**Attachment 5 - Recommended Conditions of Consent – LDA2023/0245**

**GENERAL CONDITIONS**

|  | Condition |
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|  | **Approved plans and supporting documentation** |
| Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.   |  |  |  |  |  | | --- | --- | --- | --- | --- | | Approved plans | | | | | | Plan Number | Revision Number | Plan Title | Drawn by | Date of Plan | | DA-0101 | 4 | Site Plan | SJB Architects | 01/03/2024 | | DA-0103 | 5 | Site Layout Plan | SJB Architects | 08/05/2024 | | DA-0301 | 3 | Demolition Plan (Site) | SJB Architects | 01/03/2024 | | DA-0302 | 3 | Typ Demolition Elevation - Shed | SJB Architects | 01/03/2024 | | DA-1000 | 8 | Overall Plan – Lower Basement | SJB Architects | 08/05/2024 | | DA-1001 | 9 | Overall Plan – Upper Basement | SJB Architects | 11/06/2024 | | DA-1002 | 8 | Overall Plan – Shed and RFB Ground Level | SJB Architects | 08/05/2024 | | DA-1003 | 8 | Overall Plan – Shed and RFB Level 1 | SJB Architects | 12/07/2024 | | DA-1004 | 7 | Overall Plan – RFB Level 2 | SJB Architects | 12/07/2024 | | DA-1005 | 6 | Overall Plan – Roof | SJB Architects | 01/03/2024 | | DA-1100 | 3 | Elevations – North, South | SJB Architects | 01/03/2024 | | DA-1101 | 3 | Elevations – East, West | SJB Architects | 01/03/2024 | | DA-1500 | 5 | Sections | SJB Architects | 01/03/2024 | | DA-1501 | 5 | Sections | SJB Architects | 01/03/2024 | | DA-1502 | 5 | Sections | SJB Architects | 01/03/2024 | | DA-2100 | 3 | Floor Plan – Shed – Lower Ground | SJB Architects | 01/03/2024 | | DA-2101 | 3 | Floor Plan – Shed – Ground | SJB Architects | 01/03/2024 | | DA-2102 | 3 | Floor Plan – Shed – Level 1 | SJB Architects | 01/03/2024 | | DA-2103 | 3 | Floor Plan – Shed – Roof | SJB Architects | 01/03/2024 | | DA-2150 | 3 | Floor Plan – Shed – Forecourt Details | SJB Architects | 01/03/2024 | | DA-2160 | 3 | Shed – Internal Stair Details | SJB Architects | 01/03/2024 | | DA-2200 | 3 | Floor Plan – Residential Flat Building West – Ground Level | SJB Architects | 01/03/2024 | | DA-2201 | 3 | Floor Plan – Residential Flat Building East – Ground Level | SJB Architects | 01/03/2024 | | DA-2202 | 4 | Floor Plan – Residential Flat Building West – Level 01 | SJB Architects | 12/07/2027 | | DA-2203 | 4 | Floor Plan – Residential Flat Building East – Level 01 | SJB Architects | 12/07/2027 | | DA-2204 | 4 | Floor Plan – Residential Flat Building West – Level 02 | SJB Architects | 12/07/2027 | | DA-2205 | 4 | Floor Plan – Residential Flat Building East – Level 02 | SJB Architects | 12/07/2027 | | DA-2206 | 3 | Floor Plan – Residential Flat Building West – Roof | SJB Architects | 01/03/2024 | | DA-2207 | 3 | Floor Plan – Residential Flat Building East – Roof | SJB Architects | 01/03/2024 | | DA-2300 | 2 | Floor Plan – Terraces – Basement 1 | SJB Architects | 01/03/2024 | | DA-2301 | 3 | Floor Plan – Terraces – Ground Floor | SJB Architects | 01/03/2024 | | DA-2302 | 3 | Floor Plan – Terraces – Level 01 | SJB Architects | 01/03/2024 | | DA-2303 | 3 | Floor Plan – Terraces – Level 01 | SJB Architects | 01/03/2024 | | DA-2304 | 3 | Floor Plan – Terraces – Roof | SJB Architects | 01/03/2024 | | DA-2600 | 4 | Section – Shed 01 | SJB Architects | 01/03/2024 | | DA-2601 | 4 | Section – Shed 02 | SJB Architects | 01/03/2024 | | DA-2602 | 5 | Wall Section – Shed | SJB Architects | 08/05/2024 | | DA-2603 | 1 | Wall Section – RFB | SJB Architects | 08/05/2024 | | DA-2604 | 1 | Wall Section – Terrace | SJB Architects | 08/05/2024 | | DA-3100 | 3 | Shed Elevations – North, South | SJB Architects | 01/03/2024 | | DA-3101 | 3 | Shed Elevations – East, West | SJB Architects | 01/03/2024 | | DA-3200 | 3 | RFB East Elevations – North South | SJB Architects | 01/03/2024 | | DA-3201 | 3 | RFB West Elevations – North, South | SJB Architects | 01/03/2024 | | DA-3202 | 3 | RFB East Elevations – East, West | SJB Architects | 01/03/2024 | | DA-3203 | 3 | RFB West Elevations – East, West | SJB Architects | 01/03/2024 | | DA-3300 | 3 | Terraces West Elevations – North, South | SJB Architects | 01/03/2024 | | DA-3301 | 3 | Terraces Middle Elevations – North, South | SJB Architects | 01/03/2024 | | DA-3302 | 3 | Terraces East Elevations | SJB Architects | 01/03/2024 | | DA-3303 | 3 | Terraces Elevations – East, West | SJB Architects | 01/03/2024 | | DA-3502 | 2 | Building Envelope Diagrams | SJB Architects | 01/03/2024 | | DA-3503 | 3 | Building Envelope Diagrams | SJB Architects | 01/03/2024 | | DA-5001 | 2 | External Finishes 01 | SJB Architects | 01/03/2024 | | DA-5002 | 2 | External Finishes 02 | SJB Architects | 01/03/2024 | | DA-5003 | 2 | External Finishes 03 | SJB Architects | 01/03/2024 | | LP00-D4723 | 01 | DA Cover Page | Dangar Barin Smith | 19/06/2024 | | LP01-D4723 | 01 | Southern Landscape | Dangar Barin Smith | 19/06/2024 | | LP02-D4723 | 01 | Northern Landscape | Dagar Barin Smith | 19/06/2024 | | LP03-D4723 | 01 | Southern Roof Landscape | Dangar Barin Smith | 19/06/2024 | | LP04-D4723 | 01 | Northern Roof Landscape | Dangar Barin Smith | 19/06/2024 |  |  |  |  |  | | --- | --- | --- | --- | | Approved documents | | | | | Document Title | Revision Number | Prepared by | Date of document | | Acid Sulfate Soil Management Plan | 0 | eiaustralia | 04/11/2020 | | Loading Bay/Service Delivery Management Plan | 03 | Traffix | March 2024 | | Waste Management Plan | - | MRA Consulting Group | 29/02/2024 | | DA Acoustic Assessment | O | Acoustic Logic | 10/08/2023 | | Access Report | A | Vista Access Architects | 19/09/2023 | | Updated Arboricultural Assessment | - | Arterra | 28/07/2023 | | BASIX Certificate – 1411246M | - | BCA Energy | 11/09/2023 | | Conservation Management Plan | - | NBRS Architecture | 07/12/2020 | | NCC Section J Report | 1 | Jensen Hughes | 11/09/2023 | | Statement of Heritage Impact | - | DFP Planning | 11/12/2019 | | Preliminary Public Art Strategy | - | Ethos Urban | 05/06/2020 | | Remediation Action Plan | 1 | eiaustralia | 02/09/2020 | | Traffic Impact Assessment | 2 | Traffix | 12/09/2023 |   In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. |
| **Condition Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development |
|  | **Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989** |
| 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply—    1. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. |
| **Condition Reason:** Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021. |

