

Draft Without Prejudice Conditions:

**1-20 Railway Road and 50 Constitution Road, Meadowbank.
Local Development Application 2020/0199.**

DEFERRED COMMENCEMENT

The following are the Deferred Commencement condition(s) imposed pursuant to Section 4.16 of the Environmental Planning & Assessment Act 1979.

- (A) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to demolition of existing structures and construction of a mixed use development comprising four buildings ranging in height between 6 and 7 storeys with 3 basement levels for 419 car parking spaces. The development will comprised of 133 residential apartments, a boarding house with 162 rooms and 3591m² of commercial floor space subject to the following conditions of consent:

1. Sydney Trains

The Applicant shall prepare and provide to Sydney Trains for review, comment and written endorsement the following final version items in compliance with relevant ASA Standards (<https://www.transport.nsw.gov.au/industry/asset-standards-authority>):

1. Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
2. Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
3. Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
4. Detailed Survey Plan showing the relationship of the proposed development with respect to Sydney Trains easement and rail corridor land.
5. If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.
6. If required by Sydney Trains, a Monitoring Plan.

2. Public Domain

Updated architectural plans (based on the latest survey plan from Daw & Walton Consulting Surveyors, Revisions 7, dated 27 November 2020) with properly quoted distances of the road reserves in relation to the neighbouring properties boundaries (opposite in Faraday Lane and opposite in Underdale Lane). All previously agreed upon deviations from the Council's DCP2014 requirements will need to be reflected on the plan. In addition, the plan is to include a splay corner of 3m x 3m at the intersection of Underdale Lane and Faraday Lane for accommodation of the intersection. The plans are to be submitted to Council's City Works – Public Domain section for approval.

3. Amenity

The following amendments shall be made to architectural plans.

- a) Public Plaza: The Stairs along the site boundary are to be pulled back to align with the northern retail shopfront so as to allow a larger levelled space to be created and be perceived as an integral part of the public domain. The street trees are to be located behind the kerb of Constitution Road to define the public domain and provide shade to the plaza space. Public seating and other public domain elements such as artwork and landscape planting are to be provided to cater for passive recreational purposes.
- b) Visual Privacy:
 - Units 504, 604 and 505 in Building B have floor to ceiling glazing along the south-east and north east façade directly across from the boarding house dwellings (Building D). As these units benefit from dual aspects, these units are to be designed to avoid overlooking to Building D.
 - Unit 604 includes areas of non-trafficable roof however this space is within the dwelling area and its use could change overtime. This area is to be amended to be planted either outside the balustrade or in a raise planter within the balustrade. The planted area is to be provided with appropriate access for maintenance.
 - Common lobby on Levels 5 and 6 in Building B to be setback further from the building edge to increase separation between the edge of the lobby and the edge of the opposing balconies in Building D. A minimum width of 2m is to be provide for circulation in the common lobby of Levels 5 & 6.
 - There is insufficient separation between Building A and C on Level 5. Further mitigation measures are to be provided to increase the privacy of the terrace and the main living area on Level 5 of Building C.
- c) Pedestrian Access through the site: Provide direct access to the supermarket and shops from Faraday or Underdale Lanes with a publicly accessible escalator or lift to manage the level difference

between Faraday Lane and the supermarket/shops on the ground floor level.

- d) Direct Street Access: Provide direct street access to Units B1-106, C1-107 and A1-108 in Building C from Faraday Lane. Stairs can be incorporated into the design of the front garden of these units.
- e) Stairs to Constitution Road: The solid balustrade height wall along the western side of the stairs is to be more open at the northern end to provide pedestrian sight lines and increase surveillance /safety for stair users.
- f) Residential Amenity:
 - Apartments A1 604 in Building C and apartments 101,201,301 & 401 in Building B are short of the minimum apartment size as required under the Part 4D of the Apartment Design Guide. The apartments are to comply with the minimum apartment size.

Note: In Building C on Level 5, Apts C1-503 & 505 there is unlabelled room, with no windows. These rooms are not to be used as a habitable room and details of the rooms are to be provided.

- A minimum of 8m² of private open space, adjacent to the Manager's unit, is to be provided for the Manager of the Boarding House as required by Clause 29 (2)(d) (ii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

- (B) Written evidence that the matter identified in deferred commencement condition (A) (1), (2) & (3) above has been satisfied, must be submitted to Council within **12** months from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 95 (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) , (2) & (3) above have 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:

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
Cover	02.12.2020	D000 Issue B
Site Survey	02.12.2020	D002 Issue B
Demolition Plan	02.12.2020	D003 Issue B
Site Analysis	02.12.2020	D004 Issue B
Site Plan	02.12.2020	D005 Issue B
Yield and Schedules	02.12.2020	D009 Issue B
BASIX Commitments A B & C	02.12.2020	D010 Issue B
BASIX Commitments D	02.12.2020	D011 Issue B
Basement 03 Floor Plan	02.12.2020	D097 Issue B
Basement 02 Floor Plan	02.12.2020	D098 Issue B
Basement 01 Floor Plan	02.12.2020	D099 Issue B
Ground Floor Plan	02.12.2020	D100 Issue B
Level 1 Plan	02.12.2020	D101 Issue B
Level 2 Plan	02.12.2020	D102 Issue B
Level 3 Plan	02.12.2020	D103 Issue B
Level 4 Plan	02.12.2020	D104 Issue B
Level 5 Plan	02.12.2020	D105 Issue B
Level 6 Plan	02.12.2020	D106 Issue B
Level 7 Plan	02.12.2020	D107 Issue B
Level 8 Plan	02.12.2020	D108 Issue B
North-west Elevation Railway Road	02.12.2020	D200 Issue B
North east Elevation Constitution Road	02.12.2020	D201 Issue B
South east Elevation Faraday Lane	02.12.2020	D202 Issue B
South west Elevation Underdale Lane	02.12.2020	D203 Issue B
North west internal elevation – Buildings C & D	02.12.2020	D204 Issue B
South east internal elevation – Building A & B	02.12.2020	D205 Issue B
Internal Elevations	02.12.2020	D206 Issue B
Sections	02.12.2020	D250 Issue B
Sections	02.12.2020	D251 Issue B
Sections	02.12.2020	D252 Issue B
Material Board	02.12.2020	D300 Issue B
Material Board	02.12.2020	D301 Issue B
Perspectives	02.12.2020	D302 to D310 Issue B
FSR Calculation	02.12.2020	D500 & D502 Issue B
Building Height Analysis	02.12.2020	D502 Issue B

