PROPOSED CONDITIONS OF CONSENT

Development Description:

Demolition of the existing structures and construction of a 15 storey student accommodation facility (boarding house) comprising 488 beds, communal recreation rooms and facilities, basement parking and loading facilities and landscaping at Nos. 23-25 Lachlan Avenue, Macquarie Park.

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
Plans		
Cover Sheet	14.04.2022	TP00.00 Revision D
Development Summary	14.04.2022	TP00.01 Revision D
Demolition Plan	24.08.2021	TP00.03 Revision B
Tree Management Plan	24.08.2021	TP00.04 Revision B
Proposed Site Plan	24.08.2021	TP00.06 Revision B
Basement 2	14.04.2022	TP01.00 Revision B
Basement 1	14.04.2022	TP01.01 Revision C
Basement 1 Mezzanine	14.04.2022	TP01.02 Revision D
Ground	14.04.2022	TP01.03 Revision D
Ground Mezzanine	14.04.2022	TP01.04 Revision D
Levels 1-5	04.05.2022	TP01.05 Revision D
Levels 6-12 (as amended in red)	04.05.2022	TP01.09 Revision B
Level 13 (as amended in red)	04.05.2022	TP01.16 Revision D
Level 14	04.05.2022	TP01.17 Revision D
Roof Plan	14.04.2022	TP01.18 Revision C
Elevations 01	14.04.2022	TP02.01 Revision C
Elevations 02 (as amended in red)	14.04.2022	TP02.02 Revision D
Sections	14.04.2022	TP03.01 Revision D
Car Park Ramp Sections	14.04.2022	TP03.05 Revision C
GFA Plans	14.04.2022	TP05.01 Revision D
Landscape & Deep Soil	14.04.2022	TP06.05 Revision D
Exterior Finishes	09.04.2021	TP11.01 Revision A
Single Studio Type 01	14.04.2022	TP13.01 Revision B
Single Studio Type 02	14.04.2022	TP13.02 Revision A
2 Bed Apartment DDA	14.04.2022	TP13.04 Revision B
4 Bed Apartment Type 01	14.04.2022	TP13.05 Revision B
5 Bed Apartment Type 01	14.04.2022	TP13.06 Revision B
5 Bed Apartment Type 02	14.04.2022	TP13.07 Revision B
6 Bed Apartment Type 01	14.04.2022	TP13.08 Revision B
6 Bed Apartment Type 02	14.04.2022	TP13.09 Revision B
Landscape Contents Plan	04.04.2022	Issue D
Landscape Master Plan (as	04.04.2022	5, Issue D
amended in red)		

Landscape Zones	04.04.2022	6, Issue D
Planting on Structure	04.04.2022	7, Issue D
Detail Plan / North Eastern	04.04.2022	8, Issue D
Interface (as amended in red)		
Landscape Section A	04.04.2022	9, Issue D
Detail Plan / Rear Courtyard 1 of 2	04.04.2022	10, Issue D
Detail Plan / Rear Courtyard 2 of 2	04.04.2022	11, Issue D
Landscape Section B	04.04.2022	12. Issue D
Landscape Section C	04.04.2022	13. Issue D
Material and Finishes Palette	04.04.2022	14. Issue D
Furniture and Lighting Palette	04.04.2022	15. Issue D
Indicative Planting Palette	04.04.2022	16. Issue D
Levels Plan	04.04.2022	201. Issue D
Planting Schedule	04.04.2022	400. Issue D
Planting Plan	04.04.2022	401. Issue D
Landscape Hardworks Details	04.04.2022	701, Issue D
Landscape Softworks Details	04.04.2022	710, Issue D
Landscape Specification	04.04.2022	800 Issue D
Cover Sheet Drawing Registry &	-	45428 CI-000-N01 Revision C
Locality Plan		
General Notes	23 04 2021	CI-007-001 Revision B
Sediment and Erosion Plan	23.04.2021	CI-070-001 Revision B
Sediment and Erosion Details	23.04.2021	CI-076-001 Revision B
Stormwater Drainage Ground Plan	13 04 2022	CI-520-001 Revision E
Stormwater Drainage Mezzanine	12 04 2022	CI-520-001 Revision E
Plan	12.04.2022	CI-320-002 Revision E
Stormwater Details	23.04.2021	CI-526-001 Sheet 01 Revision B
Stormwater Details Sheet	23 04 2021	CI-526-002 Shoot 02 Povision B
	20.07.2021	
Reports:	20.04.2021	
Reports: Operational Management Plan	April 2022	Version 3
Reports: Operational Management Plan prepared by Barcam	April 2022	Version 3
Reports: Operational Management Plan prepared by Barcam Crime Prevention Through	April 2022	Version 3
Reports: Operational Management Plan prepared by Barcam Crime Prevention Through Environmental Design Assessment	April 2022 07.04.2021	Version 3 Version 3
Reports: Operational Management Plan prepared by Barcam Crime Prevention Through Environmental Design Assessment prepared by Elton Consulting	April 2022 07.04.2021	Version 3 Version 3
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management	April 2022 07.04.2021 07.04.2021	Version 3 Version 3 Rev B
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by Baracon	April 2022 07.04.2021 07.04.2021	Version 3 Version 3 Rev B
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton Consulting Demolition Traffic Management Plan prepared by Baracon Safety & Environmental Work	April 2022 07.04.2021 07.04.2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition –	April 2022 07.04.2021 07.04.2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by	April 2022 07.04.2021 07.04.2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by Baracon	April 2022 07.04.2021 07.04.2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work	April 2022 07.04.2021 07.04.2021 March 2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by Baracon	April 2022 07.04.2021 07.04.2021 March 2021 March 2021	Version 3 Version 3 Rev B Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by Baracon	April 2022 07.04.2021 07.04.2021 March 2021 March 2021	Version 3 Version 3 Rev B Version 1 Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021	Version 3 Version 3 Rev B Version 1 Version 1
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by Baracon Acoustic Report prepared by iAccess Consultants	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by iAccess Consultants Geotechnical Report prepared by	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by iAccess Consultants Geotechnical Report prepared by Douglas Partners	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by iAccess ConsultantsGeotechnical Report prepared by Douglas Partners Arboricultural Impact Report	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 -
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by IAccess ConsultantsGeotechnical Report prepared by Douglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 -
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by iAccess ConsultantsGeotechnical Report prepared by Douglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty Ltd	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 -
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by iAccess ConsultantsGeotechnical Report prepared by Douglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty LtdTree Pruning Schedule	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021 31.03.2022	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 -
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by Baccess ConsultantsGeotechnical Report prepared by Douglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty LtdTree Pruning Schedule Stormwater Management Report	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021 31.03.2022 13.04.2022	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 - Ref 45428-SWMP_006.
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by Baracon Acoustic Report prepared by Baracon Acoustic Report prepared by IAccess ConsultantsGeotechnical Report prepared by Douglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty LtdTree Pruning Schedule Stormwater Management Report prepared by Stantec	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021 31.03.2022 13.04.2022	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 - Ref 45428-SWMP_006.
Reports:Operational Management Plan prepared by BarcamCrime Prevention Through Environmental Design Assessment prepared by Elton ConsultingDemolition Traffic Management Plan prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Interior Strip Out, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconSafety & Environmental Work Method Statement, Demolition – Structural, prepared by BaraconAcoustic Report prepared by Bouglas PartnersArboricultural Impact Report prepared by Landscape Matrix Pty LtdTree Pruning Schedule Stormwater Management Report prepared by StantecWaste Management Plan prepared	April 2022 07.04.2021 07.04.2021 March 2021 March 2021 09.04.2021 07.04.2021 23.08.2021 31.03.2022 13.04.2022 23.08.2021	Version 3 Version 3 Rev B Version 1 Version 1 IAC-1390, Rev B 201492.00, R.001.Rev0 - Ref 45428-SWMP_006. 21016W R04