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|  | Erection of signs |
| 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—    1. showing the name, address and telephone number of the principal certifier for the work, and    2. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and    3. stating that unauthorised entry to the work site is prohibited. 3. The sign must be—    1. maintained while the building work, subdivision work or demolition work is being carried out, and    2. removed when the work has been completed. 4. This section does not apply in relation to—    1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or    2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. |
| **Condition Reason:** Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021. |
|  | Fulfilment of BASIX commitments |
| It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—   1. BASIX development, 2. BASIX optional development, if the development application was accompanied by a BASIX certificate. |
| **Condition Reason:** Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021. |
|  | Notification of Home Building Act 1989 requirements |
| 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—    1. for work that requires a principal contractor to be appointed—       1. the name and licence number of the principal contractor, and       2. the name of the insurer of the work under the Home Building Act 1989, Part 6,    2. for work to be carried out by an owner-builder—       1. the name of the owner-builder, and       2. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. |
| **Condition Reason:** Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021. |
|  | **Water NSW – General Terms of Approval** |
| The development shall be undertaken in accordance with the General Terms of Approval of Water NSW dated 9 July 2024 (see Attachment 1 of this consent.) |
| **Condition Reason:** Requirements of Water NSW. |
|  | **Aboriginal Heritage** |
| 1. An AHIP will be required for the whole of the site prior to any action (demolition and construction) commencing. The AHIP application (to Heritage NSW) should be supported by the demolition DA, being cognisant of the subject consent. 2. Once the AHIP is in place, Aboriginal salvage excavation will need to occur around Test Unit (TU) 8. Salvage should occur prior to demolition commencing. If certain ‘areas’ require demolition prior to Aboriginal salvage being able to be completed, adequate protection for Aboriginal archaeological deposits should be put in place, and demolition can occur, as needed. 3. Once salvage excavation is complete, Aboriginal heritage interpretation needs to be prepared in collaboration with the project’s Registered Aboriginal Parties (RAPs). This interpretation must be developed with consideration of adjacent interpretation connected with Bennelong Park. The interpretation needs to be complimentary, and cover both the Aboriginal site identified at TU 8, and the post 1788 connections. Interpretation planning needs to commence following on site salvage excavations, with interpretation devices proposed as part of the construction. The interpretation content (devices, their content, and locations to be installed on site) needs to be finalised and implemented before an occupation certificate is issued. Extensions for development of specific Aboriginal interpretation devices (eg an art work by an Aboriginal artist) can be made, on the basis of demonstration to Council that the works have commenced, or the artist has been engaged. 4. Following Aboriginal salvage excavations, a determination of the future of the Aboriginal objects recovered from the site must be made. The decision should be made in collaboration with the project RAPs. Ideally, this should involve reburial on Country. It may be suitable for interpretation of the Aboriginal objects to be part of the site’s interpretation—this would be determined by the project archaeologist and project RAPs. |
| **Condition Reason:** Condition required under Stage 1 consent. |
|  | **Historical Archaeology** |
| 1. Further historical archaeological investigations, of areas both internal and external to the extant boat shed building, is to be undertaken in order to identify and record any remnant historical archaeological remains, foundations, and relics that may be present, as part of a Section 140 process under the NSW Heritage Act 1977. NB the preservation, conservation and insitu retention of the boat shed building’s heritage fabric is of a higher priority than its removal to test for possible remnant archaeology.   The S140, accompanied by a research design, is to be submitted to NSW Heritage for approval, prior to the commencement of any ground disturbing works on site. The research design should primarily focus on areas identified as having been occupied by the former Squires Brewery that were unable to be accessed during the initial test excavation program, once access to previously built up areas become possible during the demolition process.   1. If during the approved archaeological investigation, substantially intact relics of State Significance related to the former Squires Brewery are found, works are to cease immediately in the relevant area and the NSW Heritage archaeologists are to be contacted for advice regarding whether further investigation, recording and interpretation is required, or if there may be the requirement for any onsite insitu retention, as part of the redevelopment proposal for the site. 2. An interpretation strategy for historical archaeology must be prepared, as part of the holistic interpretation for the site. If historical archaeology is present, the interpretation strategy must include relevant place specific interpretation. The history and connection with James Squires should be recognised. This interpretation must interface with that for Aboriginal heritage with reference to the ‘contact’ phase and Bennelong’s association with James Squires. The interpretation content (devises, their content and locations to be installed on site) needs to be finalised and implemented before an occupation certificate is issued. 3. The December 2020 Conservation Management Plan (CMP) should be updated within 24 months upon the completion of site works to ensure that all relevant Archaeological sub-sections of the CMP accurately reflect any archaeological outcomes achieved throughout the development process, including any future potential archaeological management requirements. 4. Demolition and excavation works are to be supervised by a qualified archaeologist. 5. The Conservation Management Plan prepared as part of DA/2019/0172 is to be updated no more than 24 months after the completion of the approved Salvage Excavation works. 6. Prior to any demolition works relating to the boat shed (with the exception of any elements that were approved for demolition as part of DA/2019/0172):  * A detailed Schedule of Conservation Works will be prepared to identify the heritage significant fabrics to be preserved. * Any heritage significant fabric that is required to be removed during construction activities shall be reinstated or reinterpreted. * Detailed demolition plans are to be prepared and endorsed by the heritage consultant for this project. * If any new relics are encountered, works within the immediate vicinity must cease immediately and an unexpected finds procedure is to be implemented.  1. A copy of all heritage documentation (including Excavation Reports and Research Design) is to be provided to Council and Heritage NSW. |
| **Condition Reason:** Condition required under Stage 1 consent. |
|  | Site maintenance |
| The site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or subject to the leaving or dumping of waste. |
| **Condition reason:** To protect the amenity of the locality. |
|  | Hoardings |
| 1. A hoarding or fence must be erected between the work site and any adjoining public place. 2. Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed. |
| **Condition reason:** To ensure public safety. |
|  | Protection of public domain |
| The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. |
| **Condition reason:** To ensure public safety. |
|  | **Site Remediation** |
| Remediation works shall be carried out in accordance with the Remediation Action Plan reference E2215.ED6.Rev1 prepared by eiaustralia dated 2 September 2020. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works. |
| **Condition Reason:** To ensure that remediation works approved under Development Consent No. LDA2019/0172 are undertaken. |
|  | **Noise Mitigation** |
| To minimise noise emitted from ancillary elements, such as air-conditioning units, the equipment must be installed in accordance with the manufacturer's specification and noise attenuation measures implemented so that noise emitted does not exceed 5dB(A) above the background noise level when measured on or within any other residential property boundary. |
| **Condition Reason:** To protect the amenity of the locality. |
|  | **Development Application for commercial food and drink premises and public health** |
| A separate development application must be made relating to the fitout and operation of any food and drink premises or public health related commercial activities on the premises. |
| **Condition Reason:** To ensure food and public health related activities obtain the appropriate approval. |
|  | **Acid Sulphate Soils** |
| The requirements of the acid sulfate soil management plan Reference E22215.E14.Rev0, dated 4 November 2020, prepared by eiaustralia and any related project documentation must be implemented during construction. |
| **Condition Reason:** To ensure the protection of the environment. |
|  | **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, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development. |
| **Condition Reason:** Protection of infrastructure and compliance with relevant Authorities requirements. |
|  | **Restoration** |
| Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council’s standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council. |
| **Condition Reason:** To ensure the amenity and state of the public domain is maintained. |
|  | **Design and Construction Standards** |
| All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council’s DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent. |
| **Condition Reason:** To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements. |
|  | **Protection of Public Domain** |
| The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. |
| **Condition Reason:** To ensure public safety. |
|  | **Land Boundary / Cadastral Survey** |
| If any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.  The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site. |
| **Condition Reason:** To prevent encroachments of private works on public land and of public works on private land. |
|  | **Traffic Management** |
| Traffic management procedures and systems must be in place and practised during the works period to ensure safety and minimise the impact on adjoining pedestrian and vehicular traffic systems in accordance with AS 1742.3 - 2019 and Council’s DCP Part 8.1 (Construction Activities). |
| **Condition reason:** To ensure that appropriate procedures are in place to assist with the safety of all affected road users within the public domain when works are being undertaken. |
|  | **Over Size / Over Mass Vehicles Permit** |
| An Oversize Overmass approval from the National Heavy Vehicle Regulator (NHVR) must be submitted to the principal certifier. The person acting on this consent must submit an application for an Oversize Overmass Permit through NHVR’s portal ([www.nhvr.gov.au/about-us/nhvr-portal](http://www.nhvr.gov.au/about-us/nhvr-portal)) prior to driving through local roads within the City of Ryde LGA. |
| **Condition reason:** To ensure maintenance of Council’s assets. |
|  | **Road Activity Permits** |
| Prior to carrying out any work in, on or over a road reserve, 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: <https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf>) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required include Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb & Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply. |
| **Condition reason:** To ensure the amenity and state of the public domain is maintained. |
|  | **Structural Engineering Design** |
| The structural engineering design and construction works shall be carried out in accordance with the recommendations of the geotechnical investigation report by Foundation Earth Sciences. |
| **Condition Reasons:** To ensure compliance with the geotechnical report. |
|  | **Alarms** |
| Should any alarms be installed, they are to be located within the site, behind the Townhouses (waterfront side). |
| **Condition Reason:** To ensure that alarms do not cause a nuisance to Waterview Street residents. |