Solar & Ventilation Analysis	02.12.2020	D503 & D504 Issue B
Communal Open Spaces & communal rooms	02.12.2020	D505 Issue B
Landscape Area	02.12.2020	D506 Issue B
Carparking Cals	02.12.2020	D507 Issue B
Bonus Floor Cals	02.12.2020	D508 Issue B
Storage volumes – Building A	02.12.2020	D509 Issue B
Storage volumes – Building B	02.12.2020	D510 Issue B
Storage volumes – Building C	02.12.2020	D511 Issue B
Storage volumes – Basement	02.12.2020	D512 Issue B
Plaza Detail Plan	02.12.2020	D600 Issue A
Privacy Screen Details	02.12.2020	D601 Issue A
Permeability Plan	02.12.2020	D602 Issue A
Land Dedication Plan	02.12.2020	D603 Issue A
Faraday Lane Planter Details	02.12.2020	D604 Issue A
Faraday Lane Stair Connection	02.12.2020	D605 Issue A
Survey Road Widening	02.12.2020	D606 Issue A
Building A Cover Page	02.12.2020	DA000 Issue B
Level 1	02.12.2020	DA101 Issue B
Level 2	02.12.2020	DA102 Issue B
Level 3	02.12.2020	DA103 Issue B
Level 4	02.12.2020	DA104 Issue B
Level 5	02.12.2020	DA105 Issue B
Level 6	02.12.2020	DA106 Issue B
Level 7	02.12.2020	DA107 Issue B
Level 8	02.12.2020	DA108 Issue B
Yield Analysis – Building A	02.12.2020	DA501 Rev 2
Adaptable & Livable Apartments – Building A	02.12.2020	DA502 & DA503 Issue B
Building B Cover Page	02.12.2020	DB000 Issue B
Level 1	02.12.2020	DB101 Issue B
Level 2	02.12.2020	DB102 Issue B
Level 3	02.12.2020	DB103 Issue B
Level 4	02.12.2020	DB104 Issue B
Level 5	02.12.2020	DB105 Issue B
Level 6	02.12.2020	DB106 Issue B
Level 7	02.12.2020	DB107 Issue B
Level 8	02.12.2020	DB108 Issue B
Yield Analysis – Building B	02.12.2020	DB501 Issue B
Adaptable & Livable Apartments – Building B	02.12.2020	DB502 Issue B
Building C Cover Page	02.12.2020	DC000 Issue B
Level 1	02.12.2020	DC101 Issue B
Level 2	02.12.2020	DC102 Issue B
Level 3	02.12.2020	DC103 Issue B
Level 4	02.12.2020	DC104 Issue B
Level 5	02.12.2020	DC105 Issue B
Level 6	02.12.2020	DC106 Issue B

Level 7	02.12.2020	DC107 Issue B
Level 8	02.12.2020	DC108 Issue B
Yield Analysis – Building C	02.12.2020	DC501 Issue B
Adaptable & Livable Apartments – Building C	02.12.2020	DC502 Issue B
Building D Cover Page	02.12.2020	DD000 Issue B
Level 1	02.12.2020	DD101 Issue B
Level 2	02.12.2020	DD102 Issue B
Level 3	02.12.2020	DD103 Issue B
Level 4	02.12.2020	DD104 Issue B
Level 5	02.12.2020	DD105 Issue B
Level 6	02.12.2020	DD106 Issue B
Level 7	02.12.2020	DD107 Issue B
Level 8	02.12.2020	DD108 Issue B
Yield Analysis – Building D	02.12.2020	DD501 Issue B
Co-Living Rooms	02.12.2020	DD502 Issue B

Prior to the issue of a **Construction Certificate**, the following amendments shall be made:

- a). An amended Landscaping Plan detailing the following:
 - **Street Tree species** are to be as shown in City of Ryde Public Domain Technical Manual – Meadowbank: Constitute Road: Angophora costata (Sydney Red Gum) – substituting Corymbia citriodora.
 - **All street trees** are to be planted using the “StrataVault” system to the manufactures specification. Indicative extent and soil volumes of the StratVaults are to be shown.
 - **Soil Volumes.** The garden beds are to be designed to adhere to the minimum soil standards as shown in the Apartment Design Guide Part 4 published by the NSW Department of Planning, Industry and Environment. Amended Landscape Plans are to show the soil volumes and depths for each garden bed.
 - **Deep Soil Areas.** The proposal has provided tree planting on structure not in Deep Soil Areas but has not demonstrated this has reached the required minimum of 7% of site area in the Apartment Design Guide. A plan is required showing the areas supporting small and medium trees on structure and calculations of their area.
 - **Sections** are required through planting beds demonstrating that soil depths can be achieved. Where possible soil depth should be maximised to 1200mm depth by dropping the garden bed deeper into the basement.

- **Landscape Maintenance Plan.** Planting along the edges of the buildings on the exterior side of balustrade is unclear how these areas will be accessed and maintained. A Management Plan and detailed sections showing the interface between balcony edged, balustrade and planters to show the planting is achieved and maintained is to be provided. This is to include access to:
 - The planter adjoining the lift and balcony of Unit A1-203 in Building B
 - The planter adjoining the void on Level 2 of Building D
 - The planter adjoining the void on Level 4 of Building D

Amended architectural and landscape plans are to be submitted to Council for approval prior to the issue of a **Construction Certificate**.