Traffic Impact Assessment prepared by The Transport	23.08.2021	19530 V03
Qualitative Wind Assessment	08.04.2021	15241
prepared by CPP		
Section J Report prepared by Stantec	29.03.2021	301345428
Regulatory Compliance Report prepared by McKenzie Group	01.0402021	Rev B
Public Art Report prepared by Polding Road Studio	April 2021	-

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

- (a) Drawing TP01.09 Levels 6-12 Plan and Drawing TP02.02 South Elevation Plan are to be amended to provide a highlight and opaque window to any bathrooms along the southern façade for light and ventilation where any such window is clear of riser services.
- (b) Drawing TP01.09 Levels 6-12 Plan, TP01.16 Level 13 Plan and Drawing TP02.02 South Elevation Plan are to be amended to provide all windows to bedrooms, kitchens, bathrooms and living rooms on Levels 6 to 13 of the southern façade which have a setback of 6.15m, and the living room windows at the south-eastern corner on Levels 6 to 12 are to be treated as opaque windows to a height of 1.8m above floor level.
- (c) Tree specimens chosen for planting within the North-Eastern interface are to be excluded from the proposed basement extents below and relocated into the adjacent area of deep soil zone.
- (d) The Communal Lounge shown on Drawing No. TP01.09 Levels 1-5 and Communal Kitchen/Dining Room shown in Drawing No. TP01.09 Levels 6-12 are to alternate for Levels 1 to 12.

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

(Reason: To ensure the development is carried out in accordance with the determination).

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.

(Reason: Statutory requirement).

3. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 1185952M_02 dated 29 June 2022.

(Reason: Statutory requirement).

- 4. **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.

(Reason: Statutory requirement).

5. **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.

As shown on the Elevation Plans only, this consent approves the signage zone/area only as shown on the Elevation Plans. Separate Development Application approval is required for the approval of the content of all signage.

Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".

(Reason: To ensure signage is not erected without prior development approval).

6. **Site Maintenance.** For the period the site remains vacant of any development the subject of this consent, the site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or become a repository for the leaving or dumping of waste.

(Reason: To protect the amenity of the locality).

7. **Safety and Security.** The recommendations from the CPTED report and Operational Management Plan are to be demonstrated in the design, construction and operation of the development.

(Reason: To protect the safety and security of occupants and the community).

8. **Subdivision of the site is not permitted.** The development site is not permitted to be strata/community title subdivided in accordance with Clause 52 No subdivision of boarding houses under State Environmental Planning Policy (Affordable Rental Housing) 2009.

(Reason: Statutory requirement).

Protection of Adjoining and Public Land

9. **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.

(Reason: To ensure reasonable standards of amenity for occupants of neighbouring properties).

10. 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.

(Reason: To ensure public safety).

11. **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.

(Reason: To ensure public safety).

12. **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.

(Reason: To ensure that development occurs within the site boundaries).

13. **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.

(Reason: to ensure public safety).

Works on Public Road

14. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 138 and 139 of the Roads Act 1993.

(Reason: To ensure compliance with the requirements of the Roads Act 1993).

Public Domain

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

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

(Reason: To verify that works are accurately sited within the land boundaries).

16. **Lighting treatment to the public pedestrian way.** The treatment of the public pedestrian way along the eastern boundary of the site is to be consistent with the Ryde DCP 2014 and Public Domain Technical Manual. Lighting along this section is to be consistent with the lighting within Elouera Reserve including pole colour and type and luminaire type.

(Reason: To verify that works are accurately sited within the land boundaries).

Traffic

17. **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.

(Reason: This condition is to ensure that appropriate measures/controls are in place to assist with the safety of all affected road users within the public domain when construction works are being undertaken.)

Development Engineering

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.

(Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.)

19. **Public Utilities and 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 utility and service provider (e.g. Telstra, Jemena, Energy Australia, Ausgrid, Sydney Water, TfNSW, Council, etc.,), with all costs associated with this alteration to be borne by the applicant.

(Reason: To ensure public services are maintained.)

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.

(Reason: To ensure the amenity and state of the public domain is maintained.)

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.

(Reason: To ensure the amenity and state of the public domain is maintained.)

Environmental Health

22. **Compliance with Acoustic Report.** All control measures nominated in the Acoustic Report No. 45428, dated 6 April 2021, prepared by Stantec Australia Pty Ltd must be implemented.

(Reason: To demonstrate compliance with submitted reports).

23. **Compliance with Plan of Management.** All control measures and procedures nominated in the Operational Management Plan prepared by Barcam and dated April 2022 shall be implemented.

(Reason: To ensure the appropriate use of the site).

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

(Reason: To prevent loss of amenity to the area and maintain appropriate amenity to nearby occupants).

25. **Construction Noise Management Plan (demolition & construction).** A construction noise management plan must be prepared by a suitably qualified and experienced noise expert in accordance with the noise management levels in EPA's Interim Construction Noise Guideline and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- a. hours of construction
- b. Identification of nearby residences and other sensitive land uses.
- c. Assessment of expected noise impacts.
- d. describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers
- e. include strategies that have been developed with the community for managing high noise generating works.
- f. Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.
- g. include a complaints management system that would be implemented for the duration of the construction
- h. include a program to monitor and report on the impacts and environmental performance of the development

(Reason: To prevent loss of amenity to the area and maintain appropriate amenity to nearby occupants).

- 26. **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.

(Reason: To ensure provision of adequate waste storage arrangements).

DEMOLITION CONDITIONS

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

A Construction Certificate is not required for Demolition.

- 27. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - (a) Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date
 - (b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.

(Reason: To ensure adequate details are provided to Council and properties in the immediate area of the proposed works).

28. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).

(Reason: Statutory requirement).

29. Excavation

- (a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
- (b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with Safework NSW in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

(Reason: to ensure work is completed in an appropriate manner).

30. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.

(Reason: Safety).

31. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

(Reason: Safety).

32. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

33. **Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

(Reason: To ensure demolition materials are disposed in an appropriate manner).

34. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.

(Reason: To protect the environment).

Traffic

35. **Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

Due to heavy traffic congestion within 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 Transport Department, prior to submission of the DPTMP.

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

The DPTMP must include but not limited to the following:

- i. Make provision for all construction materials to be stored on site and separate from waste materials, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include Traffic Control Plan(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the DPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard Manual of Uniform Traffic Control Devices (AS1742.3-2019),
 - TfNSW' Traffic Control at Work Sites technical manual; and
 - Part 8.1 of City of Ryde Development Control Plan 2014: Construction Activities.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during demolition works to minimise any inconvenience and safety risks to the public).

36. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be

maintained at all times and all traffic management control must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

(Reason: This condition is to ensure that the measures/protocols stated in the approved DPTMP are carried out by the builder when demolition works are being undertaken.)

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.

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

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$ 1,353,882.56
Open Space & Recreation Facilities	\$ 2,610,219.92
Roads & Traffic Management Facilities	\$ 185,022.52
Plan Administration	\$ 62,238.20
The total contribution is	\$ 4,211,363.20

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

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 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 <u>http://www.ryde.nsw.gov.au</u>.