**BUILDING WORK**

**BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

|  | Condition |
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|  | **Section 7.11** |
| Before the issue of a construction certificate, a monetary contribution for the services as detailed in the table below must be paid to Council in Column A and for the amount in Column B must be made to Council as follows:   |  |  | | --- | --- | | **Column A – Contribution Type** | **Column B – Contribution Amount** | | Community & Cultural Facilities | $404,847.25 | | Open Space & Recreation Facilities | $697.127.22 | | Roads & Traffic Management Facilities | $214,016.10 | | Plan Administration | $19,740.07 | | **The total contribution is** | **$1,335,730.64** |   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.  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.  Details are to be provided to the principal certifier. |
| **Condition reason:**  Statutory requirement. |
|  | **Adaptable units** |
| Before the issue of the relevant construction certificate, a report prepared by a suitably qualified consultant must be obtained that demonstrates, to the certifier’s satisfaction, that any adaptable dwellings specified in the approved plans or documents comply with the provisions of AS 4299 Adaptable Housing Standards. |
| **Condition Reason:** To ensure adaptable units are designed in accordance with the Australian Standard. |
|  | Construction Site Management Plan |
| Before the issue of the relevant construction certificate, a construction site management plan must be prepared, and provided to principal certifier. The plan must include the following matters:   1. The location and materials for protective fencing and hoardings on the perimeter of the site; 2. Provisions for public safety; 3. Pedestrian and vehicular site access points and construction activity zones; 4. Details of construction traffic management including: 5. Proposed truck movements to and from the site; 6. Estimated frequency of truck movements; and 7. Measures to ensure pedestrian safety near the site; 8. Details of bulk earthworks to be carried out; 9. The location of site storage areas and sheds; 10. The equipment used to carry out works; 11. The location of a garbage container with a tight-fitting lid; 12. Dust, noise and vibration control measures; 13. The location of temporary toilets; 14. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: 15. AS 4970 – Protection of trees on development sites; 16. An applicable Development Control Plan; 17. An arborist’s report approved as part of this consent   A copy of the construction site management plan must be kept on-site at all times while work is being carried out. |
| **Condition Reason:** To require details of measures that will protect the public, and the surrounding environment, during site works and construction. |
|  | Equal access to the premises |
| Before the issue of the relevant construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier. |
| **Condition reason**: To ensure safe and easy access to the premises for people with a disability |
|  | Long Service Levy |
| Before the issue of the relevant construction certificate, the long service levy of 0.25% of the cost of works must be paid to the Long Service Corporation of Council under the *Building and Construction industry Long Service Payments Act 1986*, section 34, and evidence of the payment is to be provided to principal certifier. |
| **Condition Reason**: To ensure the long service levy is paid. |
|  | Payment of security deposits |
| Before the issue of the relevant construction certificate, the applicant must:   1. make payment for a security deposit to the consent authority under the category of: other buildings with delivery of bricks or concrete or machine excavation and 2. if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid. |
| **Condition Reason**: To ensure any damage to public infrastructure is rectified and public works can be completed |
|  | Waste Management Plan – an approved document of this consent |
| Before the issue of the relevant construction certificate, a waste management plan for the development must be provided to principal certifier |
| **Condition Reason**: To ensure resource recovery is promoted and local amenity protected during construction. |
|  | Utilities and services |
| Before the issue of the relevant construction certificate, written evidence of the following service provider requirements must be provided to the principal certifier:   1. a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity 2. a response from Sydney Water as to whether the plans accompanying the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met 3. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. |
| **Condition Reason**: To ensure relevant utility and service providers’ requirements are provided to the certifier |
|  | Clear public access ways |
| Before issue of the relevant construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway. |
| **Condition Reason:** To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles |
|  | External lighting |
| Before the issue of the relevant construction certificate, plans detailing external lighting must be prepared by a suitably qualified person.  The lighting plan must be consistent with the approved plans and documents, and the following requirements:   1. comply with AS 1158: Lighting for Roads and Public Spaces; 2. comply with AS 4282: Control of Obtrusive Effects of Outdoor Lighting 3. lighting must be placed at all entrances to, and exits from the premises 4. lighting must provide coverage of the premises and surrounding areas for visibility and to reduce hidden areas; 5. lighting must not interfere with traffic safety; 6. lighting must not give rise to obtrusive light or have adverse impacts on the amenity of surrounding properties; and 7. external lighting must not flash or intermittently illuminate unless required for safe ingress/egress of vehicles crossing a pedestrian footway or approved vehicle entrance. 8. Relevant council development control plan.   The lighting plan must be submitted to the certifier.  Note – All above documents refer to the version in effect at the time the consent is granted |
| **Condition Reason:** To ensure external lighting is provided for safety reasons and to protect the amenity of the local area |
|  | Electric vehicle charging |
| Before the issue of the relevant construction certificate, car parking detailed plans are required to be prepared, and provided to the principal certifier. The plan must include the following matters:   1. Compliance with Section J9D4 of the NCC 2022 2. Electric Vehicle Charging points to a minimum rate of 10% (rounded up) to each parking category (residential, visitor and commercial/retail). |
| **Condition reason:** To ensure compliance with the NCC and that the development adequately caters for owners of electric vehicles. |
|  | Fire hydrant enclosure |
| Before the issue of the relevant construction certificate for works above ground/podium slab level, the principal certifier must be provided with plans indicating that all 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. |
| **Condition reason:**  To ensure essential services are appropriately screened. |
|  | Reflectivity of materials |
| Before the issue of the relevant construction certificate, the principal certifier must ensure that the construction certificate plans demonstrate the roofing and other external materials and finishes are of low glare and reflectivity. |
| **Condition reason:**  To ensure the use of appropriate material. |
|  | Letterboxes |
| Before the issue of the relevant construction certificate, detailed design of letterboxes and parcel delivery facilities are to be prepared to the satisfaction of the principal certifier. Details must include how resident will access their letterbox/parcel delivery facility including any security features. |
| **Condition reason:**  Statutory requirement. |
|  | **Soil Depth over Structures** |
| Prior to the issue of the relevant Construction Certificate, 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 are required to be submitted and approved by the principal certifier. |
| **Condition Reason:**  To ensure the sufficient depth of soil for the proposed plants. |
|  | **Irrigation** |
| Prior to the issue of the relevant Construction Certificate, an automatic irrigation system shall be notated on the landscape plans. The automatic irrigation system is to be supplied to all landscape areas including common areas, private open spaces to ensure adequate water is available to lawns and vegetation. The systems shall be fully automated and capable of seasonal adjustments. Details are to be submitted and approved by the principal certifier. |
|  | **Erosion and sediment control plan** |
| Before the issue of the relevant construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to principal certifier:   * 1. Council’s relevant development control plan,   2. the guidelines set out in the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time), and the ‘Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time). |
| **Condition Reason:** To ensure no substance other than rainwater enters the stormwater system and waterways. |
|  | **Provision of detailed plans for construction certificate application** |
| Before the issue of the relevant construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.  Detailed plans must also show the following:   * 1. Acoustic measures   2. Mechanical ventilation |
| **Condition Reason:** To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation. |
|  | **Vehicle Access & Parking** |
