



Applicant: Bieson Pty Ltd
C/- Dfp Planning Pty Ltd
11 Dartford Road
THORNLEIGH NSW 2120

Deferred Commencement Development Consent

Consent No: LDA2023/0272

Consent Date: This Consent does not become operative until the matters referred to in Part 1 have been submitted to Council and Council has notified you in writing that the Consent has become operative.

The information required in Part 1 shall be submitted to Council within six (6) months from the date of this notice or the Consent will have lapsed, in accordance with the requirements of Section 4.53(6) of the Environmental Planning & Assessment Act.

Valid Until: Valid Until 5 years from the date that Council notifies in writing that the Consent has become operative.

The City of Ryde, as the consent authority under the provisions of the Environmental Planning and Assessment Act, 1979 hereby consents to the development as follows:

Property: 461 Victoria Rd Gladesville Lot 3002 DP 1268213
Development: Demolition of all existing structures, tree removal, remediation works, civil works, staged construction of a part 6 storey self-storage premises and part 2 storey light industrial premises, ancillary offices, signage and associated landscaping work.

subject to the conditions 1 to 161 specified in this consent.

You are advised that failure to observe any condition of approval set out in the consent is an offence and legal proceedings may be instituted by Council.

This Consent does not guarantee compliance with the Disability Discrimination Act and you should, therefore, investigate your liability under the Act.

You are advised of your rights of appeal to the Land and Environment Court under S8.7 of the Act, against any of the conditions contained within this consent, within a period of six (6) months after receipt of the Consent.

Sohail Faridy
Senior Coordinator Development Assessment

Date: 12 July 2024

The fees quoted at the time of issue of this Consent may be subject to variation. Council's annual fees and charges are published in the Management Plan. To confirm fees please contact Customer Service on 9952-8222.

Conditions of Consent for LDA2023/0272 :-

PART 1

- (A) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to LDA2023/0272 for the demolition of all existing structures, tree removal, remediation works, civil works, staged construction of a part 6 storey self-storage premises and part 2 storey light industrial premises, ancillary offices, signage and associated landscaping work, subject to the following conditions of consent:

1. Amendment of Development Consent 2015/0214

The person acting on this consent must lodge a Section 4.55(1a) modification application to Council to amend development consent No. LDA2015/0214, dated 28 October 2015 in the following manner:

- Development Consent No. 2015/0214 shall be amended generally consistent with a marked up copy of the development consent No. 2015/0214 dated 28 October 2015 as attached with this development consent as Attachment 1.

Reason: (To ensure Development consent No. 2015/0214 is consistent with the terms and conditions of LDA2023/0272).

- (B) Written evidence that the matter identified in deferred commencement condition (A) (1) above has been satisfied, must be submitted to Council within six (6) months from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 4.53 (6) of the Environmental Planning and Assessment Act 1979.
- (C) This Development Consent will not operate until such time that the Council notifies the Applicant in writing that that deferred commencement consent condition (A) (1) above has been satisfied; and
- (D) Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1) above has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent in **Part 2**.

Conditions of Consent for LDA2023/0272 :-

PART 2 - The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on this development.

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and the recommendations and requirements of the following support documents:

Document Description	Plan No./Reference	Date
<i>Architectural Plans and Signage Details</i>		
Existing & Demolition Plan	DA002 Issue B prepared by Nettletontribe	07.12.22
Site & Roof Plan	DA005 Issue F prepared by Nettletontribe	07.03.24
Staging Plan & Plan	DA006 Issue B prepared by Nettletontribe	07.03.24
Staging Plan, Ground Level Plan	DA007 Issue B prepared by Nettletontribe	07.03.24
Staging Plan Upper Level Plan	DA008 Issue B prepared by Nettletontribe	07.03.24
Industrial Tenancy 1 Plan	DA010 Issue G prepared by Nettletontribe	07.03.24
Industrial Tenancy 2 Plan	DA011 Issue G prepared by Nettletontribe	07.03.24
Car Parking Level 1 & 2 Plan	DA012 Issue E prepared by Nettletontribe	07.03.24
Ancillary Office Plan	DA013 Issue F prepared by Nettletontribe	07.03.24
Self Storage - Level 01 & 02 Plan	DA014 Issue B prepared by Nettletontribe	07.03.24
Self Storage - Level 03 & 04 Plan	DA015 Issue B prepared by Nettletontribe	07.03.24
Self Storage - Level 05 & 06 Plan	DA016 Issue B prepared by Nettletontribe	07.03.24
Elevation – North & South	DA031 Issue H prepared by Nettletontribe	07.03.24
Elevation – East & West	DA032 Issue J prepared by Nettletontribe	28.06.24
Section Sheet 01	DA041 Issue G prepared by Nettletontribe	07.03.24
Section Sheet 02	DA042 Issue C prepared by Nettletontribe	07.03.24
Signage Strategy Plan	DA050 Issue B prepared by Nettletontribe	07.12.22
Signage Details	DA051 Issue C prepared by Nettletontribe	28.06.24

Conditions of Consent for LDA2023/0272 :-

<i>Landscape Plans & Details</i>		
Landscape Master Plan	L03, Rev E, Prepared by Habit8	13.12.22
Tree Planting Strategy	L04, Rev E, Prepared by Habit8	13.12.22
College Street, Setback Landscape Concept Plan 02	L6, Rev E, Prepared by Habit8	13.12.22
Landscape Section AA	L7, Rev E, Prepared by Habit8	13.12.22
Landscape Section BB	L8, Rev E, Prepared by Habit8	13.12.22
Landscape Section CC	L9, Rev E, Prepared by Habit8	13.12.22
Plant Schedule	L10, Rev E, Prepared by Habit8	13.12.22
Landscape Specification and Maintenance Notes	L11, Rev E, Prepared by Habit8	13.12.22
Landscape Details	L12, Rev E, Prepared by Habit8	13.12.22
<i>Landscape Plan for Public Domain</i>		
Landscape plan for Public Domain	Dwg No. L-0000, Rev C, Prepared by Habit8	06.12.22
Landscape Plan 1 of 3	Dwg No. L-1001, Rev C, Prepared by Habit8	06.12.22
Landscape Plan 2 of 3	Dwg No. L-1002, Rev C, Prepared by Habit8	06.12.22
Landscape Plan 1 of 3	Dwg No. L-1003, Rev C, Prepared by Habit8	06.12.22
Plant Schedule and Construction Details	Dwg No. L-2001, Rev C, Prepared by Habit8	06.12.22
<i>Stormwater Plans & Details</i>		
Drawing List & Engineering Notes	DA10, Issue D, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Plan Ground Level	DA40, Issue E, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Plan Level 01	DA41, Issue D, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Plan Roof Level	DA42, Issue D, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Plan OSD Catchments	DA43, Issue A, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Details Sheet 1	DA45, Issue C, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Details Sheet 2	DA46, Issue C, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Details Sheet 3	DA47, Issue C, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Details Sheet 4	DA48, Issue A, Prepared by Costin Roe Consulting	02.06.23
Stormwater Drainage Details Sheet 5	DA49, Issue A, Prepared by Costin Roe Consulting	02.06.23
<i>College Street Public Domain Plans</i>		

