**Attachment 4 - Recommended Conditions of Consent – LDA2024/0066**

**TORRENS TITLE SUBDIVISION**

**GENERAL CONDITION**

|  | Condition |
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|  | **Approved plans and supporting documentation** |
| Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.   |  |  |  |  |  | | --- | --- | --- | --- | --- | | Approved plans | | | | | | Plan Number | Revision Number | Plan Title | Drawn by | Date of Plan | | 33934 DP1 | A | Plan of Subdivision of Lot 102 DP1224238 | Christopher Thomas Norton | 25/03/2024 |   In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. |
| **Condition Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development |

**BEFORE ISSUE OF A SUBDIVISION CERTIFICATE**

|  | Condition |
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|  | **Final plan of subdivision - Title Details** |
| The final plan of subdivision shall note all existing and/or proposed easements, positive covenants and restrictions of the use of land relating to the title. |
| **Condition Reason:** To disclose any easements or covenants burdening the land. |
|  | **Vehicle Right of Way(s)** |
| Prior to the issuing of a subdivision certificate, a Right of Way / Carriageway easement must be defined for any area of a lot which is traversed by vehicle when accessing the alternate lot. In the case of the subdivision of a dual occupancy, this is required for any shared driveway and will warrant it to be defined as a triangular area, no less than 2m wide (on each lot) by 2.4m depth, centred over the new joint boundary. The easement must accommodate the vehicle swept path and height clearances of the largest vehicles utilising the access. These elements must be in accordance with the relevant section of AS 2890 and any deviations from this requirement will require a statement of support from a suitably qualified Traffic Engineer to justify the discrepancy, subject to City of Ryde consideration. |
| **Condition Reason:** To ensure the definition of such easements can accommodate the intended vehicle sizes. |
|  | **Easement for Drainage of Water** |
| Prior to the issue of a subdivision certificate, should any portion of the drainage system servicing one of the lots traverse the alternate lot(s), an Easement for Drainage of Water must be created over the respective part(s) of the drainage system on the alternate lot. Where the subdivision will result in rainwater storage/ detention tanks straddling the new lot boundaries, a reciprocal drainage easement must be created over the storage, allowing each lot to drain over the alternate lot and warranting shared responsibility in maintenance of the system. The easement width, location and alignment must be in accordance with City of Ryde’s DCP Parts 8.2 Stormwater and Floodplain Management and Part 8.4 Title Encumbrances and the work-as-executed stormwater management plans (when Torrens title subdivision is carried out after the proposed stormwater works are constructed) or DA approved stormwater management plan (when Torrens title subdivision is carried out before the stormwater works start). “Council of the City of Ryde” must be listed as the prescribed authority to release or vary the terms of the easement.  Plans and documentation complying with this condition must be submitted with the application for a Subdivision Certificate. |
| **Condition Reason:** To ensure drainage services and conveyance of stormwater runoff are maintained. |
|  | **88B Instrument** |
| Prior to the issuing of a subdivision certificate, the submission of an instrument under Section 88B of the Conveyancing Act 1919 creating any Easements, Positive Covenants and Restrictions on use (where required) noting the “Council of the City of Ryde” being the authority empowered to release vary or modify the same. |
| **Condition Reason:** To facilitate the registration of any instrument accompanying the subdivision certificate. |
|  | **Subdivision Certificate (Compliance Certificates)** |
| Prior to the issuing of a subdivision certificate, the following compliance certificates must be provided to the City of Ryde;  a) Surveyor Certification – A registered surveyor must certify that necessary easements have been created for all services and structures which encroach into adjacent lots and that all remaining services, dwelling and structures are contained wholly within their respective allotments.  b) Sydney Water (Section 73 Compliance Certificate) - A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains.  c) Ausgrid (Notification of Arrangements for the Provision of Electricity Supply) - A completed Notification of Arrangements (NOA) notice must be obtained from Ausgrid to confirm that satisfactory arrangements have been made with Ausgrid for the provision of an adequate electricity supply in relation to the proposed development/subdivision |
| **Condition Reason:** To ensure the newly created lots have access to and can maintain essential services. |
|  | **Fibre-ready facilities and telecommunications infrastructure** |
| Prior to the issue of any subdivision certificate satisfactory evidence is to be provided to the principal certifier that arrangements have been made for:  a) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre-ready facilities to be readily connected to any premises that is being or may be constructed on those lots.  b) Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose and; The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.  Note: real estate development project has the meanings given in Section 372Q of the Telecommunications Act 1997. |
| **Condition Reason:** Statutory requirement. |
|  | **Official Property Addressing** |
| Prior to the issuing of a subdivision certificate, the administration sheet or strata plan shall be prepared in accordance with the official address provided by Council’s Spatial Data Service. |
| **Condition Reason:** To assist in way finding. |
|  | **Easement for Drainage of Water** |
| Prior to the issue of a subdivision certificate, should any portion of the drainage system servicing one of the lots traverse the alternate lot(s), an Easement for Drainage of Water must be created over the respective part(s) of the drainage system on the alternate lot. Where the subdivision will result in rainwater storage/ detention tanks straddling the new lot boundaries, a reciprocal drainage easement must be created over the storage, allowing each lot to drain over the alternate lot and warranting shared responsibility in maintenance of the system. The easement width, location and alignment must be in accordance with City of Ryde’s DCP Parts 8.2 Stormwater and Floodplain Management and Part 8.4 Title Encumbrances and the work-as-executed stormwater management plans (when Torrens title subdivision certificate is issued after the proposed stormwater works are constructed) or LDA2024/66 approved stormwater management plan (when Torrens title subdivision certificate is issued before the proposed stormwater works are constructed). “Council of the City of Ryde” must be listed as the prescribed authority to release or vary the terms of the easement.  Plans and documentation complying with this condition must be submitted with the application for a Subdivision Certificate. |
| **Condition Reason:** To ensure drainage services and conveyance of stormwater runoff are maintained. |

