

## 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 Page	11.03.2021	AD-DA4000 Rev 14
Location Plan	11.03.2021	AD-DA4002 Rev 7
Survey Plan	11.03.2021	AD-DA4010 Rev 4
Basement Level 3	11.03.2021	AD-DA4099 Rev 11
Basement Level 2	11.03.2021	AD-DA4100 Rev 11
Basement Level 1	11.03.2021	AD-DA4401 Rev 10
Lower Ground Floor Plan	11.03.2021	AD-DA4102 Rev 15
Ground Floor Plan	11.03.2021	AD-DA4103 Rev 15
Floor Plan Level 1	11.03.2021	AD-DA4101 Rev 13
Floor Plan Level 2	11.03.2021	AD-DA4105 Rev 13
Floor Plan Level 3	11.03.2021	AD-DA4106 Rev 13
Floor Plan Level 4	11.03.2021	AD-DA4107 Rev 14
Floor Plan Level 5	11.03.2021	AD-DA4108 Rev 14
Floor Plan Level 6	11.03.2021	AD-DA4109 Rev 12
Floor Plan Level 7	11.03.2021	AD-DA4110 Rev 12
Floor Plan Level 8	11.03.2021	AD-DA4111 Rev 12
Floor Plan Level 9	11.03.2021	AD-DA4112 Rev 13
Floor Plan Level 10	11.03.2021	AD-DA4113 Rev 16
Floor Plan Level 11	11.03.2021	AD-DA4114 Rev 15
Floor Plan Level 12	11.03.2021	AD-DA4115 Rev 13
Floor Plan Roof	11.03.2021	AD-DA4116 Rev 9
North-West Elevation	11.03.2021	AD-DA4200 Rev 16
South-East elevation	11.03.2021	AD-DA4201 Rev 14
North-East & South-West Elevation	11.03.2021	AD-DA4202 Rev 10
Long Section – Sheet 1	11.03.2021	AD-DA4220 Rev 9
Long Section – Sheet 2	11.03.2021	AD-DA4221 Rev 10
Short Sections – Sheet 1	11.03.2021	AD-DA4222 Rev 9
Short Sections – Sheet 2	11.03.2021	AD-DA9223 Rev 8
Pre & Post Adaptable layout – Sheet 1	11.03.2021	AD-DA4951 Rev 5
Pre & Post Adaptable layout – Sheet 3	11.03.2021	AD-DA4952 Rev 7
Pre & Post Adaptable layout – Sheet 4	11.03.2021	AD-DA4953 Rev 6
Vehicle Entry Ramp - Plan	11.03.2021	AD-DA4960 Rev 8
Vehicle Entry Ramp – Section	11.03.2021	AD-DA4961 Rev 8
Schedule of External Finishes	11.03.2021	AD-DA4970 Rev 5

Child Care Centre – outdoor play space	23.10.2020	L01 Rev 2
Fence elevations	17.09.2020	L01 Rev P1
<b>Specialist Reports</b>		
Accessibility Review Report prepared by ABE Consulting	28.06.2020	Rev V1.1
Acoustic Assessment prepared by Acoustic Logic	30.06.2020	Rev 2
Landscape Report prepared by Meriton	4.02.2021	-
Traffic Impact Assessment prepared by Bitzios Consulting	17 March 2021	-
Child Care Centre – Plan of Management	24.06.2020	-
Environmental Wind Tunnel Study	June 2020	Rev v3.0
BASIX, Thermal Comfort and ESD Report prepared by Integreco	19.03.2021	Rev 3

The following amendments shall be made and submitted to Council for approval, prior to the issue of a relevant **Construction Certificate**:

- (a) **Adaptable Units and Car Parking Spaces.** A total of 21 adaptable units, each with an allocated disabled parking space, are to be provided within the development.
- (b) **Planting Plans.** Detailed Landscape Plans incorporating the proposed planting arrangements for all areas within the site boundaries including the outdoor play space of the proposed child care centre are to be prepared and submitted to Council for approval prior to issue of a relevant Construction Certificate. A minimum of thirty four (34) trees are to be provided on the site. These trees are to be from the planting schedule from the Landscape Report dated 4 February 2021. The Planting Plans are to be prepared by a suitably qualified Landscape Architect in accordance with accepted industry standards for landscape documentation.
- (c) **Levels & Grading Plan – Child Care Outdoor Play Area.** A Levels and Grading Plan detailing all level arrangements within the outdoor play space of the child care centre is to be prepared and submitted to Council for approval prior to issue of a Construction Certificate for the child care centre. The Levels and Grading Plan are to be prepared by a suitably qualified Landscape Architect in accordance with accepted industry standards for landscape documentation.
- (d) **External Storage for Child Care Centre.** A minimum of 20.7m<sup>3</sup> of external storage is to be provided within the outdoor play area in accordance with the requirements of the Child Care Planning Guidelines.