Conditions of Consent for LDA2023/0272 :-

Drawing List & General Notes	R10, Issue C, Prepared by Costin Roe Consulting	19.12.23
Existing Levels & Site Features Sheet 1	R11, Issue B, Prepared by Costin Roe Consulting	30.11.22
Existing Levels & Site Features Sheet 2	R12, Issue B, Prepared by Costin Roe Consulting	30.11.22
Road Works Plan Sheet 1	R31, Issue C, Prepared by Costin Roe Consulting	30.11.22
Road Works Plan Sheet 2	R32, Issue C, Prepared by Costin Roe Consulting	30.11.22
Road Works Plan Sheet 3	R33, Issue D, Prepared by Costin Roe Consulting	19.12.23
Stormwater Drainage Details	R35, Issue A, Prepared by Costin Roe Consulting	19.12.23
Line marking and Signage Plan Sheet 1	R41, Issue B, Prepared by Costin Roe Consulting	30.11.22
Line marking and Signage Plan Sheet 2	R42, Issue B, Prepared by Costin Roe Consulting	30.11.22
Typical Details	R50, Issue A, Prepared by Costin Roe Consulting	30.11.22
<i>Contamination, Hazardous Material Supporting Reports</i>		
Draft Remediation Action Plan & Asbestos Management Plan	JBS&G 66327, 158,540, Rev 0, prepared by JBS&G	25.03.24
Draft Preliminary Remediation Action Plan	65143/152,1989, Rev A, Prepared by JBS&G	26.05.23
Data Gap Investigation Report	JBS&G 65143/154372, L001, Rev A, prepared by JBS&G	31.05.23
Detailed Site Investigation Report	63494/147,060, Rev 0, Prepared by JBS&G	30.11.22
Intrusive Hazardous Material Inspection	Ref J050103, Version 1, Prepared by Greencap	Aug 22
Draft Asbestos Management Plan	65143/152,154, L001, Rev A, prepared by JBS&G	26.05.23
<i>Supporting Documents and Reports</i>		
Bio Diversity Statement Report	Project No. 37672, Prepared by Biosis	23.05.24
Site Waste and Minimisation Management Plan	Ref 610.30960.00000-R01, Prepared by SLR, V3.0	13.12.22
Traffic and Parking Assessment	Ref 21329, Issue G, Prepared by TTPA	Dec. 22
Operational Management Plan	Revision Bi, prepared by Charter Hall	22.05.24
Preliminary Construction Management Plan	Revision C, Prepared by Project Strategy	May 23
Green Travel Plan	Ref 21329, Issue D, Prepared by TTPA	Dec 22
Arboricultural Impact Assessment	Rev B, Prepared Hugh The Arborist	13.12.22
Acoustic Report	Ref 610.30939-R01, V1.0, Prepared by SLR	Dec. 22
Access Review	Final V2, Prepared by	12.09.23

Conditions of Consent for LDA2023/0272 :-

	MGAC	
Rock Batter Inspection Report	Prepared by PSM, Ref PSM4837-004L	08.12.22
<i>Recommended Conditions by External Agencies</i>		
Transport For NSW (TfNSW)	TfNSW Reference: SYD23/01364/01	24.01.24
Ausgrid Response	Ref TRIM2017/36/68	29.01.24

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

(Reason: To ensure consistency with the conditions of consent).

3. **Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**

- i. 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.
- ii. In subsection (i), 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.
- iii. This section does not apply:
 - a. 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
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

(Reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021).

4. **Erection of signs** - This condition applies to a development consent for development involving building work, subdivision work or demolition work.

- i. 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:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. 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
 - c. stating that unauthorised entry to the work site is prohibited.
- ii. The sign must be:
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.

Conditions of Consent for LDA2023/0272 :-

(Reason: Prescribed condition under section 82 of the Environmental Planning and Assessment Regulation 2021).

5. **Signage** - Despite any notation on the plans, this consent does not authorise the erection of any signs or advertising structures other than those shown on the approved stamped drawing. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

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

6. **Site maintenance** - 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.

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

7. **Hours of work** - Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

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

8. **Hoardings**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

9. **Illumination of public place** - Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

(Reason: To ensure public safety).

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

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

11. **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.

(Reason: to ensure public safety).

12. **Design and Construction Standards (engineering)** - All engineering plans and work inside the property shall be carried out in accordance with the requirements of the

Conditions of Consent for LDA2023/0272 :-

relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent.

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

13. **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.

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

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

(Reason: To ensure the effective management of stormwater).

15. **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).

(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).

16. **Oversize Overmass 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) prior to driving through local roads within the City of Ryde LGA.

(Reason: To ensure maintenance of Council's assets).

17. **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. AusGrid, 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.

Conditions of Consent for LDA2023/0272 :-

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

18. **Road and active transport upgrades** - The following traffic mitigation works are required to be delivered by the person acting on this consent at no cost to Council:

i. Permanent road closure on College Street and all associated signage.

(Reason: To ensure appropriate traffic management works are completed).

19. **Restoration** - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council.

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

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

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

(Reason: No encroachment of private works on public land).

21. **Separate development application** - Separate development application must be submitted to Council for any use of the industrial tenancies.

(Reason: To ensure separate consent is sought for the use of industrial tenancies).

22. **Site Management** - All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity).

23. **Dust Control - Minor Works** - Where applicable, the following are to be satisfied/complied with during demolition, construction and any other site works:

a) Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of shade cloth or a similar material at least 2m high and secured to a chain wire fence or in a manner otherwise directed by Cumberland City Council.

b) As and when directed by Council, measures identified below are to be implemented to control the emission of dust:

- Erection and regular maintenance of dust screens around the perimeter of

Conditions of Consent for LDA2023/0272 :-

the site for the duration of the work.

- Dust must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- Soil and material stockpiles are to be kept damp or covered.
- Stockpiles of soil or other materials are to be placed away from drainage lines, gutters or stormwater pits or inlets.
- Stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining on site for more than 24 hours.

(Reason: To prevent the movement of dust outside the boundaries of the site).

24. **Construction Management Plan** - All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan. A copy of the Plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Compliance with condition of consent).

25. **Slope Instability** - In addition to the Rock Batter Assessment Report prepared by PSM, Ref PSM4837-004L, dated 8 December 2022; the following shall be implemented:

- i. Following the demolition of the existing buildings and clearing of the weeds on the rock batter, further assessment of the rock batter by a geotechnical engineer shall be undertaken over the extent determined by a geotechnical engineer and as a minimum, along the full extent of the site identified as having a risk of instability in Council's map.
- ii. Following the inspection noted in Item (a) above, a geotechnical investigation report shall be submitted to Council. The report must be carried out in accordance with the "Australian Geomechanics Society Practice note Guidelines for Land Risk Management 2007" and must assess the risk of slope instability and provide recommendations as to how these risks can be appropriately minimised.
- iii. All design and construction works shall be carried out in accordance with the full recommendations of the PSM report on the results of the rock batter inspection reference PSM4837-004L and, the further geotechnical investigation report noted in Item (b) above.