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s):
 - Buildings A, B & C: BASIX Certificate 1080973M_02 dated 14 October 2020.
 - Building D: 1082544M_03 dated 12 November 2020.
4. **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. Details are to be noted on the plans submitted with the **Construction Certificate**.
5. **Transport for NSW (TfNSW).** Any public domain works within the vicinity of the signalised pedestrian crossing on Railway Road and modification to the existing Traffic Control Signal plan will need to be reviewed and approved by TfNSW.
6. **Ausgrid -Proximity to Existing Network Assets (Underground Cables).** There are existing underground electricity network assets in RAILWAY ROAD MEADOWBANK. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

7. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
8. **Sydney Trains.** During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
9. **Sydney Trains.** The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the railway corridor unless prior written approval has been obtained from Sydney Trains.
10. **Sydney Trains.** The Applicant/Developer shall not at any stage block rail corridor access gate(s) and should make provision for easy and ongoing 24/7 access by rail vehicles, plant and equipment to support maintenance and emergency activities.
11. **Sydney Trains.** Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, must be permitted to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and the requirements of this consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
12. **Sydney Trains.** · The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
13. **Sydney Trains.** Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.

14. **Sydney Trains.** Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is North Interface and they can be contacted via email on North_Interface@transport.nsw.gov.au.

15. **Maximum number of lodgers allowed in the Boarding House.** A sign must be displayed in a prominent position in Building D stating the maximum number of lodgers that are permitted in the building as specified in the development consent

The maximum number of persons permitted in the building is 162 lodgers. The maximum number of persons permitted in each room as shown in the architectural plans.

16. **Strata Subdivision (Boarding House).** No strata subdivision of the Boarding House is permitted in any circumstances.

17. **Signage – Boarding House (Management).** A clearly visible sign with the name and telephone number (contactable 24 hours a day, 7 days a week) of the contact person responsible for the management of the Boarding House must be displayed externally at the front entrance of the building.

18. **Remediation Action (RAP).** Remediation works shall be carried out in accordance with the Remediation Action Plan numbered E-2091-3 prepared by Benviron Group, received by Council on 10 February 2020. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

19. **Remediation of land** - 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.

20. **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.

21. **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.
22. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on the shopfront. Separate approval must be obtained for any such works.
23. **Signage.** No signage is approved as part of this development. Separate application is required to be submitted and approved by Council for signage on site (other than for signs falling within the Exempt & Complying SEPP).
24. **Site Maintenance.** For the period the site remains vacant of any development the subject of this consent, the site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or become a repository for the leaving or dumping of waste.
25. **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.
26. **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.
27. **Illumination of public place.** Any public place affected by works must be kept sensitive lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
28. **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.
29. **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.
30. **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.

31. **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.
32. **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 DCP Part 8.5 (*Public Civil Works*) and Part 8.2 (*Stormwater and Floodplain Management*), except otherwise as amended by conditions of this consent.
33. **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.
34. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.
35. **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.

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".
36. **Construction Staging** – For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
37. **Public areas and restoration works** - 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. Council's standards and specifications are available on the Council website.

38. **Land Boundary / Cadastral Survey** – If any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.

The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.

39. **Mechanical ventilation of rooms** - If the airborne noise level with windows and doors open exceeds the above noise criteria by more than 10dBA, an approved system of mechanical ventilation must be provided so that the building occupants can leave the windows and doors closed.
40. **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 air-conditioning in buildings – Mechanical ventilation in buildings*.
41. **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.
42. **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.
43. **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.
44. **Kitchen exhaust vent** - The 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.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

45. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
46. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
47. **Excavation**
- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
 - (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with Safework NSW in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.
48. **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.
49. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.
50. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

51. **Waste Management Plan.** Demolition material must be managed in accordance with the approved waste management plan.
52. **Tip Dockets.** Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
53. **Disposal, 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 and must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.

54. **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.
55. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a Transport for NSW' (TfNSW) accredited person and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

Due to the close proximity of the development site to the Meadowbank Employment and Education Precinct, truck movements will be restricted during school zone periods being 8.00 - 9.30am and 2.30 - 4.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the DPTMP.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Transport Department for the DPTMP.

The DPTMP must include but not limited to the following:-

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.

- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include a Traffic Control Plan(s) prepared by a TfNSW/SafeWork NSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DPTMP 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. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of *City of Ryde Development Control Plan 2014: Construction Activities*.

56. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW' (TfNSW) accreditation. Should the implementation or effectiveness of the DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

57. **Contaminated Land: 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.
58. **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.
59. **Removal of underground storage tanks** - The removal of the underground storage tanks must be carried out in accordance with:
- (a) Australian Standard AS 4976-2008: *The removal and disposal of underground petroleum storage tanks*; and
 - (b) the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019*.
60. **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.

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.

39. **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	\$ 1,346,837.06
Open Space & Recreation Facilities	\$ 2,319,194.44
Roads & Traffic Management Facilities	\$ 711,983.75
Plan Administration	\$ 65,669.19

The total contribution is

\$ 4,443,684.44

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.

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 monetary contribution must be paid prior to the issue of the first occupation certificate in respect of any building to which this consent relates. However, if no construction certificate in respect of the erection of any building to which this consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building. 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 7.11 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>.

61. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the **Construction Certificate**.
62. **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**.
63. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
64. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy

65. **Driveway Access Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of the **Construction Certificate**.
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 Certifying Authority prior to the issuing of the **Construction Certificate**.
67. **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.
68. **Road and rail noise/vibration.** 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.
69. **Residential Apartment Noise attenuation.** A qualified acoustical engineer with membership of the Association of Australasian Acoustical Consultants must certify that the building has been designed to minimise the noise intrusion from any internal or external noise source and when constructed achieve a 5 star rating under the Association of Australasian Acoustical Consultants Guideline for Apartment and Townhouse Acoustic rating Version 1.0. Details of compliance are to be submitted with the plans for Construction Certificate.
70. **Slope instability – geotechnical report required.** The subject site is located within an area of slope instability and therefore you are required to obtain a satisfactory Geotechnical Report from a qualified Geotechnical Engineer, which is to be submitted prior to the issue of a **Construction Certificate**.
71. **CCTV.** Details of the location and installation of CCTV are to be shown on relevant plans prior to the issue of the relevant Construction Certificate. Installation of CCTV is to be completed in accordance with the recommendations in the Crime Risk Assessment Report prepared by Planning Ingenuity (Ref: M180330). The operation and maintenance of the CCTV system is to be in accordance with Condition 176.
72. **Structural engineering assessment.** Prior to the issue of any Construction Certificate, a Structural Engineering assessment report accompanied by working drawings and specifications, must be submitted to the satisfaction of Council and must demonstrate the measures that will be implemented, together with the methodology for undertaking excavation works both within the vicinity and adjacent to the heritage item.

The Structural Engineering assessment report, working drawings and specifications, must:

- a) Be prepared by a suitably qualified Structural Engineer with demonstrated experience in dealing with items of heritage significance and heritage fabric; and
- b) Demonstrate that the heritage item can be retained in a safe manner that will not require material affectation (such as deconstruction, new penetrations or the like) to otherwise underpin, support or ensure the retention; and
- c) Demonstrate and certify that the excavation works will not cause damage to the adjoining heritage items.

- 73. **Sydney Trains.** Prior to the issue of a Construction Certificate, the Applicant shall provide an accurate survey locating the development with respect to the rail boundary and rail infrastructure. This work is to be undertaken by a registered surveyor, to the satisfaction of Sydney Trains representative.
- 74. **Sydney Trains.** · The Applicant shall prepare an acoustic assessment demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". The Applicant must incorporate in the development all the measures recommended in the report. A copy of the report is to be provided to the Principal Certifying Authority and Council prior to the issuing of a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the acoustic assessment are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- 75. **Sydney Trains.** Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate. The Principal Certifying Authority must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation prior to the issuing of the relevant Construction Certificate.
- 76. **Sydney Trains.** The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- 77. **Sydney Trains.** Prior to the issue of a Construction Certificate a Risk Assessment! Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation

has been received from Sydney Trains confirming that this condition has been satisfied.

78. **Sydney Trains** Prior to the issuing of a Construction Certificate the Applicant must submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
79. **Sydney Trains.** No work is permitted within the rail corridor, or any easements which benefit Sydney Trains /TAHE (Transport Asset Holding Entity), at any time, unless the prior approval of, or an Agreement with, Sydney Trains/TAHE (Transport Asset Holding Entity) has been obtained by the Applicant. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
80. **Sydney Trains.** If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure and must be maintained for the duration specified by Sydney Trains. The Applicant is to contact Sydney Trains External Interface Management team to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
81. **Sydney Trains.** If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains External Interface Management team to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
82. **Sydney Trains.** Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.

83. **Sydney Trains.** Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains or TAHE (Transport Asset Holding Entity) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.
84. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Due to the close proximity of the development site to the Meadowbank Employment and Education Precinct, truck movements will be restricted during school zone periods being 8.00 - 9.30am and 2.30 - 4.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the DPTMP.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Transport Department for the CPTMP.

The CPTMP must include but not limited to the following:-

- 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 restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing 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(s) prepared by a TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. 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.
- viii. 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.

- ix. 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.
- x. Specify spoil management process and facilities to be used on site.
- xi. 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.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of *City of Ryde Development Control Plan 2014: Construction Activities*.

85. **Construction Environmental Management Plan** - Prior to the issue of a Construction Certificate and commencement of construction, the Applicant must submit a Construction Environmental Management Plan (CEMP) to the Certifier and provide a copy to Council. The CEMP must include, but not be limited to, the following:

- (a) Details of:
 - (i) hours of work;
 - (ii) 24-hour contact details of site manager;
 - (iii) management of dust and odour to protect the amenity of the neighbourhood;
 - (iv) stormwater control and discharge;
 - (v) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
 - (vi) groundwater management plan including measures to prevent groundwater contamination;
 - (vii) external lighting in compliance with AS 4282-2019 Control of the obtrusive effects of outdoor lighting;
 - (viii) community consultation and complaints handling;
- (b) Construction Noise and Vibration Management Sub-Plan;
- (c) Construction Waste Management Sub-Plan;
- (d) Construction Soil and Water Management Sub-Plan;
- (e) Flood Emergency Response;
- (f) an unexpected finds protocol for contamination and associated communications procedure;
- (g) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site

86. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of a 12.5m long Heavy Rigid Vehicle (HRV), as a minimum requirement. The minimum height clearance required is 4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.

Plans showing the ramp grades, transitions and height clearance and swept path diagrams of a 12.5m long HRV shall be reviewed and approved by a chartered civil engineer (with evidence of this certification submitted to Council)-prior to the issue of the 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.

87. **Shop fit-out plans - Design** - Detailed plans of all food preparation, beverage and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the construction certificate.

The fit-out of the food premises shall comply with:

- (a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- (b) Food Safety Standards 3.2.3 Food Premises and Equipment
- (c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

88. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any 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).

89. **Design Verification.** Prior to the relevant Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a registered architect that has overseen the design. This statement must include verification from the registered architect that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.
90. **Crime Prevention Through Environmental Design.** The recommendations made in the Crime Risk Assessment Report prepared by Planning Ingenuity (Ref: M180330), are to be incorporated into the development. Details of compliance are to be submitted with the plans for the relevant **Construction Certificate**.
91. **Disabled Access.** Prior to the issue of the relevant **Construction Certificate**, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the PCA and Council (if Council is not the PCA).
92. **Acoustic Requirements.** The recommendations/treatments contained in the Acoustic Reports prepared by *Acoustic, Vibration & Noise Pty Ltd* dated *March 2 2020 and 7 May 2020* are to be demonstrated on the relevant Construction Certificate plans. Details indicating compliance with these requirements are to be submitted to the PCA prior to the relevant **Construction Certificate** being issued.
93. **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 incorporate both internal and external public spaces and is to be submitted for approval by Council prior to the issue of the relevant **Construction Certificate**.

