11/18	Stage 1 – 112 – 118 Talavera Road Macquarie Park
Transport Assessment prepared by ARUP	13/3/19	Revision E
Transport Response prepared by ARUP	30/4/19	Ref: 252454-00, File Ref. 1
Environmental Wind Tunnel Testing Proposed Block "A" Development prepared by SLR	12/6/18	Ref: 610.16946-R01-v1.0
BCA Assessment Report prepared by AE&D	10/6/18	Report No. 1423-105 REV 00
DA Access Report prepared by Wall to Wall	15/6/18	Ref: MTN-072, Rev. 2
Preliminary Geotechnical Assessment prepared by	18/5/18	Project No. 86398.00 Document No. R.001.Rev0

Document Description	Date	Plan No/Reference
Douglas Partners		Revision 0
Preliminary Phase II Detailed Site Investigation prepared by ADE Consulting Group	23/11/18	Report No. MER-02-15171 / DSI / v1f
Air Quality Report prepared by SLR Consulting	5/12/18	Ref: 610.16946-R03-v1.1
Bushfire Risk Assessment Report prepared by Bushfire Planning Services	12/8/18	Subject Property: Lot 422, DP 1221081

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

- (a) Due to reduced separation with the opposing balconies, the bedroom window to Unit 15 at Levels 1-5 are required to be provided as a highlight window.
- (b) The southern balcony edge to Unit 15 at Level 6 must provide a solid blade wall to 1.6m height to avoid overlooking to Unit 602 bedroom and balcony.
- (c) The Landscape Planter provided along the north-eastern edge of the Level 6 Communal open space must be replicated along the north-western edge of the communal open space to create a non-trafficable zone along the entire edge of the communal open space.
- (d) To ensure accessible travel from the ground level child care centre parking, there must be no change in level from the car park to the lift entrance (car park side) adjoining the bicycle parking.
- (e) Pedestrian access to the child care centre is restricted from the northern lift only. No public access is available from the western located lift core.

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

2. **Child Care Centre.** A separate development application is to be submitted for the fit-out of the child care centre located at the Level 5. This application is to be prepared in accordance with Council's requirements and must be accompanied by documentation and/or plans as relevant to demonstrate compliance with the Child Care Planning Guidelines and the objectives and controls in Part 3.2 of DCP 2014. This application is to include the following information:

- Details of the number of children proposed and the age breakdown of the children.
- Details of the number of staff.
- A detailed landscape plan in respect of the "unencumbered" outdoor space.
- Details of the hours of operation.
- Details of screening.
- Details of the areas that will be shaded.
- A detailed internal layout area of the child care centre.
- Emergency Evacuation Plan.

- Plan of Management.
 - Acoustic Report.
 - Signage details.
3. **Land owners consent.** Prior to any Construction Certificate for the stormwater works, landowners consent from the land owner of 192 Balaclava Road, Macquarie Park (Macquarie University) is to be obtained to undertake the works on their land.
 4. **Controlled Activity Approval (Department of Primary Industries).** The development is to be in accordance with any controlled activity approval issued under the Water Management Act 2000, obtained in accordance with Deferred Commencement Condition (A)(1) of the consent.
 5. **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.
 6. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 934519M_03, dated 17 May 2019 (as amended).
 7. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the retail/commercial component in the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the Construction Certificate.
 8. **Roads and Maritime Services (RMS) Conditions.** Roads and Maritime previously acquired a strip of land for road along the Talavera Road frontage of the subject property, as shown by blue colour on the attached Aerial — 'X' (see **Attachment 1** of this consent).

The subject property also abuts a Declared Tollway (M2 Motorway) as shown by blue colour and purple hatching on attached Aerial — "Y". Access is denied across this boundary.

All buildings and structures together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth) along the Talavera Road and M2 Motorway boundaries.

9. **RMS Conditions.** Site access from M2 on-ramp must be restricted to left in movement only.
10. **RMS Conditions.** The driveway on Talavera Road should be restricted to left in left out movements only.
11. **Communal Facilities** The gym/residential flood refuge room and pool on Level 5 and communal open space on Level 6 are not to be used for commercial purposes.

12. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - a) Protect and support the adjoining premises from possible damage from the excavation, and
 - b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
13. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the shopfronts. Separate approval must be obtained for any such works.
14. **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".
15. **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.
16. **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.
17. **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.
18. **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.
19. **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.
20. **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.

21. **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.
22. **Depth markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
23. **Wastewater discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
24. **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.
25. **Design and Construction Standards.** All engineering plans and work inside and outside 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 Civil Works*, and relevant Development Control Plans except otherwise as amended by conditions of this consent.
26. **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, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council’s standards and specifications, and DCP 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council.

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.

27. **Works on Public Roads –** Any works performed in, on or over a public road reserve 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 Sections 138 and 139 of the Roads Act 1993.

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.

28. **Bicycle/motorcycle parking.** An area shall be designated for motorbike and/or bicycle parking on the site within the basement level. A bicycle parking rack must be provided.
29. **Connection by gravity flow** - All sanitary fixtures must be connected to the sewerage system by gravity flow.
30. **Road traffic noise criteria for sensitive developments.**
- The building(s) must be designed and constructed so that the road traffic noise levels inside the building(s) comply with the noise criteria specified in *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008).
 - The development must be acoustically designed and constructed to meet the relevant provisions of Australian Standard AS 2107:2000 *Recommended design sound levels and reverberation times for building interiors*.

Written endorsement of compliance with these requirements must be obtained from a suitably qualified person.

31. **Rail noise and vibration criteria for sensitive developments** - The building(s) must be designed and constructed so that the rail noise and vibration levels inside the building(s) comply with the criteria specified in *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008).
32. **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*.
33. **Construction of walls** - The walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.
34. **Provision for installation of kitchen exhaust systems** - Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.
35. **Water circulation, filtration and dosing system** - All swimming pools and spa pools must be equipped with an effective water circulation system, water filtration system and automatic disinfectant dosing system. For further guidance see the *Public Swimming Pool and Spa Pool Advisory Document* (Health Protection NSW, 2013).
36. **Mechanical ventilation of loading docks** – All loading docks located more than 10 metres from the external entrance opening must be provided with a

system of mechanical ventilation complying with clause 4.5.2 of Australian Standard AS 1668.2-2012: *The use of mechanical ventilation and airconditioning in buildings – Mechanical ventilation in buildings*.

37. **Carwash bay.** A carwash bay must be provided on the premises for washing cars:
- The carwash bay must be covered by a roof to prevent the entry of rainwater.
 - The floor of the carwash bay must be graded and drained to a grated drain or collection sump located within the wash bay and drained to the sewerage system in accordance with the requirements of Sydney Water Corporation.
 - The sides of the carwash bay must be enclosed if necessary to prevent splash contamination of the surrounding area.
 - All uncontaminated stormwater from the roof and external paved areas of the site must be directed away from the carwash bay and discharged to Council's stormwater drainage system.
38. **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
39. **Exhaust air discharge vents** - All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.
40. **Carpark exhaust vent** - The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.
41. **Retail kitchen exhaust vent** - The retail kitchen exhaust vent must be located above roof level:
- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening;
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary; and
 - (c) at least 8 metres from any cooling tower.
42. **Installation, operating and maintenance requirements** - All air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
43. **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*.