(Reason: To ensure surrounding land is protected from any soil instability risks).

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

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

Conditions of Consent for LDA2023/0272 :-

DEMOLITION

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

A Construction Certificate is not required for Demolition.

27. **Notice of commencement for demolition** - At least one week before demolition work commences, written notice must be provided to council and the occupiers of neighbouring premises of the work commencing. The notice must include:

- i. name
- ii. address,
- iii. contact telephone number,
- iv. licence type and license number of any demolition waste removal contractor and, if applicable, asbestos removal contractor, and
- v. the contact telephone number of council and
- vi. the contact telephone number of SafeWork NSW (4921 2900).

(Reason: To advise neighbours about the commencement of demolition work and provide contact details for enquiries).

28. **Asbestos Management Plan** - All asbestos handling and removal at the site must be carried out in accordance with the approved Asbestos Management Plan, prepared by JBS&G, dated 26 May 2023.

A copy of the Plan must be kept on site at all times and made available to the Principal Certifier or Council on request.

(Reason: Safety).

29. **Demolition – Asbestos** - The developer or demolition contractor must notify Council at least five working days (i.e. Monday to Friday exclusive of public holidays). The developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum the following:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and licence number of the asbestos removalist/s; and
- The telephone number of SafeWork NSW.

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site during asbestos removal works. Barricades to delineate and isolate the asbestos removal area and prevent public access. The type of barricading should reflect the level of risk. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

a) Asbestos to be removed by a licensed asbestos removalist.

Conditions of Consent for LDA2023/0272 :-

All demolition and site works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Class A Licence for friable asbestos removal where applicable or a Class B Licence for non-friable (bonded) asbestos removal. No asbestos products are to be re-used on site and asbestos laden skips/bins must not be left in any public place.

Note: To find a licensed asbestos removalist please visit SafeWork NSW website.

b) Compliance with applicable Legislation, Policies and Codes of Practice.

All asbestos removal works are to be undertaken in accordance with the following:

- Work Health and Safety Act 2011 & Work Health and Safety Regulation 2017;
- 'Code of Practice on how to safely remove asbestos' published by Safe Work Australia (dated July 2020).
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)].

Following completion of asbestos removal works undertaken by a licensed asbestos removalist, re-occupation of a workplace must not occur until a Licensed Asbestos Assessor or Competent Person independent from the asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety).

30. **Classification of Waste** - Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA's Waste Classification Guidelines, Part1: Classifying Waste (2014). The materials must also be transported and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the requirements of their relevant classification.

(Reason: Environmental protection)

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

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

32. **Importation of Fill** - All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Validation shall take place by one or both of the following methods:

- Provision of documentation from the supplier certifying that the material is not contaminated based upon analyses of the material for the known past history of the site from where the material was sourced; and/or
- Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

(Reason: To ensure controls are in place for contamination management).

Conditions of Consent for LDA2023/0272 :-

33. **Demolition Excavation, Construction Noise and Vibration Management Plan** - A site specific Noise Management Plan shall be developed and submitted to the Principal Certifying Authority prior to the commencement of any demolition, excavation and construction works on site. The Plan must be prepared by a suitably qualified Acoustic Consultant, being a consultant who holds a current member grade of the Australian Acoustical Society.

The Plan must include but not be limited to the following:

- a) Identification of any noise sensitive receivers near to the site;
- b) A prediction as to the level of noise and vibration impact, including the likely number of high noise intrusive appliances/equipment likely to affect the nearest noise sensitive receivers;
- c) A statement outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of this noise criteria then details of the following must be included in the plan:
 - i. Duration and frequency of respite periods that will be afforded to the occupiers of neighbouring properties; and
 - ii. Details of any other noise mitigation measures that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.
- d) Confirmation of the level of community consultation that has/is and will be undertaken with the occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during demolition and excavation phases;
- e) Details of the noise and vibration monitoring that is to be undertaken during works;
- f) The type of action will be undertaken following receipt of a complaint concerning offensive noise or vibration, including nomination of a site contact.

(Reason: Environmental and residential protection).

34. **Demolition Pedestrian and Traffic Management Plan** - Before any demolition work commences, a Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineer and submitted to and approved by Council's Traffic Services Department.

Truck movements are to be restricted to outside of school days peak periods between 8am – 9.30am and 2.30pm – 4pm to minimise impact on Holy Cross College. Truck movements must be agreed with Council's Traffic Services Department prior to submission of the DPTMP.

Conditions of Consent for LDA2023/0272 :-

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 DPTMP.

The DPTMP must include the following, at a minimum:

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

Conditions of Consent for LDA2023/0272 :-

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

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

(Reason: To ensure that the measures stated in the approved DPTMP are carried out during demolition activities).

36. **Compliance with Hazardous Materials Survey Report** - All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

(Reason: To ensure appropriate controls are implemented for demolition).

Conditions of Consent for LDA2023/0272 :-

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.

Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with the conditions in this Section of the consent.

Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifying Authority.

37. **Section 7.12** - Before the issue of a construction certificate, a monetary contribution for the services as detailed in the table below must be paid to Council. Column A and for the amount in Column B must be made to Council as follows:

A – Contribution Type	B – Contribution Amount
Section 7.12 Contribution	\$988,240.00

These are contributions under the provisions of Section 7.12 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Fixed Rate (Section 7.12) Development Contributions Plan 2020, effective from 1 July 2020.

The above amount is current at the date of this consent, and is 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 amount that differs from that shown above.

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

A copy of the City of Ryde Fixed Rate (Section 7.12) Development Contributions 2020 Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

(Reason: Statutory requirement).

38. **Housing and Productivity Contribution** - Before the issue of a construction certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made:

Housing and productivity contribution	Amount
Housing and productivity contribution (Industrial component)	9050m ² x \$15.74 = \$142,447.00

Conditions of Consent for LDA2023/0272 :-

Housing and productivity contribution (Commercial (self storage) component)	9844m ² x \$31.48 = \$309,889.00
Total housing and productivity contribution	\$452,336.00

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the Environmental Planning and Assessment Act 1979 agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the Environmental Planning and Assessment Act 1979 to the development, or the HPC Order exempts the development from the contribution.

The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

40. **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.

(Reason: To ensure the long service levy is paid).

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

(Reason: Statutory requirement).

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

Conditions of Consent for LDA2023/0272 :-

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

43. **Vehicle Access and 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 a Construction Certificate:

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

- a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the northern side of the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.

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

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

44. **Access for people with disabilities** - Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building is provided. Consideration must be given to the means of dignified and equitable access. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided to the Certifier prior to the issue of a Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

Conditions of Consent for LDA2023/0272 :-

(Reason: To ensure accessible access is compliant with statutory provisions).

