

5-11 Lachlan Avenue and 155-159 Herring Road, Macquarie Park

Demolition and construction of a 14-storey mixed use development comprising commercial premises at the ground level fronting Herring Road, 307 residential apartments, 4 basement parking levels and associated communal open space areas including a pool, landscaping, stormwater management works, public domain works and stratum subdivision.

Draft Conditions**GENERAL**

- 1. Approved Plans/Documents.** Except as amended by any other condition of consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents (including recommendations contained within):

Plan No.	Dated	Prepared By
Architectural Plans		
A0021 (Rev E) - Site Plan - Proposed	23/05/2023	Koichi Takada Architects
A0095 (Rev H) - Basement 4 – Floor Plan	17/08/2023	Koichi Takada Architects
A0096 (Rev H) - Basement 3 – Floor Plan	17/08/2023	Koichi Takada Architects
A0097 (Rev I) - Basement 2 – Floor Plan	17/08/2023	Koichi Takada Architects
A0098 (Rev H) - Basement 1 – Floor Plan	17/08/2023	Koichi Takada Architects
A0099 (Rev H) - Level 1 – Floor Plan	09/08/2023	Koichi Takada Architects
A0100 (Rev H) – Level 2 – Floor Plan	09/08/2023	Koichi Takada Architects
A0101 (Rev H) – Level 3 – Floor Plan	09/08/2023	Koichi Takada Architects
A0102 (Rev F) – Level 5 – 13 Typical Floor Plan	08/06/2023	Koichi Takada Architects
A0104 (Rev F) – Level 15 – Floor Plan	08/06/2023	Koichi Takada Architects
A0112 (Rev F) – Level 16 – Floor Plan	08/06/2023	Koichi Takada Architects
A0113 (Rev F) – Level 17 – Floor Plan	08/06/2023	Koichi Takada Architects
A0114 (Rev F) – Level 18 – Floor Plan	08/06/2023	Koichi Takada Architects
A0115 (Rev H) – Rooftop Plan	29/08/2023	Koichi Takada Architects
A0200 (Rev G) – Elevation North West – Herring Road	28/06/2023	Koichi Takada Architects
A0201 (Rev G) – Elevation North East	28/06/2023	Koichi Takada Architects
A0202 (Rev G) – Elevation South East – Lachlan Ave	28/06/2023	Koichi Takada Architects
A0203 (Rev G) – Elevation South West	28/06/2023	Koichi Takada Architects
A0204 (Rev F) – Elevation North East Internal	28/06/2023	Koichi Takada Architects
A0205 (Rev F) – Elevation North West Internal	28/06/2023	Koichi Takada Architects
A0206 (Rev F) – Elevation South East Internal	28/06/2023	Koichi Takada Architects
A0207 (Rev F) – Elevation South West Internal	28/06/2023	Koichi Takada Architects
A0300 (Rev E) – Section 01	23/05/2023	Koichi Takada Architects
A0301 (Rev F) – Section 02	09/08/2023	Koichi Takada Architects

Plan No.	Dated	Prepared By
A0302 (Rev E) – Section 03	23/05/2023	Koichi Takada Architects
A0303 (Rev E) – Section 04	23/05/2023	Koichi Takada Architects
A0304 (Rev F) – Section 05	08/06/2023	Koichi Takada Architects
A0305 (Rev A) – Section 06	09/08/2023	Koichi Takada Architects
A0320 (Rev G) – Typical Façade Sections & Balcony Detail 01	12/09/2023	Koichi Takada Architects
A0321 (Rev B) – Typical Façade Sections & Balcony Detail 02	12/09/2023	Koichi Takada Architects
A0330 (Rev E) – Driveway Section Detail	23/05/2023	Koichi Takada Architects
A0901 (Rev B) – Material Sample Board	28/11/2022	Koichi Takada Architects
Landscape Plans		
000 - Drawing Schedule (Issue E)	12/09/2023	Arcadia
101 – Landscape Masterplan (Issue E)	12/09/2023	Arcadia
201 – Setout and Grading Plan (Issue E)	12/09/2023	Arcadia
400 – Planting Schedule (Issue E)	12/09/2023	Arcadia
401 – Softworks Plan Ground Floor (Issue E)	12/09/2023	Arcadia
402 – Softworks Plan Typical Floor Plan 5-13 Plan (Issue E)	12/09/2023	Arcadia
403 – Softworks Plan Rooftop (Issue E)	12/09/2023	Arcadia
601 – Landscape Details (Issue E)	12/09/2023	Arcadia
700 – Landscape Specification (Issue E)	12/09/2023	Arcadia
Subdivision Plans		
Plan of Subdivision of Lots 1-8 in DP 240110 Basement 4	30/11/2022	Adam Richardson
Plan of Subdivision of Lots 1-8 in DP 240110 Basement 3	30/11/2022	Adam Richardson
Plan of Subdivision of Lots 1-8 in DP 240110 Basement 2	30/11/2022	Adam Richardson
Plan of Subdivision of Lots 1-8 in DP 240110 Basement 1	30/11/2022	Adam Richardson
Plan of Subdivision of Lots 1-8 in DP 240110 Level 1	30/11/2022	Adam Richardson
Plan of Subdivision of Lots 1-8 in DP 240110 Level 2	30/11/2022	Adam Richardson
Stormwater Management Plans		
DAC04.01 (Rev 07) – Siteworks and Stormwater Management Plan – Ground Floor	21/08/2023	Northrop
DAC05.21 (Rev 03) – Stormwater Management Devices – Sheet 01	21/08/2023	Northrop

Document(s)	Dated	Prepared By
BASIX Certificates 1355374M-04 and 1355397M-04	30/06/2023	Integreco Consulting Pty Ltd
Acoustic Assessment	01/12/2022	Pulse White Noise Acoustics
Accessibility Review Report	30/11/2022	ABE Consulting Pty Ltd
Pedestrian Wind Assessment	30/11/2022	RWDI Australia Pty Ltd
Flood Assessment	August 2023	Catchment Simulation Solutions

Document(s)	Dated	Prepared By
Arboricultural Impact Appraisal and Method Statement	08/08/2023	Naturally Trees
BASIX, Thermal Comfort and ESD Report	30/06/2023	Integreco Consulting Pty Ltd
Geotechnical Investigation	07/07/2023	Douglas Partners
Dewatering Management Plan	09/06/2023	Douglas Partners
Detailed Site Investigation (Contamination)	01/12/2022	Douglas Partners
Operational Waste Management Plan	29/11/2022	Foresight Environmental
Demolition Work Plan	01/12/2022	One GC MQ Park Pty Ltd
Building Code of Australia Compliance Assessment Report	06/12/2022	AED Group
CPTED Assessment	30/11/2022	Urbis

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

- a) **Electric Vehicle Charging Points.** Prior to a Construction Certificate being issued, amended basement plans are to be submitted to the Principal Certifying Authority depicting Electric Vehicle charging points at a minimum rate of 10% of each category of parking (23 residential, 3 visitor and 1 car share) with a minimum 'Level 2' charging point consisting of single or three-phase point with a power range of 7kW-22kW, as defined by NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019). Further, capability is to be provided within the switchboards and cabling for all parking spaces to be converted in the future.

Reason: To ensure that the development adequately caters for owners of electric vehicles.

- b) **Services and Fire Hydrant Enclosure.** Prior to the issue of a Construction Certificate for works above ground slab level, the Certifying Authority is to be provided with plans demonstrating that all Services (Gas meter, water meter and fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that compliments the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.

Reason: To ensure essential services are appropriately screened.

- c) **Balcony Depths.** The depths of the balconies to 3-bedroom apartments B305; B505 to B1305; B1505 and B1510 are to be increased to 2.4m.

Reason: To ensure compliance with the Apartment Design Guide and to enhance amenity.

- d) **Awning (Tower A).** An awning is to be provided at the ground floor main entry recess facing Herring Road at the centre of Tower A. The awning is to be designed to complement the architecture of Tower A and is extend across the full width of the entry recess.

Reason: To provide continual shelter and to maintain architectural continuity at the ground floor.

Amended plans demonstrating compliance with the above are to be submitted to the Certifying Authority prior to the issuing of the Construction Certificate.

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

- e) **CPTED Requirements.** The recommendations contained in the CPTED Assessment dated 30 November 2022 as prepared by Urbis are to be included on plans submitted with the Construction Certificate.

Reason: To ensure adequate safety and security for the development.

2. **Inconsistency between documents.** In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

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

3. **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.

4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 1355374M-04 dated 30 June 2023 and 1355397M-04 dated 30 June 2023.

Reason: Statutory requirement.

5. **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.

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. **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.

8. **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.

9. **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.

10. **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.

11. **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.