44. **Registration of water-cooling systems** - All water-cooling systems regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.
Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
45. **Storage of garbage and recyclable materials.**
(a) A separate room or area must be provided in a convenient location on the premises for the storage of residential garbage and recyclable materials.
(b) A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes.
(c) External areas used for the storage of garbage must be roofed and paved with concrete graded to a grated drain connected to the sewerage system.
(d) A hose cock must be provided adjacent to the garbage storage areas to facilitate cleaning of the containers and storage area.
46. **Waste collection point for commercial waste** - The commercial waste must be collected from the loading dock.
47. **Paving to collection point** - The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.
48. **Access for waste collection vehicles** - Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.

Additional clearances must be provided for overhead and side loading where appropriate.
49. **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.
50. **Installation of grease trap** - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.
51. **NSW Rural Fire Service (RFS) - Asset Protection Zones.** At the commencement of building works and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and

Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

52. **NSW RFS - Water and Utilities.** Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
53. **NSW RFS - Design and Construction.** New construction shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
54. **NSW RFS - Landscaping.** Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.
55. **Public Utilities and Service Alterations** – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.
56. **Construction Staging** – For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
57. **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 2009 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.
58. **Surface Runoff** - Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path system draining the site. Any redirection or treatment of these flows shall not adversely affect any other properties.
59. **Design and Construction Standards** - All engineering detailed design plans and associated drainage works shall be carried out in accordance with the requirements of the relevant Australian Standards and Council's DCP Part 8.2. Detailed design of all proposed Council Infrastructure works or proposed modification to Council infrastructure which may be located inside the property boundary, must be approved by Council City Works Directorate and undertaken in accordance with Council's 2014 DCP Part 8.2 and relevant Australian Standards, except otherwise as amended by conditions of this consent.
60. **Utility Services** - The applicant shall undertake and bear all costs associated with the liaison, approval and relocation of any utility services. All correspondence and approvals between the Applicant and utility authorities

shall be provided to the Council in conjunction with engineering documentation for the trunk drainage works.

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.

61. **Section 7.11.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$621,335.23
Open Space & Recreation Facilities	\$2,472,136.24
Civic & Urban Improvements	\$322,979.11
Roads & Traffic Management Facilities	\$351,759.40
Cycleways	\$44,654.51
Stormwater Management Facilities	\$40,139.16
Plan Administration	\$12,038.21
The total contribution is	\$3,865,041.86

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK

CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

62. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
63. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
64. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of **any Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
65. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of **any Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
66. **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**.
67. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work, including the affected areas of 118 Talavera Rd, Macquarie Park adjacent to the site. A copy of the survey is to be submitted to the PCA (*and Council, if Council is not the PCA*) prior to the release of the **relevant Construction Certificate**.
68. **Acoustic Requirements.** The recommendations contained in the Acoustic Reports prepared by Acoustic Logic dated 23 April 2014 and Advice dated 27 August 2018 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.

69. **Wind.** The development is to comply with all recommendations of the SLR Wind Tunnel Testing Report Date June 2018 – Ref: 610.16946-R01. Details are to be submitted on the **relevant Construction Certificate** plans.
70. **Energy Efficiency.** The development is to comply with all recommendations of the SLR Efficiency and ESD Report Date June 2018 – Ref: 610.16946-R02-v1.0. Details are to be submitted on the **relevant Construction Certificate** plans.
71. **Public Arts Plan.** A Public Art Plan is to be provided as part of the proposed development in accordance with Council's Public Art Policy. A Public Arts Plan is to be submitted for approval by Council prior to the issue of the **relevant Construction Certificate**.

The public art shall be equal to approximately 0.1% of the estimated total construction cost and is to be prepared by an arts and cultural planner and will be required to address the following:

- Identify opportunities for the integration of public art in the proposed development;
 - Identify themes for public art consistent with Part 4.2 of DCP2014 & options considered;
 - Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area;
 - The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate;
 - The proposal should provide engineer's drawings and demonstrate:
 - (a) Australian building standards requirements and codes for the structural design;
 - (b) Sound practices for fabrication and construction, and materials appropriate for application;
 - (c) Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.
72. **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 to apply.
73. **Compliance with Access Report.** The development is to comply with the requirements contained in the DA Access Report prepared by Wall to Wall, The development is to comply with the Access to Premises Standard 2010, BCA 2014 and Australian Standard AS 1428.1 – 2009 Design for Access and Mobility – General Requirements For Access -New Building Work. Australian

Standard AS 4299 – 1995 Adaptable Housing. Details demonstrating compliance are to be submitted on the **relevant Construction Certificate** plans.

74. **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**.
75. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a registered architect that has overseen the design.

This statement must include verification from the registered architect that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Schedule 1 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed in accordance with Clause 143A of the *Environmental Planning and Assessment Regulation 2000*.

76. **Adaptable Units.** Twenty two (22) adaptable apartments, each with an allocated disabled parking space, are to be provided within the development. These apartments are to comply with all of the requirements as outlined in AS4299. Details demonstrating compliance is to be provided on the **relevant Construction Certificate** plans. Prior to the issue of the Construction, a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.
77. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Apartment Design Guide. Details of the location of the storage and dimensions of the storage areas are to be provided on the Construction Certificate plans. The architect is to verify in writing that the development complies prior to the issue of the **relevant Construction Certificate**.
78. **BASIX Details.** BASIX Details are 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.
79. **Soil Depth over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements to be provided on the **Construction Certificate** plans.
80. **Ventilation of Basement:** The basement storage areas must be provided with an adequate system of natural or mechanical ventilation complying with Building Code of Australia. Any ventilation screens are to be integrated into the

façade and landscape design. Details to be submitted to the PCA prior to the issue of the **Construction Certificate**.

81. **Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

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

- a) All internal driveways and vehicle access ramps must have ramp grades and transitions complying with AS 2890.1. A driveway profile must be prepared, showing ramp lengths, grades, surface RL's and overhead clearances, taken from the Council approved boundary levels to the parking space area. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- b) The ramp at the entrance to the internal parking area must be clear of the public drainage easement as the structure will impose on Council's access to these services. To address this, the ramp is to be relocated into the footprint of the parking area (internally), sufficient for the structure to be clear of the easement.

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

82. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the inground public drainage infrastructure in the site, generally in accordance with the plans by AT&L Civil Engineers (Refer to Project No. 16-428 Dwgs DAC001 (F), DAC002 (F), DAC004 (A), DAC010 (G), DAC011 (G), DAC012 (F), DAC013 (F), DAC014 (F), DAC015 (F), DAC023 (E), DAC024 (C) & DA050 (A)) subject to any variations marked in red on the approved plans and noted following;

- The rainwater tank storage (nominated as below the internal garage ramp on the western side of the development footprint) must have provision for overflow to an external area.
- This condition is contained to the private drainage infrastructure components only. The alteration and extension of the public drainage infrastructure is subject to detailed review and approval by Council's City Works Department.

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.

83. **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 a 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 the **relevant 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.

84. **Pool fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*. Details of compliance are to be reflected on the plans submitted with the **relevant Construction Certificate**.

85. **Pool Boundary Fence (Acting as a pool fence).** Where a boundary fence acts as a barrier to a pool it shall have a height not less than 1.8m on the inside and 'Non-Climbable Zone' (NCZ) formed as a quadrant of 900mm radius down from the top of the inside of the barrier. Details showing compliance are to be reflected on the plans submitted with the **relevant Construction Certificate**.

86. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of the **relevant Construction Certificate** satisfactory evidence is to be provided to the Certifying Authority that arrangements have been made for:

- (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

- (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in Section 372Q of the Telecommunications Act).

87. **Detailed site investigation report** - The proponent must submit a detailed site investigation report for Council's consideration. The detailed site investigation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.