- (e) **Internal Storage for Child Care Centre.** A minimum of 0.2m<sup>3</sup> internal storage area is to be proposed per child within the indoor areas of the child care centre in accordance with the requirements of the Child Care Planning Guidelines.
- (f) **Child Care Centre Fitout.** The detailed fitout of the child care centre is to be undertaken in accordance with the Child Care General Arrangement Plan, Drawing No. A001, Revision P2, dated 23.06.2020 and prepared by Inview Design Pty Ltd.

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

## **Tree Management**

2. The removal of Tree 11 (*Lophostemon confertus*) located in the road reserve and protection of existing trees is subject to the following:
  - (a) City of Ryde Councils Tree Management technical manual and the Australian Standard AS4970 Protection of trees on development sites.
  - (b) All work undertaken within or above a Tree Protection Zone shall be supervised by the Project Arborist.
  - (c) That all relevant legislation and WHS regulations be adhered to whilst undertaking these works.
  - (d) That a bond be placed upon the trees 15, 16 17, 36, 38, 39 to be retained and six (6) trees to be replanted to the value of \$3000 each.
  - (e) That the bond of \$18,000.00 in total be paid to Council prior to the issue of the Construction Certificate.
  - (f) That the bond be redeemable no sooner than 12 months after the Occupation Certificate has been issued.
  - (g) That Councils Tree Management Officer inspects the tree prior to the bond being released.
  - (h) That the tree shall be in good health and vigour upon inspection.
  - (i) That if the tree is found to be in poor condition or vigour the bond shall not be released.
  - (j) That the planting of 3 brush box (*Lophostemon confertus*) in the road reserve, form part of the public domain works.
  - (k) That the pot size of the replacement trees shall be no less than 200lt at the time of planting.
  - (l) That the trees be planted in accordance with Section 6 of Councils Tree Management Technical Manual.
  - (m) That the trees be planted in an appropriate location so to not impede line of sight for vehicles entering and exiting the driveway at this or neighbouring properties.
  - (n) That the Landscape Plan be amended to show the location of the trees within Councils road reserve.
3. **Preservation of Parking Restrictions.** The development consent is approved on the premise that the parking and servicing demands of the development can be contained wholly in the confines of the site or occasionally in the available publicly available parking surrounding the development. Accordingly, any

changes sought to the parking restrictions surrounding the property so as to accommodate the parking and servicing demands of the development will not be permitted.

4. **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.
5. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 978583M\_05, dated 19 March 2021.
6. **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.
7. **Signage – Not Approved Unless Shown on Plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

#### **Protection of Adjoining and Public Land**

8. **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.
9. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
10. **Illumination of Public Place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
11. **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.
12. **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.

## Swimming Pools/Spas

13. **Pool Filter – Noise.** The pool/spa pump/filter must be enclosed in a suitable ventilated acoustic enclosure to ensure the noise emitted therefrom does not exceed 5dB(A) above the background noise level when measured at any affected residence.
14. **Depth Markers.** Water depth markers are to be displayed at a prominent position within and at each end of the swimming pool.
15. **Wastewater Discharge.** The spa/pool shall be connected to the Sydney Water sewer for discharge of wastewater.
16. **Resuscitation Chart.** A resuscitation chart containing warning “YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL” must be provided in the immediate vicinity of the pool area so as to be visible from all areas of the pool.

## Stormwater

17. **Stormwater Disposal.** Stormwater runoff from all impervious areas of the site is to be collected and piped to the existing or new underground stormwater drainage system in accordance with Council's DCP 2014, Part 8.2 "Stormwater and Floodplain Management".

## General Engineering Conditions

18. **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.
19. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.
20. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (*Public Civil Works*), to the satisfaction of Council.
21. **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.

## Water NSW General Terms of Approval

22. The development must be carried out in accordance with the General Terms of Approval issued by Water NSW dated 29 September 2020 (Reference No. IDAS1127241). An application must be made to Water NSW for the relevant approval under the *Water Management Act 2000* before the commencement of any work or activity.

**Note:** The General Terms of Approval by Water NSW is attached to this consent.

## 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.

23. **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:

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$838,105.49
Open Space & Recreation Facilities	\$1,617,695.04
Roads & Traffic Management Facilities	\$120,356.34
Plan Administration	\$38,642.67
<b>The total contribution is</b>	<b>\$2,614,799.54</b>

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>.