The public art is to be prepared by an arts and cultural planner and will be required to address relevant themes:

- i. the harbour location;
- ii. industrial history and heritage;
- iii. Aboriginal heritage; and
- iv. urban revitalisation.

94. **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**.

95. **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 relevant **Construction Certificate** plans.
96. **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 relevant **Construction Certificate**.
97. **Lighting of Common Area.** A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers lighting for:
- internal driveways,
 - visitor parking areas
 - around the buildings entrances and communal areas
 - the plaza and streets interface.

The details are to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents. All lighting is to comply with the following requirements:

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- Sensor lighting should be installed into areas that may be areas of concealment.
- Lighting is to be automatically controlled by time clocks and where appropriate, sensors for energy efficiency and a controlled environment for residents.

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

98. **Adaptable Units.** Buildings A, B & C are to have 5 adaptable apartments each (total of 15), 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.

99. **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. The application for consent must include 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.
100. **Public domain improvements** - The public domain is to be upgraded in all four frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual (PDTM) Chapter 5 – Meadowbank: namely Constitution Road, Railway Road, Underdale Lane and Faraday Lane frontages. 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 as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Meadowbank Street Tree Master Plan. The Public Domain Technical Manual identifies *Angophora costata* (Sydney Red Gum) as the designated street tree for the Constitution Road frontage, *Tristania laurina* 'Luscious' (Water gum) for the Faraday Lane frontage, *Magnolia grandiflora* ('Little Gem') for the Underdale Lane frontage and *Fraxinus griffithii* (Evergreen Ash) for the Railway Road frontage of the development site.

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

- (c) All telecommunication and utility services are to be placed underground along all frontages – Constitution Road, Railway Road, Underdale Lane and Faraday Lane. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

For the undergrounding of existing overhead electricity network, the requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.

- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158.3.1:2020 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category V3 and pedestrian luminance category PR2 along Constitution Road and Railway Road frontages and a minimum vehicular luminance V5 and pedestrian luminance category PR3 along Underdale Lane and Faraday Lane frontages of the development site.

Subject to design, it is expected that two new street lights on multi-function poles (MFP's) will be required along each of the Constitution Road and Underdale Lane frontages and four new street lights on MFP's will be required along the Railway Road frontage of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual (PDTM) Chapter 5 – Meadowbank. 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 and location of the meter boxes.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.

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

66. **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 Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.

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

The Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications for the following infrastructure works:

- (a) The full reconstruction of the road width for the widened Underdale Lane and Faraday Lane frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road.
- (b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (c) The construction of new kerb and gutter along the Constitution Road, Railway Road, Underdale Lane and Faraday Lane frontages of the development site. The new kerb and gutter along Faraday Lane and Underdale Lane shall be constructed as agreed with Council to provide for 2.60m wide pedestrian footpath from the boundary line to the face of the kerb. Proposed kerb profiles are to be provided to ensure proper connections to existing road works is achieved.
- (d) Construction of full width granite footway along all four frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 5 – Meadowbank.
- (e) Construction of new stairway connecting Faraday Lane to Constitution Road and any possible supporting structures as part of this development.
- (f) Disassemble the existing mosaic artwork from the existing stairway (connecting Faraday Lane to Constitution Road), store up, construct the new stairs from Faraday Lane to Constitution Road and re-construct the mosaic artwork on them.
- (g) Reconstruct the existing roundabout in Railway Road.
- (h) Reconstruct pedestrian ramps at all pedestrian crossings of the upgraded roads.
- (i) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (j) Signage and line-marking details.
- (k) Staging of the public civil works, if any, and transitions between the stages.

- (l) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

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.

67. **Vehicle Footpath Crossing and Gutter Crossover** – A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required in order that it has a service life that is consistent with that of the development, and that it is also compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works* and Australian Standard AS2890.1 – 2004 *Offstreet Parking*.

Prior to the issue of the Construction Certificate, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The new crossing shall

be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

Fees are payable at the time of the application, in accordance with Council's Schedule of Fees and Charges.

The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the Construction Certificate.

68. **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 External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **\$300,000** shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.
69. **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.

70. **Anticipated Assets Register - Changes to Council Assets.** In the case that public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works. The new elements may include but are not limited to new road pavements, new Multi-Function Poles (MFPs), new concrete or granite footways, new street trees and tree pits, street furniture, bus shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

The Anticipated Assets Register is to assist with Council's future resourcing to maintain new assets. There is potential for the as-built assets to deviate from the anticipated asset listing, as issues are resolved throughout the public domain assessment and Roads Act Approval process. Following completion of the public infrastructure works associated with the development, a Final

Asset Register is to be submitted to Council, based upon the Public Domain Works-As-Executed plans.

71. **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) / documentation must be provided with the plans submitted with the application for a Construction Certificate;

- a) To minimise the potential for traffic congestion after the entry, all staff and long term parking is to be allocated in the western most traffic aisle commencing from the entry point onwards.
- b) Centreline linemarking must be implemented on approach and departure at the entry to all internal ramps so as to ensure there is a clear separation of conflicting vehicle flow between vehicles accessing / egressing the ramps.
- c) Centreline linemarking and RPM's must be implemented on approach to the corner located at the northern end of the western parking aisle on Basement Level 01, so as to ensure the separation of conflicting vehicle flow.
- d) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- e) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles in the developments structural details. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.