If remediation is required, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation work.

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

No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.

89. **Notice of remediation work** - Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.

90. **Remediation work** - All remediation work must be carried out in accordance with the requirements of:

- (a) *State Environmental Planning Policy No. 55 - Remediation of Land*;
- (b) any relevant guidelines published by the NSW Environment Protection Authority; and
- (c) any council policy or development control plan relating to the remediation of land.

91. **Council may require site audit of validation report** - If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the *Contaminated Land Management Act 1997* must be submitted to Council verifying the information contained in the site validation report.
92. **Evidence of connection by gravity flow** - Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all sanitary fixtures will be connected to the sewerage system by gravity flow must be submitted with the application for the **relevant Construction Certificate**.
93. **Shop fitout plans** – A separate Development Application is to be submitted for future shops. The shop fitout plans submitted with the development application do not meet the requirements of Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fitout of food premises*.

Plans demonstrating compliance with AS 4674 and Standard 3.2.3 must be submitted for approval with the application for the Construction Certificate. The amended plans must include:

- (a) The proposed floor layout and use of each room or area;
 - (b) The proposed floor, wall and ceiling finishes;
 - (c) Details of all proposed fixtures fittings and equipment (including the proposed method of installation); and
 - (d) Lighting, ventilation and drainage details.
94. **Pool plant details** - Details of the proposed pool plant must be submitted for approval with the application for the **relevant Construction Certificate**. Such details must include a design certificate from a suitably qualified person certifying that the design of the pool plant complies with the conditions of this Consent.
 95. **Carwash bay details** - Details of the proposed carwash bay must be submitted for approval with the application for the **relevant Construction Certificate**. Such details must include a design certificate from a suitably qualified person certifying that the design of the carwash bay complies with the conditions of this Consent.
 96. **Access details for waste collection vehicles** - Details of all driveways and manoeuvring areas for waste collection vehicles must be submitted for approval

with the application for the **relevant Construction Certificate**. Such details must include:

- (a) vehicle turning circles and swept paths; and
- (b) overhead and side clearances (where appropriate).

97. **Grease trap room details** - Details of any proposed grease trap room must be submitted for approval with the application for the **relevant Construction Certificate**.
98. **RMS Condition – CTMP**. A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be prepared in consultation with Sydney Coordination Office (SCO) of the Transport for NSW and submitted to Council for approval prior to the issue any Construction Certificate. In this regards any further enquiry related with the CTMP should be directed to Joel Azzopardi on 0466 427 016 or e-mail at <Joel.Azzopardi@transport.nsw.gov.au> or David Collaguazo on 0435 658 792 or e-mail at <David.Collaguazo@transport.nsw.gov.au> for their attention
99. **Lighting**. The areas around the entrances and communal areas should be well lit and that all lighting should be designed to Australian and New Zealand Lighting standards. Sensor lighting are to be installed into areas that may be areas of concealment.
100. **Amended Landscape Plan**. The following are to be shown on an amended Landscape Plan and Architectural Plans:
- (a) The existing fence along the M2 is to be shown.
 - (b) Sections and soil volumes have been provided. Verification by the Structural Engineer confirming that the building can take the soil loads as required by the minimum soil standards for plant types and sizes under the Apartment Design Guideline to accommodate the upper level planting.
 - (c) Tree 12 is to be retained and car parking spot 04 is to be deleted. Car parking spaces along the M2 will need to be constructed of permeable paving to reduce the impact of the car parking spaces on the existing trees.

Amended Landscape Plans, Architectural Plans and Verification by the Structural Engineer are to be submitted to and approved by the Principal Certifier prior to the issue of the **relevant Construction Certificate**.

101. **Waste Management Plan**. Any changes to the Waste Management Plan dated 11/7/18 and Amended Basement DA TP201 L plans which were utilized to evaluate the waste collection by Council, have to be approved by the Waste Department at the City of Ryde Council before the issue of the **relevant Construction Certificate** to ensure the waste collection is not affected.
102. **Waste Storage Areas**. All waste storage areas doorways 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

103. **Number of Receptacles.** Two separate receptacles must be provided inside each dwelling to store up to two days worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables.

104. **Garbage and Recycling Rooms.** All garbage and recycling rooms must be constructed in accordance with the following requirements:

- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
- (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
- (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) A hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning

Details of the proposed garbage room and storage areas must be submitted for approval with the application for the **relevant Construction Certificate**, and also include the following details:

- (a) the specifications and layout of all proposed waste storage and handling equipment; and
- (b) the access to the collection point.

105. **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 an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993 prior to the issue of the **relevant Construction Certificate**. The application

form shall be filled at the Customer Service and the application must be supported with detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:

- a. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
- b. the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval, and
- c. the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.

106. **Public domain improvements** - The public domain is to be upgraded along Talavera Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 6 - Macquarie Park. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

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

- (a) Footpath paving and construction of vehicular access as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Macquarie Park Corridor Table 3.4.2 Street Tree Selection Palette. The designated species are to be chosen from a list of Large Smooth barked Native Trees. The proposed trees on drawing TP201/L are within the property set back area and it is consistent with trees planted along the rest of Talavera Road.

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

- (c) All telecommunication and utility services are to be placed underground along the Talavera Road frontage **of the Stage 1 site**. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network. The plans shall be submitted to relevant utility authorities and

Council's City Works Directorate for approval, prior to any submission of public domain design plans to Council and any commencement of the work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, vehicular access and kerb ramps.

- (d) The lighting along the Talavera Road frontage shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category **V3** and pedestrian luminance category **P2**.

The existing metal halide luminaires on the multi-function poles (MFPs) along Talavera Road shall be upgraded using LED luminaires in accordance with the Council's Design Guide for Council-owned Street Lighting.

Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire.

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

- 107. **Public Infrastructure Works** – Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the **relevant Construction Certificate**. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, and DCP 2014 Part 8.2 - *Stormwater Management*, where applicable.

The drawings shall include plan view and sections that must clearly show existing and proposed surface levels, drainage pit configurations, kerb return profile and detail, existing and proposed signage and linemarking, and other relevant details for the new works. The proposed design shall also demonstrate the smooth connection of the proposed works into the remaining street scape. The Applicant must submit, for approval by Council as the Road Authority, full civil engineering design and specifications for the following infrastructure works:

- (a) The construction of full width granite footpath along the Talavera Road frontage of the development site, in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.

- (b) Removal of the existing driveway on Talavera Road and construction of a new vehicular access with minimum clearance of 1.0m from the lintel of the existing stormwater pit.
- (c) The new vehicular access shall be designed to comply with Council standards for the driveway and the Flood Planning Assessment Report (Calibre Professional Services, Rev H, 15 May 2019), and shall provide a level of protection for the property against major flooding through the access point.
- (d) The proposed design shall be in accordance with AS2890.1 and must demonstrate compliance with the vertical clearance for the "B85" standard vehicle. The proposed design shall match the existing levels of the kerb and gutter along Talavera Road frontage.
- (e) The restoration or reconstruction of any damaged kerb, gutter, road pavement, stormwater lintel and pit along the Talavera Road frontage of the development site.
- (f) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (g) Signage and line marking details including existing and proposed arrangements.
- (h) Staging of the public civil works, if any, and transitions between the stages, including details for transition works between new and existing infrastructure.
- (i) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the initial lodgement of public domain design plans. All the requirements of the Public Authority shall be complied with.

Notes:

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.
4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be

replicated in the public domain design submissions; however Council's title block shall not be replicated.