| All internal driveways, vehicle access ramp, 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) for all types of vehicles accessing the parking area.  With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for the relevant Construction Certificate;   1. Traffic control sign and linemarking (STOP control) must be positioned at the intersection of the entry driveway access and the access to the residential parking area. Traffic flow on driveway access is to have priority. 2. The western wall of the garage parking area of the western most terrace must have openings / screening for at least the first 2.5m back from the entry to the garage so as to ensure a driver exiting the area has sight distance to approaching traffic (and vice versa – an approaching driver can note a vehicle emerging from the space). 3. All void areas greater than 2.5m wide and 5m in length (such as the void located at the eastern most end of the residential shed parking area, both voids on either side of the entry to the southern leg of the RFB residential parking area, etc) must be demarcated from vehicle access areas with linemarking and bollards, as well as, have chevron marking covering the area. This is to clearly denote that the regions are not an approved parking area and the measures physically prevent vehicles attempting to park in these areas.   These amendment(s) must be clearly marked on the plans submitted to the principal certifier prior to the issue of the relevant Construction Certificate. |
| **Condition Reason:** To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users. |
|  | **Design Amendments** |
| Before the issue of the relevant Construction Certificate, the certifier must ensure the Construction Certificate plans and specifications detail the following required amendments to the approved plans and documents:  a) The detailed boat shed floor plans (DA-2100, DA-2101 and DA-2102) are to be amended to be consistent with the stamped approved overall plans in relation to the gross floor areas of the retail/commercial tenancies to ensure that the gross floor area of the tenancies and associated areas amounts to no less than 1,576m².  a) The stormwater management system must cater to a failure mode for the northern internal courtyards of all terraces fronting Waterview Street to prevent flooding of property in the event that the drainage system blocks or surcharges during extreme stormevents. To achieve this, openings in side walls must be provided at floor level, allowing for any ponding water to flow and be directed to external path areas to the west. The stormwater plans must detail such openings, floor levels and overflow mechanisms to ensure this is achieved.  b) A 10,000L rainwater tank must be detailed on the Civil plans. The tank must have openings in open courtyard areas such that should the tank block or surcharge, any overflow can safely discharge to an external area without impacting on private residence or habitable areas. |
| **Condition Reason:** To require minor amendments to the plans endorsed by the consent authority following assessment of the development. |
|  | **Stormwater Discharge to a Natural Waterway** |
| The direct discharge to Parramatta River must be in accordance with the requirements of Transport for NSW (Maritime). Written approval and any conditions stipulated by this authority are to be noted on the relevant Construction Certificate version of the Stormwater Management plans. |
| **Condition Reason:** To prevent any potential environmental impacts that could arise from the discharge of stormwater runoff to a natural waterway. |
|  | **Stormwater Management** |
| To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and discharged to the approved point of discharge in accordance with the requirements of Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management), associated annexures, and generally in accordance with the approved Stormwater Management. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for the relevant Construction Certificate. |
| **Condition 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. |
|  | **Stormwater Management (Pump System)** |
| The basement pump system must be dual submersible and must be sized and constructed in accordance with Section 9.3 of AS 3500.3 (Stormwater drainage).  The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3 (Stormwater drainage), except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council’s DCP - Part 8.2 (Stormwater and Floodplain Management).  Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.  Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the principal certifier, prior to the release of the relevant Construction Certificate for construction of the basement level. |
| **Condition Reason:** To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards. |
|  | **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 Infrastructure 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:   * 1. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.   2. the payment of all fees in accordance with Council’s Schedule of Fees & Charges at the time of the issue of the approval, and   3. the provision of a copy of the Public Liability insurance cover of not less than $20million with Council’s interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors. |
| **Condition Reason:** Ensuring compliance with Council’s relevant Planning Instruments. |
|  | **Geotechnical Design, Certification and Monitoring Program** |
| Before the issue of the relevant Construction Certificate, a suitably qualified and practicing engineer having experience in the geotechnical and hydrogeological fields is to prepare the following documentation:  a) Certification that the civil and structural details of all subsurface structures are designed to;  i) provide appropriate support and retention to neighbouring property,  ii) ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,  iii) ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.  b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;  i) is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,  ii) details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;  iii) details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer,  iv) details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded, and  v) is in accordance with the recommendations of any approved Geotechnical Report.  Details are to be provided to the principal certifier for approval. |
| **Condition Reason:** To ensure there are no adverse impacts arising from excavation works. |
|  | **Site Dewatering Plan** |
| A Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.  The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;  a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.  b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.  c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where 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 1993. |
| **Condition 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. |
|  | **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 the relevant 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.  The ESCP must be submitted with the application for the relevant Construction Certificate. |
| **Condition Reason:** To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site. |
|  | **Tanked Basement Construction** |
| All permanent structures located below ground level must be designed and constructed as a tanked structure, preventing the infiltration of water into the development. The perimeter groundwater drainage systems must be designed and constructed to maintain the pre-developed groundwater regime surrounding the footprint of the development.  The structural design of the basement levels and subsurface drainage system must be overseen by a suitably qualified structural/ geotechnical engineer, who is to provide certification with the application for the relevant Construction Certificate, that the design has been undertaken in accordance with this condition. |
| **Condition Reason:** The development is either founded below the groundwater table or subject to considerable subsurface flows. This measure is required to prevent the ongoing discharge of groundwater / subsurface seepage flows to the public drainage system, preventing unsustainable development (reliance on pump systems), degradation of the development due to ongoing subsurface ingress, potentially having adverse impacts such as the build-up of slime/ algae growth in gutters, nuisance ponding during dry periods, reducing the amenity of the surrounding area and potential geotechnical impacts to the subject development and neighbouring properties. |
|  | **Public Domain Improvements – Design for Construction Certificate** |
| The public domain is to be upgraded along the Waterview Street frontage of the development site and along the boundaries with Bennelong Park and Settlers Park in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and Part 8.2 - Stormwater Management. The works shall include paving, upgraded light poles, street furniture and plantings, and must be completed to Council’s satisfaction at no cost to Council.  Public domain plans for the following works shall be submitted to, and approved by Council’s City Infrastructure Directorate, prior to the issue of the relevant Construction Certificate.   1. All telecommunication and utility services are to be placed underground along the Waterview Street frontage. 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.   1. The existing street lighting along the Waterview Street frontage is to be upgraded to a consistent PR3 level of illumination of the road and public footpath, using existing and new LED luminaires - to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces. The street lighting will remain on the Ausgrid street lighting network.   The approved public domain plans and documentation by Council’s City Infrastructure Directorate are to be presented to the Accredited Principal Certifier. |
| **Condition Reason**: Provision and upgrade of public assets and to ensure compliance with Council’s relevant Planning Instruments. |