45. **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 a Construction Certificate.

(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)

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

As a minimum, the OSD system must:

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

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

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

47. **Road and Public Domain Works (Minor Development)** - The following Public Domain works are required:

- a) Construction of new concrete vehicular crossings in accordance with the approved architectural plan.
- b) Removal of any existing footpath and gutter crossover which is not fronting an approved access point and the reinstatement of grass verge, concrete kerb, gutter and footpath in this region.
- c) Reinstatement of damaged sections of footpath, kerb and gutter.
- d) Construction of a new concrete footpath spanning the site frontage. The footpath width and grade must be in accordance with the DCP Part 8.5 (Public Civil Works) Section 2.3. If there is an existing footpath in the vicinity of the site which is variable

Conditions of Consent for LDA2023/0272 :-

to these specifications, the applicants is to confer with Council's Civil Works section for directions as to the appropriate footpath specifications.

In accordance with Section 138 of the Roads Act, detailed engineering plans prepared by a qualified and experienced civil engineer, complying with Council specifications must be submitted and approved by Council prior to the issue of a Construction Certificate.

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

(Reason: To ensure the serviceability of infrastructure adjacent the development property is consistent with the life of the development and provides safe and efficient access to the site).

48. **Dilapidation Survey** - A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include:

- a) 459 Victoria Road Gladesville
- b) 495 Victoria Road Gladesville
- c) 18 College Street Gladesville

A copy of the dilapidation survey is to be submitted to the principal certifier and City of Ryde prior to the release of the Construction Certificate.

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

49. **Construction near Easement** - All footings for structures adjacent drainage easement(s) shall be extended below the zone of influence of the foundation of services in the easement. The zone of influence is to extend from a point offset from the edge of the pipe by half the pipe diameter, at the depth of the pipe invert and extending upwards at the angle of repose for the given subsurface conditions. To demonstrate compliance with this requirement, cross section details prepared by a suitably qualified engineer, showing the new footing, the exact location and depth of the stormwater pipe in the easement and the resulting zone of influence are to be submitted with the application for a Construction Certificate.

(Reason: To ensure the development is not jeopardised by any potential maintenance works in the adjacent drainage easement and that the services in the easement are not impacted by the development).

50. **Geotechnical Design, Certification and Monitoring Program** - Before the issue of a 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

Conditions of Consent for LDA2023/0272 :-

- 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 principle certifier for approval.

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

51. **Erosion and Sediment Control Plan** - An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by NSW Department – Office of Environment and Heritage and must contain the following information:

Existing and final contours

- 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 a Construction Certificate.

Conditions of Consent for LDA2023/0272 :-

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

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

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

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

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

The existing pit (B9270100) at College street is not in a good condition to support the drainage of the proposed development and must be upgraded to 2.4m lintel KIP.

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

54. **Engineering plans assessment and works inspection fees** - The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

(Reason: Ensure compliance with Council's requirements).

55. **Stormwater - Drainage Design Submission** - Before the issue of a construction certificate, drainage design plans are to be prepared and certified by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) and provided to Council's City Infrastructure Department for approval. The plans must include the following:

- Location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e., utility services).
- A drainage system longitudinal section showing the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e., utility services).
- The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on Stormwater Management Plans

Conditions of Consent for LDA2023/0272 :-

prepared by Costin Roe Consulting P/L Drawing No. C014566.01-DA40 (Revision E, 2 June 2023) is to be confirmed by a suitably qualified surveyor.

- Special details including non-standard pits, pit benching and transitions must be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.

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).

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

56. **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:

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

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

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

Truck movements are to be restricted to outside of school days peak periods between 8am – 9.30am and 2.30pm – 4pm to minimise impact on Holy Cross College. Truck movements must be agreed with Council's Traffic Services Department prior to submission of the DPTMP.

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

The CPTMP must include but not limited to the following:

- i. Provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.

Conditions of Consent for LDA2023/0272 :-

- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing / queuing in a public roadway / domain in the vicinity of the site are not permitted unless approved by Council's Traffic Services Department.
- v. Include Traffic Control Plan(s)/Traffic Guidance Scheme(s) prepared by a SafeWork NSW accredited designer for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- viii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- ix. Take into consideration the combined construction activities of other development(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- x. Specify spoil management process and facilities to be used on site.
- xi. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde Development Control Plan 2014: Construction Activities.

(Reason: To ensure safety and amenity of all road users).

58. **Service Vehicle Access** - Before the issue of a construction certificate, a suitably qualified traffic engineer must submit swept path and vehicle clearance plans demonstrating that the largest/longest vehicle required to access the site can enter, turnaround within the internal loading/manoeuvring areas and exit the site in a safe and efficient manner. These plans are to be submitted to the satisfaction of Council's Traffic Services Department and the principal certifier and include the following information:

Conditions of Consent for LDA2023/0272 :-

- Ramp grades;
- Transitions and height clearance for the safe forward in and forward out access of the largest delivery truck;
- The minimum height clearance required is 4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes; and
- Swept paths diagrams including details of the road, kerb line, line marking, signs, traffic devices, power poles, other structures, and neighbouring driveway.

(Reason: To ensure service vehicles are provided with the necessary access and clearance).

59. **Traffic control device(s) (approval)** - Before the issue of a construction certificate, detailed engineering design plans must be prepared to the satisfaction of Council's Traffic Services Department for endorsement for Ryde Traffic Committee and subsequent approval by Council (by Council Resolution).

The engineering design plans must include:

- a. Permanent road closure on College Street and all associated signage.

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

All fees and charges associated with the review of this plan are to be paid (as per Council's fees and charges current at the time of payment).

(Reason: To ensure maintenance of traffic flow and safety on the surrounding road network).

60. **Road safety audit** - Before the issue of the relevant construction certificate, a detailed design Road Safety Audit report on any new traffic and road upgrades must be submitted to the satisfaction of Council's Traffic Services Department. The Audit report must include the following information, at a minimum:

- a. Civil design of any new traffic and road upgrade; and
- b. Identification of any deficiencies in the design representing a safety risk to the public.

The person acting on this consent is required to address all deficiencies identified within the Audit report to the satisfaction of Council. Confirmation of Council approval is to be provided to the principal certifier.

(Reason: To ensure safety and amenity of all road users).

61. **Vehicle Footpath Crossing and Gutter Crossover** - A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required so it has a service life consistent with that of the development, and it is also compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with City of

Conditions of Consent for LDA2023/0272 :-

Ryde Development Control Plan 2014 Part 8.3 Driveways and Part 8.5 - Public Civil Works and Australian Standard AS2890.1 – 2004 Off-street Parking.

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

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

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 Offstreet Parking and Council's specifications. The new crossing width shall be determined upon review of swept path analysis demonstrating vehicle manoeuvring requirements. Driveway crossings must not be splayed and shall be constructed at right angle to the alignment of the kerb and gutter and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

(Reason: Improved access and public amenity).