(Reason: Statutory requirement).

38. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

40. **Security deposit.** The Council must be provided with security for the purposes of section 4.17 (6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate.** (category: other buildings with delivery of bricks or concrete or machine excavation)

(Reason: Statutory requirement).

41. **Infrastructure Restoration and Administration Fee** must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

42. **Driveway Access Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of the **Construction Certificate.**

(Reason: Statutory requirement).

43. Long Service Levy. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Certifying Authority prior to the issuing of the Construction Certificate.

(Reason: Statutory requirement).

44. Sydney Water – Building Plan Approval. The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.

(Reason: Statutory requirement).

45. **External Materials.** Building materials and finishes are to be finished with an anti-graffiti coating. Roofing and other external materials must be of low glare and reflectivity. The reflectivity of glass used in the external facades of the buildings is not to affect road traffic and must not cause discomfort through glare or intense heat to surrounding areas. Details of finished external surface materials, including colours and texture must be provided to the Certifying Authority prior to the release of the **Construction Certificate**.

(Reason: To ensure the use of appropriate external materials and minimise reflectivity).

46. **Illumination of signage.** The Construction Certificate documentation is required to demonstrate that the level of illumination of the internally lit signage will be set to local ambient conditions so as to avoid light spill, or glare.

(Reason: To ensure that the intensity of the illumination of the signage is appropriately managed).

47. **Electrical wiring.** The Construction Certificate documentation is required to demonstrate that the electrical wiring which services the illuminated signage is suitably concealed.

(Reason: To ensure that the electrical wiring is not visually prominent).

48. **Structural integrity of the signage.** The Construction Certificate documentation is required to demonstrate that the method of construction and installation used for the signage is structurally sound.

(Reason: To ensure that the signage is safely installed).

- 49. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the Certifying Authority that arrangements have been made for:
 - (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose. And
 - (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

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

(Reason: Statutory requirement).

Public Domain

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

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Macquarie Park Street Tree Master Plan. The designated species from the 'Street Tree Selection Pallete for Existing Residential Street' are to be specified by Council's Landscape Architect.

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

(c) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2020 Lighting for Roads and Public Spaces. New street lighting on multi-function poles (MFP) will be required along the Lachlan Avenue frontage of the development site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 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.

(Reason: To ensure public domain is constructed in accordance with Public Domain Technical Manual).

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

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

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

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

- a. The full reconstruction of half road width for the Lachlan Avenue 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, and the adjacent road pavement reconstruction.
- c. The reconstruction of kerb and gutter along the Lachlan Avenue frontage of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter.
- Construction of granite footway along the Lachlan Avenue frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park.
- e. Construction of new driveway access in accordance with Council's standard detail for granite paving vehicle crossings Macquarie Park. The driveway extents are to be limited to the width required to facilitate two-way access to and from the site ,as demonstrated by swept paths and approved by Council's Transport Department.
- f. Returfing and where necessary regrading of the nature strip along the site frontage or adjacent area.
- g. Construction and upgrading granite footpath works and any necessary civil works to provide a safe and functional access from the site frontage along the pathway to the entrance to Elouera Park.

- h. Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- i. Signage and line marking details.
- j. 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.

(Reason: Protection of public asset and Ensure compliance)

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

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

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

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 Offstreet Parking and Council's specifications. The new crossing must be constructed without the splays, and at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

(Reason: Public amenity)

53. **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 \$100,000 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.

(Reason: Ensure compliance and specification)

54. **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.

(Reason: Ensure compliance and specification).

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

The Anticipated Asset Register is to assist with council's future resourcing to maintain new assets. There is potential for the as-built assets to deviate from the anticipated asset listing, as issues are resolved throughout the public domain assessment and Roads Act Approval process. Following completion of the public infrastructure works associated with the development, a Final Asset Register is to be submitted to Council, based upon the Public Domain Works-As-Executed plans.

(Reason: Record of civil works).

Traffic

56. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Due to heavy traffic congestion within 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 Transport Department, 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 Traffic Control Plan(s) prepared by a SafeWork NSW accredited designer 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(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- 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.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during construction to minimise any inconvenience and safety risks to the public).

57. Waste and Service Vehicle Access. Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of a 10.8m long waste vehicle, as a minimum requirement. The minimum height clearance required is 4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.

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

(Reason: This condition is intended to assist with the safety and efficiency of heavy vehicles entering and exiting the site).

Drainage

58. **Flooding - Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with

the floodplain management controls started within Council's DCP Part 8.2 (Stormwater and Floodplain Management), the following measures must be implemented in the development.

A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- a) The applicant shall comply with the flood recommendations provided in the Stormwater Management Report (Revision 06) prepared by Stantec Australia Pty Ltd dated 13 April 2022.
- b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Stormwater Management Report (Revision 06) prepared by Stantec Australia Pty Ltd dated 13 April 2022.
- All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard.
 Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 Requirements for Utilities.
- d) All fencing shall be constructed in a manner that does not affect the flow of flood waters so as to detrimentally change flood behaviour or increase flood levels on adjacent properties.

To this end, any fencing angled to the anticipated overland flowpath must incorporate either louvres, open type pool fencing, frangible screen, battens or floodgate system, at the base of the fence, extending from the finished surface level up to the 1% AEP (100 year ARI) flood level plus 300 mm freeboard (minimum 300 mm from the ground).

e) All basement carpark areas shall be designed to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.

A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- All structures subject to flooding and overland flows must be constructed of flood compatible building components below the 1% AEP (100 year ARI) flood plus 500 mm freeboard.
- b) All structures subject to flooding and overland flows must be structurally designed to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event

(Reason: to ensure safety of development).

59. **Stormwater - Council Easements – Building Foundation Clearances Detailed Design.** The footings and foundations of all proposed structures adjacent to the existing Council pipeline must extend a minimum depth to the angle of repose to the invert level of the existing stormwater pipe, to ensure that no additional load will be placed on the {existing 225 mm diameter Council stormwater pipe}.

The applicant shall submit detailed design drawings and certificates to Council for written acceptance, prior to the issue of a Construction Certificate. The Principal Certifying Authority shall be notified of Council's written acceptance.

The submission shall address the following:

- a) Council's existing 225 mm diameter pipeline through the development site must be physically located via non-destructive method, surveyed by a registered surveyor and shown on the final construction drawings (including amended survey, architectural and civil design plans).
- b) A minimum horizontal clearance of 1.0 m is to be provided from the outside edges of the existing stormwater pipe to the proposed structures. All setbacks of the proposed structures including eaves of roof from Council's drainage lines shall be shown on the plans submitted.
- c) Detailed design drawings of the footings and foundations of the proposed structures shall be prepared by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent.
- d) A Structural Engineer's design certificate shall be prepared confirming the building structure and its foundations are designed in such a way that no building loads are transmitted to the stormwater conduit and that the conduit can be repaired at any time without affecting the stability of the building structure or its foundations.

(Reason: to ensure Council's stormwater assets are protected).

60. **Stormwater - Council Drainage - Reflux Valve.** A design certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, confirming that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 1% AEP (100 year ARI).

(Reason: To ensure no water from Council's Stormwater Drainage Network enters the site).

61. **Stormwater - Council Drainage – Pit Connection Details.** The proposed site drainage connection to the {existing Council kerb inlet pit} shall be made via a uPVC pipe. The site drainage connection pipe shall be cut flush with the internal wall of the pit and should enter the pit perpendicular to the pit wall.