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

72. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the existing kerb inlet pit fronting the site in Railway Road, generally in accordance with the plans by Alpha Engineering and Development (Refer to Project No. A20022 Dwgs SW02 to SW14 Rev D dated 9

December 2020) subject to any variations marked in red on the approved plans or noted following;

- The volume of the sump tank for the pump system must be enlarged as per the Council DCP and required by condition “*Stormwater – Pump System*”.
- The proposed location and configuration of rainwater tank 1 presents potential for inundation of the internal retail floor area at ground level, despite the measures implemented (sealed access manholes). Such measures may potentially fail over time (inadequate seal) or may not be reinstalled correctly following any access to the tank. To circumvent this, the tank is to be relocated so as to adjoin the lift shaft and stairwell to the north, swapping the location with the bike parking on Basement Level 01. A short access shaft is to be provided at the northern end, elevated sufficiently so as to provide an exposed surcharge grate opening to the footpath along Railway Road.
- Connection to the public drainage infrastructure will require the approval of Council’s City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a suitably qualified Civil Engineer and comply with the following;

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

73. **Stormwater Management - Onsite Stormwater Detention.** In accordance with Council’s community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.

As a minimum, the OSD system must;

- a) provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council’s DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*).
- b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service,
- c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and

- d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

Detailed engineering plans and certification demonstrating compliance with this condition & Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) are to be submitted with the application for a Construction Certificate.

- 74. **Stormwater Management - Pump System.** The basement pump system must be dual submersible and shall be sized and constructed in accordance with Section 9.3 of AS 3500.3.

The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3, except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council's DCP - Part 8.2 (*Stormwater and Floodplain Management*).

Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.

Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the Certifying Authority, prior to the release of any Construction Certificate for construction of the basement level.

- 75. **Stormwater Management – Connection to Public Drainage System.** The connection to the public inground stormwater drainage infrastructure located in Railway Road will require the assessment, approval and inspection by Council's Public Works section to ensure the integrity of this asset is maintained. Engineering plans detailing the method of connection complying with Council's DCP and Technical Standards and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.
- 76. **Geotechnical Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
 - Is in accordance with the recommendations of any approved Geotechnical Report.

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

77. **Site Dewatering Plan.** To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;

- a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.

- c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
- e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
- f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

78. **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 a Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

79. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including

colours and texture must be provided to the Certifying Authority prior to the release of the **Construction Certificate**.

80. **Fencing.** Fencing is to be in accordance with Council's DCP 2014: Part 3.3 – Dwelling Houses and Dual Occupancy (attached) – Section 2.16 - Fences. Details of compliance are to be provided in the plans for the **Construction Certificate**.
81. **Lighting of common areas (driveways etc).** Details of lighting for internal driveways, visitor parking areas and the street frontage shall be submitted for approval prior to issue of the **Construction Certificate**. The details to include certification from an appropriately qualified person that there will be no offensive glare onto adjoining residents.
82. **Waste Management Plan.** Any changes to the Waste Management Plan dated October 2020 and response to Council further information dated 14 December 2020 or DA plans Revision B 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 a Construction Certificate to ensure the waste collection is not affected.
83. **Storage of commercial wastes** - A separate garbage room must be provided in a convenient location on the premises for the storage of commercial wastes and all commercial waste must be collected from the loading dock located inside the building.
84. **Waste Storage Areas.** All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.
 - 1100L Bins – width 1.4m, depth 1.1m, height 1.4m
 - 660L Bins – width 1.3m, depth 0.8m, height 1.3m
85. **Waste Receptables.** 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.
86. **Waste 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 or storage area must be submitted for approval with the application for the Construction Certificate. Such details must include:

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

87. **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. Details of any proposed grease trap room must be submitted for approval with the application for the Construction Certificate
88. **Construction of the Communal Laundry (Boarding House)** - The floors of all laundry areas must be constructed of a durable, impervious material that is non-slip and capable of being easily cleaned. The laundry areas shall be adequately ventilated in compliance with AS 1668.
89. **Laundry facilities (Boarding House)** - Washing machines and sinks shall be provided at a rate of one tub per ten rooms or one tub per twelve occupants (whichever is the greater) with a minimum WELS rating of 4 stars on the washing machines. Hot and Cold water shall be supplied to all washing machines and sinks.

The internal clothes drying facilities shall be provided at a rate of one dryer per 10 rooms with a minimum energy star rating of 4 stars and shall be rated no

less than one star below the maximum available energy star rating available at the time of installation.

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.

90. 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.

91. 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.

92. Sydney Trains. If required by Sydney Trains, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required within 10 days following the undertaking of the inspection, unless otherwise notified by Sydney Trains.

93. 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.

94. Road Occupancy Licence. Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows within the surrounding road network (e.g. lane closures, etc.).

95. **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.

96. **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 name and number should they 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.
97. **Pre-construction inspection** - A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.
98. **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,
 - (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.

99. **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.

100. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.
101. **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.
102. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, 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 and prevent harm to the public / occupants of the site due to the abrupt level differences.
103. **Proposed Property Addressing.** Proposed addressing for the new development must have been lodged with Council, prior to the commencement of construction.

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.

104. **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*.
105. **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 Heritage NSW 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 Heritage NSW.

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.

106. **Noise management plan** - Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:

- (a) Identification of nearby affected residences or other sensitive receivers.
- (b) An assessment of the expected noise impacts.
- (c) Details of the work practices required to minimise noise impacts.
- (d) Noise monitoring procedures.
- (e) Procedures for notifying nearby affected residents.
- (f) Complaints management procedures.

107. **Tree Removal.** As identified in the Arborist Assessment prepared by TALC dated 14/02/2021 all trees on site (1, 2, 3, 4, 5, 6, 7, 8, 9 & 16) and all street trees (10, 11, 12, 13, 14, 15, 17, 18, 19 & 20) are to be removed:

108. **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.

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

110. **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.

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

112. **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.

113. **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.

114. 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) for each stage of the development. All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW' (TfNSW)/SafeWork NSW 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's Traffic, Transport and Development Department 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.

115. 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.

116. **Tip Dockets.** Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
117. **Maintenance.** The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken.
118. **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.
119. **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.
120. **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 Alpha Engineering and Development (Refer to Project No. A20022 Dwgs SW02 to SW14 Rev D dated 9 December 2020) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
121. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
122. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.
123. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

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.

124. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered:
- Buildings A, B & C: BASIX Certificate 1080973M_02 dated 14 October 2020.
 - Building D: 1082544M_03 dated 12 November 2020.

125. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the final **Occupation Certificate**.

126. **Sydney Trains.** If required by Sydney Trains, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

127. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the Fire and Rescue NSW.

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

Each year the Owners must send to the Council and the Fire and Rescue NSW an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

128. **Residential Apartment Noise Attenuation.** A AAAC 5 Star Certificate must be submitted by a qualified member of the Association of Australasian Acoustical Consultants (AAAC) demonstrating that the construction of the building including internal walls and floors ensures that all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems as well as noise generated between residential units has sufficient acoustical attenuation. Details of compliance must be submitted to the Principal Certifying Authority before the issue of any **Occupation Certificate**.
129. **Loading Dock Management Plan.** An updated Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Transport Department and Waste Department prior to the issue of any Occupation Certificate. The plan must specify that the vehicles permitted to access the loading dock shall be no longer than a 12.5m heavy rigid vehicle. The Plan will also need to demonstrate how loading dock will be managed to ensure that there will be no more than two vehicles within the loading dock in any period. Vehicle queuing on public road(s) or outside of the loading dock is not permitted. The Plan is to ensure clear access to the waste loading dock, including updated swept paths for an 11m garbage truck.
130. **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.
131. **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**.
132. **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**.
133. **Road Widening – Faraday Lane** - The dedication of a strip of land to Council for public road for the widening of Faraday Lane will be required. The road carriageway will need to be a minimum 6.00m wide between the faces of the

kerbs. The public footpath will need to be 2.60m wide between the face of the kerb and the proposed boundary line of the site. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The dedication shall occur prior to the issue of any Occupation Certificate. The Plan of dedication is to be lodged and registered with the Land and Property Management Authority prior to issue of the Occupation Certificate.

134. **Road Widening – Underdale Lane** - The dedication of a strip of land to Council for public road for the widening of Underdale Lane will be required. The road carriageway will need to be a minimum 6.00m wide between the faces of the kerbs. The public footpath will need to be 2.60m wide between the face of the kerb and the proposed boundary line of the site. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The dedication shall occur prior to the issue of any Occupation Certificate. The Plan of dedication is to be lodged and registered with the Land and Property Management Authority prior to issue of the Occupation Certificate.
135. **Land dedication** – splay corner at Underdale Lane and Faraday Lane intersection. - The dedication of a triangular piece of land (1.5m x 1.5m) to Council for public road for the accommodation of the kerb return at the intersection of Underdale Lane with Faraday Lane will be required. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The dedication shall occur prior to the issue of any Occupation Certificate. The Plan of dedication is to be lodged and registered with the Land and Property Management Authority prior to issue of the Occupation Certificate.
136. **Public Access and Right of Way.** Prior to the issue of any Occupation Certificate, a Right of Way (ROW) shall be created over the plaza area, pedestrian access on ground floor and level 1 in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- The public access areas are accessible at all times to the Public;
- The areas will be adequately maintained by the occupier/ owner of the site at all times;

The Council is the only authority empowered to release, vary or modify the terms of the Public Access.

137. **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.

138. **Vehicle Footpath Crossing and Gutter Crossover** – Construction - The proposed vehicle footpath crossing and gutter crossover shall be constructed prior to the issue of any Occupation Certificate at no cost to Council. Works may include the removal of any redundant vehicle footpath crossing and gutter crossover and reinstatement of kerb and gutter and restoration of road pavement.

Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the utility authority. Minimum cover requirements of utility authorities must be maintained.

139. **Compliance Certificate – Vehicle Footpath Crossing and Gutter Crossover** - A Compliance Certificate shall be obtained from Council's City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council's standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council's Schedule of Fees and Charges.

140. **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.

141. **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.

142. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.
143. **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.
144. **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.
145. **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.

146. **Registered Surveyor Final Certificate** – Upon completion of all construction works, and before the issue of any Occupation Certificate, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.
147. **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.
148. **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,
- 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 Compliance Certificate for External Works and Public Infrastructure Restoration.

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.

149. **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.

150. **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.

151. **Compliance Certificate – External 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 and restoration of 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.

152. **Public Domain Design and Construction Staging** – The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work thought out the assessment phase of the development applications. All design and construction to public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.
153. **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.
154. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "*Application Form for Endorsement of Title Encumbrances*" (available from Council's website). 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.
155. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- (a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- (b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the

trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.

- (c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- (d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- (e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
- (f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

156. **Positive Covenant - Onsite Waste Collection.** 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 Council's current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (*Title Encumbrances*), to Council's satisfaction. The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances sufficient to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this. The instrument and works-as-executed plans are to be submitted to Council with a completed "*Application Form for Endorsement of Title Encumbrances*" (available from Council's website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.

157. **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 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) 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) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

158. **On-Site Stormwater Detention System - Marker Plate.** To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at 1 Pope Street – Ryde (Top Ryde City Shopping Centre).

159. **Parking Area Linemarking and Signage.** To ensure the safe and efficient circulation of traffic and access to parking, directional signage, traffic control linemarking and signs must be installed in the developments parking area. The location and specifications of these measures must be in accordance with AS 2890.1, must be based on Traffic Engineering principals and must be located under the guidance of a suitably qualified Traffic Engineer experienced in traffic safety. Certification that these measures have been implemented must be provided to the Accredited Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area.

160. **Waste Inspection.** An authorised Council waste officer is to conduct an onsite inspection 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.
161. **Bins orders.** An order for the required bins for the residential component must be submitted prior to the issue of the Occupation Certificate.
162. **Universal Council Key/Access.** 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.

Where there will be secure access in place to the loading dock area, Council's waste team will be provided with three (3) access fobs or the relevant access code for use by the contractor to enable service, if the universal council key is not able to be utilized.