|  | **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 Infrastructure Directorate prior to the issue of the relevant Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.  The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, 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 public domain infrastructure 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:   1. The full reconstruction of half road width for the Waterview Street frontage of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road. 2. The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction. 3. The construction of one new vehicular crossing in Waterview Street. 4. The removal of the redundant vehicular access through Settlers Park and reinstatement of the disturbed area with turf and vegetation to Council’s Parks Department satisfaction. 5. The reinstatement of all disturbed areas along the boundary of the site with Bennelong Park with turf and vegetation to Council’s Parks Department satisfaction. 6. The construction of Publicly Accessible Pedestrian Link as detailed in Consent Condition 33 of the Concept LDA2018/0223. 7. Stormwater drainage installations in the public domain in accordance with the DA approved plans. 8. Signage and line marking details. 9. Staging of the public civil works, if any, and transitions between the stages. 10. 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 Infrastructure 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. |
| **Condition Reason:** Provision and upgrade of public assets and to ensure compliance with Council’s relevant Planning Instruments and Standards. |
|  | **Publicly Accessible Pedestrian Link** |
| With the exception of the link between the residential flat buildings (which is not public), all pedestrian links within the site shall incorporate a minimum of 2.0m wide accessible paved footpath or (where necessary or appropriate) raised boardwalk providing connectivity to Waterview Street, Bennelong Park, Crown land adjacent to Settlers Park, and any future Marina. The pedestrian links shall be constructed by the Developer at no cost to Council. Public pedestrian access shall be available at all times over all public pedestrian links through the site, other than the link through the boatshed which shall be required only between 8am and 10pm. The paving of all pedestrian links is to be in accordance with Council’s standards and specifications.  Paths are to be constructed within Bennelong Park (at the applicant’s cost) to link the two pathways terminating at the eastern boundary of the site to the pathway within Bennelong Park.  Full construction details demonstrating compliance with the BCA and NCC specifications shall be submitted to Council’s City Works Directorate with the lodgement of the public domain design submission for any subsequent development application/s for detailed work at the site.  The submission shall include the following details:  (a) Dimensions and specifications for all elements (footpath, kerb & gutter, grass verge, street lights, fence, etc.) including the width of the pedestrian links, landscaping areas and transitions to adjacent areas;  (b) Lighting for illumination of the footpath and adjacent internal roads to ensure safety and security of the users during the night time. The lighting shall achieve pedestrian luminance category PR3 according to Australian Standards AS/NZS 1158 Set: 2010 Lighting for Roads and Public Spaces.  (c) Certification demonstrating compliance with the Disability Discrimination Act and the relevant Disability Standards and Guidelines.”  The pedestrian link shall be constructed by the developer/ owner prior to the issue of Occupation Certificate at no cost to Council. Full public access is to be available at all times over the pedestrian link. |
| **Condition Reason:** Upgrade pedestrian access links and to ensure compliance with DCP and PublicDomain Technical Manual. |
|  | **Vehicle Footpath Crossing and Gutter Crossover** |
| A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location. 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 *Offstreet Parking.*  Prior to the issue of the relevant Construction Certificate, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.  The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.  All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council’s specifications. The new crossings shall be constructed at right angle to the alignment of the kerb and gutter and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.  Fees are payable at the time of the application, in accordance with Council’s Schedule of Fees and Charges.  The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the relevant Construction Certificate. |
| **Condition Reason:** Improved access and public amenity. |
|  | **Public Domain Works – Defects Security Bond** |
| To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council’s standard specification, during the twelve (12) months’ defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **$100,000** shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period. |
| **Condition Reason:** Ensure compliance with specifications and identification of defects not visible at final inspection. |
|  | **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. |
| **Condition Reason**: Ensure compliance with Council’s requirements. |
|  | **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. |
| **Condition Reason:** Record of civil works. |
|  | **Updates to Waste Management Plan** |
| Update the Waste Management Plan dated 29/2/24 to reflect the changes proposed in Response to 2nd Council RFI, issued May 2024 and the Architectural plans dated 8 May 2024 which were utilised to evaluate the waste collection by Council. |
| **Condition Reason:** To ensure that the Waste Management Plan reflects the latest plans. |
|  | **Changes to Architectural Plans** |
| Any changes to the Architectural plans dated 8 May 2024 which were utilized to evaluate the waste collection by Council, have to be approved by the Waste Department at the City of Ryde Council before the issue of the relevant Construction Certificate to ensure the waste collection is not affected. |
| **Condition Reason:** To ensure that amended plans do not affect waste management. |
|  | **Height Clearance for Waste Vehicles** |
| A height clearance of 4.5m is required for the waste truck to enter, service bins and exit the building which should be measured from the floor to the lowest point of any overhead structures including roller shutter doors. This will ensure that there will be no issues in servicing the waste at the development. |
| **Condition Reason:** To ensure that Council’s waste vehicles can suitably service the development. |
|  | **Waste Storage Areas** |
| All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.   * + 1100L Bins – width 1.4m, depth 1.1m, height 1.4m   + 660L Bins – width 1.3m, depth 0.8m, height 1.3m   + 240L Bins – width 600mm, depth 800mm, height 1100mm |
| **Condition Reason:** To ensure that waste storage areas are fit for purpose. |
|  | **Receptacles within Dwellings** |
| 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. |
| **Condition Reason:** To ensure that dwellings have suitable waste storage facilities. |
|  | **Access to Waste Area** |
| 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 the relevant Construction Certificate. |
| **Condition Reason:** To ensure access to the hard waste area for contractors. |
|  | **Garbage and Recycling Rooms** |
| All garbage and recycling rooms must be constructed in accordance with the following requirements:   * 1. The room must be of adequate dimensions to accommodate all waste containers, and allow easy access to the containers for users and servicing purposes;   2. 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;   3. The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;   4. 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;   5. The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;   6. 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;   7. 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;   8. The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;   9. The room must be provided with adequate artificial lighting; and   A hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning. |
| **Condition Reason:** To ensure that the garbage and recycling rooms contain required features. |
|  | **Construction Traffic Management Plan** |
| As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by a suitably qualified traffic engineer and submitted to Council for approval prior to the issue of the relevant Construction Certificate. The CTMP must:   1. Make provision for all construction materials to be stored on site, at all times. 2. Include details of contractor parking during the construction phase. Contractor vehicles are to be parked within the site wherever possible. 3. Specify construction vehicle routes and rates. Nominated truck routes are to be distributed over the surrounding road network where possible. 4. Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council’s Traffic section. 5. Wherever the site is in proximity to a Public School, no heavy vehicle movements or construction activities effecting vehicle and pedestrian traffic are permitted in school zone hours (8:00am-9:30am and 2:30pm-4:00pm weekdays). 6. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic. 7. Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of significant temporary traffic control measures. 8. 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.   The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, TfNSW’s Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities). The modification of parking restrictions (Work Zones) and standing heavy vehicles (crane, concrete pump, etc) on a footpath/ roadway are subject to separate approval from Council and/or the Local Traffic Committee.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment), with payment made prior to receipt of approval from Council’s Traffic Services Department for the CTMP. |
| **Condition Reason:** To ensure public safety and minimise any impacts of construction vehicle movements to the adjoining pedestrian and vehicular traffic systems and the surrounding community. |
|  | **Vibration Management Plan** |
| A Vibration Management Plan (VMP) shall be developed to monitor the potential vibration effects, appropriate Peak Particle Velocity shall be selected based on the condition of the structures and the vibration levels monitored to ensure that the limits are not exceeded. |
| **Condition Reason:** To ensure that vibration impacts are managed. |