Amended stormwater plans complying with this condition shall be submitted to and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate. The plans shall be prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng).

(Reason: to ensure connection to pit compliance with Council's DCP and Australian Standards).

62. **Stormwater - Drainage Design Submission - Assessment Fee.** The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, 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 prior to the issue of the Construction Certificate. Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the Council drainage works and any additional reviews required.

(Reason: to ensure relevant Council assessment fees are paid).

- 63. **Stormwater Drainage Design Submission.** Engineering drawings prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) are to be submitted to, and approved by Council's City Works Directorate for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the Construction Certificate. The design submission shall address the following:
 - a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other

information necessary for the design and construction of the drainage system (i.e. utility services).

- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- c) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on {Stormwater Management Plan prepared by Stantec Australia P/L Drawing No. CI-520-001, CI-520-002 (Project No. 45428, Revision E, 13 April 2022)} is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- f) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

(Reason: to ensure the Stormwater Civil Design complies with Council's and Australian Standards and has sufficient details to obtain construction certificate).

Development Engineering

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

With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for a Construction Certificate:

- a) To ensure that there is sufficient room in the driveway at the entry to the site to allow a standard vehicle to pass the largest vehicle (i.e. a waste truck) the driveway carriageway must be no less than 5.5m wide for the initial 7m in the site from the front boundary alignment at entry.
- b) The development requires an additional 2 visitor spaces so as to satisfy the 19 visitor spaces required for the scale of development. To accommodate this the 2 spaces are to be accommodated in the loading bay and adjoining area and are to be restricted for use outside the period of loading bay hours (9pm to 7am). The spaces are to be delineated by RPM's and signposted.
- c) A system must be implemented allowing service vehicles to freely enter the basement garage without manual intervention or having to utilise the intercom system. The system, potentially based on the height of service vehicles, is to be designed by a suitably qualified Traffic Engineer and is to ensure the basement garage entry is efficiently accessed for such vehicles for every entry and exit.

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

(Reason: To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.)

65. **Basement Garage Traffic Signal System.** To prevent conflicting vehicle flows on the internal basement garage ramp and avoid occurrences of vehicles reversing up/ down the

ramp or parking areas, a traffic signal system must be installed at the ramp entry points, designed to warn drivers approaching the ramp of any conflicting vehicle flows.

The traffic signal system must address the following:

- a) The system must incorporate an illuminated signal or sign, clearly indicating to an approaching driver, by way of red light or wording, that an opposing vehicle has entered or commence entering the ramp. The signal system must be clearly visible from all approaches to the ramp.
- b) A trigger system which is to detect a vehicle approaching the ramp. This may be achieved through the use of IR sensor, inductive loop, etc.
- c) Provide a waiting bay on all ramp approaches to permit a vehicle to stand so as to allow an opposing vehicle to pass.
- d) Signage to indicate that any driver waiting for the opposing vehicle to exit the ramp is to stand in the waiting bay.
- e) Incorporate linemarking or altered pavement treatment so as to delineate traffic flow.

Details of the system, including the system operation, components and placement within the development, must be specified by a practising Traffic Engineer and is to be detailed on the plans to be submitted with the application for a Construction Certificate.

(Reason: To prevent conflicting traffic flow and ensure the safe and efficient movement of traffic in the site.)

- 66. Stormwater Management. Stormwater runoff from the development shall be collected and piped by gravity flow to the inground public drainage system generally in accordance with the plans by Stantec Consulting Engineers (Refer to Project No. 45428, Dwgs CI-000-001 Rev C, CI-520-001 Rev E, CI-520-002 Rev E, CI-526-001 Rev B and CI-526-002 Rev B) subject to any variations marked in red on the approved plans or noted following:
 - Additional access manholes to the detention storage will be required so as to comply with AS 2865 and the DCP Part 8.2 (Stormwater Management – Technical Manual) Section 1.4.12 control (e).
 - b) Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

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

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (Stormwater drainage) 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.

(Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

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

As a minimum, the OSD system must:

- a) provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management).
- b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service,
- c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and
- d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

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

(Reason: To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2)

68. **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 (Stormwater drainage).

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

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

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

(Reason: To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards.)

69. **Geotechnical Design, Certification and Monitoring Program.** The applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

This engineer is to prepare the following documentation:

- a) Results from the further geotechnical investigations recommended by the Geotechnical Desktop Study prepared by Douglas Partners and dated April 2021.
- b) Certification that the civil and structural details of all subsurface structures are designed to:
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation)

sufficient to cause an adverse impact to adjoining property or public infrastructure; and,

- ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- c) A Geotechnical Monitoring Program (GMP) to be implemented during construction that:
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded; and
 - Is in accordance with the recommendations of any approved Geotechnical Report.

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

(Reason: To ensure there are no adverse impacts arising from excavation works.)

- 70. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work. As a minimum, the scope of the report is to include:
 - a) 165-167 Herring Road
 - b) 169 Herring Road
 - c) 21 Lachlan Avenue

A copy of the dilapidation survey is to be submitted to the Certifying Authority and Council prior to the release of the Construction Certificate.

(Reason: To identify the condition of properties prior to works commencing.)

71. **Site Dewatering Plan.** A Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

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

- a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
- e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.

- f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

(Reason: 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.)

- 72. Erosion and Sediment Control Plan. An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by NSW Department – Office of Environment and Heritage and must contain the following information:
 - a) Existing and final contours
 - b) The location of all earthworks, including roads, areas of cut and fill
 - c) Location of all impervious areas
 - d) Location and design criteria of erosion and sediment control structures,
 - e) Location and description of existing vegetation
 - f) Site access point/s and means of limiting material leaving the site
 - g) Location of proposed vegetated buffer strips
 - h) Location of critical areas (drainage lines, water bodies and unstable slopes)
 - i) Location of stockpiles
 - j) Means of diversion of uncontaminated upper catchment around disturbed areas
 - k) Procedures for maintenance of erosion and sediment controls
 - I) Details for any staging of works
 - m) Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate.

(Reason: To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.)

Environmental Health

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

If remediation is required, the report should also set out the remediation options available for the site.

(Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021).

74. **Remediation Action Plan.** A Remediation Action Plan prepared by a suitably qualified person shall be provided to the Certifying Authority and Council. The Remedial Action Plan should be prepared in accordance with the requirements of "Managing Land Contamination Planning Guidelines SEPP No. 55 Remediation of Land".

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

(Reason: To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021).

- 75. **Validation Report.** A validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates:
 - a. Compliance with the approved RAP;
 - b. That the remediation acceptance criteria (in the approved RAP) has been fully complied with;
 - c. That all remediation works undertaken comply with the contaminated lands planning guidelines, Contaminated Lands Management Act 1997, SEPP 55 and Council's Management of Contaminated Lands Policy; and includes:
 - d. Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - e. a "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and
 - f. a statement confirming that the site following remediation of contamination is suitable for the intended use.

(Reason: To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997).

- 76. **Noise impact on residential building.** Prior to the issue of a Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:
 - a. In any bedroom in the building: 35dB(A) between 10pm 7am
 - b. Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

(Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP).

