

Attachment 1

Conditions for LDA 2018/338 – 12 Delhi Road, Macquarie Park.

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
Cover sheet	Feb 2018	DA01 Rev C
Mausoleum Level	July 2018	DA06 Rev F
Roof	Feb 2018	DA09 Rev F
Elevation Section	July 2018	DA10 Rev F
Landscape Plan	27 July 2018	LP01 Issue A

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **Energy Efficiency.** The fittings, fixtures and materials installed in association with 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.
4. **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".
5. **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.
6. **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.
7. **Design and construction of mausoleum** - The design and construction of the mausoleum must comply with Australian Standard AS4425-1996 *Above ground burial structures* and details of compliance must be included in the plans and specifications for the building works.
8. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements.
9. **Rural Fire Services – Asset Protection Zone.** At the commencement of building works, and in perpetuity, the subject land from Clancy Avenue to the eastern property boundary 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'.

10. **Rural Fire Services – Water & Utilities.** Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
11. **Rural Fire Services - Evacuation and Emergency Management.** A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.
12. **Rural Fire Services - Design and Construction.** Construction of the proposed chapel shall comply with Sections 3 and 5 (BAL 12.5) 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'.
13. **Rural Fire Services - Design and Construction.** Construction of the proposed mausoleum and associated pavilion 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'.
14. **Rural Fire Services – Landscaping.** Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.
15. **Archaeology.** As required by the *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977*, in the event that Aboriginal cultural heritage or historical cultural fabric or deposits are encountered/discovered where they are not expected, works must cease immediately and Council and the Heritage Division of the Office of Environment and Heritage (OEH) must be notified of the discovery.

In the event that archaeological resources are encountered, further archaeological work may be required before works can re-commence, including the statutory requirement under the Heritage Act 1977 to obtain the necessary approvals/permits from the Heritage Division of the OEH.

Note: The *National Parks and Wildlife Service Act 1974* and the *Heritage Act 1977* impose substantial penalty infringements and / or imprisonment for the unauthorised destruction of archaeological resources, regardless of whether or not such archaeological resources are known to exist on the site.

16. **Compliance with Accessibility as outlined in the BCA Capability Statement.** The development is to comply with the requirements of Clause D3.2, D3.3 and D3.4 of the BCA 2016. Parts of the building required to be

accessible shall comply with the requirements of AS1428.1- 2009. Access to be provided to and within the building pursuant to AS1428.1-2009 as follows:

- Via the principle public entry and at least 50% of all other entrances
- From designated car parking spaces for the use of occupants with a disability.
- From another accessible building connected by a pedestrian link.
- All areas used by the public.

17. **Disturbance of existing graves or burial sites.** The proposed work must not result in the disturbance of any existing graves or burial sites.
18. **Stormwater Plans.** The stormwater system shall be designed generally in accordance with Civil Engineering Plans Revision 1 of Drawing No. 01937_100, 110, 201, 202, 203, 701 and 702 dated 30-07-2018 and the City of Ryde Development Control Plan Section 8.2-Stormwater Management Technical Manual. FRC and PVC pipes must not be used in the street drainage system
19. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
20. **Security deposit.** The Council must be provided with security for the purposes of section 4.17(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the Certificate for Crown Building works. (category: other buildings with delivery of bricks or concrete or machine excavation)
21. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
22. **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 Council prior to the certificate for Crown Building works.
23. **Sydney Water – Building Plan Approval.** The plans approved as part of the 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.
24. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit

application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.

25. **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.
26. **Construction materials.** All materials associated with construction must be retained within the site.
27. **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 Certifier 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.
28. **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.
29. **Site maintenance**

The applicant must ensure that:

 - (d) approved sediment and erosion control measures are installed and maintained during the construction period;
 - (e) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (f) the site is clear of waste and debris at the completion of the works.
30. **Australian Standard.** The design and construction of the crypt complex must comply with Australian Standard AS4425-1996 *Above ground burial structures*.
31. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath.

Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.

32. **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). Note - The one-way internal road way proposed for the drop off and the two accessible parking spaces must be appropriately line marked and signposted in accordance with the requirements of Section 4 of AS/NZS 2890.1-2004.
33. **Stormwater Management.** To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and piped by gravity flow to existing drainage system towards Lane Cove River in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and generally in accordance with the approved Stormwater Management by C & M Consulting Engineers Pty Ltd, drawing number 01937 100, 110, 201, 202, and 203, Revision 1, dated 30th July 2018. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for a Construction Certificate.

DURING CONSTRUCTION

34. **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.
35. **Traffic Management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. Accordingly, a detailed plan of traffic management prepared by a traffic engineer including certification are to be prepared.
36. **Stormwater Management.** Appropriate measures are to be implemented, such as the grading of surface levels in the vicinity of the works, to ensure that stormwater runoff from the development does not adversely impact downstream property and is managed in a manner which generally complies with the objectives of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
37. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Stormwater Management Plan by C & M Consulting Engineers Pty Ltd, drawing number 01937 100, 110, 201, 202, and 203, submitted in compliance to the condition labelled "Stormwater

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

38. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by C & M Consulting Engineers Pty Ltd, drawing number 01937 701 and 702, Revision 1, dated 30th July 2018 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.
39. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

PRIOR TO OCCUPATION

40. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be obtained. 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.
41. **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. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream

of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.

- d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
 - e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
 - f) A Registered Surveyor with appropriate experience must certify that the existing easement for transmission lines is clear of all constructed works and structures. The development must be constructed wholly outside the easement.
42. **Works-as Executed Drawings – Stormwater Drainage.** Works-As-Executed Drawings for the stormwater works must be obtained. The Works-as-Executed Drawings shall be accompanied by a certificate from a suitably qualified engineer (registered on the NER of Engineers Australia), certifying the drawings are a true and accurate representation of the constructed works.
43. **Pumped connection to sewerage system.** All sewage from the toilets and tea kitchen must be pumped to the sewerage system in accordance with the requirements of Council and Sydney Water Corporation.
44. **Approval to install and operate sewage management system.** A separate approval must be obtained from Council under Section 68 of the *Local Government Act 1993* to install and operate a system of sewage management.

Operational Requirements:

45. **Burial of bodies in crypts and vaults** - All bodies buried in crypts and vaults must be embalmed and hermetically enclosed with material approved by the Secretary of the Ministry of Health in accordance with clause 67 of the *Public Health Regulation 2012*.
46. **Use of tea kitchen** - The proposed tea kitchen is not to be used for commercial purposes.
47. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
48. **Offensive noise** - The use of the premises must not result in the emission of offensive noise as defined in the *Protection of the Environment Operations Act 1997*.
49. **Duty to notify pollution incidents** - 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*.

50. **Ornamental Pools.** The depth of the ornamental pools must not exceeds 300mm.

End of consent