**BUILDING A**

**GENERAL CONDITIONS**

|  | Condition |
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|  | **Approved plans and supporting documentation** |
| Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.   |  |  |  |  |  | | --- | --- | --- | --- | --- | | Approved plans | | | | | | Plan Number | Revision Number | Plan Title | Drawn by | Date of Plan | | DA-1000 | 04 | Cover Sheet | fjcstudio | 30/07/2024 | | DA-1200 | 06 | Site Plan/Site Analysis | fjcstudio | 30/07/2024 | | DA-12LGS1 | 04 | Staging Plan 1 | fjcstudio | 10/10/2024 | | DA-12LGS2 | 04 | Staging Plan 2 | fjcstudio | 10/10/2024 | | DA-20B5-A | 03 | Basement 5 | fjcstudio | 30/07/2024 | | DA-20B4-A | 04 | Basement 4 | fjcstudio | 30/07/2024 | | DA-20B3-A | 04 | Basement 3 | fjcstudio | 30/07/2024 | | DA-20B2-A | 04 | Basement 2 | fjcstudio | 30/07/2024 | | DA-20B1-A | 10 | Basement 1 | fjcstudio | 30/07/2024 | | DA-20LG-A | 11 | Lower Ground Level | fjcstudio | 10/10/2024 | | DA-20UG-A | 11 | Upper Ground Level | fjcstudio | 10/10/2024 | | DA-2001-A | 05 | Level 1 | fjcstudio | 30/07/2024 | | DA-2006-A | 10 | Level 2-6 | fjcstudio | 30/07/2024 | | DA-2007-A | 10 | Level 7 | fjcstudio | 10/10/2024 | | DA-2013-A | 10 | Level 8-13 | fjcstudio | 30/07/2024 | | DA-2014-A | 08 | Level 14 | fjcstudio | 30/07/2024 | | DA-2020-A | 09 | Level 15-20 | fjcstudio | 30/07/2024 | | DA-2021-A | 06 | Level 21 | fjcstudio | 30/07/2024 | | DA-2022-A | 07 | Roof | fjcstudio | 30/07/2024 | | DA-2200-A | 07 | Adaptable Units | fjcstudio | 10/10/2024 | | DA-2900-A | 04 | Material Board | fjcstudio | 10/10/2024 | | DA-3000 | 08 | North and South Elevations | fjcstudio | 30/07/2024 | | DA-3001 | 08 | East and West Elevations | fjcstudio | 30/07/2024 | | DA-4000 | 08 | Section 1 | fjcstudio | 10/10/2024 | | DA-4001 | 06 | Section 2 | fjcstudio | 10/10/2024 | | DA-4002 | 03 | Section 3 | fjcstudio | 10/10/2024 | | DA-4003 | 03 | Section 4 | fjcstudio | 10/10/2024 | | - | B | Existing Tree Plan | Ground Ink | 08/10/2024 | | - | B | Landscape Masterplan: Ground Floor | Ground Ink | 08/10/2024 | | - | B | Landscape Plan: Mews Road | Ground Ink | 08/10/2024 | | - | B | Ground Floor Planting Plan | Ground Ink | 08/10/2024 | | - | B | Public Domain Detail Plan | Ground Ink | 08/10/2024 | | - | B | Landscape Masterplan: Level 7 | Ground Ink | 08/10/2024 | | - | B | Planting Schedule | Ground Ink | 08/10/2024 | | - | B | Sections | Ground Ink | 08/10/2024 | | - | B | Sections | Ground Ink | 08/10/2024 | | - | B | Typical Details | Ground Ink | 08/10/2024 | | 33934 DP-S | A | Plan of Subdivision of Lot 102 DP1224238 | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Basement 5 & Below | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Basements 3 & 4 | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Basement 2 | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Basement 1 | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Lower Ground Floor | Christopher Thomas Norton | 27/03/2024 | | 33934 DP-S | A | Upper Ground Floor & Above | Christopher Thomas Norton | 27/03/2024 |  |  |  |  |  | | --- | --- | --- | --- | | Approved documents | | | | | Document Title | Revision Number | Prepared by | Date of document | | Arboricultural Impact Assessment | R3 | Urban Arbor | 16/09/2024 | | Operational Waste Management Plan | E | Elephants Foot Consulting | 07/08/2024 | | Dewatering Management Plan | 03 | Morrow | 22/03/2024 | | BASIX Certificate | 02 | SLR Consulting | 22/03/2024 | | Preliminary Site Investigation | 4 | EP Risk | 22/03/2024 | | Public Art Plan | - | Art Pharmacy | 2024 | | Traffic Impact Assessment | 02 | PDC Consultants | 25/03/2024 | | Acoustic Design and Construction Advice | 1 | Acoustic Dynamics | 25/03/2024 | | Travel Plan | 02 | PDC Consultants | 25/03/2024 | | Heritage Impact Assessment | - | Biosis | 22/03/2024 | | BCA Assessment Report | 2.0 | Jensen Hughes | 22/03/2024 | | Statement of Compliance Access for People with a Disability | - | Accessible Building Solutions | 21/03/2024 | | Energy Efficiency and ESD Design Report | 01 | SLR Consulting | 21/05/2024 |   In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails. |
| **Condition Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development |
|  | **Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989** |
| 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply—    1. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. |
| **Condition Reason:** Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021. |

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|  | Erection of signs |
| 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—    1. showing the name, address and telephone number of the principal certifier for the work, and    2. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and    3. stating that unauthorised entry to the work site is prohibited. 3. The sign must be—    1. maintained while the building work, subdivision work or demolition work is being carried out, and    2. removed when the work has been completed. 4. This section does not apply in relation to—    1. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or    2. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. |
| **Condition Reason:** Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021. |
|  | Fulfilment of BASIX commitments |
| It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—   1. BASIX development, 2. BASIX optional development, if the development application was accompanied by a BASIX certificate. |
| **Condition Reason:** Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021. |
|  | Notification of Home Building Act 1989 requirements |
| 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—    1. for work that requires a principal contractor to be appointed—       1. the name and licence number of the principal contractor, and       2. the name of the insurer of the work under the Home Building Act 1989, Part 6,    2. for work to be carried out by an owner-builder—       1. the name of the owner-builder, and       2. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. |
| **Condition Reason:** Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021. |
|  | **Water NSW – General Terms of Approval** |
| The development shall be undertaken in accordance with the General Terms of Approval of Water NSW dated 9 September 2024 (see Attachment 1 of this consent.) |
| **Condition Reason:** Requirements of Water NSW. |
|  | **Transport for NSW Requirements** |
| The development shall be undertaken in accordance with the requirements of Transport for NSW as outlined in their letter dated 30 August 2024 (see Attachment 2 of this consent). |
| **Condition Reason:** Requirements of Transport for NSW. |
|  | **NSW Police** |
| The development shall be undertaken in accordance with the recommendations of the NSW Police in their comments dated 13 June 2024 (see Attachment 3 of this consent). |
| **Condition Reason:** Requirements of NSW Police. |
|  | Site maintenance |
| The site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or subject to the leaving or dumping of waste. |
| **Condition reason:** To protect the amenity of the locality. |
|  | Hoardings |
| 1. A hoarding or fence must be erected between the work site and any adjoining public place. 2. Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed. |
| **Condition reason:** To ensure public safety. |
|  | Protection of public domain |
| The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. |
| **Condition reason:** To ensure public safety. |
|  | **Public Utilities and Service Alterations** |
| All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant’s expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development. |
| **Condition Reason:** Protection of infrastructure and compliance with relevant Authorities requirements. |
|  | **Restoration** |
| Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council’s standards and specifications, and DCP Part 8.5 (Public Civil Works), to the satisfaction of Council. |
| **Condition Reason:** To ensure the amenity and state of the public domain is maintained. |
|  | **Design and Construction Standards** |
| All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council’s DCP Part 8.5 (Public Civil Works) and Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent. |
| **Condition Reason:** To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements. |
|  | **Protection of Public Domain** |
| The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. |
| **Condition Reason:** To ensure public safety. |
|  | **Land Boundary / Cadastral Survey** |
| If any design work relies on critical setbacks from land boundaries or subdivision of the land is proposed, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.  The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site. |
| **Condition Reason:** To prevent encroachments of private works on public land and of public works on private land. |
|  | **Traffic Management** |
| Traffic management procedures and systems must be in place and practised during the works period to ensure safety and minimise the impact on adjoining pedestrian and vehicular traffic systems in accordance with AS 1742.3 - 2019 and Council’s DCP Part 8.1 (Construction Activities). |
| **Condition reason:** To ensure that appropriate procedures are in place to assist with the safety of all affected road users within the public domain when works are being undertaken. |
|  | **Over Size / Over Mass Vehicles Permit** |
| An Oversize Overmass approval from the National Heavy Vehicle Regulator (NHVR) must be submitted to the principal certifier where relevant. The person acting on this consent must submit an application for an Oversize Overmass Permit through NHVR’s portal ([www.nhvr.gov.au/about-us/nhvr-portal](http://www.nhvr.gov.au/about-us/nhvr-portal)) prior to driving through local roads within the City of Ryde LGA. |
| **Condition reason:** To ensure maintenance of Council’s assets. |
|  | **Road Activity Permits** |
| Prior to carrying out any work in, on or over a road reserve, consent from Council is required as per the Roads Act 1993. The applicant is required to review the "Road Activity Permits Checklist" (available from Council’s website: <https://www.ryde.nsw.gov.au/files/assets/public/forms-and-documents/2023-07-road-activity-permits-checklist.pdf>) and apply for the relevant permits for approval by Council. Types of road activity permits potentially required include Road Use Permit, Work Zone Permit, Road / Footpath / Driveway / Nature Strip / Kerb & Gutter Opening Permit, Temporary Placement of Elevated Tower, Crane or Concrete Pump, Operation of a Crane Over Air Space Permit, Construction Hoarding Permit and Skip Bin on Nature Strip Permit. Penalties apply for failure to comply. |
| **Condition reason:** To ensure the amenity and state of the public domain is maintained. |
|  | **Tipping Dockets (demolition)** |
| Tip Dockets identifying the type and quantity of waste disposed/recycled during are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections. |
| **Condition reason:** To ensure responsible and sustainable disposal of materials generated during demolition works. |
|  | **Onsite litter management** |
| All bins onsite must remain covered when not in use to reduce the potential for litter to escape. |
| **Condition reason:** To ensure responsible management of litter onsite. |