Public Art

77. **Public Art.** A site specific Public Arts Plan to be submitted for the written approval by Council's Centres Coordinator. This plan is to be prepared by an arts and cultural planner and is to align with the City of Ryde's Public Art Principles outlined in the City of Ryde Public Art Planning Guide for Developers and will be required to address the aims and objectives and statement of artistic intent of this project; the thematic framework of the artwork in relation to the site's urban fabric and local culture; concept drawings showing the robustness and durability of the proposed materials; and implementation.

Details of the Public Arts Plan are to be demonstrated on the Construction Certificate documentation to the satisfaction of the Certifying Authority.

(Reason: To ensure public art is provided in accordance with the Ryde DCP 2014.)

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

78. 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,
 - 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.

(Reason: Statutory requirement).

79. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

(Reason: Statutory requirement).

80. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

81. **Proposed Property Addressing.** Proposed addressing for the new development must have been lodged with Council, prior to the commencement of construction.

(Reason: To ensure the address of the development meets Council's requirements).

Public Domain

82. 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.

(Reason: Ensure compliance and record of works)

83. 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.

(Reason: Ensure compliance and record of works)

- 84. **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. (Reason: Ensure compliance)
- 85. **Pre-Construction Dilapidation Report.** To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.
 - (a) Road pavement,
 - (b) Kerb and gutter,
 - (c) Footpath,
 - (d) Drainage pits,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

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

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

(Reason: Protection of Council's infrastructure).

- 86. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "Road Activity Permits Checklist" (available from Council's website) are to be obtained and copies submitted to Council with the Notice of Intention to Commence Public Domain Works.
 - a) Road Use Permit The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
 - b) Work Zone Permit The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.
 - c) Road Opening Permit The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or

footpath surface shall be carried out without this permit being obtained and a copy kept on the site.

- d) Elevated Tower, Crane or Concrete Pump Permit The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- e) Crane Airspace Permit The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- f) Hoarding Permit. The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) Skip Bin on Nature Strip The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

(Reason: Legislative requirement).

87. **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.

(Reason: Protection of public asset).

88. **Ryde Traffic Committee Approval.** A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and line marking.

(Reason: To ensure compliance).

Traffic

89. 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.

(Reason: Specific activities on public roads where Council is the consent authority requires Council approval prior to such activities being undertaken).

90. **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 on a State Road (e.g., lane closures, etc.,) and/or within 100m of a signalised intersection.

(Reason: Transport for NSW requirement).

Drainage

91. **Stormwater - Pre-Construction CCTV Report.** To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any construction works.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. This report shall include the date of CCTV inspection and shall be submitted to Council's City Works Directorate for approval prior to commencement of any works.

Note: The applicant shall contact Council's Assets and Integration section to obtain a map of Council's existing Stormwater Network in the vicinity prior to conducting the CCTV survey.

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 report is submitted.

(Reason: to verify the pre-construction condition of Council's asset/s).

Development Engineering

92. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken, either by means of constructing approved retaining structures or batters entirely on the subject property, to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.

(Reason: To preserve public safety and the support of property due to abrupt level differences between the site and public domain land.)

93. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

(Reason: To minimise the imposition of soil / rock anchors on the public domain.)

Trees and Landscaping

94. **Tree Retention.** The following trees as referenced within the Arboricultural Impact Assessment prepared by Landscape Matrix Pty Ltd dated 23 August 2021 must be retained and protected: Trees 1, 4, 5, 7, 7A, 8, 9, 12, 17, 18 and 19 located within the subject site; Trees 10 and 11 located on the Lachlan Avenue verge; and Trees 6, 21, 27, 28, 29, 30 and 31 located within neighbouring allotments.

(Reason: To ensure all trees nominated for retention on the approved plan are appropriately retained and protected).

95. **Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site.

(Reason: To ensure suitable tree protection is in place prior to the commencement of any demolition works).

96. **Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

(Reason: To provide suitable protection fencing for trees nominated for retention).

97. **Tree Protection Plan and Specification.** A dedicated and detailed Tree Protection Plan & Specification is to be prepared by a minimum AQF Level 5 consulting Arborist which provides details and guidance as to how existing trees to be retained are to be protected during the demolition, excavation and construction works. This document is to be prepared prior to the commencement of any works and is to take into consideration all trees on site, on neighbouring property allotments and within the public domain which may be affected by the proposal.

(Reason: To provide a suitable framework and guidance for tree protection prepared by a qualified professional).

98. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Impact Assessment prepared by Landscape Matrix Pty Ltd dated 23rd August 2021. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.

(Reason: To ensure a suitably qualified Arborist is appointed and made responsible for the protection of trees).

99. **Stormwater Design Changes.** Design changes to Stormwater Plans are to be undertaken in consultation with a suitably qualified AQF Level 5 Arborist to reduce the level of impact that the proposed subsurface drain and stormwater pit are to impose upon the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of Tree 9. Revised documentation is to be submitted to Council's Tree Management Team for review and approval prior to issuance of Construction Certificate.

(Reason: To ensure the level of impact to Tree 9 is reduced to a sustainable level).

100. **Stormwater Trench/Pit Locations - General.** The alignment of stormwater infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the stormwater pits and trenches conflict with any major structural roots (greater than >25 mm diameter) of existing trees, their location and alignment is to be modified in consultation with the Project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.

(Reason: To ensure excavation works associated with stormwater infrastructure do not result in damage to existing tree roots).

101. **Underground Utilities.** Any utility services to be located underground within the TPZ are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non-motorised hand tools or directional drilling.

(Reason: To ensure excavation works associated with services installation do not result in damage to existing tree roots.)

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.

102. **Safety and Security.** The recommendations from the Operational Management Plan prepared by Barcam and dated April 2022 and the Crime Prevention Through Environmental Design prepared by Elton Consulting and dated April 2021 shall be implemented during works.

(Reason: To protect the safety and security of occupants and the community).

- 103. **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.*
- 104. **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.

(Reason: To protect the amenity of the neighbourhood).

- 105. **Noise management plan** Where demolition or construction activities are likely to cause significant noise or vibration (e.g. 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.

(Reason: To protect the amenity of the neighbourhood).

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

(Reason: To ensure that the development is in accordance with the determination).

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

(Reason: To protect the amenity of the area).

108. 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.

(Reason: To ensure fill is consistent with the consent).

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

(Reason: To ensure the public domain is not affected during construction).

110. 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.

(Reason: Statutory requirement).

111. 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.

(Reason: To ensure the site is appropriately maintained during construction).

112. 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".

(Reason: To ensure works do not disrupt pedestrians and vehicular traffic).

Trees and Landscaping

113. **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.

(Reason: To ensure trees are not removed from the site unless there is approval for the work).

114. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.

(Reason: To ensure the protection of existing trees on site).

115. **Tree works – Australian Standards.** Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.

(Reason: Statutory requirement).

116. **Tree works – arborist supervision.** A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.

(Reason: To ensure all tree works are overseen by a suitably qualified Arborist).

117. **Tree works – provision of arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

(Reason: To ensure Council is notified of the Project Arborist).

Public Domain

118. 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.

(Reason: To ensure compliance)

Traffic

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

(Reason: This condition is to ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction).

Drainage

120. **Stormwater - Hold Points During Construction – Council Drainage Connection Works.** Council requires inspections to be undertaken by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, for all Council stormwater Connection drainage works.

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

a) Upon connection to Council's existing kerb inlet pit.

(Reason: to ensure construction works satisfy Council's DCP and Australian Standards requirements).

Development Engineering

 Traffic Management. Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.

(Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.)

122. **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.

(Reason: To prevent soil and sediment spill in the public domain.)