24. **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 relevant **Construction Certificate**.
25. **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 issue of the first **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
26. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the issue of the first **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
27. **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 first **Construction Certificate**.
28. **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 Prevention Through Environmental Design Assessment prepared by APP Corporation Pty Ltd dated June 2020. The operation and maintenance of the CCTV system is to be in accordance with Conditions 177-182.
29. **Driveway Access Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of the relevant **Construction Certificate**.

30. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the issue of the relevant **Construction Certificate**.
31. **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 the relevant Construction Certificate:

- (a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances (aside from the point of non-compliance providing 4.4m of clearance when 4.5m is stipulated) complying with AS 2890.1 and AS 2890.2 as applicable 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 the relevant AS 2890 for the respective type of vehicle.
- (b) Further to the above, the height clearance at any overhead sections which intrude into the required 4.5m height clearance (but no less than 4.4m as approved) must be clearly notated on all construction certificate plans related to the structural design of components and services. This is to ensure that the degree of height clearance be maximised and there being no further encroachment into the area which is already compromised.
- (c) A height clearance warning is to be implemented at the entrance to the facility so as to warn the potential for heavy vehicle drivers entering the facility.
- (d) To facilitate efficient vehicle access for the childcare traffic into the basement garage, the entry gates are to remain open in the peak periods of parent pickup and dropoff. To maintain security to lower parking levels (residents) a security gate or boom gate is to be installed at the crest of the internal ramp descending down from the Lower Ground garage level.
- (e) To minimise the potential for traffic conflicts between childcare pickup-dropoff traffic movements and service times, an illuminated sign is to be installed in the Lower Ground parking level at the entry to the ascending ramp, advising motorists departing the level of the service bay being occupied and to drive with care when ascending. The sign is to trigger



upon a service vehicle entering the site (say, any vehicle greater than 2.5m in height) and is turn off when the service vehicle

- (f) To prevent any conflicting traffic flow on the basement ramp between lower ground level and the entry at grade (due to the inadequate sight distance imposed by the non-compliant inside radius of the curved ramp), the traffic lanes must be clearly delineated and separated by linemarking and raised pavement markers.
- (g) The internal basement garage ramp from Lower Ground and below has insufficient internal radius on the curved sections of the ramp. To better accommodate the turning path vehicles ascending the ramp, a single curve (estimated radius of 3.5m) is to be implemented on the inside portion of the curve.
- (h) Further to the point (e) above, the internal structure is to have breaks or an opening which would enable drivers to have some sight distance through to approaching traffic.
- (i) Parking allocation within the basement car park levels are to comprise a maximum of 170 residential car parking spaces, a maximum of 21 visitor spaces with a minimum 7 visitor spaces, a minimum 4 car share spaces, 17 child care centre spaces and 1 car wash bay.

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

- 32. **Vehicular Entry.** The vehicular entries are to have high quality finishes and detailing to the walls and ceiling. Service ducts or pipes are to be covered and not visible from any public domain. Details demonstrating compliance is to be submitted on the relevant Construction Certificate plans.
- 33. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to [www.sydneywater.com.au/tapin](http://www.sydneywater.com.au/tapin) to apply.
- 34. **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 relevant plans for Construction Certificate.
- 35. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the reserve adjoining the property

generally in accordance with the plans by at&I Civil Engineers and Project Managers (Refer to Project No. 16-428 Dwgs (20-727-) DA001, DA002, DA005, DA010, DA013, DA015, DA016, DA050 & DA060 Rev B dated 23 October 2020) subject to any variations marked in red on the approved plans or noted following:

- The rainwater tank makes no provision for a defined failure mode, which would direct any surcharge stormwater away from the development (to the creek) in the event that the rainwater tank is subject to blockage downstream. To address the rainwater tank must incorporate at least two weirs or grated openings facing an external area in which water could flow should the tank be subject to blockage.
- 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 the relevant 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.

36. **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 issue of the relevant Construction Certificate for construction of the basement level.