**BUILDING WORK**

**BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

|  | Condition |
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|  | **Section 7.11** |
| Before the issue of a construction certificate, a monetary contribution for the services as detailed in the table below must be paid to Council in Column A and for the amount in Column B must be made to Council as follows:   |  |  | | --- | --- | | **Column A – Contribution Type** | **Column B – Contribution Amount** | | Community & Cultural Facilities | $1,435,698.93 | | Open Space & Recreation Facilities | $2,767,950.93 | | Roads & Traffic Management Facilities | $196,202.20 | | Plan Administration | $65,996.84 | | **The total contribution is** | **$4,465,848.90** |   These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.  The above amounts are current at the date of this consent and are subject to quarterly adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.  Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the City of Ryde. Personal or company cheques will not be accepted.  A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council’s website http://www.ryde.nsw.gov.au.  Details are to be provided to the principal certifier. |
| **Condition reason:**  Statutory requirement. |
|  | **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 (base component) | $2,433,959.22 | | **Total housing and productivity contribution** | $2,433,959.22 |   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. |
| **Condition Reason**: To require contributions towards the provision of regional infrastructure. |
|  | **Adaptable units** |
| Before the issue of the relevant construction certificate, a report prepared by a suitably qualified consultant must be obtained that demonstrates, to the certifier’s satisfaction, that any adaptable dwellings specified in the approved plans or documents comply with the provisions of AS 4299 Adaptable Housing Standards. |
| **Condition Reason:** To ensure adaptable units are designed in accordance with the Australian Standard. |
|  | Construction Site Management Plan |
| Before the issue of the relevant construction certificate, a construction site management plan must be prepared, and provided to principal certifier. The plan must include the following matters:   1. The location and materials for protective fencing and hoardings on the perimeter of the site; 2. Provisions for public safety; 3. Pedestrian and vehicular site access points and construction activity zones; 4. Details of construction traffic management including: 5. Proposed truck movements to and from the site; 6. Estimated frequency of truck movements; and 7. Measures to ensure pedestrian safety near the site; 8. Details of bulk earthworks to be carried out; 9. The location of site storage areas and sheds; 10. The equipment used to carry out works; 11. The location of a garbage container with a tight-fitting lid; 12. Dust, noise and vibration control measures; 13. The location of temporary toilets; 14. The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with: 15. AS 4970 – Protection of trees on development sites; 16. An applicable Development Control Plan; 17. An arborist’s report approved as part of this consent   A copy of the construction site management plan must be kept on-site at all times while work is being carried out. |
| **Condition Reason:** To require details of measures that will protect the public, and the surrounding environment, during site works and construction. |
|  | Equal access to the premises |
| Before the issue of the relevant construction certificate, plans which demonstrate that adequate access to the premises will be provided for persons with disabilities in accordance with the Commonwealth Disability (Access to Premises – Buildings) Standards 2010. These plans must be submitted to the certifier. |
| **Condition reason**: To ensure safe and easy access to the premises for people with a disability |
|  | Long Service Levy |
| Before the issue of the relevant construction certificate, the long service levy of 0.25% of the cost of works must be paid to the Long Service Corporation of Council under the *Building and Construction industry Long Service Payments Act 1986*, section 34, and evidence of the payment is to be provided to principal certifier. |
| **Condition Reason**: To ensure the long service levy is paid. |
|  | Payment of security deposits |
| Before the issue of the relevant construction certificate, the applicant must:   1. make payment for a security deposit to the consent authority under the category of: other buildings with delivery of bricks or concrete or machine excavation and 2. if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid. |
| **Condition Reason**: To ensure any damage to public infrastructure is rectified and public works can be completed |
|  | Waste Management Plan – an approved document of this consent |
| Before the issue of the relevant construction certificate, a waste management plan for the development must be provided to principal certifier |
| **Condition Reason**: To ensure resource recovery is promoted and local amenity protected during construction. |
|  | Utilities and services |
| Before the issue of the relevant construction certificate, written evidence of the following service provider requirements must be provided to the principal certifier:   1. a letter from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity 2. a response from Sydney Water as to whether the plans accompanying the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met 3. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. |
| **Condition Reason**: To ensure relevant utility and service providers’ requirements are provided to the certifier |
|  | Clear public access ways |
| Before issue of the relevant construction certificate, construction plans must demonstrate that access doors to enclosures for building services and facilities, such as hydrant and sprinkler booster assemblies or the like, except fire stair doors, will not open over the footway or roadway. |
| **Condition Reason:** To ensure doors used to house building services and facilities do not obstruct pedestrians and vehicles |
|  | Electric vehicle charging |
| Before the issue of the relevant construction certificate, car parking detailed plans are required to be prepared, and provided to the principal certifier. The plan must include the following matters:   1. Compliance with Section J9D4 of the NCC 2022 2. Electric Vehicle Charging points to a minimum rate of 10% (rounded up) to each parking category (residential, visitor and commercial/retail). |
| **Condition reason:** To ensure compliance with the NCC and that the development adequately caters for owners of electric vehicles. |
|  | Fire hydrant enclosure |
| Before the issue of the relevant construction certificate for works above ground/podium slab level, the principal certifier must be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed in a manner that compliments the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA. |
| **Condition reason:**  To ensure essential services are appropriately screened. |
|  | Reflectivity of materials |
| Before the issue of the relevant construction certificate, the principal certifier must ensure that the construction certificate plans demonstrate the roofing and other external materials and finishes are of low glare and reflectivity. |
| **Condition reason:**  To ensure the use of appropriate material. |
|  | Letterboxes |
| Before the issue of the relevant construction certificate, detailed design of letterboxes and parcel delivery facilities are to be prepared to the satisfaction of the principal certifier. Details must include how resident will access their letterbox/parcel delivery facility including any security features. |
| **Condition reason:**  Statutory requirement. |
|  | **Soil Depth over Structures** |
| Prior to the issue of the relevant Construction Certificate, where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Apartment Design Guide. Information verifying that the development complies with these requirements are required to be submitted and approved by the principal certifier. |
| **Condition Reason:**  To ensure the sufficient depth of soil for the proposed plants. |
|  | **Irrigation** |
| Prior to the issue of the relevant Construction Certificate, an automatic irrigation system shall be notated on the landscape plans. The automatic irrigation system is to be supplied to all landscape areas including common areas, private open spaces to ensure adequate water is available to lawns and vegetation. The systems shall be fully automated and capable of seasonal adjustments. Details are to be submitted and approved by the principal certifier. |
|  | **Provision of detailed plans for construction certificate application** |
| Before the issue of the relevant construction certificate, detailed plans must be prepared by a suitably qualified person and provided to the Certifier that are consistent with the plans and documentation approved under this consent.  Detailed plans must also show the following:   * 1. Acoustic measures   2. Mechanical ventilation |
| **Condition Reason:** To ensure that detailed construction certificate plans are consistent with the approved plans and supporting documentation. |
|  | **Vehicle Access & Parking** |
| All internal driveways, vehicle access ramp, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Off-street Parking standards) for all types of vehicles accessing the parking area.  With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for the relevant Construction Certificate;  a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL’s and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.  b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.  c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council’s DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.  These amendment(s) must be clearly marked on the plans submitted to the principal certifier prior to the issue of the relevant Construction Certificate. |
| **Condition Reason:** To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users. |
|  | **Design Amendments** |