123. 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 Stantec Consulting Engineers (Refer to Project No. 45428, Drawings CI-000-001 Rev C, CI-520-001 Rev E, CI-520-002 Rev E, CI-526-001 Rev B and CI-526-002 Rev B) submitted in compliance to the condition labelled "Stormwater Management" and the requirements of Council in relation to the connection to the public drainage system.

(Reason: To ensure the stormwater system is constructed as approved)

124. **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.

(Reason: To prevent soil erosion and the discharge of sediment over the land.)

125. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

(Reason: To ensure that the excavation works are undertaken appropriately throughout the period of construction.)

126. Site Dewatering Plan – Implementation. The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

(Reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.)

Environmental Health

127. **Imported fill (validated).** 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.

(Reason: To ensure imported fill poses no risk to the environment and human health).

128. **Requirement to notify about new contamination evidence.** Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

(Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

129. **Duty to Notify Pollution Incidents.** Council being the 'appropriate regulatory authority' must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.

Reason: To comply with the requirements of the Protection of the Environment Operations Act 1997.

130. **Contaminated Land: Discovery of Additional Information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

(Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health).

131. Asbestos (records of disposal & licensed waste facility). Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

(Reason: To ensure appropriate disposal of asbestos materials).

132. Asbestos (handled & disposed of by licensed facility). All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste

Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

(Reason: To ensure appropriate disposal of asbestos materials).

133. **Contaminated soil disposal.** 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.

(Reason: To ensure appropriate disposal of contaminated soil).

134. **Contaminated waste to licensed EPA landfill.** Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

(Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997).

135. **Waste data maintained**. A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

(Reason: To confirm waste minimisation objectives are met).

136. **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.

(Reason: To prevent any nuisance or danger to health, safety or the environment).

- 137. **Hazardous/intractable waste disposal.** Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the EPA, and with the provisions of:
 - a. Work Health and Safety Act 2011
 - b. NSW Protection Of the Environment Operations Act 1997 (NSW) and
 - c. NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines

(Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner).

138. General requirements for liquid and solid waste. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines.

(Reason: To prevent pollution of the environment).

139. Liquid and Solid Wastes. Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999). NSW EPA Waste Classification Guidelines

(Reason: To prevent pollution of the environment).

140. **Polluted water excavation - analysis before discharge.** Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

(Reason: To prevent pollution of waterways).

141. **De-watering of Excavated Sites.** Any site excavation areas must always be kept free of accumulated water. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

(Reason: To protect against subsidence, erosion and other nuisances).

142. **Erosion & sediment control measures.** Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

(Reason: To ensure no adverse impacts on neighbouring properties).

143. **Soil and Water Management (Stockpiles).** Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

(Reason: To ensure that building materials are not washed into stormwater drains).

Trees & Landscaping

144. **Tree Removal.** The following trees as referenced within the Arboricultural Impact Assessment prepared by Landscape Matrix Pty Ltd dated 23 August 2021 are approved for removal: Trees 2, 3, 13, 14, 15, 16, 20, 22, 23, 24, 25, 26, 32, 33, 34, 35 and 36 located within the subject site.

(Reason: To facilitate the proposed construction works).

- 145. **Tree works Australian Standards.** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007).
- 146. **Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

(Reason: To ensure all excavation works do not result in damage to existing tree roots.)

147. **Fill Requirements.** All fill to be placed within the Tree Protection Zones of neighbouring trees is to be gap graded structural soils which allows for gaseous exchange and future root growth. The Project Arborist is to confirm suitability of the proposed material prior to installation.

(Reason: To ensure any fill to be placed within root zones is of a suitable type to minimise impacts to existing trees.)

148. **Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.

(Reason: To reduce the stress and negative impacts caused by any root pruning required for construction).

149. **Canopy Pruning.** All canopy pruning works are to be undertaken in accordance with and the Tree Pruning Schedule prepared by Landscape Matrix dated 31 March 2022 and AS4373-2007 pruning of amenity trees. All pruning work is to be carried out by an experienced utility Arborist with minimum AQF Level 3 qualifications and under the supervision of the Project Arborist. Wherever possible, priority is to be given to temporarily tying back branches over pruning, where conflicts arise with the area of construction works.

(Reason: To ensure required canopy pruning works do not result in unsustainable impacts to existing trees).

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.

150. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1185952M_02, dated 29 June 2022.

(Reason: Statutory requirement).

151. **Landscaping.** All landscaping works approved by Condition 1 are to be completed prior to the issue of the any **Occupation Certificate**.

(Reason: To ensure the development is in accordance with the development consent).

152. **Safety and Security.** The safety and security recommendations from the Operational Management Plan prepared by Barcam and dated April 2022 and the Crime Prevention Through Environmental Design prepared by Elton Consulting and dated April 2021 shall be implemented prior to the issue of any Occupation Certificate.

(Reason: To protect the safety and security of occupants and the community).

153. **Internal Blinds.** Internal blinds are to be installed to all windows to student bedrooms and living rooms which are non-transparent and capable of being operated by students to manage their own privacy.

(Reason: To protect visual privacy).

154. **Private Waste Collection.** Arrangements shall be in place for the site to be accessed and serviced by a private contractor for general, recycling and bulky waste collection as detailed in the approved Operational Plan of Management prior to the issue of any Occupation Certificate.

(Reason: To ensure the site is properly serviced as approved).

155. **Parking.** All designated basement parking spaces are to be made available for the use of staff, students and visitors, including secure access through the use of the intercom, access card/keypad system. The traffic light access system to the basement is to be operational. The car stacker mechanisms are to be operating.

(Reason: To ensure access to parking and availability of parking is established as approved).

156. **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.

(Reason: Statutory requirement).

157. 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 <u>www.sydneywater.com.au/section73</u> or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: Statutory requirement).

158. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and manmade features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of any **Occupation Certificate**.

(Reason: To provide a record of any damage to adjoining properties post construction).

159. 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.

(Reason: To assist in way finding).

Public Domain

160. 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.

(Reason: Public amenity)

161. **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.

(Reason: Ensure Compliance)

162. **Public Domain Improvements and Infrastructure Works – Completion.** All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

(Reason: Ensure Compliance)

163. 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.

(Reason: Protection of public asset)

164. **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.

(Reason: Public amenity)

165. **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.

(Reason: Public amenity)

166. **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.

(Reason: Ensure Compliance)

167. **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.

(Reason: Record of Works)

168. **Registered Surveyor Final Certificate.** Upon completion of all construction works, and before the issue of any Occupation Certificate, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.

(Reason: Ensure Compliance and no encroachment)

169. **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.

(Reason: Ensure Compliance)

- 170. **Post-Construction Dilapidation Report**. To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
 - a. Road pavement,
 - b. Kerb and gutter,
 - c. Footpath,
 - d. Drainage pits,
 - e. Traffic signs, and
 - f. Any other relevant infrastructure.

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

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

(Reason: Protection of public asset)

171. **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.

(Reason: Ensure Compliance)

172. **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.

(Reason: Ensure Compliance)

Traffic

173. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Transport Department prior to the issue of any Occupation Certificate. The plan must specify that the largest/longest vehicle permitted to access the site is a 10.8m long truck.

The Plan will need to demonstrate how the internal loading area will be managed to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users and the efficiency of traffic movements on the public road (including verge). Vehicle queuing on any public road is not permitted.

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

(Reason: This condition is intended to assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on surrounding public roads).