12. **Roads Act and Road Activity Permits.** 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 any Road Opening Permit issued by Council as required under section 138 and 139 of the Roads Act 1993.

The applicant is required to review the "Road Activity Permits Checklist" (available from Council's website) and apply for the relevant permits for approval by Council.

Reason: To ensure compliance with the requirements of the Roads Act 1993 and to ensure the amenity and state of the public domain is maintained.

13. **Design and Construction Standards.** All engineering detailed design plans and associated drainage works shall be carried out in accordance with the requirements of the relevant Australian Standards and Council's DCP Part 8.2 and Part 8.5 Public Civil Works and relevant Development Control Plans except as amended by the conditions herein.

Detailed design of all proposed Council Infrastructure works or proposed modification to Council infrastructure which may be located inside the property boundary, must be approved by Council City Works Directorate and undertaken in accordance with Council's 2014 DCP Part 8.2 and relevant Australian Standards, except otherwise as amended by conditions of this consent.

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

14. **Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the

Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

Reason: to ensure the public areas are restored upon completion of construction works.

- 15. Public Utilities and Service Alterations.** All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g., Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.

Reason: Protection of infrastructure and compliance with relevant Authorities requirements.

- 16. Substation.** Any substation required to be installed as part of this development is to satisfy the applicable requirements under the relevant Ausgrid Network Standard.

Any substation is to be contained wholly within the property boundary and is not to be located within any part of the public domain nor on any portion of land which is an existing and/or future right of way required by this development.

Written approval from Ausgrid for the substation is to be provided to the principal certifying authority prior to the release of any construction certificate.

Reason: To ensure that the locating of substations is conducted in a safe manner.

- 17. WaterNSW (General Terms of Approval).** The following General Terms of Approval (GTAs) issued by WaterNSW on 4 September 2023 do not constitute an approval under the Water Management Act 2000.

The development consent holder must apply to WaterNSW for a Water Supply Work approval after consent has been issued by Council and before the commencement of any work or activity. A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent.

The GTAs require:

Dewatering

GT0116-00001

Before any construction certificate is issued for any excavation under the development consent, the applicant must:

1. Apply to WaterNSW for, and obtain, an approval under the Water Management Act 2000 or Water Act 1912, for any water supply works required by the development; and
2. Notify WaterNSW of the programme for the dewatering activity to include the commencement and proposed completion date of the dewatering activity.

Advisory Notes:

1. An approval under the Water Management Act 2000 is required to construct and/or install the water supply works. For the avoidance of doubt, these General Terms of Approval do not represent any authorisation for the take of groundwater, nor do they constitute the grant or the indication of an intention to grant, any required Water Access Licence (WAL). A WAL is required to lawfully take more than 3ML of water per water year as part of the dewatering activity.
2. A water use approval may also be required unless the use of the water is for a purpose for which a development consent is in force.

GT0117-00001

A water access licence, for the relevant water source, must be obtained prior to extracting more than 3ML per water year of water as part of the construction dewatering activity.

Advisory Notes:

1. This approval is not a water access licence.
2. A water year commences on 1 July each year.
3. This approval may contain an extraction limit which may also restrict the ability to take more than 3ML per water year without further information being provided to WaterNSW.
4. Note that certain water sources may be exempted from this requirement – see paragraph 17A, Schedule 4 of the Water Management (General) Regulation 2018.

GT0118-00001

If no water access licence is obtained for the first 3ML / year (or less) of water extracted, then, in accordance with clause 21(6), Water Management (General) Regulation 2018, the applicant must:

- a) Record water taken for which the exemption is claimed, and
- b) Record the take of water not later than 24 hours after water is taken, and
- c) Make the record on WAL exemption form located on WaterNSW website "Record of groundwater take under exemption", and
- d) Keep the record for a period of 5 years, and
- e) Give the record to WaterNSW either via email to Customer.Helpdesk@waterNSW.com.au or post completed forms to - PO Box 398 Parramatta NSW 2124:
 - i. Not later than 28 days after the end of the water year (being 30 June) in which the water was taken, or
 - ii. If WaterNSW directs the person in writing to give the record to WaterNSW on an earlier date, by that date.

GT0119-00001

All extracted groundwater must be discharged from the site in accordance with Council requirements for stormwater drainage or in accordance with any applicable trade waste agreement.

GT0122-00001

Construction Phase Monitoring programme and content:

- a) A monitoring programme must be submitted, for approval, to WaterNSW with the water supply work application. The monitoring programme must, unless agreed otherwise in writing by WaterNSW, include matters set out in any Guide published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no Guide is current or published, the monitoring programme must include the following (unless otherwise agreed in writing by WaterNSW):

- i. Pre-application measurement requirements: The results of groundwater measurements on or around the site, with a minimum of 3 bore locations, over a minimum period of 3 months in the six months prior to the submission of the approval to WaterNSW.
 - ii. Field measurements: Include provision for testing electrical conductivity; temperature; pH; redox potential and standing water level of the groundwater;
 - iii. Water quality: Include a programme for water quality testing which includes testing for those analytes as required by WaterNSW;
 - iv. QA: Include details of quality assurance and control;
 - v. Lab assurance: Include a requirement for the testing by National Association of Testing Authorities accredited laboratories.
- b) The applicant must comply with the monitoring programme as approved by WaterNSW for the duration of the water supply work approval (Approved Monitoring Programme).

GT0123-00001

- a) Prior to the issuing of the occupation certificate, and following the completion of the dewatering activity, and any monitoring required under the Approved Monitoring Programme, the applicant must submit a completion report to WaterNSW.
- b) The completion report must, unless agreed otherwise in writing by WaterNSW, include matters set out in any guideline published by the NSW Department of Planning Industry and Environment in relation to groundwater investigations and monitoring. Where no guideline is current or published, the completion report must include the following (unless otherwise agreed in writing by WaterNSW):
 - 1) All results from the Approved Monitoring Programme; and
 - 2) Any other information required on the WaterNSW completion report form as updated from time to time on the WaterNSW website.
- c) The completion report must be submitted using "Completion Report for Dewatering work form" located on WaterNSW website www.waternsw.com.au/customer-service/waterlicensing/dewatering

GT0150-00001

The extraction limit shall be set at a total of 3ML per water year (being from 1 July to 30 June). The applicant may apply to WaterNSW to increase the extraction limit under this condition. Any application to increase the extraction limit must be in writing and provide all information required for a hydrogeological assessment.

Advisory notes:

- Any application to increase the extraction limit should include the following:
 - Groundwater investigation report describing the groundwater conditions beneath and around the site and subsurface conceptualisation.
 - Survey plan showing ground surface elevation across the site.
 - Architectural drawings showing basement dimensions.
 - Environmental site assessment report for any sites containing contaminated soil or groundwater (apart from acid sulphate soils (ASS)).
 - Laboratory test results for soil sampling testing for ASS.
 - If ASS, details of proposed management and treatment of soil and groundwater.

Testing and management should align with the NSW Acid Sulphate Soil Manual.

GT0151-00001

Any dewatering activity approved under this approval shall cease after a period of two (2) years from the date of this approval, unless otherwise agreed in writing by WaterNSW (Term of the dewatering approval).

Advisory note:

- An extension of this approval may be applied for within 6 months of the expiry of Term.

GT0152-00001

This approval must be surrendered after compliance with all conditions of this approval, and prior to the expiry of the Term of the dewatering approval, in condition GT0151-00001.

Advisory note:

- An extension of this approval may be applied for within 6 months of the expiry of Term.

GT0155-00001

The following construction phase monitoring requirements apply (Works Approval):

- a) The monitoring bores must be installed in accordance with the number and location shown, as modified by this approval, unless otherwise agreed in writing with WaterNSW.
- b) The applicant must comply with the monitoring programme as amended by this approval (Approved Monitoring Programme).
- c) The applicant must submit all results from the Approved Monitoring Programme, to WaterNSW, as part of the Completion Report.

SCHEDULE 1

The plans and associated documentation listed in this schedule are referred to in general terms of approval (GTA) issued by WaterNSW for integrated development associated with LDA2022/0408 as provided by Council:

- Douglas Partners, Report on Geotechnical Investigation, Document No. R.002.Rev1, dated December 2022.
- Douglas Partners, Dewatering Management Plan, Document No. R004, Dated December 2022.

18. Transport for NSW Requirements.

- 1) All buildings and structures, together with any improvements integral to the future use of the site are wholly within the freehold property (unlimited in height or depth), along the Herring Road boundary.
- 2) The developer shall be responsible for all public utility adjustment/relocation works, etc. necessitated by the above/approved work and as required by the various public utility authorities and/or their agents.
- 3) A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Herring Road or the signalised intersection Herring Road / Ivanhoe Place. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

Reason: To ensure the development does not impact upon the roadway and traffic flow.