| Before the issue of the relevant Construction Certificate, the certifier must ensure the Construction Certificate plans and specifications detail the following required amendments to the approved plans and documents:  a) The visitor parking space at basement level 1 adjacent to the driveway ramp is to be modified so it is parallel to the adjacent two visitor parking spaces. Relocate the column adjacent to the visitor parking space so parking space is convenient for access. Locations of visitor space and column are marked in red on the approved basement 1 parking layout.  b) The stormwater management plan shall be amended to show how the proposed pump system connects to the proposed stormwater filter.   1. Amended Landscape Plan. The following details must be shown on an amended Landscape Plan:   a) As per the Apartment Design Guide, additional elements must be included in the Common Open Space on Level 6 such as areas for residents to plant vegetables and herbs, composting, etc. |
| **Condition Reason:** To require minor amendments to the plans endorsed by the consent authority following assessment of the development. |
|  | **Stormwater Management** |
| To ensure the management of stormwater runoff from the development is undertaken without impact to the subject site, neighbouring properties or receiving drainage system, stormwater runoff from the development shall be collected and discharged to the approved point of discharge in accordance with the requirements of Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management), associated annexures, and generally in accordance with the approved Stormwater Management. Accordingly, detailed engineering plans and certification demonstrating compliance with this condition are to be submitted with the application for the relevant Construction Certificate. |
| **Condition Reason:** To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2. |
|  | **Stormwater Management (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 the relevant Construction Certificate. |
| **Condition Reason:** To ensure that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2. |
|  | **Stormwater Management (Pump System)** |
| The basement pump system must be dual submersible and must be sized and constructed in accordance with Section 9.3 of AS 3500.3 (Stormwater drainage).  The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3 (Stormwater drainage), except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council’s DCP - Part 8.2 (Stormwater and Floodplain Management).  Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.  The subsurface drainage system must be designed such to prevent constant, ongoing discharge to the public drainage network. In the presence of constant subsurface seepage which would result in the tank having to discharge frequently (every 2 or 3 days in dry periods) the stormwater system must either discharge directly to the inground public drainage infrastructure or the sump volume increased to accommodate at least 7 days of such seepage.  Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the principal certifier, prior to the release of the relevant Construction Certificate for construction of the basement level. |
| **Condition Reason:** To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards. |
|  | **Ground Anchors** |
| The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council’s City Infrastructure Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:   * 1. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.   2. the payment of all fees in accordance with Council’s Schedule of Fees & Charges at the time of the issue of the approval, and   3. the provision of a copy of the Public Liability insurance cover of not less than $20million with Council’s interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors. |
| **Condition Reason:** Ensuring compliance with Council’s relevant Planning Instruments. |
|  | **Geotechnical Design, Certification and Monitoring Program** |
| Before the issue of the relevant Construction Certificate, a suitably qualified and practicing engineer having experience in the geotechnical and hydrogeological fields is to prepare the following documentation:  a) Certification that the civil and structural details of all subsurface structures are designed to;  i) provide appropriate support and retention to neighbouring property,  ii) ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,  iii) ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.  b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;  i) is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,  ii) details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;  iii) details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer,  iv) details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded, and  v) is in accordance with the recommendations of any approved Geotechnical Report.  Details are to be provided to the principal certifier for approval. |
| **Condition Reason:** To ensure there are no adverse impacts arising from excavation works. |
|  | **Site Dewatering Plan** |
| A Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.  The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;  a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.  b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.  c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where possible.  d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.  e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.  f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.  g) Any details, approval or conditions concerning dewatering (eg dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.  (h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act 1993. |
| **Condition Reason:** To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems. |
|  | **Erosion and Sediment Control Plan** |
| An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for the relevant Construction Certificate. The ESCP must be in accordance with the manual “Managing Urban Stormwater: Soils and Construction“ by NSW Department – Office of Environment and Heritage and must contain the following information;  a) Existing and final contours  b) The location of all earthworks, including roads, areas of cut and fill  c) Location of all impervious areas  d) Location and design criteria of erosion and sediment control structures,  e) Location and description of existing vegetation  f) Site access point/s and means of limiting material leaving the site  g) Location of proposed vegetated buffer strips  h) Location of critical areas (drainage lines, water bodies and unstable slopes)  i) Location of stockpiles  j) Means of diversion of uncontaminated upper catchment around disturbed areas  k) Procedures for maintenance of erosion and sediment controls  l) Details for any staging of works  m) Details and procedures for dust control.  The ESCP must be submitted with the application for the relevant Construction Certificate. |
| **Condition Reason:** To protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site. |
|  | **Stormwater - Council drainage (reflux valve)** |
| Before the issue of the relevant construction certificate, a design certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, must be prepared and provided to the principal certifier. The design certificate must confirm 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). |
| **Condition reason:**  To ensure no water from Council’s stormwater drainage network enters the site. |
|  | **Stormwater - Council Drainage – Pit Connection Details** |
| Before the issue of the relevant construction certificate, a detailed stormwater plan prepared by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, must be prepared and provided to the principal certifier demonstrating the proposed site drainage connection to the Halifax Street 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 Council’s City Infrastructure Department prior to the issue of the Construction Certificate. The plans shall be prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng). |
| **Reason:** To ensure connection to pit compliance with Council’s DCP and Australian Standards. |
|  | **Stormwater (drainage design submission)** |
| Before the issue of the relevant 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:   1. Location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e., utility services). 2. 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). 3. The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on Stormwater management plan prepared by S&G Consulting, Drawing No. S01-SW302, (Project No. 20230192, Revision A and dated 22/03/2024) is to be confirmed by a suitably qualified surveyor. 4. 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). |
| **Condition reason:**  To ensure the stormwater civil design complies with the Australian Standards and Council’s requirements and has sufficient details to obtain the relevant construction certificate. |
|  | **Flood and overland flow protection** |
| **Flooding - Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with the floodplain management controls started within Council’s DCP Part 8.2 (Stormwater and Floodplain Management), the following measures must be implemented in the development.  A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:   1. The applicant shall comply with the flood recommendations provided in the Flood Impact statement prepared by SGC Consultants Pty Ltd dated 22 March 2024. 2. The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Flood Impact statement prepared by SGC Consultants Pty Ltd dated 22 March 2024. 3. All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard.   Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities.   1. All basement carpark areas shall be designed to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.   A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:   1. All structures subject to flooding and overland flows must be constructed of flood compatible building components below the 1% AEP (100 year ARI) flood plus 500 mm freeboard. 2. All structures subject to flooding and overland flows must be structurally designed to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event. |