62. **Public Domain Improvements – Design for Construction Certificate** - The public domain is to be upgraded in both Victoria Road and College Street frontages of the development site in accordance with the City of Ryde **DCP2014 Part:6.5 461-495 Victoria Road, Gladesville (site specific DCP)**, and the City of Ryde Public Domain Technical Manual **PDTM Chapter 2 - Gladesville**. The works shall include paving, street lighting poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Gladesville Street Tree Master Plan.

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

Conditions of Consent for LDA2023/0272 :-

- (c) All telecommunication and utility services are to be placed underground along the College 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.

- (d) New street lighting using LED luminaires is to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, with vehicular luminance category V5 and pedestrian luminance category PR3 along College Street. The street lighting will remain on the Ausgrid street lighting network.

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

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments).

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

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

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

1. The full reconstruction of half road width for the College 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. Removal of any existing footpath and gutter crossover which is not fronting an approved access point and the reinstatement of grass verge, concrete kerb, gutter and footpath in this region.
3. The construction of new kerb and gutter along the College Street frontage of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along College Street.

Conditions of Consent for LDA2023/0272 :-

4. The provision of two Cul-De-Sac kerbs and heads to create a permanent closure of College Street. Full depth road reconstruction for the heads.
5. Construction of footpath along the College Street frontage of the development site in accordance with the City of Ryde Development Control Plan **DCP 2014 Part 6.5: 461-495 Victoria Road, Gladesville**, namely 1.50m wide concrete footpath with granite banding at 7.5m intervals maximum in accordance with Figure 3.3.3 and Detail Pv1.2a Schedule 1: Public Domain Technical Details attached to this DCP Part.
6. Stormwater drainage installations in the public domain in accordance with the DA approved plans.
7. Signage and line marking details.
8. Staging of the public civil works, if any, and transitions between the stages.
9. 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.

(Reason: To ensure the serviceability of infrastructure adjacent the development property is consistent with the life of the development and provides safe and efficient access to the site).

64. **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 **\$435,000.00** shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

(Reason: Ensure compliance with specifications and identification of defects not visible at final inspection).

65. **Anticipated Assets Register - Changes to Council Assets** - In the case that public infrastructure improvements are required, the developer is to submit a listing of

Conditions of Consent for LDA2023/0272 :-

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

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

(Reason: Record of civil works).

66. **Utilities and services** - Before the issue of a construction certificate, the principal certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

- i. a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity
- ii. 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
- iii. 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.

(Reason: To ensure resource recovery is promoted and local amenity protected during construction).

67. **Design Amendments** - Before the issue of a construction certificate, the principal certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

Amended Landscape Plan. The following details must be shown on an amended Landscape Plan:

- a) The Landscape Plan is to be amended to reflect the stamped approved Architectural Plans.

The amended Landscape Plans are to be submitted to and approved by the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: To require minor amendments to the plans endorsed by the consent authority following assessment of the development).

68. **Street trees (To be Protected)** - Two (2) Brush Box (*Lophostemon confertus*) identified as Trees 18 and 19, two (2) Grey Gum (*Eucalyptus punctata*) (T21 and 23) and four (4) London Plane Trees (*Platanus spp.*) (T22, 24, 25 and 26) located in the

Conditions of Consent for LDA2023/0272 :-

road reserve on the College St Frontage of 461 Victoria Road Gladesville are to be retained and protected in accordance with the following conditions:

- i. Protection fencing, construction type 1.8m high chainwire fencing, in accordance with AS4970-2009 Protection of trees on Construction Sites, to be installed around the tree in the road reserve to be retained, prior to the issue of the construction certificate.
- ii. That all relevant legislation and WHS regulations be adhered to whilst undertaking these works.
- iii. Fencing to have a minimum of two signs that include the words "Tree Protection Zone – Keep Out". Each sign shall be a minimum size of 600mm x 500mm and the name and contact details of the Project Arborist. Signs shall be attached facing outwards in prominent positions at 10 metre intervals or closer where the fence changes direction. The signs shall be visible within the site.

(Reason: To ensure protection of Council's trees).

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

- i. The stem and branches of trees to be retained shall be protected, as follows:
 - two layers of carpet underlay (or other padding approved by the Project Arborist) shall be installed around the stem and branches. Stem protection shall cover the stem from ground level; and
 - hardwood or treated pine timbers (100mm x 50mm) the same length as the stem or branch shall be positioned over the padding and next to each other around the stem or branch, secured together with galvanised wire or strapping. Boards shall not be nailed or screwed into the stem or branch. No part of the protection shall be secured to the tree.
- ii. The ground surface within the Tree Protection Zone shall be protected by placing geotextile fabric on the ground surface, covering this with a layer of mulch to a depth of 75mm and then placing boarding (scaffolding board, plywood sheeting or similar material) on top. The geotextile fabric and mulch shall be kept clear of tree stems by at least 50mm.
- iii. The following activities shall not be carried out within any Tree Protection Zone:
 - a. disposal of chemicals and liquids (including concrete and mortar slurry, solvents, paint, fuel or oil);
 - b. stockpiling, storage or mixing of materials;
 - c. refuelling, parking, storing, washing and repairing tools, equipment, machinery and vehicles;
 - d. disposal of building materials and waste;
- iv. The following activities shall not be carried out within any Tree Protection Zone unless under the supervision of the Project Arborist:

Conditions of Consent for LDA2023/0272 :-

- a. increasing or decreasing soil levels (including cut and fill);
 - b. soil cultivation, excavation or trenching;
 - c. placing offices or sheds;
 - d. erection of scaffolding or hoardings; and/or
 - e. any other act that may adversely affect the vitality or structural condition of the tree.
- v. All work undertaken within or above a Tree Protection Zone shall be supervised by the Project Arborist.
- vi. Excavation within the Tree Protection Zone of any tree to be retained shall:
 - a. be undertaken using non-destructive methods (eg. an Airspade or by hand) to ensure no roots greater than 40mm in diameter are damaged, pruned or removed. All care shall be taken to preserve and avoid damaging roots;
 - b. not occur within the Structural Root Zone.
- vii. The City of Ryde shall only give approval for minor pruning works. All pruning works shall be specified by the Project Arborist. All pruning shall be carried out in accordance with section 5 and by an arborist qualified in accordance with section 4.
- viii. Written approval from the City of Ryde shall be obtained prior to removing or pruning any street tree. All street trees not approved for removal shall be protected in accordance with the tree protection measures set out above.

(Reason: To ensure protection of Council's trees).

70. Bonds on Street Trees to be Retained

- i. That the following bonds be placed upon the trees to be retained:
 - *Lophostemon confertus* x 2 (T18 and 19)- \$4,000 each
 - *Eucalyptus punctata* x 2 (T21 and 23)- \$10,000 each
 - *Platanus sp.* x 5 (T24, 25, 26 and 28) - \$5,000 each
- ii. That the bonds be paid to Council prior to the issue of the construction certificate.
- iii. That Council's Tree Management Officer inspects the tree prior to the bonds being released.
- iv. That the tree shall be in good health and vigour upon inspection
- v. That if the tree is found to be in poor condition or vigour the bonds shall not be released.
- vi. That the bonds be released no sooner than 12 months after issuing of the final Occupation Certificate.