- 19. Remediation of Land.** As required by the Detailed Site Investigation (Contamination) report dated 1 December 2022 as prepared by Douglas Partners, the land located at 155 Herring Road (SP 6782) must be further investigated for potential contamination, and the Detailed Site Investigation (DSI) appropriately amended.

If required by the amended DSI, the site must be remediated to the extent necessary for the proposed use. A copy of the Site Validation Report must be submitted to Council for consideration within 30 days of remediation work being completed.

The Site Validation Report must comply with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2020) and demonstrate that the site is suitable for the proposed uses.

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 uses, without the need for further remediation.

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

- 20. Tree Retention.** The following trees, as referenced within the Arboricultural Impact Assessment prepared by Naturally Trees dated 8 August 2023, must be retained and protected: 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 23, 24, 34, 35, 36, 37, 38, 39, 41, 42, 43, 65 & 70.

Reason: To ensure all trees which are not significantly impacted by the proposed works are appropriately retained and protected.

- 21. Tree Removal.** The following trees, as referenced within the Arboricultural Impact Assessment prepared by Naturally Trees dated 8 August 2023, are approved for removal: Trees 4, 5, 10, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 40, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68 & 69.

All tree removal work is to be carried out in accordance Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal (2016) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

Reason: To facilitate the proposed works.

- 22. Canopy Pruning.** Canopy pruning works to be undertaken upon Trees 1, 2, 23 & 24 are to be limited to that which has been outlined within Appendix 9 of the Arboricultural Impact Assessment prepared by Naturally Trees dated 8 August 2023 (branches as specified and no more than 5% of the overall crown).

Reason: To ensure existing trees nominated for retention are not adversely impacted by the proposed works.

- 23. 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 Naturally Trees dated 8th August 2023. All trees are to be monitored to ensure adequate health throughout the works period is maintained.

Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist. Details of the Project Arborist are to be submitted to Council prior to the commencement of the proposed works.

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

- 24. Tree Protection Fencing.** The Tree Protection Zones of all retained trees must be protected by way of fencing and signage designed and 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.

- 25. Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to any the commencement of any works (including demolition) on site.

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

- 26. 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.

- 27. Tree Planting – Selection & Establishment.** Tree specimens chosen for planting are to align with the requirements for stock selection as stipulated by AS2303-2015 – Tree stock for landscape use.

Further, the trees shall be planted in accordance with the specifications as prescribed within Section 6 of the City of Ryde Tree Management Technical Manual and maintained until they reach a height of five (5) metres or have a stem circumference of 450mm at a height of 1.4m above ground level, at which time they shall become protected by Part 9.5 (Tree Preservation) of the City of Ryde Development Control Plan 2014.

If any tree dies before reaching this size, it is to be replaced with a specimen of the same species and pot size and maintained accordingly.

Reason: To ensure the establishment of viable canopy tree planting in the medium-long term.

- 28. Excavation within TPZ – General.** 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.

- 29. Canopy Tying.** Where possible, tree branches overhanging works zones are to be tied back to the main trunk rather than pruned.

Reason: To minimise the extent of canopy pruning necessary to facilitate construction and mitigate impacts to existing trees nominated for retention.

- 30. 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.

- 31. Tree Protection Schedule.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre-construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to Ryde City Council on completion of the project.

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1	Indicate clearly (with spray paint on trunks) trees approved for removal only.	Principal Contractor	Project Arborist	Prior to demolition and site establishment.
2	Establishment of tree protection fencing.	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3	Supervise all excavation works proposed within the TPZ.	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4	Inspection of trees by Project Arborist.	Principal Contractor	Project Arborist	Bi-monthly during construction period
5	Final inspection of trees by project Arborist.	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

Reason: To ensure that appropriate measures are taken throughout the development phase to protect and retain trees.

- 32. Street Trees - Retention and Protection.** Trees identified in the Arboricultural Impact Assessment prepared by Naturally Trees dated 8 August 2023 as Tree Numbers 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 34, 35, 36, 37, 38, 39, 41, 42, and 43 and located in the road reserve of Herring Road, Windsor Drive and Lachlan Avenue are to be retained and protected in accordance with the following conditions:

- 1) Protection fencing, construction type 1.8m high chainwire fencing, in accordance with AS4970-2009 Protection of trees on Construction Sites, to be installed around the tree in the road reserve to be retained, prior to the issue of the construction certificate.

- 2) That all relevant legislation and WHS regulations be adhered to whilst undertaking these works
- 3) Fencing to have a minimum of two signs that include the words "Tree Protection Zone – Keep Out". Each sign shall be a minimum size of 600mm x 500mm and the name and contact details of the Project Arborist. Signs shall be attached facing outwards in prominent positions at 10 metre intervals or closer where the fence changes direction. The signs shall be visible within the site.

Where the Project Arborist determines that tree protection fencing cannot be installed, the tree protection fencing needs to be removed temporarily, access within or through the Tree Protection Zone is necessary or where work will be carried out within the Tree Protection Zone (as approved and supervised by the Project Arborist):

- 1) the stem and branches of trees to be retained shall be protected, as follows:
 - two layers of carpet underlay (or other padding approved by the Project Arborist) shall be installed around the stem and branches. Stem protection shall cover the stem from ground level; and
 - hardwood or treated pine timbers (100mm x 50mm) the same length as the stem or branch shall be positioned over the padding and next to each other around the stem or branch, secured together with galvanised wire or strapping. Boards shall not be nailed or screwed into the stem or branch. No part of the protection shall be secured to the tree.
- 2) The ground surface within the Tree Protection Zone shall be protected by placing geotextile fabric on the ground surface, covering this with a layer of mulch to a depth of 75mm and then placing boarding (scaffolding board, plywood sheeting or similar material) on top. The geotextile fabric and mulch shall be kept clear of tree stems by at least 50mm.
- 3) The following activities shall not be carried out within any Tree Protection Zone:
 - a) disposal of chemicals and liquids (including concrete and mortar slurry, solvents, paint, fuel or oil);
 - b) stockpiling, storage or mixing of materials;
 - c) refuelling, parking, storing, washing and repairing tools, equipment, machinery and vehicles;
 - d) disposal of building materials and waste;
- 4) The following activities shall not be carried out within any Tree Protection Zone unless under the supervision of the Project Arborist:
 - a) increasing or decreasing soil levels (including cut and fill);
 - b) soil cultivation, excavation or trenching;
 - c) placing offices or sheds;
 - d) erection of scaffolding or hoardings; and/or
 - e) any other act that may adversely affect the vitality or structural condition of the tree.
- 5) All work undertaken within or above a Tree Protection Zone shall be supervised by the Project Arborist.
- 6) Excavation within the Tree Protection Zone of any tree to be retained shall:
 - a) be undertaken using non-destructive methods (e.g., an Airspade or by hand) to ensure no roots greater than 40mm in diameter are damaged, pruned or removed. All care shall be taken to preserve and avoid damaging roots;
 - b) not occur within the Structural Root Zone.
- 7) The City of Ryde shall only give approval for minor pruning works. All pruning works shall be specified by the Project Arborist. All pruning shall be carried out in accordance with section 5 and by an arborist qualified in accordance with section 4.
- 8) Written approval from the City of Ryde shall be obtained prior to removing or pruning any street tree. All street trees not approved for removal shall be protected in accordance with the tree protection measures set out above.

- 9) That a bond be placed upon the trees to be retained and replanted to the value of \$3,000 each.
- 10) That the bond be paid to Council prior to the issue of the construction certificate.
- 11) That Councils Tree Management Officer inspects the tree prior to the bond being released.
- 12) That the tree shall be in good health and vigour upon inspection.
- 13) That if the tree is found to be in poor condition or vigour the bond shall not be released.
- 14) That the bond be released no sooner than 12 months after issuing of the final Occupation Certificate.

Reason: To ensure protection of Council street trees.

- 33. 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: 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.

- 34. Removal of Redundant Driveways.** Existing driveways on Lachlan Avenue and Windsor Drive are to be removed in accordance with “the Civil Engineering Package – Siteworks and Stormwater Management Plan-Ground Floor” drawing prepared by Northrop (Drawing No. DAC04.01 Revision 5 dated 23 January 2023).

Reason: To ensure that on-street parking provision is maximised.