108. **Reinstatement of Bus Stop** – The existing bus stop along the Talavera Road frontage of the development site shall be relocated to a Council approved temporary location prior to commencement of the public domain improvement works. The bus stop shall be reinstated in its final location in accordance with the approved location for the new Bus Shelter. The temporary location of the bus stop must be confirmed by Sydney Buses prior to any submission of a plan with temporary location to Council.

109. **New Bus Shelter** – The existing bus stop located along the Talavera Road frontage of the development site shall be upgraded with a new shelter in accordance with the requirements of Disability Discrimination Act (DDA) and relevant supplemented Standards and Guidelines. The new bus shelter shall be the type of shelters, applicable at the time under Council's contract with the appointed provider.

The new shelter shall be positioned in accordance with AS1428-*Design for Access and Mobility*, and the location shall be confirmed with Sydney Buses prior to any submission to Council, of the public domain design plans.

The design plans for the DDA compliant bus stop & shelter including confirmation letter from Sydney Buses shall be submitted to Council for approval with the initial lodgement of public domain design plans.

110. **Pedestrian Corridor** – The proposed pedestrian corridor incorporating a 15.0 m wide publicly accessible pedestrian link, as shown on Dwg. TP201/L, prepared by "DKO", shall be provided along the boundary between Phase 1 and Phase 2 development. The designated area for the publicly accessible corridor shall not overlap the existing "Right of Carriageway" indicated as (D1) in DP1221081P. Public access to the corridor shall be via the existing footpath along the Talavera Road frontage.

The Pedestrian Corridor shall be a clearly indicated area on the proposed subdivision plan with registration of the "Right of Way" and "Positive Covenant". The subdivision plan must be registered prior to the issue of any Occupation Certificate for the Phase 1 works of the development site.

The design of the pedestrian link shall integrate a paved footpath and lighting with the landscaping, and shall include construction details demonstrating compliance with Council's Macquarie Park Public Domain Technical Manual.

Design details of the pedestrian corridor shall be included in the public domain design plans, and shall be submitted to Council for approval prior to the issue of the **relevant Construction Certificate**. Fees will apply for the assessment of the plans, in accordance with the Council's Schedule of Fees and Charges at the time of the issue of the approval.

The submission shall include the following details:

- (a) Fully dimensioned plans showing the width of the pedestrian link, footpath paving and landscaping of area along the footpath;
- (b) Selection of paving type, colour and dimensions in accordance with Council's requirement;
- (c) Transition works providing smooth connections between the Pedestrian Corridor area the adjacent landscape or infrastructure, including the Talavera Road frontage.
- (d) Provision of adequate lighting (category P2 according to Australian Standards AS/NZS 1158 Set: 2010 *Lighting for Roads and Public Spaces*) for illumination of the footpath to ensure safety and security of the users;
- (e) Adequate provisions for people with disabilities. A certificate is to be provided confirming compliance with Disability Discrimination Act and relevant Disability Standards and Guidelines. This certificate shall be included in the public domain design submission to Council.

111. Driveway Access and Boundary Alignment Levels - The applicant shall apply to Council for site specific driveway access and boundary alignment levels prior to any submission of public domain design plans for approval by Council. The application shall be accompanied by preliminary engineering plans of civil works along the Talavera Road frontage and the internal access road adjacent to the boundary of the site. The Council issued levels shall be incorporated into the detail design for the public domain improvements and infrastructure works, and the design of the internal access road, car parking areas, landscaping, stormwater drainage plans and the pedestrian corridor. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.

112. Vehicle Access and Footpath Crossing – To protect the footpath from damage resulting from the vehicular traffic, the footpath crossing shall be designed and constructed in accordance with the City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works*, and all relevant Australian Codes and Standards (AS2890.1). The crossing shall match the paving style along the frontage of the development site. In order to delineate the public road from the internal (private) access road a threshold treatment of porphyry stone setts shall be provided over the internal access road for a minimum distance of 5.0m from the property boundary. Typical details for the construction of the road pavement finished with the porphyry stone setts are shown on Council's Standard Drawing No. CIV13. Site specific design details shall be included in the engineering design drawings for the public domain works, and submitted to Council for review and approval.

The proposed design shall be in accordance with AS2890.1 and must demonstrate compliance with the vertical clearance for the "B85" standard vehicle, and match the existing levels of the kerb and gutter along Talavera Road frontage. Design levels at the boundary alignment shall take into account the recommendation of the Flood Planning Assessment Report (Calibre Professional Services, Rev H, 15 May 2019), and provide a level of protection for the property against major flooding through the access point.

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

113. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the Public Domain Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$60,000 shall be lodged with the City of Ryde prior to the issue of a the **relevant Construction Certificate for public domain works** to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

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

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

115. **Construction Pedestrian and Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by an RMS accredited person in consultation with Sydney Coordination Office (SCO) of the Transport for NSW and submitted to and approved by Council prior to issue of any Construction Certificate.

The owners of the neighbouring property at 118 Talavera Road Macquarie Park are to be consulted in the preparation of the CPTMP, with details submitted with the application to Council.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CPTMP.

Separate CPTMPs shall be submitted and approved by Council's Traffic, Transport and Development Department prior to the issue of Construction Certificate of each stage.

All fees and charges associated with the review of this plan is to be in accordance with Council's Schedule of Fees and Charges and are to be paid at

the time that the Construction Pedestrian and Traffic Management Plan is submitted.

The CPTMP must:-

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- iii. Make provision for parking onsite once basement level is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- vi. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- vii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- viii. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- ix. Specify spoil management process and facilities to be used on site.
- x. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xi. Comply with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”, Council’s DCP 2014 Part 8.1 (Construction Activities) and Council’s CTMP checklist. A copy of Council’s CPTMP checklist shall be obtained from Council’s Traffic, Transport and Development Department prior to submission of CPTMP.

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

minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

116. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including Talavera Road entry/exit, 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 4.5m, measured from the floor level to any overhead structures such as pipes. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 11m Council's waste vehicle shall be submitted to and approved by Council's Traffic Engineer prior to the issue of the **relevant Construction Certificate**. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.
117. **Detailed Design Submission – Trunk Drainage Works –** All Engineering works required by this consent must be designed and undertaken in accordance with the relevant aspects of the City of Ryde DCP 2014 Part 8.2, Australian Rainfall and Runoff (ARR) 2016, NSW Floodplain Development Manual 2005 and any relevant Australian Standards. Design plans, calculations and other supporting documentations prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) must be submitted to, and approved by Council's City Works Directorate prior to the issue of the **relevant Construction Certificate**.

The design documentations shall be generally in accordance with the Civil Works Drawings prepared by AT&L, Project No. 16-428 (17 May 2019) subject to any amendments warranted by Council's City Works Directorate as a result of the review and approval of the design plans.

The design submission shall address the following as a minimum:

- a) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- b) Details of any proposed drainage easement over the proposed trunk drainage system in accordance with Council's DCP Part 8.2 shall be shown on the drainage system layout plan.
- c) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- d) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).

- e) A design documentation shall be accompanied by a design certificate issued to Council confirming that drainage design has been undertaken in accordance with City of Ryde DCP 2014 Part 8.2, Australian Rainfall and Runoff (ARR) 2016, NSW Floodplain Development Manual 2005 and any relevant Australian Standards.
- f) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- g) All stormwater pits that are designed to surcharge excess flows or are pressurised (hydraulic grade line higher than surface level) for events up to the 100 year ARI (1% AEP) shall be designed to have bolted-down grates, lids and frames that can withstand these forces but remain accessible for maintenance.