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

39. **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 and is to be generally in accordance with the plan by at&I Civil Engineers and Project Managers (Refer to Project No. 16-428 Dwgs (20-727-) DA090 & DA091 Rev B dated 23 October 2020). The ESCP must be in accordance with the manual *“Managing Urban Stormwater: Soils and Construction”* by NSW Department – Office of Environment and Heritage and must contain the following information;
- Existing and final contours
  - The location of all earthworks, including roads, areas of cut and fill
  - Location of all impervious areas
  - Location and design criteria of erosion and sediment control structures,
  - Location and description of existing vegetation
  - Site access point/s and means of limiting material leaving the site
  - Location of proposed vegetated buffer strips
  - Location of critical areas (drainage lines, water bodies and unstable slopes)
  - Location of stockpiles
  - Means of diversion of uncontaminated upper catchment around disturbed areas
  - Procedures for maintenance of erosion and sediment controls
  - Details for any staging of works
  - Details and procedures for dust control.

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

40. **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.

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

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no conflicts with the proposed street lights, utilities and driveway accesses. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.
- (c) All telecommunication and utility services are to be placed underground along the Cottonwood Crescent frontages. 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.
- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category V5 and pedestrian luminance category P2 along Cottonwood Crescent.

Subject to design, it is expected that three (3) new street lights on multi-function poles (MFP's) will be required along the Cottonwood Crescent frontage of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park. 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.

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

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

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, existing and proposed signage and line-marking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed road works with 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 half road width for the Cottonwood Crescent frontage 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.
- (c) The construction of new kerb and gutter along the Cottonwood Crescent frontage of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter.
- (d) Construction of granite footway from the boundary line to the outside edge of the existing concrete footpath along the Cottonwood Crescent frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park.

**NOTE:** A root mapping report for all street trees designated to be retained must be provided to Council to support the granite footway width, alignment and slab depth as specified with the public domain design plans. Any excavation within the Tree Protection Zone specified for all street trees must be carried out under the supervision of the Project Arborist and in accordance with their recommendations.

- (e) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (f) All works required to upgrade the riparian corridor extending between Shrimptons Creek and the site boundary, in accordance with Part 4.2 of Macquarie Park Public Domain Technical Manual.
- (g) Signage and line-marking details.
- (h) Staging of the public civil works, if any, and transitions between the stages.

- (i) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the 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.
43. **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 relevant 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 relevant Construction Certificate.

44. **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 **\$80,000** 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.
45. **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 issue of the relevant **Construction Certificate**.
46. **Pool Fencing.** The pool fence is to be erected in accordance with the approved plans and conform with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*. Details of compliance are to be reflected on the plans submitted with the relevant **Construction Certificate**.
47. **Fibre-ready Facilities and Telecommunications Infrastructure.** Prior to the issue of the relevant Construction Certificate satisfactory evidence is to be provided to the Certifying Authority that arrangements have been made for:
  - (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

  - (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate



development project demonstrated through an agreement with a carrier.

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

48. **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*.
49. **Crime Prevention Through Environmental Design.** The recommendations made in the Crime Prevention through Environmental Design (CPTED) Assessment Report prepared by APP Corporation Pty Ltd, dated June 2020, are to be incorporated into the development. Details of compliance are to be submitted with the plans for the relevant **Construction Certificate**.
50. **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).
51. **Acoustic Requirements.** The recommendations contained in the Acoustic Reports prepared by Acoustic Logic dated 30 June 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. Prior to the occupation of the development, a suitably qualified acoustic consultant is to verify that the development complies with these recommendations in the above report.
52. **Wind.** The development is to comply with all recommendations of the SLR Wind Tunnel Testing Report dated June 2020 – Ref: 610.19341-R01, v3.0. Details are to be submitted on the relevant **Construction Certificate** plans.
53. **Energy Efficiency.** The development is to comply with all recommendations of the BASIX, Thermal Comfort and ESD Report prepared by Integreco, dated 19 March 2021, Project No. 220-N111, Revision 3. Details are to be submitted on the relevant Construction Certificate plans.
54. **Public Arts Plan.** A Public Art Plan is to be provided as part of the proposed development in accordance with Council's Public Art Policy. A Public Arts Plan is to be submitted for approval by Council prior to the issue of the relevant **Construction Certificate**.

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

- Identify opportunities for the integration of public art in the proposed development;
- Identify themes for public art consistent with Part 4.2 of DCP2014 & options considered;
- Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area;
- The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate;
- The proposal should provide engineer's drawings and demonstrate:
  - (a) Australian building standards requirements and codes for the structural design;
  - (b) Sound practices for fabrication and construction, and materials appropriate for application;
  - (c) Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.

55. **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**.
56. **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.
57. **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**.
58. **Lifts.** Lifts are to achieve the lift assessment criteria for handling capacity and wait time as outlined in the lift assessment prepared by KONE dated 5.6.19. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the relevant **Construction Certificate** relating to the lifts and lift cores.
59. **Lighting of Common Area.** A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers lighting for:

- internal driveways,
- visitor parking areas
- around the building entrances and communal areas
- the Cottonwood Crescent 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**.