- 35. Road and Active Transport Upgrades.** The applicant or person acting on the consent must deliver the following works to mitigate traffic impacts associated with the development:

- A shared pedestrian/cycle link along the eastern side of Herring Road and southern side of Windsor Drive for the extent of the western and northern frontages of the site to improve pedestrian/cyclist connectivity between the development site and public transport facilities within Macquarie Park.
- The minimum width for the shared pedestrian/cycle link is 2.5m on Herring Road with the exception for tree protection reducing the width to 2m, and the minimum width for the shared pedestrian/cycle link on Windsor Drive is 2m with the exception for tree protection reducing the width to 1.8m.
- Following kerb ramps are also required to be provided:
 - Widening the existing kerb ramp on Herring Road to cross Windsor Drive.
 - Provide new kerb ramps on both sides crossing Lachlan Avenue to ensure the shared pedestrian/cycle link along Windsor Drive is connected to the park’s pathway on the southern side of Lachlan Avenue.

The above-mentioned measures are also expected to support walking, cycling and public transport strategies specified in future green travel plans.

All design drawings associated with the above shared pedestrian/cycle link is to be confirmed and approved by Council prior to Construction Certificate. All costs associated with the design and delivery of the shared user path and upgrades outlined above are to be borne by the proponent.

Reason: To ensure appropriate traffic management.

- 36. Over Size / Over Mass Vehicles Permit.** Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Ryde LGA.

Reason: To ensure maintenance of Council's assets.

37. Swimming Pool Requirements.

- a) The pool/spa pump/filter must comply with the requirements of the Protection of the Environment Operations (Noise Control) Regulation 2017 and shall not:
 - i. Emit noise that is audible within a habitable room in the development (regardless of whether any door or window to that room is open):
 - before 8.00am and after 8.00pm on any Saturday, Sunday, or public holiday; or
 - before 7.00am and after 8.00pm on any other day.
 - ii. At times other than those specified above noise generated from the pump/filter shall not exceed an LAeq (15min) of 5dB(A) above background noise, when measured at roof edge of the development.
 - iii. To satisfy the above requirements, the pool/spa pump/filter must be housed in a suitably ventilated acoustic enclosure to control noise emissions during operation.
- b) Before the issue of a construction certificate, the certifier must be satisfied the construction certificate plans provide fencing in accordance with the requirements of the Swimming Pools Act 1992, Swimming Pools Regulation 2018 and Australian Standard AS1926.1-2012 Swimming Pool Safety.
- c) Before the issue of the relevant occupation certificate, documentary evidence must be provided to the satisfaction of the principal certifier confirming that the pool/spa is registered in accordance with the Swimming Pools Act 1992. Registration can be undertaken online at: <http://www.swimmingpoolregister.nsw.gov.au/>
- d) Before the issue of the relevant occupation certificate, documentary evidence must be provided to the satisfaction of the principal certifier confirming the spa/pool is connected to the Sydney Water sewer for discharge of wastewater.
- e) During occupation and ongoing use, the pool/spa fence and warning notice(s)/safety signage is to be maintained in accordance with the provisions of the Swimming Pools Act 1992, Swimming Pools Regulation 2018 and Australian Standard AS1926.1-2012 Swimming Pool Safety.

Reason: To ensure safety and amenity.

- 38. Land Boundary / Cadastral Survey.** If any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land

boundary / cadastral survey including any be undertaken to define the land. Any proposed easements shall also be shown on the plan.

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

Reason: To ensure no encroachment of private works on public land.

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.

- 39. Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:

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.

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 inform the commencement of work.

- 40. 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.

- 41. Demolition and Construction Noise Control.** A comprehensive demolition and construction noise and vibration management plan to protect the amenity of the adjacent properties must be prepared by a suitable qualified acoustic consultant and submitted to the Principal Certifier before demolition commences. The plan must be prepared in accordance with the relevant requirements of Interim Construction Noise Guideline (DECC, 2009) and AS2436-2010 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites" 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 or businesses.
- f. Complaints management procedures.

Note: Appropriate background noise levels relevant to the most sensitive receivers will be required to support the plan.

All relevant requirements of the plan must be implemented throughout the period of demolition and construction.

Reason: To protect the amenity of neighbouring residential and business property.

- 42. Dust Control.** A Dust Control Plan must be prepared in accordance with relevant legislation and guidelines and submitted to the Principal Certifier before demolition commences to prevent the escape of dust from the site during demolition and construction and include:

- a. Physical barriers being placed around the site and other dust sources to prevent wind or work activities from generating dust.
- b. Watering areas of exposed soil during dry windy weather.
- c. Covering or watering stockpiles during dry windy weather.
- d. Watering the work area or use of fog cannons during excavation work.
- e. Stopping excavation work during periods of high winds if dust emissions cannot be prevented.
- f. Watering haul roads during dry weather.
- g. Ensuring that all excavated materials transported from the site are covered.
- h. Re-stabilisation of disturbed areas as soon practicable after work is completed.

All relevant requirements of the plan must be implemented throughout the period of demolition and construction.

Reason: To ensure dust generated will not impact upon neighbouring public and private land.

- 43. Demolition Pedestrian and Traffic Management Plan.** Demolition Pedestrian and Traffic Management Plan. A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineer and submitted to and approved by Council's Traffic Services Department prior to issue of any Construction Certificate.

Truck movements are to be restricted to outside of peak weekday commuter periods between 8.00-9.30am and 4.30-6.00pm to minimise impact on Macquarie Park area. Truck movements must be agreed with Council's Traffic Services 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, 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 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.

- vi. Include Traffic Control Plan(s)/Traffic Guidance Scheme(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 measure.
- ix. 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.
- 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 construction. 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: To ensure that a plan is prepared to address traffic impacts during demolition works to minimise any inconvenience and safety risks to the general public.

- 44. 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 Traffic Services Department for approval. A copy of the approved DPTMP is to be kept on-site 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 during construction.

- 45. 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 and in accordance with the Detailed Site Investigation report dated 24 November 2023 as prepared by Foundation Earth Sciences.

Reason: Statutory requirement and safety.

46. **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: Statutory requirement.

47. **Waste Management Plan.** Demolition material must be managed in accordance with the approved Waste Management Plan.

Reason: To ensure the compliant and orderly disposal of waste.

48. **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. Trees marked for removal are to be carried out in accordance NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

No trees are to be removed from adjoining properties.

Reason: Tree protection.

49. **Tree Protection Fencing.** All protective fencing and signage around Tree Protection Zones (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. All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site.

Reason: Tree protection.

50. **Tip Dockets.** Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.

Reason: Statutory requirement.

51. **Identification and removal of hazardous materials.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.

Reason: Statutory requirement.

52. **Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.

Reason: To ensure waste materials are disposed of safely.

53. **Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.

Reason: Statutory requirement.

- 54. Discovery of Additional Information.** Council and the Principal Certifier (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: Statutory requirement.

- 55. Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.

Reason: To ensure waste materials are disposed of safely.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifier 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 (e.g. Council or government agency), the Principal Certifier 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 Certifier.

- 56. 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 Facilities	\$1,339,189.31
Open Space & Recreation	\$2,583,965.84
Transport & Traffic Facilities	\$189,492.73
Plan Preparation & Administration	\$61,692.51
Total Contribution	\$4,174,340.39

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

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

The contribution must be paid prior to the issue of any Construction Certificate that authorises any works for the ground floor level or above. Payment may be by EFTPOS

(debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

Reason: Statutory requirement.

- 57. 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.

- 58. 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.

- 59. 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.

- 60. 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.

- 61. 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.

- 62. Definition of Planting Areas – Herring Road Setback.** Planting areas which adjoin the site boundary fronting Herring Road are to be contiguous, provided entirely at ground level and not impeded by planter walls / hobs as shown within the Landscape Documentation prepared by Arcadia dated 8 August 2023.

Details of compliance are to be shown on the plans for Construction Certificate.

Reason: To allow for an improved growing environment for proposed plant species.

- 63. Canopy Tree Planting – Street Setbacks.** Large-growing, locally endemic canopy tree planting is to be provided within street setback areas, including a minimum of eight (8)

trees within the Herring Road setback and three (3) trees within the Windsor Drive setback. New trees are to be installed at a minimum 200L pot size and species selected from the following list: *Angophora costata* (Sydney Red Gum); *Angophora floribunda* (Rough-barked Apple); *Corymbia maculata* (Spotted Gum); *Eucalyptus botryoides* (Swamp Mahogany); *Eucalyptus acmenoides* (White Mahogany); *Eucalyptus pilularis* (Blackbutt); *Eucalyptus piperita* (Sydney Peppermint); *Eucalyptus saligna* (Sydney Blue Gum); *Eucalyptus resinifera* (Red Mahogany); *Eucalyptus tereticornis* (Forest Red Gum).

Details of compliance are to be shown on the plans for Construction Certificate.

Reason: To compensate for proposed removal of large canopy trees on site and ensure that new canopy tree planting provided within street setback areas is of a scale commensurate with that of the built form.