| **Condition reason:**  To ensure that the development implements measures to minimise the risk of flood inundation and flood impacts. |
|  | **Design Certificate for Public Domain Improvements** |
| Before the issue of the relevant construction certificate, public domain plans are required to be prepared and approved by Council. The plans must include:   (a) Footpath paving as specified in the condition of consent for Public Infrastructure Improvements.  (b) Any existing street trees being removed to be replaced in accordance with the Macquarie Park Street Tree Master Plan. Any replacement or newly designated tree species are subject to the approval of Council’s Landscape Architect.  **Note:** In designing the street tree layout, the consultant shall check and ensure that all new street trees are positioned such that there are no conflicts with the proposed street lights, utilities and driveway accesses. The proposed street lights will have priority over the street trees. All costs associated with the removal of existing street trees, where required, will be borne by the Developer.  (c) All new telecommunication and utility services are to be placed underground along the Halifax Street frontages. The relocation/adjustment of all public utility services affected by the proposed works is the sole responsibility of the applicant. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission prior to undertaking any utility connection works within the Council Public Domain. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.  Electricity undergrounding requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.  (d) The existing MFP (Multifunction Pole) street lighting and pedestrian lighting in the public reserve assets must be protected throughout the duration of the construction. Any new or replacement public lighting assets must be serviced by metered underground power and be designed and installed to Australian Standard AS1158 Lighting for Roads and Public Spaces. An experienced lighting engineer must be engaged to maintain the existing vehicular and pedestrian luminance category for Halifax Street Public Domain.   The Council approved public domain plans and documentation are to be presented to the Principal Certifier. |
| **Condition Reason:** Provision and upgrade of public assets and to ensure compliance with Council’s relevant Planning Instruments |
|  | **Design Certificate for Public Infrastructure Improvements** |
| Prior to the issue of the relevant construction certificate, public infrastructure plans are required to be prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia), to be submitted to and approved by Council’s City Infrastructure Directorate. Confirmation of Council approval is to be provided to the principal certifier.  Amendments to the existing public domain and open space strip along the frontage of the development site, required to facilitate adequate vehicular and pedestrian access between Halifax Street and the internal mews road, must be detailed with the plans.  The plans 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 drawing package for the construction certificate must demonstrate a smooth connection of the proposed public domain infrastructure into the remaining Halifax streetscape. The plans are to include full design, engineering details and specifications with sections, existing and finished surface levels, drainage pit and pipe configurations, kerb returns, existing and proposed signage and linemarking, and other relevant details for the following infrastructure works:   * 1. The full reconstruction of half road width for the Halifax Street frontage of the development site may be required in accordance with the City of Ryde DCP 2014 Part 8.5 – Public Civil Works, Clause 1.1.4 – Constructing half road width subject to the outcomes of the pre and post construction dilapidation reports.      * 1. Reconstruction and regrading of any sections of the granite footway or driveway required to facilitate vehicular and pedestrian access to the site. Reconstruction of any damaged or dilapidated sections of the granite footway along the Halifax Street frontage. The scope of any required granite footway restoration /replacement works will be subject to Council determination, following a joint inspection between representatives of Council and the developer.   2. The reconstruction of any damaged or dilapidated kerb and gutter along the Halifax Street frontage of the development site. The scope of any required kerb and gutter replacement works will be subject to Council determination, following a joint inspection between representatives of Council and the developer, to be completed prior to completion of road renewal works along Halifax Street.   3. Details of all proposed works within Council’s Public Reserve identified as “Linear Park” on Lot 111 and “Public Reserve” on Lot 101 must be detailed within the submission and will be subject to consultation with and subsequent approval from Council’s Parks & Open Space directorate.   4. All existing Council infrastructure proposed to be retained along the site frontage, should be specified and must be protected throughout the entirety of the development construction.   5. All stormwater drainage assets being newly installed and/or relocated in the public domain must be designed in accordance with the Council DCP 2014 Part 8.2 - Stormwater Management.   6. Any traffic devices, road signage or linemarking in the public domain, proposed or existing shall be detailed in the plans. Any proposed amendments to the signage and linemarking will be subject to approval by Council’s Transport Department and where applicable the Ryde Traffic Committee (RTC).   7. Staging of the public civil works, if any, and transitions between the stages.   8. The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.   **Notes:** 1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building. 2. Depending on the complexity of the proposed public domain works, the Council’s review of each submission of the plans may take a minimum of six (6) weeks.  3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8–5 - Public Civil Works, Section 5 “Standards Enforcement”. A checklist has also been prepared to provide guidance, and is available upon request to Council’s City Infrastructure Directorate. 4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council’s title block shall not be replicated. |
| **Condition Reason:** To outline the requirements for the design certificate. |
|  | **Works within Council Public Reserve** |
| Before the issue of the relevant construction certificate, plans are to be provided to Council’s City Infrastructure Department providing full details of proposed works within Council’s Public Reserve identified as “Linear Park” on Lot 111 and “Public Reserve” on Lot 101. These plans must demonstrate coordination with any proposed public domain works within the Halifax Street road reserve and must be endorsed by Council’s Parks and Open Spaces Team prior to the issue of the relevant construction certificate.  The submission must include the following details:   1. Fully dimensioned landscape and civil plans showing any amendments required to facilitate the connection between Halifax Street and the internal mews road. 2. Proposed amendment or relocation of any landscaping features. 3. Adequate details and certification demonstrating compliance with Disability Discrimination Act 1992 and applicable accessibility legislation is to be submitted for approval by Council. 4. Selection of paving type, colour and dimensions in accordance with Council’s requirement; 5. Provision of adequate lighting (category P2 according to Australian Standards AS/NZS 1158 Set: 2010 Lighting for Roads and Public Spaces) for illumination of the footpath to ensure safety and security of the users during night time.   Any works within the Public Reserve as endorsed by Council must be completed by the applicant prior to the issue of any occupation certificate at no cost to Council. |
| **Condition reason:** To ensure that works within the Public Reserve are compliant with Council requirements. |
|  | **Public domain and Open Space works - Defects Liability Bond** |
| To ensure satisfactory performance of the public domain / Open Space 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. Before the issue of the construction certificate, a public domain defects liability bond must be paid to Council in the form of a cash deposit or Bank Guarantee of$100,000. The bond must be provided to Council in the form of a bank cheque or unconditional bank guarantee with no expiry date, in favour of City of Ryde.  Note: The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the 12 months defects liability period. |
| **Condition reason:**  To ensure compliance with specifications and identification of defects not visible at final inspection. |
|  | **Anticipated assets register (changes to council assets)** |
| Before the issue of any construction certificate, an anticipated asset register is to be prepared to the satisfaction of Council’s City Infrastructure Department with confirmation provided to the principal certifier. The anticipated asset register must include but not limited to the following:   * New road pavement * New Multi-Function Poles (MFPs) * New concrete and/or granite footways * New street trees and tree pits * Street furniture * Kerb and gutter * Driveways crossovers and laybacks |
| **Condition reason:**  To record the anticipated civil works to be completed with the development. |
|  | **Retaining Walls within Public Land** |
| Before the issue of the relevant construction certificate, any new and/or modified retaining wall design plans prepared by an appropriately qualified and practising structural engineer must be provided to Council for approval with confirmation provided to the principal certifier. The design plan must note that:   * Retaining walls greater than 1000 mm high or retaining more than 600 mm of cut or fill proposed to be located within public land are to be designed by a Structural Engineer and must have subsoil drainage connected to the public drainage system.   All components of any retaining walls, including subsoil drainage, must be located entirely within public land. The subsoil drainage lines of the retaining walls must be shown on the stormwater drainage concept plan. |