174. **Signage and Linemarking - Internal.** A plan detailing the signage & linemarking and/or other traffic control devices (e.g. "TRUCKS (CROSSING OR ENTERING)" sign(s), convex mirror(s), etc.) proposed within the basement car parking 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. A copy of the approved plan is to also be submitted to Council.

(Reason: This condition is intended to assist with safety of traffic circulation within the basement and loading dock areas).

175. **Signage and Linemarking (Internal) – Implementation.** The applicant is to install all signage & linemarking and/or other traffic control devices within the property, as per the plan approved by the Principal Certifying Authority. These works are to be implemented prior to the issue of any Occupation Certificate.

(Reason: This condition is intended to assist with safety of traffic circulation within the basement and loading dock areas).

176. **Signage and Linemarking – External.** Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to be submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that Ryde Traffic Committee generally meets once a month. As such, adequate time should be allowed for the review and approval process.

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

(Reason: This condition is to ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity).

177. **Signage and Linemarking (External) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken prior to the issue of any Occupation Certificate.

(Reason: This condition is to ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied).

- 178. **Framework Travel Plan.** A finalised Framework Travel Plan (FTP) is to be submitted to Council's Environment Team for review and approval, prior to the issue of any Occupation Certificate. The FTP must:
 - i. Adopt strategies and procedures to meet a 50% public transport/50% 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.
 - ii. Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the 50% public transport/50% private transport target for the development for the journey-to-work.
 - iii. Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-site-links where required.
 - iv. 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.

v. Walking and cycling (lockers and end-of-trip facilities).

(Reason: This condition is to assist with encouraging greater use of active and public transport by future residents and visitors of the site to minimise congestion on surrounding public roads).

Drainage

179. **Positive Covenant - Overland Flow.** A positive covenant shall be created for the existing overland flow path through the subject site, under Section 88E of the Conveyancing Act 1919. All associated costs shall be borne by the applicant.

This is to place a restriction on the title that the overland flow path and flood storage areas are maintained and kept free of debris/weed to allow unobstructed passage of overland flow of water through the site and underneath the residence. The new buildings shall not have the subfloor area enclosed or utilised for storage.

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

Reason: To ensure the overland flow and flood storage areas are maintained and unobstructed.

180. **Flooding – Engineering Compliance Certificate.** A certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming that all requirements of condition "Flooding - Flood and Overland Flow Protection" have been satisfied.

The qualified and practising Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) shall have experience in the area respective of the certification unless stated otherwise.

Reason: To ensure that all flood and overland flow protection requirements are satisfied.

181. Stormwater - Post-Construction CCTV Report. To ensure Council's stormwater infrastructures are adequately protected, there are no damages and no protruding pipe inside Council's pipeline due to proposed construction activities and property drainage connection, a post-construction CCTV report on the Council's stormwater pipeline through the proposed development site and the existing kerb inlet pit in front of the property is to be submitted to Council.

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

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

Note: The applicant shall contact Council's Assets and Integration Section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

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 report is submitted.

Reason: to verify the post-construction condition of Council's drainage assets.

182. 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 DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: to ensure road and footpath restoration works have been completed as per Australian and Council's standards).

Development Engineering

183. **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.

(Reason: To clarify the configuration of the completed stormwater management system.)

184. **Disused Gutter Crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.

(Reason: To maximise onstreet parking capacity and avoid confusion relating to the enforcement of parking restrictions.)

185. Stormwater Management – Positive Covenant(s). A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

(Reason: 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).)

186. **Drainage System Maintenance Plan.** 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 (e.g. 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 cooperation 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.

(Reason: To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development)

- 187. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
 - a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - b) Certification from a Traffic Engineer that the internal basement traffic signal system, associated linemarking and signage has been installed as specified and in compliance with the condition "Basement Garage Traffic Signal System".
 - 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 (Stormwater drainage), 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 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).
 - g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
 - h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

(Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.)

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

(Reason: To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development.)

189. **Parking Area Linemarking and Signage.** Traffic measures such as 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.

(Reason: To ensure the safe and efficient circulation of traffic and access to parking areas from the public road.)

190. **Amalgamation of the Lots.** The lots shall be amalgamated prior to the issue of any Occupation Certificate.

(Reason: To ensure the development site reflects the approved development.)

Environmental Health

- 191. All works/methods/procedures/control measures. Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:
 - (a) Acoustic Report No. 45428, dated 6 April 2021, prepared by Stantec Australia Pty Ltd.

(Reason: To demonstrate compliance with submitted reports).

192. **Noise Limits.** Noise generated at the premises must not exceed the noise limits specified in the Acoustic Report No. 45428, dated 6 April 2021, prepared by Stantec Australia Pty Ltd submitted with the development application.

(Reason: To demonstrate compliance with the submitted report).

193. Acoustic Compliance report (Building design). Prior to the issue of Occupation Certificate, written certification from a suitably qualified person shall be submitted to the Principal Certifying Authority and Council, stating that appropriate design and construction materials have been utilised to ensure compliance with Australian Standards AS/NZS 2107 and Table 4 point 8 of the EPA Road Noise Policy, Department of Environment, Climate Change and Water NSW, March 2011.

(Reason: Compliance with relevant noise criteria).

194. **Compliance with contamination report.** Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to

the Principal Certifying Authority and City of Ryde Council, stating that all works/methods/procedures/control measures approved by Council have been completed.

(Reason: To demonstrate compliance with submitted reports).

195. **Registration of Boarding Houses.** Prior to the issue of an Occupation Certificate the boarding house is to be registered on the NSW Fair Trading state register. To register the boarding house you are to log onto www.fairtrading.nsw.gov.au and follow the prompts. A copy of the registration certificate is to be submitted to the PCA to confirm the registration.

(Reason: To comply with NSW legislative requirements relating to Boarding houses).

Public Art

196. **Public Art.** The public art as detailed in the approved site specific Public Arts Plan is to be installed and approved in writing by Council's Centres Coordinator.

(Reason: To ensure public art is provided in accordance with the Ryde DCP 2014.)

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.

- 197. **Use of the Site.** The approved use of the site under this application is to remain in perpetuity for the life of the development.
- 198. Hours of operation. The hours of operation are to be restricted to:

Indoor areas:

- 24 hours a day, 7 days a week, including public holidays. This includes:
 - Kitchen and lounge rooms on each level (Level 1 to 14)
 - Kitchen/dining/lounge rooms on the ground level. The doors to the outdoor Communal Open Space area are to be closed at 10pm daily.
 - Study areas.
 - Games area including laundry, cinema and gym (with doors closed).

Outdoor areas:

- Rear and side setback area: 7am to 9pm daily.
- Gym area on Basement 1 Mezzanine level: 7am to 9pm daily.
- Terraces/balconies: 7am to 9pm daily.

(Reason: To restrict the hours of operation to ensure that there is acceptable amenity to the surrounding locality).

199. **Management and Operation.** The operation of this Boarding House ('Student accommodation') development is to adhere to the Operational Management Plan prepared by Barcom dated April 2022 at all times. No changes are to be made to the Operational Management Plan without the written consent of Council.

(Reason: To ensure the development is appropriately managed).

200. **Safety and Security.** The safety and security measures are the responsibility of the owner and operator of the development and shall be maintained for the life of the development.

(Reason: To protect the safety and security of occupants and the community).

201. **Internal Blinds.** Internal blinds are to be maintained to all windows to student bedrooms and living rooms which are non-transparent and capable of being operated by students to manage their own privacy.