64. Planter Box Plantings – Selection & Establishment.

- a) Plantings chosen for the balcony planter boxes are to be of a species sufficient to withstand wind velocities and not be prone to wind pruning.
- b) An automated irrigation system is to be installed into the planter boxes to ensure that the plantings are adequately maintained on an ongoing basis.
- c) A viable maintenance regime is to be included in the building by-laws to ensure that the plantings in the balcony planter boxes are kept in a presentable manner and remain contributory to the architectural character of the building.

Details of compliance are to be shown on the plans for Construction Certificate.

Reason: To ensure that plantings in planter boxes are maintained.

65. Balcony Slab Set Downs. If balcony slab set downs are proposed, drainage, downpipes and waterproofing strategies are to be integrated into the design and are not to be installed at the exterior of the buildings.

Details of compliance are to be shown on the plans for Construction Certificate.

Reason: To ensure that drainage and waterproofing strategies are integrated into the architectural design.

66. Air Conditioning Units. Air conditioning units which are proposed to be installed on balconies and areas which face the public domain are to be screened from view from the public domain.

Details of compliance are to be shown on the plans for Construction Certificate.

Reason: To ensure that the installation of air conditioning units does not detract from the architectural integrity of the buildings.

67. 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 Flood Assessment Report prepared by Catchment Simulation Solutions (Revision 3.1) dated August 2023.
- b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Flood Assessment Report prepared by Catchment Simulation Solutions (Revision 3.1) dated August 2023.
- c) 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 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:

- a) 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 flood protection measures are as per approved flood report.

- 68. 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.

- 69. 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.

- 70. 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.

- 71. 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 {Civil Plans prepared by Northrop P/L Drawing No. DAC04.01 & DAC05.22 (Project No. 213888, Revision 6, 09 August 2023)} 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.

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

- 72. Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number

of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:

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

Reason: Ensuring compliance with Council's relevant Planning Instruments.

- 73. Public Domain Improvements – Design for Construction Certificate.** The public domain is to be upgraded in the Herring Road, Windsor Drive and Lachlan Avenue frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual (PDTM), Chapter 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.

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

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

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

- d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158 Lighting for Roads and Public Spaces, with a minimum vehicular luminance category V3 and pedestrian luminance category PR3 along Herring Road and a minimum vehicular luminance V5 and pedestrian luminance category PR2 along Windsor Drive and Lachlan Avenue.

Subject to design, it is expected that four new street lights on multi-function poles (MFP's) will be required along the Herring Road frontage, two new street lights on MFP's will be required along the Windsor Drive and two new street lights on MFP's will be required along the Lauchlan Avenue frontages of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual, Chapter 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire 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: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments.

- 74. Public Infrastructure Works - Design for Construction Certificate.** 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 road works into the remaining street scape.

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

- a) The full reconstruction of half road width for the Windsor Drive and Lachlan Avenue frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road. The final scope of the roadworks to be decided upon with the approval of the drawings for Construction Certificate for Public Domain Works.
- b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- c) The construction of new kerb and gutter along the whole length of Herring Road, Windsor Drive and Lachlan Avenue frontages of the development site.
- d) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Herring Road, Windsor Drive and Lachlan Avenue.

- e) Construction of granite footway along the Herring Road, Windsor Drive and Lachlan Avenue frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor.
- f) Re-construction of the existing concrete kerb ramps with granite pavers in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor.
- g) Restoration of the existing parking sensors - if affected by the works in Windsor Drive and Lachlan Avenue. The information is available on Dial Before You Dig. The Developer to get in touch with Council's Rangers.
- h) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- i) Signage and line-marking details.
- j) Staging of the public civil works, if any, and transitions between the stages.
- k) 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: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments and standards.

- 75. Changes to the Operational Waste Management Plan.** Any changes to the Operational Waste Management Plan (Document No. D23/4307) or the Amended Basement 2 Floor Plan (Document No. D23/114665) which were utilised to evaluate waste collections by Council, have to be approved by the Waste Department at the City of Ryde Council before the issue of a Construction Certificate.

Reason: To ensure Council waste collection is not affected.

- 76. Waste Requirements.** All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.

- 1,100L Bins – width 1.4m, depth 1.1m, height 1.4m.
- 660L Bins – width 1.3m, depth 0.8m, height 1.3m.
- 240L Bins – width 600mm, depth 800mm, height 1100mm.
- 140L Bin – width 535mm, depth 615mm, height 915mm.

- (i) Two separate receptacles must be provided inside each dwelling to store up to two days' worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables.
- (ii) Access to the hard waste area must be provided for collection contractors. Suitable details must be clearly shown on the approved plan before the issue of any Construction Certificate.
- (iii) On-site storage at a rate of 5m² per 30 units (see sliding scale for larger developments), must be provided. Suitable details must be clearly shown on the approved plan before the issue of any Construction Certificate.
- (iv) All garbage and recycling rooms must be constructed in accordance with the following requirements:
 - a) The room must be of adequate dimensions to accommodate all waste containers, and allow easy access to the containers for users and servicing purposes.
 - b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system.
 - c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation.
 - d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light-coloured washable paint.
 - e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light-coloured washable paint.
 - f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material.
 - g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high.
 - h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation.
 - i) The room must be provided with adequate artificial lighting; and
 - j) A hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details demonstrating compliance are to be submitted on the Construction Certificate plans.

Reason: To ensure adequate waste management is provided for.

- 77. Management of sediment and polluted water.** Temporary measures shall be provided and regularly maintained during demolition, excavation, and construction to prevent sediment and polluted waters discharging from site. Plans showing such measures in accordance with the NSW Department of Housing, Managing Urban Stormwater, Soils and Construction Manual shall be submitted to and approved by the Principal Certifier prior to the issue of a Construction Certificate.

Reason: Protection of the environment.

- 78. Public Arts Plan.** A Public Arts Plan is to be provided as part of the proposed development in accordance with Part 4.5 of the Ryde Development Control Plan 2014. A Public Arts Plan is to be submitted for approval by Council prior to the issue of Construction Certificate (for above ground works).

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

- Identify opportunities for the integration of public art in the development.
- Identify themes for public art consistent with Part 4.2 of DCP 2014 & options considered.
- Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area.
- The proposal should include detail on how the public art feature responds to public safety, security and
- The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of final Occupation Certificate.
- The proposal should provide engineer's drawings and demonstrate:
 - Australian building standards requirements and codes for the structural design.
 - Sound practices for fabrication and construction, and materials appropriate for application.
 - Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.

Reason: To ensure compliance with the DCP and the delivery of public art.

- 79. Compliance with Acoustic Report.** The development is to comply with the recommendations contained in the Acoustic Assessment prepared by Pulse White Noise Acoustics dated 1 December 2022 and all other relevant BCA acoustic requirements. Details demonstrating compliance are to be submitted on the Construction Certificate plans.

Reason: To protect the amenity of residents and neighbouring land.

- 79A. Apartment Noise Attenuation Design.** A qualified acoustical engineer with membership of the Association of Australasian Acoustical Consultants must certify that the internal party walls between bedrooms and living rooms of adjoining separate units has been designed to minimise the noise intrusion from any internal or external noise source and when constructed achieve a 5 star rating under the Association of Australasian Acoustical Consultants Guideline for Apartment and Townhouse Acoustic rating Version 1.0.

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

Reason: To comply with best practice standards for residential acoustic amenity.

- 80. Compliance with Access Report.** The development is to comply with the requirements contained in the Accessibility Review Report prepared by ABE Consulting Pty Ltd dated 30 November 2022. The development is to comply with the Access to Premises Standard 2010, BCA 2016 and Australian Standard AS 1428.1 – 2009 Design for Access and Mobility – General Requirements For Access - New Building Work. Australian Standard AS 4299 – 1995 Adaptable Housing. Details demonstrating compliance are to be submitted on the Construction Certificate plans.

Reason: To ensure equitable access is provided.

- 81. 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 the development. Please go to www.sydneywater.com.au/tapin to apply.

Reason: Statutory requirement.

- 82. Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals.
- connection and disconnection approvals.
- Diagrams.
- trade waste approvals.
- pressure information.
- water meter installations.
- pressure boosting and pump approvals.
- changes to an existing service or asset, eg relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Reason: To protect Sydney Water assets.

- 83. Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Certifying Authority prior to the release of the Construction Certificate.

Reason: To ensure the use of appropriate material to minimise reflectivity.

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

This statement must include verification from the registered architect that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development.

Reason: To maintain consistent architectural oversight.

- 85. 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 Traffic Services Department prior to issue of any Construction Certificate.

Due to heavy traffic throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00 to 9.30am and 4.30 to 6.00pm. Truck movements must be agreed with Council's Traffic Services 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 Traffic Services 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)/Traffic Guidance Scheme(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 public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

- 86. 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 so it has a service life consistent with that of the development, and 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 Off-street 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 Off-street Parking and Council's specifications. The new crossing shall be constructed at right angle to the alignment of the kerb and gutter and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

Reason: Improved access and public amenity.