**BEFORE BUILDING WORK COMMENCES**

|  | Condition |
| --- | --- |
|  | **Payment of fees** |
| Before any site work commences, the following must be paid to council and written evidence of these payments provided to the principal certifier:   1. Infrastructure Restoration and Administration Fee |
| **Condition Reason:**  To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property. |
|  | **Safety fencing** |
| Before any site works commences, the site must be fenced and maintained throughout demolition and construction and must comply with SafeWork NSW requirements and be a minimum of 1.8m in height |
| **Condition reason:**  Statutory requirement. |
|  | Proposed property addressing |
| Before any site work commences an “Addressing of New Developments” form must be lodged with Council. Details are to be provided to the principal certifier. |
| **Condition reason:**  To ensure the address of the development meets Council’s requirements. |
|  | **Recommendations from Approved Reports** |
| Before any site works commence, the recommendations from the following approved reports shall be implemented:   * Arboricultural Impact Assessment (AIA). All items in the AIA outlined in: “Section 3 Tree Protection Recommendations” prepared by Arterra dated 12/05/2018 are to be implemented. |
| **Condition Reason:**  To ensure that the development is consistent with supporting documents. |
|  | **Tree Retention** |
| Before any site work commences, the following trees as identified in the Arboricultural Impact Assessment (AIA) prepared by Arterra dated 12/05/2018 updated 8/07/2023 shall be retained and protected: 301, 311, 319, 320, 322, 323, 325, 328 (transplant), 329, 330, 335, 364, 365, 366, 378 (transplant), 381, 388 & 412. |
| **Condition Reason:**  To ensure the health of existing trees retained by the development are maintained. |
|  | **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. All trees to be retained on site and on adjoining site are to haveprotective fencing and signage around TPZs and must be located in accordance with AS4970-2009: 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.  As indicated in the Arboricultural Impact Assessment (AIA) “Tree Protection and Removal Plan” prepared by Arterra dated 12/05/2018 updated 8/07/2023. |
| **Condition Reason:**  To protect existing trees before any work on site commences. |
|  | **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 adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. |
| **Condition Reason:**  To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site. |
|  | **Project Arborist – Contact Details** |
| Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days. |
| **Condition Reason:**  To ensure the Project Arborist can be readily contacted in regard to the required tree protection measures. |
|  | **Erosion and sediment controls in place** |
| Before any site work commences, the principal certifier,must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time). |
| **Condition Reason:** To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways. |
|  | **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 Infrastructure Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works. |
| **Condition Reason**: Ensure compliance and record of works. |
|  | **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. |
| **Condition Reason**: Ensure compliance and record of works. |
|  | **Pre-construction inspection** |
| A joint inspection shall be undertaken with Council’s Engineer from City Infrastructure Directorate prior to commencement of any public domain works. A minimum 48 hours’ notice will be required when booking for the joint inspection. |
| **Condition Reason:** Ensure compliance and communicate Council’s requirements. |
|  | **Pre-Construction Dilapidation Report** |
| To ensure Council’s infrastructure is 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.   * + 1. Road pavement,     2. Kerb and gutter,     3. Footpath,     4. Drainage pits,     5. Traffic signs, and     6. Any other relevant infrastructure.   The report is to be dated and submitted to, and approved by Council’s City Infrastructure 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. |
| **Condition Reason:** Protection of Council’s infrastructure. |
|  | **Viva Energy Requirements** |
| Prior to the commencement of works, the following is to be addressed:   1. A Safety Management Study is to be undertaken (to be completed in accordance with AS2885.6 of Australian Standard 2885 Pipelines – Gas and Liquid Petroleum); and 2. The land owner must at no cost to Viva Energy Australia Pty Ltd, carry out the works (whether or not within the Pipeline easement) for the development to meet the requirements of the Australian Standard AS2885 Pipelines – Gas and Liquid Petroleum and the Safety Management Study. 3. Signing Recoverable works agreement and providing insurances with details provided to Viva Energy. |
| **Condition Reason:** To reflect the Viva Energy requirements. |

**DURING BUILDING WORK**

|  | Condition |
| --- | --- |
|  | **Hours of work** |
| Site work must only be carried out between the following times:   * Monday to Friday - 7.00am and 7.00pm (other than public holidays) * Saturday - 8.00am and 4.00pm   Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority. |
| **Condition Reason**: To protect the amenity of the surrounding area |
|  | **Implementation of the site management plans** |
| While site work is being carried out:  the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and  a copy of these plans must be kept on site at all times and made available to council officers upon request |
| **Condition Reason**: To ensure site management measures are implemented during the carrying out of site work. |
|  | Noise and Vibration requirements |
| While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5db(A) above background noise, when measured at a lot boundary of the site. |
| **Condition Reason**: To protect the amenity of the neighbourhood during construction |
|  | Procedure for critical stage inspections |
| While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. |
| **Condition Reason**: To require approval to proceed with building work following each critical stage inspection |
|  | Soil management |
| While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:   1. All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier. 2. All fill material imported to the site must be: 3. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, or 4. a material identified as being subject to a resource recovery exemption by the NSW EPA, or 5. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and a material identified as being subject to a resource recovery exemption by the NSW EPA. |
| **Condition Reason**: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants |
|  | Surveys by a registered surveyor |
| While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:   1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. |
| **Condition Reason:** To ensure buildings are sited and positioned in the approved location. |
|  | Waste management |
| While site work is being carried out:   1. all waste management must be undertaken in accordance with the waste management plan, and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: 3. The contact details of the person(s) who removed the waste 4. The waste carrier vehicle registration 5. The date and time of waste collection 6. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill 7. The address of the disposal location(s) where the waste was taken 8. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.   If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council |
| **Condition Reason:** To require records to be provided, during site work, documenting the lawful disposal of waste. |
|  | Sediment and dust control |
| During site works, no sediment, dust, soil or similar material must leave the site. |
| **Condition reason:**  To protect the amenity of the area. |
|  | Construction materials |
| All materials associated with construction must be retained within the site. |
| **Condition reason:**  To ensure the public domain is not affected during construction. |
|  | Excavation |
| While site work is carried out, all excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer. |
| **Condition reason:**  To ensure work is completed in an appropriate manner. |
|  | Consent documents available on site |
| At all times during the construction, a copy of the development consent and approved stamped plans are to be kept on site. These documents are to be made available to any Council Officer as requested. |
| **Condition reason:**  To ensure Council Officers are able to access the consent during any site inspection. |
|  | 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. |
| **Condition reason:**  To prevent soil and sediment spill in the public domain. |
|  | **Excavation for services within Tree Protection Zone (TPZ)** |
| Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist. |
| **Condition Reason:**  To ensure any excavation works are not detrimental to the health of the tree. |
|  | **Tree Removal** |
| As identified in the Arboricultural Impact Assessment (AIA) prepared by Arterra dated 12/05/2018 updated 8/07/2023. The following trees on site are to be removed: 50, 302-306, 312-318, 321, 326, 327, 331, 332, 334, 336-363, 367-377, 379, 380, 382-387, 389-411. |
| **Condition Reason:**  To ensure only the specified trees approved for removal are removed. |
|  | **Project Arborist Inspections** |
| The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.   |  |  |  | | --- | --- | --- | | **PROJECT PHASE** | **ACTIVITIES** | **PROJECT ARBORIST to** | |  |  |  | | Initial Site Preparation | Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained. | Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage.  **Issue a Certification of Compliance** of tree protection measures being in place and soil rehabilitation undertaken | | Construction work | Liaison with site manager, compliance, and any deviation from approved plan | Maintain or amend protective measures.  Supervision and monitoring formal notification of any deviation from approved tree protection plan | | Stormwater connection installation through TPZ, Implement hard and soft landscape works | **Supervise** Installation of pipes within tree TPZ | Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works.  **Issue a Certificate of Compliance** | | Practical Completion | Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees | Remove all remaining tree Protection measures.  **Certification of tree protection and soil rehabilitation for Protected Trees** | | Defects liability / maintenance period | Tree vigour and structure | Undertake any required remedial tree works.  **Certification of tree protection if necessary** | |
| **Condition Reason:**  To ensure the timing and frequency of inspections by the Project Arborist is appropriate to maintain the health of existing trees to be retained. |
|  | **Tree works – Australian Standards** |
| All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007). |
| **Condition Reason:**  To ensure that any tree work is carried out by a qualified Arborist |
|  | **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). |
| **Condition Reason:** To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. |
|  | **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 and any requirements of Council in relation to the connection to the public drainage system. |
| **Condition Reason:** To ensure the stormwater system is constructed as approved. |
|  | **Erosion and Sediment Control Plan (Implementation)** |
| The applicant shall install erosion and sediment control measures in accordance with the relevant 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. |
| **Condition Reason:** To prevent soil erosion and the discharge of sediment over the land. |
|  | **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 relevant 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. |
| **Condition Reason:** To ensure that the excavation works are undertaken appropriately throughout the period of construction. |
|  | **Site Dewatering Plan (Implementation)** |
| The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the relevant Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out. |
| **Condition Reason:** To ensure that site dewatering is undertaken appropriately throughout the period of construction. |
|  | **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. |
| **Condition Reason**: Ensure public amenity and safety. |
|  | **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 Infrastructure 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.   1. 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. 2. Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings. 3. Upon compaction of the applicable sub-base course. 4. 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). 5. Upon installation of any formwork and reinforcement for footpath concrete works. 6. Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored. |
| **Condition Reason:** Ensure compliance with relevant standards. |
|  | **Construction Traffic Management Plan (Implementation)** |
| All construction works 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 controls must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council’s Traffic Services Department for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to the principal certifier or Council on request. |
| **Condition reason:** To ensure that the controls stated in the approved CTMP are carried out by the builder during construction. |
|  | **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. |
| **Condition Reason:** To ensure the correct disposal of waste and recycling. |
|  | **Maintenance of Area Surrounding Site** |
| The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken. |
| **Condition Reason:** To manage litter. |