163. **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.
164. **All works/methods/procedures/control measures** - Prior to the issue of an occupation certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:
- (a) Acoustic Report No. 2020-13 Rev 1, dated *March 2 2020 (Amended May 7, 2020)*, prepared by *Acoustic, Vibration & Noise Pty Ltd*
165. **Graffiti.** All surfaces on the street level that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti. A maintenance policy should be established for graffiti to be painted over within two a week of the graffiti.

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

166. **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.

167. **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.

168. **Balcony doors.** Balcony doors 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.

169. **Registration of retail food business – Council** - Prior to an Occupation Certificate being issued, the retail food business must submit a food business registration with Council.

170. **Licensing of retail meat premises** - The operator must contact the NSW Food Authority regarding the issue of a licence before trading commences.

171. **Registration of boarding house** – The operator must register the boarding house with NSW Fair Trading prior to occupation.

172. **Letterboxes and street/house numbering display.** All letterboxes are to be designed and constructed in accordance with Australia Post requirements and the house/unit numbering displayed shall be in accordance with the official property addressing allocated by Council's Land Information Section. The display of the street address shall be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. It is essential that all numbering signage throughout a development is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

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.

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

Basement Level 1

- A minimum 144 retail parking spaces.
- Any staff and long term parking spaces must be located in the western most parking aisle, commencing from the boom gate entry onwards.
- Minimum 8 bicycle parking spaces

Basement Level 2 & 3

- 28 visitor spaces
- 165 residential spaces
- 82 spaces for the boarding house (including 1 staff / management space)
- 15 bicycle spaces (residential)
- 30 bicycle and 33 motorcycle spaces (boarding house)

174. **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).

175. **Implementation of Loading Dock Management Plan.** All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) or outside of the loading dock is not permitted

176. **CCTV Cameras.** Installation and maintenance of surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should also monitor at least the 50 metre vicinity outside of the building including, but not limited to, the footpath area in front and rear 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, recordings are to be archived 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.
 - If the CCTV system is not operational, immediate steps are to be taken to ensure that it is returned to a fully operational condition as soon as

possible. The quality of the CCTV is crucial and should be such that it can identify a person or vehicle. The positioning of CCTV is also crucial, and it is recommended that applicants of new developments seek the services of a professional security consultant when determining the layout of cameras.

177. **Noise Impact.** The Public Plaza and retail premises areas must limit any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places.
178. **Collection of Waste.** 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.
179. **Waste Signs.** 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
180. **Bulky Goods.** Residential access to the Bulky Waste Storage Room is through a booking with the Building Caretaker and residents should not have direct key access to the room. The Boarding House rooms will not have access to the Bulky Waste Cleanup Service if it is a Commercial Rated property.

Household Cleanup Bookings will be made by the Building Caretaker.
181. **Transfer of Waste.** Staff or contractors must be employed to take the waste containers from garbage and recycling chute rooms on Basement 2 to the container bin storage room on the ground floor for servicing and to return the containers to the garbage room after servicing.
182. **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.
183. **Remove putrescible waste at sufficient frequency** - All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
184. **Storage of bins between collection periods** - Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
185. **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*.

186. **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.
187. **Waste storage/disposal.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner and an adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste. All waste storage areas must be maintained in a clean and tidy condition at all times
188. **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.
189. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property
190. **Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.
191. **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 *Noise Policy for Industry (EPA, 2017)*.
 - (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.

Boarding House:

192. **Compliance with the approved Plan of Management (Boarding House).** The operation of the boarding house shall be in accordance with the approved Plan of Management prepared by Sutherland & Associates Planning dated March 2021 and is not to be altered with the prior approval of Council. Where there are any inconsistencies between the Plan of Management and the conditions of the consent, the conditions prevail.
193. **Occupancy of Rooms.** Each boarding room must be numbered in accordance with the schedule and there must be displayed clearly on the door of or in each boarding room the maximum number of persons allowed to be accommodated in the bedroom. A copy of this schedule shall be provided to Council.

194. **Standards for places of shared accommodation.** The premises must comply with the Boarding House Act 2012, Boarding House Regulation 2013 and the standards for places of shared accommodation under the Local Government (General) Regulation 2005. The maximum number of lodgers shall not exceed the requirements of Local Government (General) Regulation 2005.
195. **Use of Communal Living Area.** The internal communal living areas are not to be use between the hours of 10pm and 6am on any day.
196. **Use of Communal Open Space.** The external communal open space areas may only be used between the hours of 7.30am and 9pm.
197. **Furniture and fittings.** Furniture and fittings provided must be maintained in good repair.
198. **Cleaning and maintenance.** The premises and all fixtures, furnishings and equipment must be maintained in a clean, sanitary condition and kept in good repair at all times.
199. **Accessible Rooms.** The nominated accessible rooms are to be accessible rooms and designed to accommodate persons with disabilities. They are to be provided with kitchen, toilet and bath/shower room facilities in accordance with parts D, E and F of the Building Code of Australia and Australian Standards; AS 2890 and AS 1428. Priority shall be given to persons with disabilities for use of accessible rooms. Accessible rooms shall not be charged at a higher rate than other boarding rooms. An accessible parking space is to be allocate to the rooms.
200. **Boarding Room Fitout.** Each boarding room of the boarding house is to be provided with sufficient storage and furnishing that include the following:-
- a. Bed/s (including base and mattress);
 - b. Wardrobe;
 - c. Mirror;
 - d. Table & chair (two chairs for double rooms);
 - e. A night light or other approved illumination device for each bed;
 - f. Bedside table/shelf for each bed
 - g. Waste container;
 - h. An approved latching device on the door; and
 - i. Curtains, blinds, or similar privacy device.
201. **Kitchen Fitout.** Each of the boarding house room kitchens is to be provided with a refrigerator which is also to include a freezer storage space, a sink, a cooktop with a minimum of two elements and a microwave, along with storage cupboards and 0.5m² of bench space.