- 87. 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 \$230,000 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 with specifications.

- 88. 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 with Council's requirements.

- 89. 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.

- 90. 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 10.8m long garbage truck, 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 10.8m long garbage truck shall be reviewed and approved by a chartered civil engineer (with evidence of this certification submitted to Council) prior to the issue of the Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures, and neighbouring driveways.

Reason: To assist with the safety and efficiency of heavy vehicles entering and exiting the site.

- 91. Lighting of the Common Area.** A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers lighting for:

- internal driveways,
- visitor and car share parking areas;
- around the building entrances and communal areas;
- all open space areas within the site.

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

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.

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

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

Reason: To ensure that lighting is provided and managed to avoid adverse impact on neighbouring private and public land.

- 92. Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Apartment Design Guide. Details of the location of the storage and dimensions of the storage areas are to be provided on the Construction Certificate plans. The architect is to verify in writing that the development complies prior to the issue of the Construction Certificate.

Reason: To ensure compliance with the ADG and adequate provision of residential storage.

- 93. BASIX Details.** BASIX Details are to be included on the Construction Certificate. The Construction Certificate plans and specifications are to detail all of the 'CC plan' commitments of the BASIX Certificate.

Reason: To ensure compliance with BASIX.

- 94. Soil Depth over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.

Reason: To ensure compliance with the ADG and to support adequate soil depth for plantings.

- 95. Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Off-street 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) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.

- b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.
- d) Wheel stops should be provided to restrain vehicle contact with wall and limit the travel of a vehicle into a parking space in accordance with AS2890.1.2004.
- e) Way-finding signages shall be incorporated to assist in the orderly and efficient operation of the basement car park. Car park design shall consider the internal traffic circulation/movement and the convenience for the drivers and pedestrians.

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.

- 96. Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Windsor Drive, generally in accordance with the following plans by Northrop, Job Number: 213888:

Plan	Date	Prepared by
DAC04.01 (Rev 07) – Siteworks and Stormwater Management Plan – Ground Floor	21/08/2023	Northrop
DAC05.21 (Rev 03) – Stormwater Management Devices – Sheet 01	21/08/2023	Northrop

Subject to any variations marked in red on the approved plans or noted following;

- a) Rainwater storage of 30KL shall be provided and indicate the locations of rainwater storage tanks on stormwater management plans.
- 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.

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.

- 97. 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.

- 98. Stormwater Management – Connection to Public Drainage System.** Engineering plans detailing the connection of the developments stormwater management system to the public drainage service must be forwarded to Council and an inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

Where the point of connection is in neighbouring property, the applicant must provide written notification to the affected property owner no less than a week prior to the works and all structures/ surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner.

Reason: To ensure that the connection is in accordance with the City of Ryde 2014 DCP Part 8.2 and to Council's satisfaction.

- 99. Vehicle Footpath and Gutter Crossover Approval.** 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 consistent with that of the development and ensure it is compliant with current Council's standards and specifications.

The location, design and construction shall be in accordance with Council's DCP 2014 Part 8.3 (Driveways), Part 8.5 (Public Civil Works) and Australian Standard AS2890.1 – 2004 (Off-street 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 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 Off-street Parking and Council's specifications. The new crossing width shall be in accordance with the approved ground floor plan. It shall be constructed at right angle to the alignment of the kerb and gutter and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

An assessment and inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

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

Reason: The design and levels of the new driveway crossover(s) will require approval from Council under Section 138 of the Roads Act.

- 100. Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include 1-3 Lachlan Avenue, Macquarie Park.

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

Reason: To clarify any claims of damage made by adjoining property owners.

- 101. 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 wherever 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.

- 102. Ventilation of Car Park.** The basement car park must be provided with an adequate system of natural or mechanical ventilation complying with Building Code of Australia. Any ventilation screens are to be integrated into the façade and landscape design. Details to be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

Reason: Health and to ensure architectural consistency.

- 103. Mechanical ventilation.** Where internal noise levels exceed the internal noise criteria by more than 10 dB(A) with windows/doors open to meet the minimum requirements of the Building Code of Australia for a naturally ventilated space, an approved system of mechanical ventilation complying with the AS1668.2 must be provided.

Reason: Protection of acoustic amenity.

- 104. 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 Certifier before the issue of any Construction Certificate. 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: Protection of acoustic amenity.

105. 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.
- l) Details for any staging of works.
- m) Details and procedures for dust control.

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

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.

106. Site Sign.

- (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address, and telephone number of the Principal Certifier for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Reason: Statutory requirement.

- 107. Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Any doors/ gates on the boundary must be installed so they do not open onto any footpath.

Reason: To maintain public safety and amenity in public domain areas adjoining the development site.

- 108. 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.

- 109. 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.

- 110. 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.

- 111. Proposed Property Addressing.** Proposed addressing for the new development must have been lodged with Council's Spatial Data Services section, prior to the commencement of construction.

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

- 112. Stormwater - Council Drainage - Structural Adequacy.** Council stormwater pits which are being connected into shall be surveyed and confirmed to be capable as being structurally adequate for receiving the upstream connection from the development and satisfy durability requirements. If it is deemed appropriate to replace the pit, kerb inlet pits shall be cast in-situ and conforming to Council's standard drainage pit details.

A certificate from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority, prior to the commencement of any works, certifying compliance with this condition.

Reason: to verify the structural integrity of the pit.

- 113. 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 obtain all Road Activity Permits required for the works.

Note: Copies of several 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.

- 114. 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.

- 115. 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 and communicate Council's requirements.

- 116. 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.

- 117. 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: Ensure public amenity and safety.

- 118. 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: Ensure compliance.

- 119. 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 require Council approval prior to such activities being undertaken.

- 120. 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.

- 121. Road Activity Permits.** To carry out any work in, on or over a public road (including verge), consent from Council is required as per the Roads Act 1993. The applicant is required to review the "Road Activity Permits Checklist" (available from Council's website) and apply for the relevant permits for approval by Council.

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

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.

- 122. Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifier during construction to ensure that the critical stage inspections are undertaken, as required under clause 61 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Reason: Statutory requirement.

- 123. Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.

Reason: To protect the amenity of the neighbourhood.

- 124. 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.

- 125. 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.

- 126. 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.

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

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

128. 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.

129. 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.

- 130. 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: Ensure compliance with relevant standards.

- 131. 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.

- 132. Consent documents available on site.** At all times during the construction, a copy of the development consent and the approved stamped plans is to be kept on site. These documents are to be made available to any Council Officer as requested.

Reason: To ensure Council Officers are able to access the consent during any site inspection.

- 133. Stormwater - Hold Points during construction – Council Drainage 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 drainage works/for all stormwater drainage works in Council's land.

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

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

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

- 134. Implementation of the Construction Pedestrian and Traffic Management Plan.** All construction works are to be undertaken in accordance with the approved Construction

Traffic and Pedestrian 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 Services 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: To ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction.

- 135. Traffic Management.** Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (*Construction Activities*).

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

- 136. 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 Northrop, Job Number: 213888:

Plan	Date	Prepared by
DAC04.01 (Rev 07) – Siteworks and Stormwater Management Plan – Ground Floor	21/08/2023	Northrop
DAC05.21 (Rev 03) – Stormwater Management Devices – Sheet 01	21/08/2023	Northrop

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.

- 137. Availability of Tip Dockets.** Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.

Reason: Record keeping and compliance with the Site Waste Minimisation & Management Plan.

- 138. Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.

Reason: Statutory requirement.

- 139. Imported fill.** All imported fill must be validated in accordance with the Contaminated Sites Sampling Design Guidelines (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifier (and Council, if Council is not the PCA) before the fill is used.

Reason: Statutory requirement.

- 140. 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: Protection of the environment.

- 141. 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.

- 142. 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 regard 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.

- 143. Construction Traffic Management Plan - Implementation.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

Reason: To ensure that construction vehicle movements and activities are undertaken in accordance with the approved CTMP throughout the period of construction.

- 144. 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.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifier 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 Certifier 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 (e.g., Council or government agency), the Principal Certifier 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 Certifier.

- 145. BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 1355374M-04 dated 30 June 2023 and 1355397M-04 dated 30 June 2023.

Reason: Statutory requirement.

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

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

- 147. Final Assessment of Trees.** At the completion of all construction works, the Project Arborist is to carry out an assessment of all trees required to be retained as part of the development. This assessment is to be documented and submitted to Council for review and approval prior to the issue of any Occupation Certificate. The document will also specify any necessary remediation works necessary to ensure the ongoing health and viability of trees required to be retained.