60. **Adaptable Units.** A total of 21 adaptable apartments, each with an allocated disabled parking space, are to be provided within the development. These apartments are to comply with all of the requirements as outlined in AS4299. Details demonstrating compliance is to be provided on the relevant **Construction Certificate** plans. Prior to the issue of the Construction, a suitably qualified access consultant is to certify that the development achieves the requirements of AS4299.

## **Food Premises**

61. **Construction and Fit-Out of Food Premises in Respect of the Child Care Centre.** All proposed food premises (other than retail meat premises) must be constructed and fitted-out in accordance with the requirements of:
- (a) Food Safety Standard 3.2.3: *Food Premises and Equipment*; and
  - (b) Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*.

## **Mechanical Ventilation**

62. **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.
63. **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.

64. **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.

### **Waste Storage and Handling Facilities**

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

## **Waste Storage and Handling Facilities**

67. **Garbage Storage Details.** Details of the proposed garbage room or storage area must be submitted for approval with the application for the relevant Construction Certificate. Such details must include:
- (a) All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.
    - 1100L Bins – width 1.4m, depth 1.1m, height 1.4m
    - 660L Bins – width 1.3m, depth 0.8m, height 1.3m
    - 240L Bins – width 600mm, depth 800mm, height 1100mm
  - (b) The specifications and layout of all proposed waste storage and handling equipment;
  - (c) Access to the hard waste area must be provided for collection contractors. Suitable details must be clearly shown on relevant plans prior to the issue of the relevant Construction Certificate; and
  - (d) The access to the collection point.
68. **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 Council's 10.8m long waste vehicle, as a minimum requirement.

Plans showing the ramp grades, transitions and height clearance and swept path diagrams of Council's 10.8m long waste vehicle shall be submitted to and approved by Council's Transport Department 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.

69. **Loading Dock Management Plan and Waste Management Plan.**
- (a) The Loading Dock Management Plan and Waste Management Plan shall be updated to clarify that waste collection cannot be restricted to be scheduled outside of peak hours and that the building manager is required to manage access to the loading dock ensuring that access to the Waste Contractor is available when required.
  - (b) Any changes to the Waste Management Plan dated 1 June 2020 or Drawing No. AD-DA4103 Rev 15 have to be approved by Council's Waste Department prior to the issue of a Construction Certificate to ensure the waste collection is not affected.

## **Swimming Pools and Spa Pools**

70. **Pool Plant Details.** Details of the proposed pool plant must be submitted for approval with the application for the relevant Construction Certificate. Such details must include a design certificate from a suitably qualified person certifying that the design of the pool plant complies with the conditions of this Consent.

71. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a Transport for NSW' (TfNSW) accredited person and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

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

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*.

## **PRIOR TO COMMENCEMENT OF CONSTRUCTION**

Prior to the commencement of any 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.

### **72. 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.

**73. Contaminated Land – Child Care Centre.** Prior to commencement of construction works, a validation report shall be prepared by a suitably qualified and experienced contamination consultant and submitted to Council verifying the soils in the outdoor play area of the child care centre are suitable and consistent with the Detailed Site Investigation Report prepared by JBS&G.

**74. Waste Management Plan.** An amended Waste Management Plan is required to be submitted for the approval of Council's Waste Management Team demonstrating compliance with the requirements of Section 7.2 of the Ryde Development Control Plan 2014 including:

- (a) The new plan must include the types and estimated volumes of waste materials that will be generated; the proposed method of reuse, recycling or disposal; and the name and address of the recycling facility or landfill site if the waste is to be recycled or disposed of off site. Reuse and recycling must be maximised
- (b) Detailed management provisions for the storage and movement of residential bulky waste from the bulky waste storage room to the loading dock for collection. Council's waste collection staff are not responsible for the transfer of residential bulky waste from the storage room to the collection point adjacent to the loading dock.
- (c) The child care centre must include the use of a small rigid vehicle for collection of the bins and the bins are to be appropriately sized.

75. **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.

76. **Construction Staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.

77. **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.

78. **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.

79. **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.
80. **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.

**NOTE:** The scope of the pre-construction dilapidation report must incorporate all fixtures and features within Wilga Park, Quandong Reserve, Cottonwood Reserve and riparian corridor between the site boundary and Shrimptons Creek.

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.

81. **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.

- (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.

82. **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.

83. **Ryde Traffic Committee Approval.** If there are any change to the existing traffic and parking conditions, 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.