(Reason: To protect visual privacy).

202. Landscaping. All landscaping works approved by Condition 1 are to be maintained for the life of the development.

(Reason: To ensure the development is in accordance with the development consent).

203. **Removal of Graffiti.** It is the responsibility of the operator of the development to remove any graffiti on the site which is visible from the public domain in a timely manner.

(Reason: To ensure the development is maintained free of graffiti).

204. **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.*

(Reason: To ensure the development does not impact on the amenity of the locality).

205. **Private Waste Collection.** Servicing arrangements for general, recycling and bulky waste collection by a private contractor shall in place for the life of the development as detailed in the approved Operational Plan of Management.

(Reason: To ensure waste is collected in an appropriate manner).

206. **Waste storage/disposal – hours of collection.** Waste and recyclable material generated by these premises must not be collected between the hours of 9pm and 7am on any day.

(Reason: To ensure the collect of waste does not impact on the amenity of the locality).

207. **Waste storage/disposal – method.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.

(Reason: To ensure waste is collected and disposed of in an appropriate manner).

208. **Delivery and loading/unloading – hours.** No deliveries, loading or unloading associated with the premises are to take place between the hours of 9pm and 7am on any day.

(Reason: To ensure loading/unloading does not impact on the amenity of the locality).

209. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the designated basement loading bay.

(Reason: To ensure loading/unloading does not impact on the amenity of the locality).

210. **Signage – English language.** All advertising signs are to be displayed in the English language but may include a translation into another language using letters or characters that are no larger than the English language letters or characters.

Any translated message must be accurate and complete.

No amendment to the size of a sign will be permitted to allow for both the English and translated language to be displayed.

(Reason: To ensure signage is consistent with a Council resolution).

211. **Signage – illumination.** Illuminated signs shall be fitted with a timing device to switch off the illumination between at least 10pm and 7am.

(Reason: To minimise the impact on neighbouring properties and the night sky).

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

(Reason: Statutory requirement).

213. **Cleaning and maintenance.** The premises and all fixtures, furnishings and equipment must be maintained in a clean, sanitary condition and kept in good repair at all times.

(Reason: To ensure the development and its furniture and fittings are maintained in good condition).

214. Accessible Rooms. The 13 x 'DDA' nominated rooms at the northern corner of the building on Levels 1 to 13 (inclusive) are to be accessible rooms and designed to accommodate persons with disabilities. They are to be provided with kitchen, toilet and bath/shower room facilities in accordance with parts D, E and F of the Building Code of Australia and Australian Standards; AS 2890 and AS 1428. Priority shall be given to persons with physical disabilities for use of accessible rooms.

(Reason: To ensure accessible rooms comply with the relevant standards and are available for the use of persons with physical disabilities).

Traffic

215. **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.

(Reason: This condition is to ensure that the measures outlined in the approved loading dock management plan is implemented).

Development Engineering

216. **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).

(Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.)

- 217. **Parking Allocation.** Both the owner and occupier/operator of the development must provide and maintain the minimum parking allocation as follows:
 - 40 residential spaces (car stackers);
 - 5 carshare spaces;
 - 19 visitor spaces;
 - 2 staff spaces (tandem);
 - 21 motorbike parking spaces; and
 - 102 bicycle parking spaces.

To comply with the requirement for 19 visitor spaces, an additional 2 visitor spaces must be located in loading bay of the basement garage outside servicing periods (refer to **Condition 64** 'Vehicle Access and Parking'). This is to ensure the allocation of parking on the site is in accordance with Council's parking requirements.

The second tandem parking space is to be made available for other staff and the maintenance manager's vehicle.

(Reason: To ensure the development maintains the capacity and allocation of parking spaces on the site.)

- 218. **Car Share Parking.** The following requirements must be implemented for the life of the development:
 - a) All car share vehicles must be accessible to students 7 days of the week, 24 hours of the day.
 - b) The car share vehicles are to be managed by the site manager.
 - c) Car share parking spaces must be clearly designated and linemarked in the development so as to prevent inadvertent use of the space by other drivers when the car share vehicle is in use.
 - d) Car share vehicles must be parked on site when not in use.
 - e) The use of a third party service (such as "Go-Get") is not permitted unless the vehicles provided by the service provider are exclusively limited for use by the occupants of the development only. Vehicles available for external members / registered drivers of the service providers operations are not permitted to use the vehicles.

(Reason: To ensure the implementation of Car Share vehicles is maintained as approved and these are retained for the life of the development.)

- 219. **Bicycle Share Parking.** The following requirements must be implemented for the life of the development:
 - a) The 6 share e-bicycles must be accessible to students 7 days of the week, 24 hours of the day.
 - b) The share e-bicycles are to be managed by the site manager.
 - c) Share e-bicycle parking spaces must be clearly designated and sign marked in the development so as to prevent inadvertent use of the space by other drivers when the car share vehicle is in use.
 - d) Share e-bicycles must be stored on site when not in use.
 - e) The use of a third party service (such as "Go-Get") is not permitted unless the share ebicycles provided by the service provider are exclusively limited for use by the occupants of the development only.

(Reason: To ensure the implementation of share e-bicycles is maintained as approved and these are retained for the life of the development.)

220. **Parking within the car stackers.** The 5 car stacker mechanisms and associated access and safety measures shall be operating at all times and cater for parking for 40 vehicles. Regular maintenance and repairs are the responsibility of the owner and operator of the development at all times.

(Reason: To ensure the car stacker mechanisms are appropriately managed and maintained).

221. **Permit Parking Scheme.** Future students, staff, 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.

(Reason: The parking provision provided on site should be sufficient to accommodate the peak parking demand generated by future occupants to minimise impact on the surrounding on-street parking facilities.)

222. **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.

(Reason: The parking provision provided on site should be sufficient to accommodate the peak parking demand generated by future occupants to minimise impact on the surrounding on-street parking facilities.)

Environmental Health

223. **Council may require acoustical consultant's report.** Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria, and any recommendations from this report are to be implemented by the owner and operator of the development.

(Reason: To demonstrate compliance with relevant legislation).

- 224. **Noise and vibration from plant or equipment.** Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
 - a. The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
 - 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.

(Reason: To prevent loss of amenity to the area).

225. **Noise from mechanical equipment.** The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

(Reason: To protect the amenity of the area).

- 226. Air Conditioners in Residential Buildings. The air conditioner/s must not:
 - i. Emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - a. before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - b. before 7.00am and after 10.00pm on any other day.
 - ii. Emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

The source noise level must be measured as a LAeq 15 minute.

(Reason: To prevent loss of amenity to the area).

227. **No live music.** No live music or entertainment shall be provided within the premises. No background music is permitted in any of the outdoor communal spaces.

(Reason: To protect the amenity of the surround neighbourhood).

228. **Management of waste storage facilities.** All waste storage areas are to be maintained in a clean and tidy condition at all times.

(Reason: To ensure the ongoing management of waste storage areas).

229. **Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.

(Reason: To ensure the ongoing management of waste storage areas).

230. **Waste containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

(Reason: To ensure waste is adequately stored within the premises).

231. **Storage of bins between collection periods.** Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

(Reason: To ensure waste is adequately stored within the premises).

Public Art

232. **Public Art.** The public art as approved in the site specific Public Arts Plan is to be maintained and kept in a clean and safe condition by the operator for the life of the development. Graffiti is to be removed within 48 hours of being identified.

(Reason: To ensure public art is appropriately maintained.)

End of conditions.