Reason: To ensure the ongoing health and viability of trees nominated for retention.

- 148. Design Verification.** Prior to an Occupation Certificate being issued to authorise a person to commence occupation or use of the residential apartments, the Principal Certifier is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential apartments achieve the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Part 2 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development.

Reason: To ensure design consistency.

- 149. 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.

- 150. 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 on-street parking capacity and avoid confusion relating to the enforcement of parking restrictions.

- 151. 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 component 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).

- 152. 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 (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
- f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

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.

- 153. Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards,

Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- d) Confirming that 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).
- e) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- f) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

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.

- 154. Wind Impact.** A report from a qualified wind consultant demonstrating compliance with the Acceptable Criteria for Environmental Wind Conditions including compliance with the recommendations contained in the Pedestrian Wind Assessment prepared by RWDI Australia Pty Ltd dated 30 November 2022, must be submitted to the satisfaction of the Principal Certifier before the issue of any Occupation Certificate.

Reason: To ensure compliance with recommendations.

- 155. Public Art Plan.** Prior to the issue of the final Occupation Certificate, the approved works contained in the Public Art Plan approved by this consent shall be implemented.

Reason: To ensure the delivery of public art.

- 156. Acoustics.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria including compliance with the recommendations contained in the Stage 1 – DA Noise Impact Assessment (r3) prepared by Pulse White Noise Acoustics dated 1 December 2022 and **Condition 79A** of this consent must be submitted to the satisfaction of the Principal Certifier before the issue of an Occupation Certificate.

Reason: To ensure compliance with recommendations.

- 157. CCTV Cameras.** CCTV cameras must be installed in the following locations:

- The carpark;
- The ground floor lobby and lifts; and
- The car park entry/exit points.

The cameras are to include Pedestrian entries into the buildings including the area around the mail boxes. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also cover any communal areas, lifts, public spaces and the basement car parks. Recordings should be made 24 hours a day seven (7) days a week.

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

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

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

Reason: Safety and security.

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

Reason: Safety and security.

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

Reason: To ensure graffiti can be satisfactorily removed.

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

An auxiliary lock set should also be incorporated into the design of each of the entry/exit points to enable emergency services to access the development particularly in emergency situations.

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

Reason: Safety and security.

- 161. Intercom System.** Intercom facilities must be incorporated into the entry/exit points to enable residents to identify and communicate with people prior to admitting them to the development.

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

Reason: Safety and security.

- 162. Balcony doors to units.** Balcony doors to units are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorised access to units. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: Safety and security.

- 163. Lift access and security.** Electronic access controls are to be installed on the lifts. The equipment should include card readers to restrict access to the level a resident resides on, to the car parking levels, to the Ground Floor and rooftop communal open space level. Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: Safety and security.

- 164. Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

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

Reason: Statutory requirement.

- 165. Public Access and Right of Way.** Prior to the issue of any Occupation Certificate, a Right of Way (ROW) shall be created over the pedestrian area at the corner of Herring Road and Windsor Road in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the NSW Land Registry Services. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- a) The Pedestrian area is accessible at all times to the Public;
- b) The Pedestrian area will be adequately maintained by the occupier/ owner of the site at all times;
- c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.

Reason: Public safety and amenity.

- 166. 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: Improved access and public amenity.

- 167. 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.

- 168. 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.

- 169. 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: Ensure public safety and protection of infrastructure.

- 170. 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 and safety.

- 171. 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: Ensure Compliance.

- 172. 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.

- 173. 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 Completed Works.

- 174. 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 encroachments.

- 175. 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.

- 176. 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 assets.

- 177. Decommissioning of Ground Anchors.** Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.

Reason: Ensure compliance for protection of public assets.

- 178. 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.

- 179. 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.

- 180. Public Domain Design and Construction Staging.** The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work through the assessment phase of the development applications. All design and construction of public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

Reason: Public amenity and safety.

- 181. In-ground Parking Sensors.** In-ground parking sensors are noted to be present within the roadway fronting the development in Windsor Drive and Lachlan Avenue. The contractor/developer is responsible for the cost associated with the removing and re-installation of the in-ground sensors on the on-street parking bays, where any construction works (including any civil works) are encroaching in the parking bay. The contractor/developer is responsible for the cost associated with the supply and installation of the new in-ground sensors should they cause any damage during construction works.

If the development includes commissioning of new roads and on-street carparking spaces to Council, the developer/contractor is responsible for the cost associated with the purchase, installation, and commissioning of any new parking technology device. Please contact Council's Community and Rangers Team on 02 9952 8262 for further information regarding parking technology devices.

Reason: Protection of Public Assets.

- 182. Council Road Pavement Dilapidation Fee.** A Road Pavement Dilapidation Fee is payable, prior to issue of any Occupation Certificate, to offset the significant acceleration of the serviceable lifespan of Council road pavement resulting from dilapidation during demolition and construction phases of the development works. The following documentation is to be provided to Council to enable calculation of the fee in accordance with Council's current Schedule of Fees and Charges:

- Approved Construction Traffic Management Plan (CTMP) detailing approved routes of heavy vehicles to and from the site during the demolition and construction phases.
- Documentation detailing the Gross Floor Area (GFA) of any structures to be demolished as part of the development works.
- Documentation detailing the Gross Floor Area (GFA) of the proposed or completed structures, constructed on the development site, in accordance with the approved development plans.

The applicant is to pay the fee based on the above documentation and Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to issue of any Occupation Certificate.

Reason: To offset the serviceable lifespan of Council road pavement resulting from dilapidation during demolition and construction phases of the development works.

- 183. 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.

- 184. 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.

- 185. 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.

- 186. Signage and Linemarking (External) - Approval.** 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 approval, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that traffic and parking changes may need to be referred to the Ryde Traffic Committee, which 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: 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.

- 187. 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 by the applicant (at no cost to Council), prior to the issue of any Occupation Certificate.

The construction of the approved signage and linemarking is to be carried out by the applicant and all costs associated with the supply and construction of the appropriate signage and linemarking are to be paid for by the applicant at no cost to Council.

Reason: To ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied.

- 188. Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Traffic Services Department prior to the issue of any Occupation Certificate. The plan must specify that the vehicles permitted to access the loading dock shall be no longer than 10.8m long garbage truck.

The Plan will need to demonstrate how the internal loading dock 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. In this regard the Plan must provide details of the following:

- (i) Delivery requirements and service schedules;
- (ii) Operational aspects on how to use facilities; and
- (iii) Management duties and responsibilities.

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: To assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads.

- 189. 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.

- 190. Parking Area Line-marking and Signage.** Traffic measures such as directional signage, traffic control line-marking 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.

191. Framework Travel Plan. A finalised Framework Travel Plan (FTP) is to be submitted to Council for review and approval prior to the issue of any Occupation Certificate. The FTP must:

- (i) Adopt targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode;
- (ii) Develop measures to achieve the targets including a list of specific tools or actions,
- (iii) Develop monitoring scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey.
- (iv) Adopt strategies and procedures to meet mode share target in Macquarie Park as stated in Ryde Integrated Transport Strategy for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor;
- (v) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the mode share target for the development for the journey-to-work.
- (vi) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-sitelinks where required.
- (vii) 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.
 - Walking and cycling (lockers and end-of-trip facilities).

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents to encourage use of public transport if applicable. The FTP shall be incorporated into or annexed to the strata management plan for the units in perpetuity.

Reason: To assist in reducing future traffic congestion and promote alternative transport options in Macquarie Park.

192. Waste Inspection. An authorised Council waste officer is to ensure that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the Occupation Certificate.

Reason: To ensure that the waste management of the site is in accordance with the consent.

- 193. Provision of Garbage Services.** Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate.

Once the registered Occupation Certificate has been provided to Council, waste services will be provided.

Reason: To ensure the provision of garbage collection services.

- 194. Positive Covenant - Onsite Waste Collection.** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), ensuring that future owners provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council. The terms of the instrument are to be generally in accordance with Council's current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances), to Council's satisfaction. The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances so as to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this. The instrument and works-as-executed plans are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.

Reason: To ensure the continued provision and maintenance of the access driveway and loading bay accommodating waste collection services undertaken by Council.

- 195. Provision for Waste Collection.**

- a) Where there is a lockable door to access a bin room or hard-waste storage room, the universal Council key should be installed so the contractor can access the room for servicing bins or collect the household clean-up items.
- b) Where there will be secure access in place to the loading dock area, Council's waste team will be provided with three (3) access fobs or the relevant access code for use by the contractor to enable service.
- c) The paving from the waste storage area or garbage and recycling room must be moderately graded with no steps or uneven surfaces so that the waste containers can be safely and easily manoeuvred to the collection point.
- d) Where there will be secure access in place to access the basement loading dock area, a lock box accessed by the Council universal key will be provided on the outside of the roller shutter doors. The building access fob will be housed in the lock box for use by the contractor to enable access to service the bins.