| **Condition reason:**  To ensure public safety and protection of infrastructure. |
|  | **Public domain and Open Space works - Infrastructure Security Bond** |
| Existing Council infrastructure to be retained within the Halifax Street road reserve and public open space lots along the site frontage must be protected and where required restored in accordance with Council standards. In order to mitigate the risk of damage to existing infrastructure the Applicant shall provide to Council a Security Bond of $600,000.00 to ensure satisfactory restoration of Council infrastructure following completion of the development works. The bond must be provided to Council in the form of a bank cheque or unconditional bank guarantee with no expiry date, in favour of City of Ryde.  The security bond will only be released following the issue of the compliance certification for works completed within the Halifax Street road reserve and adjoining public reserve lots. |
| **Condition reason:**  To mitigate the risk of damage to Council infrastructure. |
|  | **Waste vehicle access** |
| Before the issue of the relevant construction certificate, amended plans demonstrating suitable vehicle clearance plans for Council’s Heavy Rigid Vehicle to AS2890.2 (12.5 metres long and 4.5 metre height clearance which should be measured from the floor to the lowest point of any overhead structures including roller shutter doors). These must demonstrate that Council’s vehicle 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 Waste Department and the principal certifier. |
| **Condition reason:**  To ensure Waste collection vehicles are provided with the necessary access and clearance. |
|  | **Waste Storage Areas** |
| All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.   * + 1100L Bins – width 1.4m, depth 1.1m, height 1.4m   + 660L Bins – width 1.3m, depth 0.8m, height 1.3m   + 240L Bins – width 600mm, depth 800mm, height 1100mm |
| **Condition Reason:** To ensure that waste storage areas are fit for purpose. |
|  | **Waste storage within apartments** |
| Before the issue of the relevant construction certificate, the principal certifier must be satisfied the Construction Certificate plans ensure two separate receptacles must be provided inside each dwelling to store up to two days' worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables. |
| **Condition reason:**  To ensure residents are provided with dedicated spaces for waste and recycling bins for source separation. |
|  | **Access to Waste Area** |
| Access to the hard waste area must be provided for collection contractors. Suitable details must be clearly shown on the approved plan before the issue of the relevant Construction Certificate. |
| **Condition Reason:** To ensure access to the hard waste area for contractors. |
|  | **Waste storage (design)** |
| Before the issue of the relevant construction certificate, the principal certifier must be satisfied the Construction Certificate plans ensure that all general, recycling, and bulky item waste rooms are in accordance with the following requirements:   * The rooms must be of adequate dimensions to accommodate all waste containers, and allow easy access to the containers for users and servicing purposes; * The floor must be of concrete construction with a smooth and even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewer system; * The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water; * The walls must be constructed of brick, concrete blocks, or similar solid material, and cement rendered to a smooth even surface and painted with a light-coloured washable paint; * The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light-coloured washable paint; * The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material; * Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high; * The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation; * The room must be provided with adequate artificial lighting; and * A hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning. |
| **Condition reason:**  To ensure waste collection areas are appropriately designed during building operations. |
|  | **Waste management plan (changes)** |
| Before the issue of the relevant construction certificate, update the Waste Management Plan prepared by Elephants Foot, dated 22/03/2024, Revision B and Architectural Plans prepared by FJCstudio, revision 3 to:   * Demonstrate safe and convenient resident access to the proposed food organics storage room which does not require residents to traverse the loading dock, vehicle thoroughfare(s) or chute discharge point(s). * Demonstrate dual access to the bulky waste storage room to ensure residents can dispose of bulky goods, with the assistance of building management only, in an efficient and safe manner. |
| **Condition reason:**  To ensure appropriate waste management. |
|  | **Sightlines for waste collection vehicles** |
| Before the issue of the relevant construction certificate, construction certificate plans are to notate traffic signal or mirrors to ensure the waste collection vehicles can safely access and exit the site as there are insufficient sightlines available, to the satisfaction of the principal certifier. |
| **Condition reason:** To ensure waste collection vehicles can safely access the site for servicing. |
|  | **Food Organics Garden Organics** |
| Before the issue of the relevant construction certificate, a Waste Management Plan is to be submitted to the Principal Certifier for approval illustrating how all tenancies will provide a Food Organics and Garden Organics (FOGO) service with the following details:   * a 80% diversion rate from landfill in accordance with the ‘NSW Waste and Sustainable Materials Strategy 2041’ and Council’s Waste DCP provisions. * operational details of the FOGO service that is to be provided for all tenancies within the development site including (but not limited to): * Storage requirements * Required waste infrastructure and equipment (within individual tenancies and communal waste storage areas) * Collection infrastructure   Confirmation of Council approval is to be provided to the principal certifier. |
| **Condition reason:** To ensure future residents have access to organics disposal and recycling services. |
|  | **Waste collection on private driveways and roads** |
| Prior to issue of the relevant construction certificate, details of the private roads and driveways used for waste collection are to be submitted to Council’s Waste Department to confirmed that they are rated for 24 tonne trucks. |
| **Condition reason:** To ensure driveways are designed for continues impact from heavy waste collection vehicles. |
|  | **Construction pedestrian and traffic management plan** |
| Before the issue of the relevant construction certificate, 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. Confirmation of Council’s acceptance of the CTMP is to be provided to the principal certifier.    Truck movements (excluding concrete trucks) are to be restricted to outside of peak weekday commuter periods between 7:00am – 9:00am and 4:00pm – 6:00pm to minimise impact on Macquarie Park area.    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:     1. Provision for all construction materials to be stored on site, at all times. 2. 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. 3. Make provision for parking onsite once the basement level parking is constructed. All Staff and contractors are to use the basement parking once available. 4. 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. 5. 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. 6. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities. 7. 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. 8. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees. 9. 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. 10. Specify spoil management process and facilities to be used on site. 11. 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. 12. 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*. |
| **Condition reason:**  To ensure safety and amenity of all road users. |
|  | **Service vehicle access** |
| Before the issue of the relevant 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 the principal certifier and include the following information:   1. Ramp grades; 2. Transitions and height clearance for the safe forward in and forward out access of 12.5m long garbage truck; 3. 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. |
| **Condition reason:**  To ensure service vehicles are provided with the necessary access and clearance. |
|  | **Compliance with Acoustic Report** |
| Prior to the issue of the relevant 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 Acoustic Dynamics, reference 6322R001.LM.240325 Rev 1, dated 25 March 2024.  Note: Suitably qualified Acoustic Consultant means a consultant who holds a current member grade of the Australian Acoustics Society. |
| **Condition Reason:** To ensure appropriate noise attenuation measures are used. |
|  | **Noise impact on residential building** |
| Prior to the issue of the relevant Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:   1. In any bedroom in the building: 35dB(A) between 10pm – 7am 2. Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time. |
| **Condition Reason:** Compliance with relevant noise amenity criteria in Infrastructure SEPP. |
|  | **Mechanical Ventilation - Certification of Compliance** |
| Details of any mechanical ventilation and/or air handling system must be prepared by a suitably qualified person and certified in accordance with Clause A2.2 (a) (iii) of the National Construction Code 2019, to the satisfaction of the Council or Registered Certifier prior to the issue of the relevant Construction Certificate. The system must be certified as complying with AS1668.1 and 2 - 2012 The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings and relevant Australian Standards. |
| **Condition Reason:** To ensure adequate mechanical ventilation is provided. |