118. Council Existing Easements – Building Foundation Clearances - Detailed Design - Footings and foundations of all proposed structures adjacent to the existing 2400 mm pipeline must be founded outside the zone of influence and extend a minimum depth to the angle of repose to the invert level of the existing trunk drainage system, to provide stability to both the structure and drainage system during maintenance operations.

The applicant shall submit detailed design drawings and certificates prepared by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent to Council for approval, prior to the issue of the **relevant Construction Certificate**, to address the following:

- a) The existing 2400 mm diameter Pipeline shall be physically located by using non-destructive techniques and surveyed by a registered surveyor and shall be shown on the submitted plans.
- b) A minimum of 1.0 m horizontal clearance is to be provided from the outside edges of Council's existing 2400 mm diameter pipeline to the proposed structures. All setbacks of the proposed structures including eaves of roof from Council's drainage line shall be shown on the submitted plans.
- c) Any piers shall be bored, not driven.
- d) Foundations must extend to at least 1.0 m below the zone of influence of the trunk drainage asset.
- e) The design shall be certified by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, confirming that the building structure including all structural support elements are designed in such a way that no building loads are transmitted to the stormwater conduit and that the conduit can be repaired at any time without affecting the stability of the building structure or its foundations.

119. Structural certifications - Certification from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent shall be submitted along with the detailed design plans confirming that all stormwater drainage structures including culverts, headwalls and pits are designed in

accordance with Council's DCP 2014 Part 8.2 and any relevant Australian Standards.

120. **Trunk drainage Works – Bond.** To ensure satisfactory performance of the excavation, laying of pipes, back filling, disposal of excess soil and restoration including new kerb and gutter works, a maintenance period of twelve (12) months shall apply to the trunk drainage works following completion of the development.

The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate for the Trunk Drainage Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee of \$200,000 shall be lodged with the City of Ryde prior to the issue of the **relevant Construction Certificate for trunk drainage works** to guarantee this requirement will be met.

Council engineers from the City Works Directorate shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the trunk drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council's City Works Directorate at this notification. The inspection shall be jointly conducted between Council engineers and the applicant's site engineers.

Notifications and inspections may be arranged by telephoning Council's Customer Service Section on 9952 8222 during office hours. A minimum of five (5) working days' notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

121. **Overland Flow Protection** - The following overland flow protection measures are to be carried out with the development proposal. These are also to be shown on all documentation to be submitted for approval with the **relevant Construction Certificate**:

- a) The recommendations in the Flood Planning Assessment prepared by Calibre Professional Services Revision H, 15 May 2019.
- b) No changes to natural ground levels within the overland flow path except as allowed/required by the abovementioned report.
- c) Landscaping works are not to obstruct overland flow.
- d) All structures subject to flooding and overland flows must be constructed of flood compatible building components (refer to Schedule

3 of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures,

- e) External structures subject to flooding and overland flows must be structurally designed to withstand the forces imposed by these flows, including forces imposed by floating debris and buoyancy.

The structural design and details must be prepared and certified by a suitably qualified structural engineer (registered on the NER of Engineers Australia), or equivalent, and shall be submitted to the Principal Certifying Authority (PCA) for approval prior to the issue of a Construction Certificate. These requirements will also require a compliance certificate after the completion of works.

122. **Proposed driveway ramp over Council's existing trunk drainage infrastructure.** The ramp towards the parking area at the rear of the development is encroaching the drainage easement in the architectural plans submitted by the applicant. The applicant must submit updated design removing all encroachment in the existing Council drainage easement and any structural element of the proposed development shall be outside the pipe's zone of influence in compliance with Council's DCP requirements. Updated Architectural Plans must be submitted to Council for approval prior to the issue of any Construction Certificate.

123. **Lifts.** Lifts are to achieve the lift assessment criteria for handling capacity and wait time as outlined in the lift assessment prepared by KONE dated 5.6.19. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the relevant **Construction Certificate** relating to the lifts and lift cores.

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.

124. 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.

125. **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.
126. **Tree Retention.** As identified in the Arborist Assessment prepared by Jackson Nature Works dated 12/3/2019, the following trees on site or adjoining the site are to be retained and protected against damage during construction.

Tree No.	Species "Common name"
1	<i>Eucalyptus botryoides</i> Bangalay
2	<i>Callistemon viminalis</i> Weeping Bottlebrush
3	<i>Callistemon viminalis</i> Weeping Bottlebrush
5	<i>Eucalyptus botryoides</i> Bangalay
6	<i>Callistemon viminalis</i> Weeping Bottlebrush
8	<i>Casuarina glauca</i> Swamp She-Oak
9	<i>Casuarina glauca</i> Swamp She-Oak
10	<i>Casuarina cunninghamiana</i> River Oak
11	<i>Corymbia maculata</i> Spotted Gum
12	<i>Eucalyptus microcorys</i> Tallowood
16	<i>Phoenix canariensis</i> Canary Island Date Palm

127. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction.
128. **Provision of Project Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
129. **Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to any demolition, site clearing or construction works on site.

130. **Tree Protection Fencing.** All trees to be retained on site and on adjoining site are to have protective fencing and signage around TPZs and must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings. Tree Protective Fencing is to be installed before demolition and construction commences as indicated in the Arborist Report in Section 4 Recommendations prepared by Sturt Noble dated 16/11/2018 amended
131. **Arborist Report Recommendations.** All items in the Arborist Report outlined in the Arborist Report in Section 4 Recommendations prepared by Sturt Noble dated 16/11/2018 amended are to be implemented.
132. **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. Any doors/gates on the boundary must be installed so they do not open onto any footpath.
133. **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.
134. **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 Civil Infrastructure & Integration Department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Schedule of Fees and Charges.
135. **Notice of Intention to Commence Public Domain Works –** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.
- Note:** Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.
136. **Notification of adjoining owners & occupiers – public domain works -** The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement

of construction. The notice is to include a contact person name and number should adjoining owners and occupiers have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.

137. **Pre-construction inspection** - A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any approved public domain works. A minimum of 48 hours' notice will be required when booking for the joint inspection.

138. **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, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

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

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

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

139. **Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, 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 Public Domain Works*.

- 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.

140. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. The width of temporary crossing shall be determined by a swept path of the largest truck to access the site. Application for any temporary driveway crossing must be submitted to Council with proposed construction design plans for approval prior to the issue of any Construction Certificate.

All fees and charges associated with the review of this submission shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the application is submitted.

141. **Ryde Traffic Committee Approval** - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and line marking.
142. **Work Zones and Permits.** Prior to commencement of the associated works, 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.
143. **Notice of Intention to Commence Trunk Drainage Works** – Prior to commencement of the trunk drainage works, a Notice of Intention to Commence Trunk Drainage Works shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.
144. **Notification to adjacent properties – Trunk Drainage Works** - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed trunk drainage works a minimum two weeks prior to commencement of construction. The notice is to include a contact person name and number should adjoining owners and occupiers have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.
145. **Trunk drainage Construction Staging** - A construction program that sequences the construction of the proposed trunk drainage works from the upstream of Talavera Road and through the development site shall be submitted to and approved by Council prior to the commencement of the trunk drainage construction works. The program shall be adequately detailed to include key dates for commencement, inspections, and completion.
146. **Pre-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing Council stormwater infrastructure in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any construction works.
An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator that assesses the condition of the existing Council stormwater infrastructure adjacent and within the site is required. This report shall include the date of CCTV inspection and shall be submitted to Council's City Works Directorate for approval prior to commencement of any works.