84. **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.
85. **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.).

## 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.

86. **Project Arborist.** All tree removal work is to be carried out in accordance *Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal (2016)* and undertaken by an Arborist with minimum AQF Level 3 qualifications.
87. **Hold Points and Certification.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre-construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to Ryde City Council on completion of the project.

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint on trunks) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2	Establishment of tree protection fencing	Principal Contractor	Project Arborist	Prior to demolition and site establishment
4	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

88. **Tree Protection – No Unauthorised Removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.
89. **Tree Protection – During Construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
90. **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.
91. **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 - 2019 and Part 8.1 of *City of Ryde Development Control Plan 2014: Construction Activities*.
92. **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*.
93. **Noise from Construction and Demolition Work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from demolition and construction work.
94. **Sediment/Dust Control.** No sediment, dust, soil or similar material shall leave the site during construction work.
95. **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.

96. **Construction Materials.** All materials associated with construction must be retained within the site.
97. **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.
98. **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.
99. **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.
100. **Land Boundary / Cadastral Survey.** If any design work is planned which relies on critical setbacks from land boundaries and further subdivisions of the land, it is a requirement that a land boundary / cadastral survey be undertaken **prior to design being finalised** & prior to the commencement of any works on site. The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any works on site.
101. **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.
102. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by at&I Civil Engineers and Project Managers (Refer to Project No. 16-428 Dwgs (20-727-) DA001, DA002, DA005, DA010, DA013, DA015, DA016, DA050 & DA060 Rev B dated 23 October 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.
103. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the

Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

104. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the relevant 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.
105. **Work within Public Road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
106. **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) 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.
107. **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.

## **Contaminated Land**

108. **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.

## **Waste Management**

109. **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.

The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken.

110. **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.
111. **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.
112. **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.
113. **Surplus Excavated Material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site

## **Imported Fill**

114. **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.

## Noise Pollution

115. **Noise Control Measures.** All noise and vibration control measures nominated in the acoustical consultant's report prepared by Acoustic Logic, 2-10 Cottonwood Crescent, Macquarie Park Development Application Acoustic Assessment, Revision 2 dated 30/6/2020 and any related project documentation must be implemented.

## Food Premises

116. **Certification of Fit-Out Work for the Child Care Centre.** 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.

## Registration and Licensing Requirements

117. **Registration of Premises.** The operator of the child care centre must register the premises with Council's Environmental Health Unit before trading commences.

## 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.

118. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 978583M\_05, dated 19 March 2021.
119. **Landscaping.** All landscaping works approved by Condition 1 are to be completed prior to the issue of any **Occupation Certificate**.



120. **Tree Protection Fencing.** That the owner of the property water and maintain the trees for first 12 months after issue of the Occupation Certificate be enclosed by a 1.8m high fully supported chainmesh protective fencing. The fencing shall be secure and fastened to prevent movement. The fencing shall have a lockable opening for access. Roots greater than 40mm in diameter shall not be pruned, damaged or destroyed during the installation or maintenance of the fencing. The fencing shall not be moved, altered or removed without the approval of the Project Arborist.

121. **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.

122. **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**.

123. **Compliance Report.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria including compliance with the recommendations contained in the Acoustic Report (Revision 2) prepared by Acoustic Logic dated 30 June 2020 must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the issue of an **Occupation Certificate**.

124. **Design Verification.** Prior to an **Occupation Certificate** being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Schedule 1 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.

125. **Car Share Provider.** The proponent shall demonstrate that an agreement with a car-share operator for the provision of the car share vehicles to be located within designated car share parking bays is executed prior to the issue of an Occupation Certificate. These car share parking spaces are to be designated for use only by car share vehicles by signage, and shall be retained in perpetuity and shall not be reallocated to an alternative use.
126. **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](http://www.sydneywater.com.au/section73) or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
127. **Wind Impact.** A report from a qualified wind consultant demonstrating compliance with the Environmental Wind Tunnel Study prepared by SLR dated June 2020, must be submitted to the Principal Certifying Authority prior to the issue of any **Occupation Certificate**.
128. **Public Art Plan.** Prior to the issue of any **Occupation Certificate**, the approved works contained in the Public Art Plan approved by Condition 54 shall be implemented.
129. **Emergency Evacuation Plan for the Child Care Centre.** An Emergency Evacuation Plan must be prepared in accordance with the requirements under Regulations 97 and 168 of the *Education and care Services National Regulations* and submitted to the Principal Certifying Authority prior to the issue of any **Occupation Certificate** for the Child Care Centre.
130. **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.
131. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
132. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the pump/ sump and WSUD components incorporated in the approved Stormwater

Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard 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 issue of any Occupation Certificate for development works for which the system(s) serve.