**BEFORE BUILDING WORK COMMENCES**

|  | Condition |
| --- | --- |
|  | **Payment of fees** |
| Before any site work commences, the following must be paid to council and written evidence of these payments provided to the principal certifier:   1. Infrastructure Restoration and Administration Fee |
| **Condition Reason:**  To ensure fees are paid for inspections carried out by council in connection with the completion of public work such as footway construction or stormwater drainage required in connection with the consent or the making good of any damage to council property. |
|  | **Safety fencing** |
| Before any site works commences, the site must be fenced and maintained throughout demolition and construction and must comply with SafeWork NSW requirements and be a minimum of 1.8m in height |
| **Condition reason:**  Statutory requirement. |
|  | Proposed property addressing |
| Before any site work commences an “Addressing of New Developments” form must be lodged with Council. Details are to be provided to the principal certifier. |
| **Condition reason:**  To ensure the address of the development meets Council’s requirements. |
|  | **Road occupancy licence** |
| Before any site works commences, a Road Occupancy Licence (ROL) obtained from NSW Transport Management Centre must be submitted to Council’s Traffic Services Department and the principal certifier for any works that may impact on traffic flows on a State Road (e.g., lane closures, etc.) and/or within 100m of a signalised intersection. |
| **Condition reason:**  To satisfy Transport for NSW requirements. |
|  | **Tree Retention** |
| Before any site work commences, the following trees as identified in the Arboricultural Impact Assessment (AIA) prepared by Urban Arbor dated 16/09/2024 shall be retained and protected:   * Trees located in adjoining reserve: 15, 16 and 17 and works as outlined in Section 10.4 of the AIA. * Trees located in adjoining land: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 50. |
| **Condition Reason:**  To ensure the health of existing trees to be retained. |
|  | **Tree Protection** |
| Before any site work commences, all tree protection works including installation of any fencing is to be undertaken which include the following as indicated in the Arboricultural Impact Assessment “Section 11 Tree Protection Requirements”, prepared by Urban Arbor dated 16/09/2024. |
| **Condition Reason:**  To protect existing trees before any work on site commences. |
|  | **Project Arborist** |
| A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. |
| **Condition Reason:**  To ensure tree protection measures and the nature of works are appropriate and not detrimental to the health of the trees on site. |
|  | **Project Arborist – Contact Details** |
| Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days. |
| **Condition Reason:**  To ensure the Project Arborist can be readily contacted in regard to the required tree protection measures. |
|  | **Erosion and sediment controls in place** |
| Before any site work commences, the principal certifier,must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’ (the Blue Book) (as amended from time to time). |
| **Condition Reason:** To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways. |
|  | **Notice of Intention to Commence Public Domain Works** |
| Prior to commencement of the public domain works, a Notice of Intention to Commence Public Domain Works shall be submitted to Council’s City Infrastructure Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works. |
| **Condition Reason**: Ensure compliance and record of works. |
|  | **Notification of adjoining owners & occupiers** – **public domain works** |
| The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners. |
| **Condition Reason**: Ensure compliance and record of works. |
|  | **Pre-construction inspection** |
| A joint inspection shall be undertaken with Council’s Engineer from City Infrastructure Directorate prior to commencement of any public domain works. A minimum 48 hours’ notice will be required when booking for the joint inspection. |
| **Condition Reason:** Ensure compliance and communicate Council’s requirements. |
|  | **Pre-Construction Dilapidation Report** |
| To ensure Council’s infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.   * + 1. Road pavement,     2. Kerb and gutter,     3. Footpath,     4. Drainage pits,     5. Traffic signs, and     6. Any other relevant infrastructure.   The report is to be dated and submitted to, and approved by Council’s City Infrastructure Directorate, prior to any work commencing.  All fees and charges associated with the review of this report shall be in accordance with Council’s Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted. |
| **Condition Reason:** Protection of Council’s infrastructure. |
|  | **Ground anchors** |
| Before any site works commence, if ground anchors are required to be installed as part of the development construction, approval from Council’s City Infrastructure Directorate is required under section 138 of the Roads Act 1993 with confirmation provided to the principal certifier prior to installation. As part of this approval detailed structural engineering plans must be 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. Approval will be subject to:   1. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met; 2. The payment of all fees in accordance with Council’s fees and charges at the time of the issue of the approval; and 3. The provision of a copy of the Public Liability insurance cover of not less than $20 million with Council’s interest noted on the policy. The policy must remain valid until the de-commissioning of the ground anchors. |
| **Condition reason:**  To ensure public services and public domain are not adversely impacted. |