The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing Stormwater network in the vicinity prior to conducting the CCTV survey.

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.

147. **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*.

148. **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) All acoustical treatments nominated in the approved acoustical assessment report submitted with the development application.
- (b) Identification of nearby affected residences or other sensitive receivers.
- (c) An assessment of the expected noise impacts.
- (d) Details of the work practices required to minimise noise impacts.
- (e) Noise monitoring procedures.
- (f) Procedures for notifying nearby affected residents.
- (g) Complaints management procedures.

All noise and vibration control measures nominated in the noise management plan, the acoustical consultant's report and any related project documentation must be implemented.

149. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.

150. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.

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

152. **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.

153. 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.

154. 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".

155. Tree protection – no unauthorised removal. This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.

156. Tree Removal. As identified in the Arborist Assessment prepared by Jackson Nature Works dated 12/3/2019. The following trees on site are to be removed:

Tree No.	Species "Common name"
4	Dead
7	<i>Casuarina glauca</i> Swamp She-Oak
13	<i>Cupaniopsis anacardioides</i> Tuckeroo
14	<i>Cupaniopsis anacardioides</i> Tuckeroo
15	<i>Cupaniopsis anacardioides</i> Tuckeroo

157. Project Arborist Inspections. The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

Project Phase	Activities	Project Arborist To:
Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage Issue a Certification of Compliance of tree protection measures being

Project Phase	Activities	Project Arborist To:
		in place and soil rehabilitation undertaken
Construction work	Liaison with site manager, compliance and any deviation from approved plan	Maintain or amend protective measures Supervision and monitoring formal notification of any deviation from approved tree protection plan
Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works Issue a Certificate of Compliance
Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures Certification of tree protection and soil rehabilitation for Protected Trees
Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works Certification of tree protection if necessary

158. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
159. **Discovery of Additional Information** - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
160. **Identification and removal of hazardous materials** - Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
161. **Storage and removal of wastes** - All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.

162. **Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) before being transported from the site.
163. **Transportation of wastes** - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
164. **Recyclable wastes** - All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
165. **Disposal of asbestos wastes** - All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
166. **Imported fill** - All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
167. **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.
- All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
168. **Traffic Management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
169. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.
170. **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 AT&L Civil Engineers (Refer to Project No. 16-428 Dwgs DAC001 (F), DAC002 (F), DAC004 (A), DAC010 (G), DAC011 (G), DAC012 (F), DAC013 (F), DAC014 (F), DAC015 (F), DAC023 (E), DAC024 (C) & DA050 (A)) submitted in compliance to the condition labelled

“Stormwater Management.” and the requirements of Council in relation to the connection to the public drainage system.

171. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.
172. **Construction Waste.** 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.
173. **Maintenance of area around construction site.** 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.
174. **Hold Points during construction - Public Domain –** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council’s City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
 - b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
 - c) Upon compaction of the applicable sub-base course.
 - d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
 - e) Upon installation of any formwork and reinforcement for footpath concrete works.
 - f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.
175. **Implementation of Construction Pedestrian and Traffic Management Plan.** All works and construction activities are to be undertaken in accordance with

the approved Construction Pedestrian and Traffic Management Plan (CPTMP). All controls in the CPTMP 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 CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

176. **Hold Points during construction – Trunk Drainage Works** – Council requires inspections to be undertaken by a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, for all Council trunk drainage works.

The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- a) Upon excavation of trenches as per the approved drainage drawings.
- b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- c) Upon installation of pipes and other drainage structures prior to backfilling.
- d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- e) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

Any stormwater pit with a depth greater than 1.8 metres shall be certified by a suitably qualified Structural Engineer.

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.

177. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 934519M_03, dated 17 May 2019.
178. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any **Occupation Certificate**.
179. **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 any 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 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
180. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.
181. **Public domain – work-as-executed plan.** A works as executed plan for works carried out in the public domain must be provided to and endorsed by Council prior to the issue of any **Occupation Certificate**.
182. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering. The applicant should liaise with Australia Post and develop strategies in relation to security of mail boxes.
183. **Swimming Pool Register.** Legislation requires all swimming pools to be registered online at: <http://www.swimmingpoolregister.nsw.gov.au/>. Documentary evidence confirming that the swimming pool has been registered must be submitted to the Principal Certifying Authority prior to the issuing of any **Occupation Certificate**.

184. **Certification of fit-out work** - Where Council is not the Principal Certifying Authority, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an Occupation Certificate.
185. **Compliance report** - A report from a qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the issue of an **Occupation Certificate**.
186. **Public Art Plan**. Prior to the issue of any **Occupation Certificate**, the approved works contained in the Public Art Plan approved by Condition 71 shall be implemented.
187. **Acoustic Report**. A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including compliance with the recommendations contained in the Acoustic Report (Revision 2, Ref. 20161723.2/2111A/R2/TA) prepared by Acoustics Logic dated 21 November 2018 must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
188. **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 Schedule 1 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.
189. **CCTV Cameras**. CCTV cameras will be required to be installed in the following locations:
- All entry and exit points to the building;
 - The carpark;
 - The ground floor lobby and lifts;
 - The car park entry/exit points; and
 - Level 5 child care centre entrance

The cameras should include the foyer area to the buildings including the area around the mail boxes. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also cover any communal areas, lifts, public

spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.

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

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

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

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

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

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

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

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

emergency services to access the development particularly in emergency situations.

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

194. **Balcony doors to units.** Balcony doors to units are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised access to units. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an **Occupation Certificate**.
195. **Lift access and security.** Electronic access controls are to be installed on the lift. The equipment should include card readers to restrict access to the level a resident resides on, to the car parking levels and to the Ground Floor. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an **Occupation Certificate**.
196. **Car Share Provider.** The submission of documentary evidence to Council that an agreement with a car-share provider has been entered into for the eight car share spaces on site, prior to the issue of any **Occupation Certificate**.
197. **Travel Plan.** A Framework Travel Plan (FTP) to be submitted to Council detailing the promotion, development, implementation and monitoring of a co-ordinated transport strategy for the building. The objectives of the FTP are to encourage/provide incentives for residents to utilise public transport, walking and cycling and to investigate alternative modes of transport (away from single-occupancy car use) to more sustainable forms of transport and how the plans will achieve and monitor the objectives. The FTP is to be submitted and approved by Council prior to the issue of an **Occupation Certificate**.
198. **Retail Parking Spaces.** To ensure the provision of retail parking spaces is in accordance with the DCP Part 9.3 (*Parking Controls*), all resident visitor spaces are to be configured so as to also accommodate retail customers.
199. **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.
200. **Stormwater Management – Maintenance program.** To ensure the approved WSUD measures function as designed for the ongoing life of the development, without imposition on the public domain, the applicant is to prepare a drainage system maintenance plan (DSMP) which is to contain;
 - (a) 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 any onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- (b) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
 - (c) 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.
 - (d) 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.
 - (e) 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**.

201. **Restriction as to User - Floodway.** A restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in the 100ARI, such to adversely impact flood protection of the approved dwelling or have an adverse impact on neighbouring properties. The terms of the restriction shall be generally in accordance with Council's draft terms for provision for overland flow, to the satisfaction of Council and must be registered on the title of the property prior to the release of any **Occupation Certificate**.
202. **Positive Covenant(s) - Stormwater Management.** 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 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.
203. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any **Occupation Certificate**. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- d) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- g) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

204. **Waste Room Approval.** An authorised Council traffic engineer or waste officer is to ensure that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management Plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the **Occupation Certificate** applying to the waste rooms.