(Reason: To ensure effective terms and conditions for tree protection bonds).

- 71. Street Trees (Permitted to be Removed) - One (1) Brush Box (*Lophostemon confertus*) identified as Tree 17 and two Plane Trees (*Platanus orientalis*) identified as Trees 27 and 29 and located in the road reserve along College St outside 461 Victoria**

Conditions of Consent for LDA2023/0272 :-

Road Gladesville be removed and replaced as part of the development process, if approved in its current format, in accordance with the following conditions:

- i. That the planting of two (2) Grey Myrtle (*Backhousia myrtifolia*) in the road reserve, form part of the Construction Certificate.
- ii. That the pot size of the replacement trees shall be no less than 100lt at the time of planting.
- iii. That the trees be planted in accordance with Section 6 of Councils Tree Management Technical Manual.
- iv. That the trees be planted in an appropriate location so to not impede line of sight for vehicles entering and exiting the driveway at this or neighbouring properties.
- v. That the Landscape plan be amended to show the location of the trees within Councils road reserve.
- vi. That a bond be placed upon the four trees to be replanted to the value of \$2,000 each.
- vii. That the bond be paid to Council prior to the issue of the construction certificate.
- viii. That Councils Tree Management Officer inspects the trees prior to the bond being released.
- ix. That the trees shall be in good health and vigour upon inspection.
- x. That if the trees are found to be in poor condition or vigour the bond shall not be released.
- xi. That the bond be released no sooner than 12 months after issuing of the final Occupation Certificate.

(Reason: To ensure any trees approved to be removed are removed in accordance with the approved plans).

72. **Compliance with Acoustic Report** - Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified Acoustic Consultant to be in accordance with any requirements and recommendations of the approved acoustic report prepared by SLR dated December 2022 reference 610.30939-R01.

Note: Suitably qualified Acoustic Consultant means a consultant who holds a current member grade of the Australian Acoustics Society.

(Reason: To ensure appropriate noise attenuation measures are used).

Conditions of Consent for LDA2023/0272 :-

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

73. **Safety fencing** - The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

74. **Stormwater - Pre-Construction CCTV Report** - Before any site work commences, an electronic closed circuit television report (track mounted CCTV camera footage) must be prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site, to the satisfaction of Council.

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

Note:

- The person acting on the consent must contact Council's City Infrastructure Department to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.
- All fees and charges associated with the review of the report must be in accordance with Council's fees and charges and must be paid at the time that the report is submitted.
- The downstream line (B9270100-B9270050) which the connection is being made to must be CCTV investigated.
- All fees and charges associated with the review of the report must be in accordance with Council's fees and charges and must be paid at the time that the report is submitted.

(Reason: To verify the structural integrity of the stormwater network).

75. **Notice of Intention to Commence (Council Drainage Works)** - Prior to commencement of the {Council drainage works}, Council's City Works Directorate shall be notified for written acceptance.

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.

(Reason: to ensure Council's City Works Directorate is notified about the intention of commencing drainage works).

Conditions of Consent for LDA2023/0272 :-

76. **Notice of Intention to Commence Public Domain Works** - Before any public domain works commence, a Notice of Intention to Commence Public Domain Works must be submitted to Council's City Infrastructure Department. This Notice must 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.

(Reason: To ensure compliance and record of works).

77. **Notification of adjoining owners & occupiers – (public domain works)** - Before any public domain works commence, written notification must be provided to the adjoining owners and occupiers of the public domain works a minimum of 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 must be minimised; and driveways must be returned to the operational condition as they were prior to the commencement of works, at no cost to the adjoining owners.

(Reason: To ensure neighbours are formally notified of works).

78. **Pre-construction inspection** - Before any public domain works commence, a joint inspection must be undertaken with Council's Engineer from City Infrastructure Department prior to commencement of any public domain works. Note: Minimum 48 hour notice is required when booking the joint inspection.

(Reason: To ensure compliance and communicate Council's requirements).

79. **Pre-Construction Dilapidation Report** - To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

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

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

(Reason: Protection of Council's infrastructure).

Conditions of Consent for LDA2023/0272 :-

80. **Temporary Footpath Crossing** - Before any site works commence, a temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.

(Reason: To ensure public amenity and safety).

81. **Sediment and Erosion Control measures** - Prior to the commencement of works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:

- a) A dish shaped diversion drain, or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- b) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed in suitable locations below the construction area to reduce impacts on waterways.
- c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
- e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
- f) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations, which could lead to the discharge of materials into the stormwater drainage system or waterways.
- g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
- h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.
- i) Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site).

82. **Recommendation 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 8 Conclusions", "Section 9.6 Recommendations: a Geotechnical consultant to assess for any stability issues, regarding the removal of weeds from the rock face fronting Victoria Road." Section 10 Arboricultural Work Method Statement and Tree Protection Requirements" prepared by Hugh The Arborist dated 13/12/2022, are to be implemented.

(Reason: To ensure that the development is consistent with supporting documents).

Conditions of Consent for LDA2023/0272 :-

83. **Tree Retention** - Before any site work commences, the following trees on site as identified in the Arboricultural Impact Assessment (AIA) prepared by Hugh The Arborist dated 13/12/2022 shall be retained and protected: Trees 8, 12, 18, 19, 20, 30, 31, 32, 42, 43, 44 and 45.

(Reason: To ensure the health of existing trees retained by the development are maintained).

84. **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 have protective 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.

(Reason: To protect existing trees before any work on site commences).

85. **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.

(Reason: To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site).

86. **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.

(Reason: To ensure the Project Arborist can be readily contacted in regard to the required tree protection measures).

Conditions of Consent for LDA2023/0272 :-

DURING BUILDING WORKS

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

87. **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.

(Reason: To require approval to proceed with building work following each critical stage inspection).

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

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

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

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

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

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

91. **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.

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

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

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

Conditions of Consent for LDA2023/0272 :-

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

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

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

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

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

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

- a) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- b) {Upon connection to Council's new kerb inlet pit.}
- c) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

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

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

Conditions of Consent for LDA2023/0272 :-

(Reason: To ensure that the controls stated in the approved CPTMP are carried out by the builder during construction).

97. **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.

- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
- b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
- c) Upon compaction of the applicable sub-base course.
- d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

(Reason: Ensure compliance with relevant standards).

98. **Notification of New Contamination Evidence** - Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Council.

Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.

Where a NSW accredited Site Auditor is engaged in compliance with part (b) above, an occupation certificate **must not be** issued until a Section A Site Audit Statement has been submitted to Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management).

99. **Polluted water excavation - analysis before discharge** - Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian &

Conditions of Consent for LDA2023/0272 :-

New Zealand Guidelines for Fresh & Marine Water Quality Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

(Reason: To prevent pollution of waterways).