Reason: To ensure ongoing Council access to waste collection areas.

- 196. Apartment Noise Attenuation Construction.** An AAAC 5 Star Certificate must be submitted by a qualified member of the Association of Australasian Acoustical Consultants (AAAC) demonstrating that the construction of the internal party walls ensures that all sound between apartments (being the internal party walls between the bedroom and the living room of adjoining separate units), sound producing plant,

equipment, machinery, mechanical ventilation system or refrigeration systems has sufficient acoustical attenuation. Details of compliance must be submitted to the Principal Certifying Authority before the issue of the relevant Occupation Certificate.

Reason: To comply with best practice standards for residential acoustic amenity.

- 197. Letterboxes and street numbering display.** All letterboxes are to be designed and constructed in accordance with Australia Post requirements and the unit numbering displayed shall be in accordance with the official property addressing allocated by Council's Spatial Data Services. The display of the street address(es) shall be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties/buildings, 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.

- 198. Lot consolidation.** Lots SP 12698; SP 14550; SP 22475; SP 6760; SP 6782; SP 6956; and SP 16663 are to be consolidated into one lot.

Reason: To ensure the orderly development of land.

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.

- 199. Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows:

- A maximum of 278 residential spaces including 31 accessible spaces.
- 31 residential visitor spaces including 1 accessible space.
- 7 car share spaces.
- 32 restaurant/retail spaces including 1 accessible space.
- 32 bicycle parking spaces.

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

- 200. 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.

- 201. Car Share Parking.** The following requirements must be implemented for the ongoing serviceable life of the development;

- a) All car share vehicles must be accessible to registered users of the car share scheme 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) The development must install signage to direct and guide car share customers to the car share vehicle location. Where access to the location is restricted, details of the access procedure must be available to members of the car share scheme.
- e) Car share vehicles must be parked on site when not in use.
- f) Must be retained as Common Property by any future strata subdivision of the development lot.
- g) 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 serviceable life of the development.

- 202. Flood Emergency Response Matters.** The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation Certificate for the development.

Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site' refuge area. Permanent signage shall be installed in the common areas informing the future occupants of the emergency evacuation procedures and refuge areas.

Reason: To ensure Flood Emergency Response Plan is in place during and after construction is completed.

- 203. Balconies (Clothes Drying).** No clothes drying on balconies in the public view are permitted. Any future Strata Management Plan is to include the requirement that clothes drying on balconies visible from any public domain is not permitted.

Reason: To minimise adverse visual impact.

- 204. Residential Amenity - Noise Limits.** Noise from any communal area/facility shall not be audible in any habitable room in any residential premises between the hours of 10pm and 7am.

Within the communal open space area, the playing of amplified music is not to disturb the amenity of other private places.

Reason: To protect residential amenity.

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

- A street sign should be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No.8.

- Signage also needs to be provided at entry/exit points and throughout the development to assist users. Clear signage should indicate residential, retail and restricted areas.
- Signage also needs to be provided on any fire exit doors warning users that the doors are to be used for emergency purposes only.
- Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful. The front of the building should have clear signage in regard to street numbers so that emergency services are able to clearly read the numbers. To assist with way finding for emergency services, numbering of street numbers, levels of the building and unit numbers should be clearly displayed.
- Signs should be erected in the car parks and near entry and exit points which details security measures and reminds people to lock their vehicles and remove valuables from their vehicles.
- Location maps should be used throughout the complex to indicate to visitors where they are.

Reason: To assist in way finding.

- 206. 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: Protection of the environment and amenity.

- 207. Noise and vibration from plant or equipment.** Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:

- a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
- b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.
- c) The transmission of vibration to any place of different occupancy.

Reason: Protection of the environment and amenity.

- 208. Access for maintenance purposes.** Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 Air-handling and water systems of buildings - Microbial control - Operation and maintenance.

Reason: Statutory requirement.

- 209. Registration of water-cooling systems.** Any water-cooling regulated under the Public Health Act 2010 must be registered with Council's Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.

Reason: Statutory requirement.

- 210. Plumbing and drainage work.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.

Reason: Statutory requirement.

211. Waste Requirements.

- a) Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.
- b) Garbage and recycling bins must always be stored on-site between collections.
- c) All waste storage areas must be maintained in a clean and tidy condition at all times.
- d) All material in the bulky items/hard waste storage rooms is to be taken to the collection area stipulated by Council, by the staff or contractors. The material is to be placed in such a manner so that it will not impede the access to any bins from a side arm waste collection vehicle or pedestrian access.
- e) Staff or contractors must be employed to take the waste containers from garbage and recycling room to the container emptying point for servicing and to return the containers to the garbage room after servicing.
- f) Staff or contractors must be employed to take the recyclable materials from the service compartments and sort the materials into the containers provided in the garbage and recycling room.

Reason: To ensure that residential waste is collected by Council.

- 212. Recycling Signage.** Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.

Reason: To clearly mark the appropriate bins for recycling.

- 213. Transfer of Bins.** Staff or contractors must be employed to take the waste, recycling and food organics bins from each of the garbage and recycling chute rooms to the bin collection room for servicing and to return the containers to the garbage room after servicing.

Reason: To ensure that the bins are transferred.

- 214. Storage and Disposal of Waste.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner. Building managers are to ensure that no hazardous material is in the bins and contamination is managed.

Reason: To ensure that waste is disposed of appropriately and safely.

- 215. Review Report of Framework Travel Plan.** One year from the issue of the Occupation Certificate, and every year for minimum 5 years thereafter, the applicant shall submit to the satisfaction of Council's Traffic Services Department a review report on the effectiveness of the Framework Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during

peak and off-peak periods. The review shall also include any recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Framework Travel Plan.

Reason: To ensure the effective management of the Framework Travel Plan.

- 216. Air Conditioning Units.** Airconditioning units which are proposed to be installed on balconies and areas which face the public domain are to be screened to minimise view from the street and the internal communal open space area.

Reason: To ensure that the installation of air conditioning units does not detract from the architectural integrity of the buildings.

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

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

- 218. Pool fencing and signage.** During occupation and ongoing use, the pool/spa fence and warning notice(s)/safety signage is to be maintained in accordance with the provisions of the Swimming Pools Act 1992, Swimming Pools Regulation 2018 and Australian Standard AS1926.1-2012 Swimming Pool Safety.

Reason: Statutory requirement.

PRIOR TO SUBDIVISION CERTIFICATE

The following conditions in this Part of the consent apply to the Stratum Subdivision component of the development.

All conditions in this Part of the consent must be complied with prior to the issue of a Subdivision Certificate.

- 219. Final plan of subdivision - Title Details.** The final plan of subdivision shall note all existing and/or proposed easements, positive covenants and restrictions of the use of land relating to the title.

Reason: To disclose any easements or covenants burdening the land.

- 220. Parking Allocation.** The subdivision of the parking area must ensure the allocation of parking on the site is consistent with the original development consent (and any modifications) for the development. To demonstrate this, the application for a Subdivision Certificate must be accompanied by a parking schedule to be provided which summarises the allocation of parking on each level to each of the respective lots to be created.

Any imbalances or non-compliances associated with the parking allocation may require the reconfiguration of lot and right of way definition on the plan of subdivision.

Reason: To ensure the subdivision of the parking spaces is in aligned with allocation

approved under the development's approval.

- 221. Removal of encroachments.** All structures, services etc. are to be wholly contained within the legal property boundaries of each lot. All existing structures and services etc are either to be demolished, relocated and/or have appropriate easement/s registered over the encroachment to ensure their legal operation.

Reason: To avoid dispute over the maintenance or preservation of encroaching structures.

- 222. 88B Instrument.** The submission of an instrument under Section 88B of the Conveyancing Act 1919 creating any Easements, Positive Covenants and Restrictions on use (where required) noting the "Council of the City of Ryde" being the authority empowered to release vary or modify the same.

Reason: To facilitate the registration of any instrument accompanying the subdivision certificate.

- 223. Subdivision Certificate - Compliance Certificates.** The following compliance certificates must be provided to Council prior to the release of the Subdivision Certificate;

- a) Surveyor Certification – A registered surveyor must certify that necessary easements have been created for all services and structures which encroach into adjacent lots and that all remaining services, dwelling and structures are contained wholly within their respective allotments.
- b) 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.
- c) Other Utility Providers – Written confirmation confirming compliance with the requirements (including financial costs) of electrical and telecommunication providers (e.g., AusGrid, Telstra).

Reason: To ensure the newly created lots have access to and can maintain essential services.

End of Conditions