205. **Garbage Services.** Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any **Occupation Certificate**. An inspection by a Council waste officer is required to ensure that the waste facilities comply with the development approval plans.

206. **Onsite Waste Collection – Positive Covenant.** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), ensuring that future owners provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council. The terms of the instrument

are to be generally in accordance with the standard terms (available from Council) and any amendments undertaken in accordance with the City of Ryde DCP 2014 - Part 8.4 (*Title Encumbrances*) - Section 7. The terms of the covenant are to be to the satisfaction of Council prior to endorsement 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 Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances so as to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this.

207. **Key access to waste rooms.** 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.
208. **Pedestrian Corridor - Completion** - The pedestrian link shall be constructed in accordance with the approved design prior to the issue of **any Occupation Certificate** for the Phase 1 works and at no cost to Council. Full public access is to be available at all times over the pedestrian link following the issue by Council of the Compliance Certificate for all public domain works.
209. **Public Access and Right of Way** - Prior to the issue of any **Occupation Certificate**, a Right of Way (ROW) shall be created over the pedestrian link in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the Land and Property Information Office. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- a. The Pedestrian Link is accessible at all times to the Public;
 - b. The Pedestrian Link will be adequately maintained by the occupier/ owner of the site at all times;
 - c. The Council is the only authority empowered to release, vary or modify the terms of the Public Access.
210. **Public Positive Covenant** - Prior to the issue of any **Occupation Certificate** for the development, a public positive covenant, pursuant to Section 88E of the Conveyancing Act 1919, is to be created over the subject land in order to ensure that the registered owner of the land, at his / her / its own cost and risk:
- (i) maintains and repairs at all times that area of the subject land that has been designated as the privately owned, publicly accessible pedestrian link, to a standard commensurate with Council's standards for the maintenance of such facility;
 - (ii) maintains at all times, public liability insurance for at least \$20 million, with Council identified as an interested party in that insurance policy.

The Instrument that is to create the public positive covenant referred to in this condition is to be submitted to and approved by Council prior to lodgement for registration at the Land & Property Information Office.

Prior to the issue of any **Occupation Certificate** the applicant is to submit to Council a certificate of currency for the above mentioned public liability insurance.

211. **Public Domain Improvements and Infrastructure Works – Completion** – All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any **Occupation Certificate**.
212. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any **Occupation Certificate**, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.
213. **Compliance Certificates – Street Lighting** – Prior to the issue of any **Occupation Certificate**, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
214. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any **Occupation Certificate**, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
215. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any **Occupation Certificate**.

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

216. **Supervising Engineer Final Certificate** – Prior to the issue of any **Occupation Certificate**, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
217. **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, up to 100m either side of the development site, 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 and lintels,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the **Occupation Certificate**. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the **Occupation Certificate**.

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

218. **Decommissioning of Ground Anchors** – Prior to the issue of any **Occupation Certificate**, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
219. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

A minimum 48 hours' notice will be required when booking for the final inspection.

220. **Compliance Certificate – Public Domain Works and Public Infrastructure Restoration** – Prior to the issue of any **Occupation Certificate**, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works, works for the pedestrian link and restoration of all infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
221. **Engineering Condition – Public Domain Works** - All civil works associated with the pedestrian corridor and all other road works, kerb, gutter, footpath, vehicular access, street lighting, bus shelter and stormwater drainage works for this development site shall be completed in accordance with Council's specifications and to the satisfaction of Council prior to the issue of any **Occupation Certificate**.
222. **Signage and Linemarking – External**. A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of any **Occupation Certificate**.
- Note:** The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.
223. **Signage and Linemarking – Implementation**. The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of any **Occupation Certificate**.
224. **Drainage Works – Completion** - All trunk drainage works shall be completed to Council's satisfaction and at no cost to Council, in accordance with the relevant conditions of this consent, Council approved construction drawings from condition "Detailed Design Submission – Trunk Drainage Works" within this consent, and generally in accordance with the approved concept plans identified as "Drawing Numbers DAC002 Rev H, DAC003 Rev H, DAC004 Rev D, DAC005 Rev D, DAC006 Rev D, DAC007 Rev D, DAC010 Rev J, DAC011 Rev J, DAC012 Rev H, DAC013 Rev H, DAC014 Rev H, DAC015 Rev H, DAC023 Rev G, DAC024 Rev E, DAC050 Rev C, DAC070 Rev H Project Number 16-428" and Flood Planning Assessment report (Rev H) as prepared by Calibre Professional Services Pty Ltd Dated 15 May 2019, prior to the issue of any Occupation Certificate.

The Applicant shall obtain a written approval from Council's City Works Directorate confirming that this condition has been satisfied prior to the issue of any **Occupation Certificate**.

225. **Creation of a New Council Drainage Easement** – An easement in favour of Council shall be created over the proposed Council trunk drainage system located within the site for the purpose of reconstruction and maintenance of the trunk drainage structures. The width of the easement shall be taken as minimum 1.0 m from the outermost external face of the drainage pipelines, culverts or pits. The total width of the easement shall be rounded up to the next highest 0.5 m. The easement must be centrally located over the trunk drainage system.

The wording of the dedication shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry.

The easement shall be registered and a registered copy of the document shall be submitted to and approved by Council prior to the issue of an **Occupation Certificate**.

226. **Floodway Signage** - Permanent floodway signage (minimum two) including depth indicators shall be installed along the western boundary adjacent to the proposed trunk drainage system within the development site prior to the issue of any **Occupation Certificate**. The wordings and installation location of the signage shall be shown on plan prepared by a qualified engineer in accordance with the Flood Planning Assessment report (Rev H) as prepared by Calibre Professional Services Pty Ltd Dated 15 May 2019 and approved by Council in writing. The signage may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

227. **Restriction to User – Floodway** - To ensure unhindered passage of overland flow through the site, a restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in excess of the capacity of the underground trunk drainage system. The extent of the identified overland flow path within the subject site shall be shown on a **scaled** sketch, attached as an annexure to the request forms.

The terms of the restriction shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an **Occupation Certificate**.

228. **Positive Covenant - Water Sensitive Urban Design (WSUD)** - A positive covenant pursuant to the Conveyancing Act must be created on the title of the property to prevent future modification or alteration without the written consent of Council, and to ensure suitable maintenance is carried out.

The positive covenant shall detail the water sensitive urban design components within the proposed development. The wording of the Instrument shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the

consent authority prior to the issue of an **Occupation Certificate**/use of the building.

229. **Maintenance (WSUD)** - An Operational Management and Maintenance Report is required to be submitted to the Principle Certifying Authority prior to the issue of an **Occupation Certificate** to provide an outline of the proposed long term operational management and maintenance requirements of the Water Sensitive Urban Design (WSUD) features on the site. A schedule or timetable for the proposed regular inspection and monitoring of the devices, maintenance techniques, reporting and record keeping requirements and associated rectification procedure shall be included in the report. Council recommends a visual inspection at least 2 times per year. Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm.
230. **Flooding - Electrical Components** - All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard. A certificate from a suitably qualified Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the **Occupation Certificate**.
231. **Flooding – Building Components – Structural Design** - A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the **Occupation Certificate**, confirming the building structure is able to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event.
232. **Flood Emergency Response Plan**. A Detailed Flood Emergency Response Plan (FERP) is to be developed for the proposed residential building. The FERP shall consider floods up to and including the Probable Maximum Flood (PMF). Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site' refuge area. Permanent signage shall be installed in the common areas notifying the future occupants of the evacuation procedures and refuge areas.
- Details of the FERP shall be prepared by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent, and to be submitted to Council for approval prior to issue of the **Occupation Certificate**.
233. **Flooding - Flood Impact Statement** - The applicant shall comply with the recommendations provided in the Flood Planning Assessment report prepared by Calibre Professional Services (Revision H, 15 May 2019).