100. **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.

(Reason: To ensure any excavation works are not detrimental to the health of the tree).

101. **Tree Removal** - As identified in the Arboricultural Impact Assessment (AIA) prepared by Hugh The Arborist dated 13/12/2022. The following trees on site are to be removed: Trees 1, 2, 3, 4, 5, 6, G1, 7, 9, 10, 11, 13, 14, 15, 16, 33, 34, 35, 36, 37, 38, 39, 40 and 41.

(Reason: To ensure only the specified trees approved for removal are removed).

102. **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	Remove all remaining tree Protection measures.

Conditions of Consent for LDA2023/0272 :-

	rehabilitation for all retained trees	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

(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).

103. **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).

(Reason: To ensure that any tree work is carried out by a qualified Arborist).

Conditions of Consent for LDA2023/0272 :-

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.

Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.

Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

104. **Landscaping** - All landscaping works approved by this consent are to be completed prior to the issue of any Occupation Certificate for each stage.

(Reason: To ensure landscaping works are completed).

105. **Stormwater Management - Work-as-Executed Plan** - A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.

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

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

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

107. **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,

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.

Conditions of Consent for LDA2023/0272 :-

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).

(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).

108. **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) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 (Stormwater drainage), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- g) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- h) 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 of Consent for LDA2023/0272 :-

conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.

(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).

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

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

110. **Stormwater – Council Drainage Works - Works-as-Executed Plans** - A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an occupation certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.

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

111. **Stormwater - Post-Construction CCTV Report** - Before the issue of an occupation certificate, a post-construction electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator, is to be submitted to the satisfaction of Council's City Infrastructure Department. The report must detail:

- Date and time of inspection
- Condition of the existing drainage line adjacent to the site
- Comparison of the pre-commencement condition of the existing drainage line to the current condition
- If required rectification works required to Council's drainage network.
- The downstream line (B9270100-B9270050) which the connection is being made to must be CCTV investigated.

Note: The person acting on the consent must contact Council's City Infrastructure Department to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

All fees and charges associated with the review of the report must be paid in accordance with Council's fees and charges, at the time that the report is submitted.

(Reason: To verify the post-construction condition of Council's drainage assets).

Conditions of Consent for LDA2023/0272 :-

112. **Supervising Engineer Final Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

(Reason: Ensure Compliance).

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

(Reason: Ensure compliance and protection of public assets).

114. **Post-Construction Dilapidation Report** - To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City 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.

(Reason: Protection of public assets).

115. **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.

A minimum 48 hours' notice will be required when booking for the final inspection.

(Reason: Ensure Compliance).

Conditions of Consent for LDA2023/0272 :-

116. 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.

(Reason: Ensure Compliance).

117. Public Domain Design and Construction Staging -

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

(Reason: Public amenity and safety).

118. Council Road Pavement Dilapidation Fee -

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

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

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

(Reason: Protection and maintenance of Council Road pavement assets).

119. 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:

Conditions of Consent for LDA2023/0272 :-

- 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.

(Reason: Compliance with Council's Construction practices.)

120. **Loading Dock Management Plan** - Before the issue of the construction certificate, a Loading Dock Management Plan must be prepared to the satisfaction of Council, providing the following information at a minimum:

- i. Vehicle types permitted to access the loading dock.
- ii. 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);
- iii. Delivery requirements and service schedules;
- iv. Operational aspects on how to use facilities;
- v. Management duties and responsibilities; and
- vi. Photos showing line-markings, Intercom system and/or other traffic control devices as required.

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).

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

121. **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).

Conditions of Consent for LDA2023/0272 :-

(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).

122. **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).

(Reason: To ensure that the works approved in the signage and linemarking plan are installed).

123. **Traffic control devices (Implementation)** - Before the issue of any occupation certificate, the person acting on this consent is to construct the permanent road closure on College Street and all associated signage, as per the approved plan at their own cost (at no cost to Council). These works must be completed to the satisfaction of Council.

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

124. **Road Safety Audit** - Before the issue of any occupation certificate, a post construction (pre-opening) Road Safety Audit report must be prepared and submitted to the satisfaction of Council's Traffic Services Department. The person acting on this consent is required to address all deficiencies identified within the Audit report to the satisfaction of Council. Confirmation of Council approval is to be provided to the principal certifier.

(Reason: To ensure safety and amenity of all affected road users).

125. **Sydney Water – Section 73** - A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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

(Reason: Statutory Requirement).

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

Conditions of Consent for LDA2023/0272 :-

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

(Reason: Improved access and public amenity).

127. **Restoration – Supervising Engineer’s Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council’s standards and specifications, and DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services’ standards and specifications, where applicable.

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

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

(Reason: Ensure Compliance).

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

(Reason: Ensure Compliance).

130. **Compliance Certificate – External Landscaping Works** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: Ensure Compliance).

131. **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.

Conditions of Consent for LDA2023/0272 :-

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

(Reason: Record of completed works.)

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

(Reason: To ensure completion of works.)

133. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: Ensure public safety and protection of infrastructure).

134. **Compliance Certificates – Street Lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Certificate of Compliance - Electrical Work (CCEW) from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: to ensure compliance.)

135. **Compliance with Hazardous Materials Survey Report** - Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure safe handling and removal of hazardous material from the site).

136. **Compliance Certification – External Works and Public Infrastructure Restoration** - Prior to the issue of any Occupation Certificate a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve associated with the relevant stage, 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

Conditions of Consent for LDA2023/0272 :-

the fee associated with the issuing of each Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

(Reason: To ensure compliance certificate is issued for external works).

137. **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.

(Reason: To ensure the existing trees have been maintained in a viable condition.)

138. **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.

(Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s)).

139. **Surveillance** - It is recommended that the premises install CCTV cameras as outlined below:

- i. The person acting on this consent must install and maintain CCTV to monitor and record all entrance and exit points to the buildings within the development, including both retail/commercial and residential areas. CCTV should include the foyer area to the buildings. The cameras should also monitor the 50-meter vicinity outside the buildings, including but not limited to, the footpath area in-front of the premises. CCTV should also cover any communal areas, retail and public spaces, car parks and the loading bay. Recordings should be made twenty-four (24) hours a day, seven (7) days a week.
- ii. As a minimum, CCTV at entry and exit points **MUST** record footage of a nature and quality in which it can be used to **identify** a person recorded by the camera. Police strongly recommend that CCTV be a minimum of **30 frames** per second. All other cameras **MUST** record footage of a nature and quality in which it can be used to **recognise** a person recorded by the camera.
- iii. The time and date must automatically be accurately recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before it can be reused and destroyed.
- iv. If requested by police, the applicant or body corporate is to archive any recording until such time it is no longer required.
- v. Recordings made are to be in common media format, such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.
- vi. The CCTV control system should be located within a secure area of the premise and only accessible by authorised personnel.
- vii. If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.