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

The DSMP must contain the following:

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

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

134. **Restriction as to User - Floodway.** A restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in the 100ARI, such to adversely impact flood protection of the approved dwelling or have an adverse impact on neighbouring properties. The terms of the restriction shall be generally in accordance with Council's current standard terms for

provision for overland flow and to the satisfaction of Council. To assure Council the completed development works are consistent with the approved development and associated flood conditions, Works-As-Executed plans and/or engineering certification related to any flood mitigation measures are to be submitted to Council with a completed "*Application Form for Endorsement of Title Encumbrances*" (available from Council's website). The covenant must be registered on the title prior to the issue of any Occupation Certificate for the development works.

**135. Waste Collection Access.**

- (a) An authorised Council traffic engineer or waste officer is to ensure that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the Occupation Certificate.
- (b) 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.
- (c) 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.

**136. Waste Equipment and Infrastructure Inspection.** Council's Waste and Resource Recovery Department will conduct a site inspection to review all equipment and infrastructure and organise for the supplier of the required bins prior to the issue of the Occupation Certificate.

**137. 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 so as 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 issue of any Occupation Certificate for the development works.

**138. 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 issue 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) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of any conditions related to flood protection and mitigation have been satisfied.
- (c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- (d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- (e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- (f) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- (g) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- (h) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- (i) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- (j) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

139. **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.
140. **Signage and Linemarking - Internal.** A plan demonstrating the proposed signage and line marking within the basement car park levels and loading dock area shall be prepared by a suitably qualified person and submitted to and approved by the Principal Certifying Authority prior to the issue of any Occupation Certification. "TRUCKS (CROSSING OR ENTERING)" sign(s) and convex mirror(s) shall shown at appropriate locations in the signage and linemarking plan and installed at appropriate location(s) to alert drivers exiting the property.
141. **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.

142. **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.
143. **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.
144. **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.

145. **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.
146. **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.
147. **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.
148. **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.

149. **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.
150. **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.

NOTE: The scope of the pre-construction dilapidation report must incorporate all fixtures and features within Wilga Park, Quandong Reserve, Cottonwood Reserve and riparian corridor between the site boundary and Shrimptons Creek.

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.

151. **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.
152. **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.

153. **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.

154. **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.
155. **Swimming Pool Register.** Legislation requires all swimming pools to be registered online at: <http://www.swimmingpoolregister.nsw.gov.au/>. Documentary evidence confirming that the swimming pool has been registered must be submitted to the Principal Certifying Authority prior to the issuing of any **Occupation Certificate**.
156. **Operational Traffic and Parking Management Plan.** An operational traffic and parking management plan (OTMP) is required to be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the issue of an Occupation Certificate. The plan will need to provide details of how safety and efficiency of the childcare pick-up/drop off traffic will be managed, ensuring that the impact on the surrounding public roads (including on-street parking) is minimised.
157. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how the internal loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.
158. **Framework Travel Plan.** A finalised Framework Travel Plan (FTP) is to be submitted to Council prior to the issue of any Occupation Certificate. The FTP must:
  - (a) Adopt strategies and procedures to meet a 40% public transport/60% private transport target for the development for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor.

- (b) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the 40% public transport/60% private transport target for the development for the journey-to-work.
- (c) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-site-links where required.
- (d) Provide, to Council satisfaction, supportive infrastructure for:
  - Public transport passengers (bus shelters and passenger waiting areas) to be provided where a new public bus stop or service is required to service the additional demand from the development or meet relevant mode share targets for the development.
  - Taxi drop-off areas or parking (as appropriate) and carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development.
- (e) Walking and cycling (lockers and end-of-trip facilities).

## 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.

159. **Child Care Centre Capacity.** The child care centre is permitted a maximum capacity of 69 children and 15 employees.
160. **Child Care Centre - Hours of Operation.** The hours of operation for the child care centre are to be restricted to between 7.00am and 7.00pm, Monday to Friday, inclusive.
161. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the parking allocation as follows:
- A maximum of 170 residential spaces comprised of 20 adaptable (disabled compliant) parking spaces,
  - A maximum of 21 visitor spaces, with a minimum 7 visitor spaces
  - A minimum of 17 child care spaces (9 spaces for pick up/drop off and 8 spaces for staff)
  - A minimum 4 car-share spaces,
  - A minimum 18 bicycle parking spaces
  - 17 child care centre spaces (including 1 accessible space)
  - 1 car wash bay
- To ensure that an appropriate quantity of visitor parking spaces is provided, the development is to permit the use of child care spaces for visitor parking outside the operating hours of the child care centre.
162. **Car Share Parking.** To maintain, facilitate and encourage the use of the car share scheme implemented in the development, the following requirements are to be maintained for the ongoing serviceable life of the development:

- All car share spaces must be publicly accessible 7 days of the week, 24 hours of the day.
  - Carshare parking spaces must be clearly designated and linemarked in the development.
  - Must be retained as Common Property by any future strata subdivision of the development lot.
163. **Carwash Bay.** The floor of the carwash bay must be graded and drained to a grated drain or collection sump located within the wash bay and drained to the sewerage system in accordance with the requirements of Sydney Water Corporation. If necessary, the sides of the carwash bay must be enclosed to prevent splash contamination of the surrounding area.  
Any uncontaminated stormwater must be directed away from the carwash bay and discharged to Council's stormwater drainage system.
164. **Signage and Linemarking (Internal) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Principal Certifying Authority. These works are to be undertaken prior to the issue of any Occupation Certificate.
165. **Permit Parking Scheme.** Future patrons, clients, occupants of the development are prohibited to participate, utilise or benefit from any future parking scheme in the area (whether it warrants the display of a permit or otherwise), in which the parking permit scheme exempts or relaxes parking restrictions for residents in the surrounding community.
166. **Use of Lift.** The movement of goods shall be restricted to off-peak periods to limit the impact to the peak period lift service capacity.
167. **Communal Spaces.** The indoor and outdoor communal spaces of the development are not to be used for commercial purposes including:
- Swimming pool, gymnasium, sauna and spa at the lower ground floor level;
  - Communal open space at ground level, Level 7, 10 and 12;
  - These areas must not have any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places.
168. **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) is not permitted.
169. **Implementation of Operational Traffic and Parking Management Plan.** All traffic associated with the childcare component of the site is to be managed in accordance with the approved Operational Traffic and Parking Management Plan.

170. **Residential Waste Collection.** Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.
171. **Waste and Recycling Signage.** Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.
172. **Bulky Waste Management.**
- (a) Residents will not have direct access to the bulky waste room, with all bulky goods disposal being through prior coordination with the building manager.
  - (b) The bulky waste collection room is located on the opposite side of the driveway to the loading dock. The Building Manager will be responsible for ensuring that the bulky waste can be loaded into the collection truck without impediment of cars entering and exiting the building.
173. **Bin Decanter.** A Bin Decanter will be provided for the 240L recycle bins to be decanted into 660L bins for collection.
174. **Waste Collection Vehicle Access to Loading Dock.** Waste collection vehicles are required to reverse into the loading dock from the end of the driveway and is likely to conflict with vehicles entering and exiting the basement carpark. In this regard, traffic signal or mirrors must be provided to ensure the waste collection vehicles can safely reverse into the loading dock.
175. **Child Care Centre – Open Access During Peak Collection Periods.** To ensure vehicle movements associated with the childcare centre are undertaken efficiently and without impact on the public roadway, the main entry gate to the parking area must remain open for free and unrestricted access to the parking area during peak collection periods. These hours being between 7:00am and 9:00am and 2:30pm to 4:30pm.

## **Noise Pollution**

176. **Compliance report.** A report from a qualified acoustical consultant demonstrating compliance with the noise and vibration criteria specified in this consent must be submitted to Council within thirty (30) days of completion and commissioning of the plant and equipment.

## **CCTV Cameras**

177. Installation and maintenance of surveillance cameras and recorders to monitor and record all entrance and exit points to the building. 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.

178. 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.
179. 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.
180. If requested by police, recordings are to be archived until such time as they are no longer required.
181. 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.
182. 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.
183. **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*.
184. **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.
185. **Waste storage/disposal – Method.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
186. **Waste Storage/Disposal – Containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
187. **Waste Storage/Disposal – Recycling.** Wastes for recycling should be the stored in separate bins or containers and transported to a facility where the wastes will be recycled or re-used.
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 from Cottonwood Crescent.

190. **Loading Areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.
191. **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).

## Noise Pollution

192. **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*.
193. **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.

## ADVISORY NOTES

### Health Inspection Services

194. **Inspections and Fees.** Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.
- The approved fees are contained in Council's Management Plan and may be viewed or downloaded at [www.ryde.nsw.gov.au](http://www.ryde.nsw.gov.au).
195. **Pool Fencing.** The pool fence is to be maintained in accordance with the provisions of the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2018*.