A certificate from a suitably qualified Drainage Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal

Certifying Authority stating compliance with these recommendations prior to the issue of the **Occupation Certificate**.

234. **Drainage Works – Post Construction Certifications** - Following completion of the final stage of the drainage and associated works and prior to the issue of the **Occupation Certificate**, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for “Hold Points during construction – Drainage Works”, to Council’s City Works Directorate for acceptance and written approval.

The certificates shall contain photographs of the completed works and commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

235. **Certification – Structures / Excavations near Council’s Easements** - A certification from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, stating that all footings and structures adjacent to Council’s pipeline and/or easement have been constructed at least 100mm below the invert of the Council’s pipe unless the footings are placed on competent bedrock is required. All structural support elements adjacent to the existing 2400 mm drainage pipeline must be founded outside the easement and zone of influence to provide stability to both the structure and drainage system particularly during maintenance operations. Certification is to be provided to the Principal Certifying Authority (PCA), and a copy provided to Council, prior to issue of any **Occupation Certificate**.

236. **Works-As-Executed Drawings – Trunk Drainage Works** - Prior to the issue of an Occupation Certificate, Works-As-Executed Drawings prepared by a registered surveyor for all new drainage works shall be submitted to and approved by Council’s Stormwater Engineer. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any **Occupation Certificate**.

237. **Post-Construction CCTV Report** - To ensure Council’s existing and new stormwater infrastructures are adequately protected, without damages and the construction has been completed to Council’s satisfaction, a post-construction CCTV report on the Council’s existing stormwater drainage pipeline and all new stormwater drainage works through the proposed development site and on Talavera Road is to be submitted to Council.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. The report is to be dated and submitted to, and accepted by Council’s City Works Directorate, prior to issue of the **Occupation Certificate**.

The report shall be used by Council to compare with the pre-construction CCTV footage report, and to assess whether any rectification works will be required to Council's satisfaction at no cost to Council. The applicant shall obtain written approval from a Council Engineer prior to the issue of the **Occupation Certificate**.

The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

238. **Compliance Certificate – Trunk Drainage Works** – Prior to the issue of any **Occupation Certificate**, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all trunk drainage and associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
239. **Final Inspection – Trunk Drainage Assets Handover** - For the purpose of the handover of the trunk drainage assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the trunk drainage works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the trunk drainage Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.
240. **New Council Easement over proposed Trunk Drainage system** – An easement in favour of Council is required over the proposed trunk drainage system located within the site for the purpose of maintenance and reconstruction of the trunk drainage structures. The width of the easement shall be taken as minimum 1.0 m from the outermost external face of the drainage pipelines, culverts or pits. The total width of the easement shall be rounded up to the next highest 0.5 m. The easement must be centrally located over the trunk drainage system.

Updated architectural and civil plans clearly showing the proposed easement shall be submitted to Council for approval prior to the issue of any **Occupation Certificate**.

OPERATIONAL CONDITIONS

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

241. **Hours of Operation.** The hours of operation of the retail premises are to be restricted to:
- 6am to 10pm (Monday –Saturday)
 - 8am to 10pm (Sunday and public holidays)

242. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the allocation of parking strictly in accordance with the approved architectural plans, any modifications required by conditions of this consent and any future modifications, subject to the following exceptions;

- The three retail parking spaces allocated on the approved plans must be allocated to retail staff only.
- All visitor parking spaces must be made available to retail customers. Signage noting this must be installed in the parking area. Any time restrictions implemented in the operation of the development must accommodate visitor parking demand after 6pm, ensuring no restrictions apply in the evening.

243. **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).

244. **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.
- Must be provided at a minimum rate of 1 car share space per 50 proposed parking spaces.

245. **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.
- Car share parking spaces must be clearly designated and line-marked in the development.
- Must be retained as Common Property by any future strata subdivision of the development lot.

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

be installed where ever it is anticipated that activities or the use of plant and equipment may generate a noise disturbance to surrounding premises.

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

247. **Wayfinding Signs.** Good way finding signage are to be provided as follows:

- A street sign should be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No.8.
- Signage also needs to be provided at entry/exit points and throughout the development to assist users. Clear signage should indicate residential, retail and restricted areas.
- Signage also needs to be provided on any fire exit doors warning users that the doors are to be used for emergency purposes only.
- Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful. The front of the building should have clear signage in regards to street numbers so that emergency services are able to clearly read the numbers. To assist with way finding for emergency services, numbering of street numbers, levels of the building and unit numbers should be clearly displayed.
- Signs should be erected in the car parks and near entry and exit points which details security measures and reminds people to lock their vehicles and remove valuables from their vehicles.
- Location maps should be used throughout the complex to indicate to visitors where they are.

248. **Waste storage/disposal – hours of collection.** Waste and recyclable material generated by these premises must not be collected between the hours of 9pm and 8am on any day.

249. **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.

250. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property.

251. **Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.

252. No approval is granted in this consent for general or third party advertising which is prohibited.

253. **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*.

254. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
255. **Waste containers** - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
256. **Recyclable wastes** - Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.
257. **Hazardous wastes** - All wastes classified as hazardous wastes under the *Protection of the Environment Operations Act 1997* must be transported to an appropriately licensed waste facility for disposal.
258. **Transfer of waste containers to emptying point** - Staff or contractors must be employed to take the waste containers from the garbage room or waste storage area to the container emptying point for servicing and to return the containers to the garbage room or waste storage area after servicing.
259. **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.
260. **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.
261. **Maintenance of waste storage areas** - All waste storage areas must be maintained in a clean and tidy condition at all times.
262. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
263. **Standards of air impurities not to be exceeded** - Any discharge to atmosphere from the premises must comply with the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.
264. **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*.
265. **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.
266. **Council may require acoustical consultant's report** - Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.
267. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
268. **Clean-up materials to be kept on premises** - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills.
269. **Cleaning wastes and spills** - All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.
270. **Duty to notify** - Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the Protection of the Environment Operations Act 1997.
271. **Waste collection.** Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.
272. **Signage.** Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.
273. **Recycling bins.** Staff or contractors must be employed to take the recycling bins from the chute rooms, decant the recyclable material into the 660L bins for collection. A check of the material to ensure that there is no contamination should be carried out at this time.
274. **Flood Emergency Response Matters.** The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation Certificate for the proposed development.

Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site'

refuge area. Permanent signage shall be installed in the common areas informing the future occupants of the emergency evacuation procedures and refuge areas.

ADVISORY NOTES

Health Inspection Services:

1. **Inspections and fees** - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.
The approved fees are contained in Council's Management Plan and may be viewed or downloaded at www.ryde.nsw.gov.au.

Dietary Recommendations

2. **Saturated and trans fats** - To minimise the risk of cardiovascular disease in the community, fats and cooking oils that are high in saturated and/or trans fats should not be used in the preparation or cooking of food. Alternatively, instead of deep frying, change to healthier cooking methods such as baking, grilling, steaming or microwaving or use mono/polyunsaturated fats or oils such as canola, olive, sunflower, soybean and safflower oils and margarines.

Attachment 1. Condition 5 Plans