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

|  | Condition |
| --- | --- |
|  | **Certification of acoustic measures** |
| Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report approved under this consent. |
| **Condition reason:** To protect the amenity of the local area. |
|  | **Completion of public utility services** |
| Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier. |
| **Condition Reason:**  To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation |
|  | Removal of waste upon completion |
| Before the issue of an occupation certificate:  all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and  written evidence of the waste removal must be provided to the satisfaction of the **principal certifier.** |
| **Condition reason:** To ensure waste material is appropriately disposed or satisfactorily stored. |
|  | Completion of works |
| Before the issue of the relevant occupation certificate, all works shown on the approved plans are to be completed. |
| **Condition reason:** To ensure all approved works are completed. |
|  | BASIX |
| Before the issue of any occupation certificate, documentary evidence of compliance with all commitments listed in the approved BASIX Certificate(s) is to be provided to the principal certifier. |
| **Condition reason:**  Statutory requirement. |
|  | **Heritage Interpretation Strategy** |
| Prior to the issue of any occupation certificate, the measures listed within the Detailed Heritage Interpretation Strategy are to be implemented. |
| **Condition Reason:** To ensure that the measures are implemented as per the Strategy. |
|  | Fire safety matters |
| At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relevant standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and Fire and Rescue NSW. |
| **Condition reason:**  Statutory requirement. |
|  | Apartment noise attenuation design |
| Before the issue of any occupation certificate, an Association of Australasian Acoustical Consultants (AAAC) 5 Star Certificate must be submitted by a qualified member of the 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 apartments), sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems has sufficient acoustical attenuation. Details of compliance must be to the satisfaction of the principal certifier before the issue of the relevant occupation certificate. |
| **Condition reason:** To comply with best practice standards for residential acoustic amenity. |
|  | Sydney Water – Section 73 compliance certificate |
| Before the issue of any occupation certificate, a compliance certificate must be obtained from Sydney Water under Section 73 of the Sydney Water Act 1994. |
| **Condition reason:**  Statutory requirement. |
|  | Letterboxes and house/unit numbering display |
| Before to the issue of any occupation certificate, the principal certifier must be satisfied that all house/unit numbering is displayed in accordance with the official property addressing allocated by Council’s Spatial Data Services section. The principal certifier must ensure that the display of the street address must be of a sufficient size and clarity to be easily visible from the street.  Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage must 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. |
| **Condition reason:**  To assist in way finding. |
|  | Light spill impacts (compliance report) |
| Before the issue of an occupation certificate, a compliance report must be obtained from a suitably qualified and experienced lighting engineer. The report must certify that light spill impacts comply with Australian Standard AS4282-1997 Control of obtrusive effects of outdoor lighting. |
| **Condition reason:**  To ensure lighting complies with relevant standards. |
|  | **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. |
| **Condition Reason:** To clarify the configuration of the completed stormwater management system. |
|  | **Stormwater Management (Covenants)** |
| Positive covenant(s) must be registered on the title of the subject property pursuant to the relevant section 88 of the Conveyancing Act (1919) in relation to the following stormwater components, wherever these are present in the constructed Stormwater Management system;  a) onsite detention system,  b) pump/ sump,  c) charged/ siphonic configuration (where the system discharges against the fall of the land), and,  d) onsite disposal/ absorption system.  Engineering certification must be submitted with the “Application Form for Endorsement of Title Encumbrances” (available from Council’s website), with the drafted version of the terms so as to ensure the components are completed as per the approved plans. The terms of the covenant(s) are to be in accordance with the Council's standard terms. Any variation to the terms is at the discretion of Council.  The positive covenant(s) must be registered on the title prior to the release of any Occupation Certificate for areas of the development reliant upon these component(s). |
| **Condition 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). |
|  | **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 Council’s DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).  b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.  c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.  d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (e.g. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.  e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.  f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.  The DSMP is to be prepared by a suitably qualified and practising drainage engineer in 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. |
| **Condition 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. |
|  | **Engineering Compliance Certificates** |
| Before the issue of any Occupation Certificate, a compliance certificate prepared by a suitably qualified engineer, to the satisfaction of the principal certifier, detailing:  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 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).  d) Compliance certificate from Council confirming that all external works in the public road reserve and any alteration to Council assets located in the property (if applicable) have been completed to Council’s satisfaction.  e) 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.  f) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes. |
| **Condition 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. |
|  | **Final Assessment of Trees** |
| At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any Occupation Certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees. |
| **Condition Reason:**  To ensure the existing trees have been maintained in a viable condition. |
|  | **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). |
| **Condition 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. |
|  | **Completion of landscape and tree works** |
| Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent |
| **Condition Reason:**  To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s) |
|  | **Certification of acoustic measures** |
| Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier that the acoustic measures have been installed in accordance with the acoustic report and other relevant documentation approved under this consent. |
| **Condition Reason:** To protect the amenity of the local area. |
|  | **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. |
| **Condition Reason:** Ensure compliance. |
|  | **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. |
| **Condition Reason:** Ensure public safety and protection of infrastructure. |
|  | **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. |
| **Condition Reason**: Ensure compliance. |
|  | **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. |
| **Condition Reason:** Ensure compliance. |
|  | **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. |
| **Condition Reason:** Record of Completed Works. |
|  | **Registered Surveyor Final Certificate** |
| Upon completion of all construction works, and before the issue of any Occupation Certificate, 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. |
| **Condition Reason:** Ensure Compliance and no encroachments. |
|  | **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. |
| **Condition Reason:** Ensure compliance. |
|  | **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.   1. Road pavement, 2. Kerb and gutter, 3. Footpath, 4. Drainage pits, 5. Traffic signs, and 6. 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 approved by Council’s City Infrastructure 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. |
| **Condition Reason:** Protection of public assets. |
|  | **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. |
| **Condition Reason:** Ensure compliance and protection of public assets. |
|  | **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 Infrastructure 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. |
| **Condition Reason**: Ensure compliance. |
|  | **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 Infrastructure 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. |
| **Condition Reason:** Ensure compliance. |
|  | **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 the right 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. |
| **Condition Reason:** Public amenity and safety. |
|  | **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. |
| **Condition Reason:** Protection and maintenance of Council's road pavement assets. |
|  | **Public Domain Construction Compliance** |
| During the course of the public domain construction works, Council’s Activation and Compliance Team will complete at least one random inspection of the development site frontage to monitor the following areas:   * + - * + Pedestrian Management.         + Traffic Control.         + Construction Traffic Management.         + Environmental Management.         + Validity of Road Activity Permits.   Any aspects of non-compliance will be communicated to the developer and the site foreman for immediate rectification. Depending on the seriousness of the aspect of non-compliance, Council’s Rangers and/or Building Compliance Team may be notified to take further action.  Note: Please review the Developer Construction Compliance Checklist for further details. |
| **Condition Reason:** Maintain public safety and infrastructure functionality during public domain construction. |
|  | **Signage and Linemarking (External – Approval)** |
| Before the issue of an occupation certificate, a signage and linemarking plan must be prepared by a suitably qualified traffic engineer to the satisfaction of Council’s Traffic Services Department for any traffic and parking changes proposed on the public road network.  **Note:** The person acting on this consent 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 (as per Council’s Fees and Charges current at the time of payment). |
| **Condition 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. |
|  | **Signage and Linemarking (External – Implementation)** |
| Before the issue of any occupation certificate, the installation of the signage and linemarking, as per the plan approved by Council, is to be carried out by the person acting on this consent. All costs associated with the supply and construction of the signage and linemarking are to be borne by the person acting on this consent (at no cost to Council). |
| **Condition reason:** To ensure that the works approved in the signage and linemarking plan are installed. |
|  | **Loading Dock Management Plan** |
| Before the issue of the occupation certificate, a Loading Dock Management Plan must be prepared to the satisfaction of Council, providing the following information at a minimum:   1. Vehicle types permitted to access the loading dock. 2. Management of the loading dock 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 the verge); 3. Delivery requirements and service schedules; 4. Operational aspects on how to use facilities; and 5. Management duties and responsibilities.   All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment). |
| **Condition reason:** To assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads. |
|  | **Framework Travel Plan** |
| Before the issue of the occupation certificate, a final Framework Travel Plan (FTP) must be prepared to the satisfaction of Council’s Traffic Services Department detailing:   1. Adopted 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; 2. Develop measures to achieve the targets including a list of specific tools or actions; 3. 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; 4. 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; 5. Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-sitelinks where required; and 6. 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.  The FTP must be incorporated into or annexed to the strata management plan for the residential and commercial units in perpetuity.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment). |
| **Condition reason:** To assist in reducing future traffic congestion and promote alternative transport options. |
|  | **Final Inspection by Waste** |
| 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. |
| **Condition Reason:** To ensure that the waste requirements have been implemented. |
|  | **Commencement of Waste 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. |
| **Condition Reason:** To ensure that waste servicing can be commenced. |
|  | **Universal Key** |
| Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key should be installed so the contractor can access the room for servicing bins or collect the household cleanup items. |
| **Condition Reason:** To ensure access to bin rooms and hardwaste storage room. |
|  | **Access to Loading Dock Area** |
| 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. |
| **Condition Reason:** To ensure access to loading dock area. |
|  | **Paving from Waste Storage Area** |
| 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 be manoeuvred to the collection point. |
| **Condition Reason:** To ensure ease of access for waste containers. |
|  | **Access to Loading Dock Area** |
| Where there will be secure access in place to access the 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. |
| **Condition Reason:** To ensure access to the loading dock area for Council’s collection contractors. |
|  | **Signage and Linemarking – Implementation** |
| The applicant is to install all signage and linemarking, as per the plan approved by the Council. These works are to be undertaken prior to the issue of any Occupation Certificate. |
| **Condition Reason:** To ensure installation of signage and linemarking. |
|  | **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. |
| **Condition Reason:** To ensure ongoing waste management for the development. |
|  | **Viva Energy Requirements** |
| Prior to the issuing of the relevant Occupation Certificate for any development on the land the following restriction on the use of the land must first be prepared and registered on the title to the land under Section 88E(3) of the Conveyancing Act 1919 burdening the owner with the following requirements. The wording must be approved by Viva Energy with them listed as the benefited party to their satisfaction.   1. That no Childcare facilities, Hospital, School or Aged Care facility are to be constructed or exist within the pipeline measurement length. |
| **Condition Reason:** To ensure compliance with section 2.77 of the Transport and Infrastructure SEPP and safe operation near the Gore Bay Pipeline. |
|  | **Consolidation of Lots** |
| Prior to the issue of an Occupation Certificate, Lot 1 DP 430647, Lot 1 DP 70489, Lot 2 DP 70488 and Lots 440-447 DP 15224 are to be consolidated to form a single lot with the plan of consolidation to be registered with NSW Land Registry Services. |
| **Condition Reason:** To ensure the orderly development of the site. |