Conditions of Consent for LDA2023/0272 :-

- viii. CCTV should be installed throughout the carpark area and loading dock, and should include the entry and exit points to the carpark and loading dock.

(Reason: To ensure public Safety – as recommended by NSW Police Force).

140. Lighting - Lighting shall be installed as outlined below:

- i. The areas around entrances and communal areas should be well lit and that all lighting should be designed to Australian and New Zealand lighting standards.
- ii. Sensor lighting should be installed into areas of concealment.
- iii. Particular attention should be paid to the lighting placed along pedestrian pathways, as well as communal open spaces, and the carpark.

(Reason: To ensure public Safety – as recommended by NSW Police Force).

141. Access Control – Access in the building shall be controlled by:

- i. Access controls should be set in place to exclude unauthorised access to the buildings, as well as restricted areas.
- ii. All areas should be fitted with doors that comply with Australian and New Zealand Standards.
- iii. All locks fitted to the doors should be of a high quality to meet Australian and New Zealand Standards.
- iv. Any glass within these doors should be laminated to enhance the physical security of the doors.
- v. Fire doors to the development should meet Australian and New Zealand Standard, to restrict unauthorised access throughout the development.

(Reason: To ensure public Safety – as recommended by NSW Police Force).

142. Territorial Re-enforcement - Clear delineation of public and private land and way finding shall be provided by:

- i. Signage needs to be provided at entry/exit points and throughout the development to assist users. Signs should be clear, legible and useful. Location maps should be used throughout the development to indicate to visitors where they are permitted. Good signage with clear instructions in relation to wayfinding should be erected at the main entrance and in carpark areas.
- ii. To assist with wayfinding for emergency services, street signs, buildings/street numbers, etc should be clearly displayed.
- iii. Signage should be erected in carparks and near entry and exit points, which detail security measures and remind people to lock their vehicles and remove valuables.
- iv. Clear signage should be used to indicate 'restricted' areas.
- v. Clear signage indicating the use of CCTV recording and monitoring throughout the development.

(Reason: To ensure public Safety – as recommended by NSW Police Force).

143. Environmental Maintenance – The premises shall be maintained by:

Conditions of Consent for LDA2023/0272 :-

- i. As graffiti is often an offence caused to developments, strong consideration must be given to the use of graffiti resistant materials to assist in quick removal of such attacks.
- ii. A graffiti maintenance policy should be established for this development.
- iii. With the proposed higher volume of both vehicular and pedestrian traffic, police recommend consideration be given to any future planning that safeguards are implemented where necessary as the exposure/mix of pedestrian, cycling and vehicular traffic is likely to increase. This includes any footpaths with driveways crossing the footpath leading into the location.
- iv. Police trust that the applicant will take the utmost care and consideration of the operational childcare centre so close to demolition and construction, especially with implementing traffic control.
- v. Finally, the inclusion of sufficient and highlighted 'Emergency Vehicle' parking aligned to the buildings.

(Reason: To ensure public Safety – as recommended by NSW Police Force).

Conditions of Consent for LDA2023/0272 :-

OPERATIONAL CONDITIONS

The conditions in this Part of the consent relate to the on-going operation of the development and shall be complied with at all times.

144. **Hours of Operation (Industrial Tenancies)** - The hours of operation are restricted between:

- 07:00am to 10:00pm on Monday to Saturday; and
- 08:00am to 10:00pm on Sundays and public holidays.

The premises must not be open for business and machinery, including vehicles, must not be operated on the property outside of the above hours.

This condition does not apply in respect to refrigeration equipment/or machinery used for preparation or cooking of baked goods if such machinery does not interfere with the amenity of adjoining properties.

(Reason: Ensure industry operates between approved hours).

145. **Hours of Operation (Storage Premises)** - The hours of operation are unrestricted - 24 hours a day, Seven (7) days a week.

(Reason: Ensure storage premises operate within approved hours).

146. **Bunded area system** - All liquid wastes (generated by mechanical servicing of vehicles) shall be stored in a covered ventilated, sealed and bunded area constructed of impervious material and designed to hold the contents of the largest container plus 10 %.

(Reason: To prevent pollution of the stormwater system).

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

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

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

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

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

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

150. **Air Emissions (Use of Premises)** - The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health. Gaseous emissions from the development must comply with the requirements of the Protection of the Environment Operations Act, 1997 and

Conditions of Consent for LDA2023/0272 :-

Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.

(Reason: To control offensive emissions and ensure the protection of the local environment).

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

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

152. **Spill clean-up equipment** - Sufficient supplies of appropriate absorbent materials and /or other spill clean-up equipment shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.

(Reason: To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains).

153. **Noise Limits (noise must not be audible)** - Notwithstanding compliance with any other noise conditions of this consent, noise from the premises or related activities must not be audible in any habitable room in any residential premises between the hours of 10pm and 7.00am.

(Reason: To maintain appropriate amenity to nearby occupants).

154. **Council may require acoustical consultant's report** - Upon receipt of a justified customer request, Council may require the submission of an acoustic report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.

(Reason: To demonstrate compliance with relevant legislation).

155. **Compliance with Acoustic Report** - All control measures nominated in the Acoustic Report SLR dated December 2022 reference 610.30939-R01 must be implemented.

(Reason: To demonstrate compliance with submitted reports).

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

(Reason: To ensure compliance with the approved loading dock management plan).

157. **Truck movement restrictions** - Truck movements to and from the site are to be restricted to 1 articulated vehicle within school zone periods being 8:00am – 9:30am and 2:30pm – 4:00pm due to the site being nearby school. This requirement is to form part of any tenancy agreement with future operator(s) of the site.

Conditions of Consent for LDA2023/0272 :-

(Reason: To minimise the risk to the safety of all road users).

158. **No queuing vehicles outside the site** - The site manager/operator is to ensure trucks arriving to the site can be accommodated within the site. Trucks are not to wait outside the site.

(Reason: To ensure maintenance of traffic flow along the road).

159. **Enter and exit in a forward direction** - All vehicles are to enter and exit the site in a forward direction and are to be wholly contained on site before being required to stop. Reversing from the access driveway is prohibited for safety reasons.

(Reason: To ensure the safety of all road users).

160. **Key Dropping of Bollards** - When bollards are required to be installed and locked to inhibit general vehicle access for road closure, turning around area only for emergency vehicle to access, and similar situations, the bollard locks are to be keyed alike to the vehicle access gates and security devices of the development. A copy of the key is to be deposited with the two nearest FRNSW fire brigade stations or kept with the site security if 24/7 security is provided for the site, in accordance with Fire Safety Guideline Access for Fire Brigade Vehicles and Firefighters.

(Reason: To comply with the fire safety guideline)

161. **Illumination of Signage** – Any Illumination of approved signs CH DIR1 and CH S1 along College Street frontage must be turned off by the closing time of industrial tenancies as noted in Condition No. 143 of this consent.

(Reason: To protect the amenity of adjoining residential properties).

End of consent