**OCCUPATION AND ONGOING USE**

|  | Condition |
| --- | --- |
|  | **Location of mechanical ventilation** |
| During occupation and ongoing use of the building, all mechanical ventilation system(s) or other plant and equipment that generates noise must be located on the site (including in a soundproofed area where necessary) to ensure the noise generated does not exceed 5 dB(A) above the ambient background noise at the boundary adjacent to any habitable room of adjoining residential premises |
| **Condition Reason**: To protect the residential amenity of neighbouring properties. |
|  | **Managing noise** |
| During ongoing use of the premises, the premises must be operated in accordance with the acoustic report approved under this consent. |
| **Condition Reason**: To protect the amenity of the local area. |
|  | **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). |
| **Condition Reason:** To ensure the stormwater management system is appropriately maintained for the life of the development. |
|  | Parking allocation |
| Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;   1. 36 Terrace Unit residential spaces (minimum) 2. 47 Residential Flat Building resident spaces (maximum) 3. 30 Shed Building resident spaces (maximum) 4. 17 Visitor spaces (minimum) 5. 46 bicycle parking spaces |
| **Condition reason:**  To ensure the development maintains the capacity and allocation of parking spaces. |
|  | Waste education |
| Signage must be placed within the bin area to encourage correct recycling and reduce contamination. Signage is provided by City of Ryde. |
| **Condition reason:**  To ensure occupants are aware of the correct procedures for recycling and source separation. |
|  | Enter and exit in a forward direction |
| All vehicles are to enter and exit the site in a forward direction on to Waterview Street and are to be wholly contained on site before being required to stop. Reversing from the access driveway is prohibited for safety reasons. |
| **Condition reason:**  To ensure the safety of all road users. |
|  | **Registration of warm water or water-cooling system** |
| Where any warm water or water-cooling system is installed, the following must be undertaken:   * 1. A Compliance Certificate must be obtained certifying that the system has been installed in accordance with the provisions of the Public Health Act 2010, the Regulations thereunder, the NSW Code of Practice for the Control of Legionnaires Disease and Australian Standards 3666.   2. The occupier of the premises must be given both an operation and maintenance manual by the installer. The system must be maintained monthly. All inspection results must be kept on site.   3. Submit a Registration form to City of Ryde. |
| **Condition Reason:** To ensure compliance with cooling tower installation requirements. |
|  | **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. |
| **Condition reason:** To ensure compliance with the approved loading dock management plan. |
|  | **Review Report of Framework Travel Plan** |
| One year from the issue of the occupation certificate, and every year for 5 years thereafter, the person acting on this consent must submit to the satisfaction of Council’s Traffic Services Department a Review Report on the effectiveness of the Framework Travel Plan (FTP). The reviews must 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 must also include any recommendations for improving the effectiveness of the FTP. Any recommendations made to improve the effectiveness of the plan must be incorporated into an updated FTP.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment). |
| **Condition reason:** To ensure the effective management of the Framework Travel Plan. |
|  | **Council Waste Collection** |
| Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor. |
| **Condition Reason:** To ensure compliance with Council’s waste contract. |
|  | **Storage of Bins** |
| Garbage and recycling bins must always be stored on-site between collections. |
| **Condition Reason:** To ensure that bins are stored on the site. |
|  | **Maintenance of Waste Storage Areas** |
| All waste storage areas must be maintained in a clean and tidy condition at all times. |
| **Condition Reason:** To ensure that waste areas are maintained. |
|  | **Movement of Bins and Recycling** |
| 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.  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. |
| **Condition Reason:** To ensure that arrangements are in place for the movement of bins and recycling. |
|  | **Storage and Disposal of Waste** |
| All waste generated on the premises must be stored and disposed of in an environmentally acceptable manner. |
| **Condition Reason:** To ensure correct waste disposal. |
|  | **Clean Up Collections** |
| The building manager or Strata Manager will be required to pre-book household clean-up collections for the building. |
| **Condition Reason:** To ensure arrangements are in place for clean up collections. |
|  | **Gates on Northern Side of Boatshed** |
| The two security gates on the northern side of the boatshed building are to be left open/unlocked from 6:00am to 10:00pm Monday to Saturday and 7:00am to 8:00pm Sunday. |
| **Condition Reason:** To allow for public access through the site. |

**End of conditions**