**DURING BUILDING WORK**

|  | Condition |
| --- | --- |
|  | **Hours of work** |
| Site work must only be carried out between the following times:   * Monday to Friday - 7.00am and 7.00pm (other than public holidays) * Saturday - 8.00am and 4.00pm   Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority. |
| **Condition Reason**: To protect the amenity of the surrounding area |
|  | **Implementation of the site management plans** |
| While site work is being carried out:  the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and  a copy of these plans must be kept on site at all times and made available to council officers upon request |
| **Condition Reason**: To ensure site management measures are implemented during the carrying out of site work. |
|  | Noise and Vibration requirements |
| While site work is being carried out, noise generated from the site must not exceed an LAeq (15 min) of 5db(A) above background noise, when measured at a lot boundary of the site. |
| **Condition Reason**: To protect the amenity of the neighbourhood during construction |
|  | Procedure for critical stage inspections |
| While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. |
| **Condition Reason**: To require approval to proceed with building work following each critical stage inspection |
|  | Soil management |
| While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:   1. All excavated material removed from the site must be classified in accordance with the EPA’s Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier. 2. All fill material imported to the site must be: 3. Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*, or 4. a material identified as being subject to a resource recovery exemption by the NSW EPA, or 5. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* and a material identified as being subject to a resource recovery exemption by the NSW EPA. |
| **Condition Reason**: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants |
|  | Surveys by a registered surveyor |
| While building work is being carried out, the positions of the following must be measured and marked by a registered surveyor and provided to the principal certifier:   1. All footings / foundations in relation to the site boundaries and any registered and proposed easements 2. At other stages of construction – any marks that are required by the principal certifier. |
| **Condition Reason:** To ensure buildings are sited and positioned in the approved location. |
|  | Waste management |
| While site work is being carried out:   1. all waste management must be undertaken in accordance with the waste management plan, and 2. upon disposal of waste, records of the disposal must be compiled and provided to the principal certifier, detailing the following: 3. The contact details of the person(s) who removed the waste 4. The waste carrier vehicle registration 5. The date and time of waste collection 6. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill 7. The address of the disposal location(s) where the waste was taken 8. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.   If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and council |
| **Condition Reason:** To require records to be provided, during site work, documenting the lawful disposal of waste. |
|  | Sediment and dust control |
| During site works, reasonable endeavours should be used to ensure that no excessive sediment, dust, soil or similar material must leave the site. |
| **Condition reason:**  To protect the amenity of the area. |
|  | Construction materials |
| All materials associated with construction must be retained within the site. |
| **Condition reason:**  To ensure the public domain is not affected during construction. |
|  | Excavation |
| While site work is carried out, all excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer. |
| **Condition reason:**  To ensure work is completed in an appropriate manner. |
|  | Consent documents available on site |
| At all times during the construction, a copy of the development consent and approved stamped plans are to be kept on site. These documents are to be made available to any Council Officer as requested. |
| **Condition reason:**  To ensure Council Officers are able to access the consent during any site inspection. |
|  | Truck shaker |
| A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately. |
| **Condition reason:**  To prevent soil and sediment spill in the public domain. |
|  | **Stormwater - hold points during construction (council drainage works)** |
| While site work is being carried out, certification from the Site Engineer must be prepared and lodged within 24 hours to Council at the completion of each stage of construction 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. The certification must include photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.   1. Upon connection to Council’s existing kerb inlet pit.   Note: Any stormwater pit with a depth greater than 1.8 metres must be certified by a suitably qualified Structural Engineer. |
| **Condition reason:**  To ensure construction works satisfy Council’s DCP and Australian Standard requirements. |
|  | **Hold points during construction (public domain)** |
| While site work is being carried out, inspections are to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for public domain works, at the following hold points with certification from the Engineer provided to Council and the principal certifier, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates must contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.   1. Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings. 2. Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings. 3. Upon compaction of the applicable sub-base course. 4. Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g., prior to laying any pavers or asphalt wearing course). 5. Upon installation of any formwork and reinforcement for footpath concrete works.   Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored. |
| **Condition reason:**  To ensure the progress of works is appropriately completed and recorded. |
|  | **Dust Control** |
| Where applicable, the following are to be satisfied/complied with during demolition, construction and any other site works:   1. 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 City of Ryde. 2. ‘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 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. |
| **Condition Reason:** To prevent the movement of dust outside the boundaries of the site. |
|  | **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. |
| **Condition Reason:** Environmental protection. |
|  | **Traffic Management** |
| Traffic management procedures and systems must be implemented during the construction period to ensure a safe environment and minimise impacts to pedestrian and other vehicle traffic. Any traffic management procedures and systems must be in accordance with AS 1742.3 2019 and the DCP 2014 Part 8.1 (Construction Activities). |
| **Condition Reason:** To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. |
|  | **Stormwater Management (Construction)** |
| The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan and any requirements of Council in relation to the connection to the public drainage system. |
| **Condition Reason:** To ensure the stormwater system is constructed as approved. |
|  | **Erosion and Sediment Control Plan (Implementation)** |
| The applicant shall install erosion and sediment control measures in accordance with the relevant Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction“ by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. |
| **Condition Reason:** To prevent soil erosion and the discharge of sediment over the land. |
|  | **Geotechnical Monitoring Program (Implementation)** |
| The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the relevant Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence. |
| **Condition Reason:** To ensure that the excavation works are undertaken appropriately throughout the period of construction. |
|  | **Site Dewatering Plan (Implementation)** |
| The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the relevant Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out. |
| **Condition Reason:** To ensure that site dewatering is undertaken appropriately throughout the period of construction. |
|  | **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. |
| **Condition Reason:** Environmental protection. |
|  | **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 |
| **Condition Reason:** To ensure controls are in place for contamination management. |
|  | **Construction Traffic Management Plan (Implementation)** |
| All construction works are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management controls must be undertaken by personnel having appropriate SafeWork NSW accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council’s Traffic Services Department for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to the principal certifier or Council on request. |
| **Condition reason:** To ensure that the controls stated in the approved CTMP are carried out by the builder during construction. |
|  | **Tip Dockets** |
| Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections. |
| **Condition Reason:** To ensure the correct disposal of waste and recycling. |
|  | **Site maintenance (waste)** |
| While site work is being carried out, the area surrounding the construction site must be secured and maintained, including the nature strip, to reduce incidences of illegal dumping and litter. |
| **Condition reason:** To ensure the waste is contained onsite for responsible disposal and impact to street amenity is reduced. |
|  | **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. |
| **Condition Reason:** To ensure controls are in place for contamination management. |
|  | **Excavation for services within tree protection zone (TPZ)** |
| Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist. |
| **Condition Reason:**  To ensure any excavation works are not detrimental to the health of the tree. |
|  | **Tree Removal** |
| While site work is being carried out, as identified in the Arboricultural Impact Assessment prepared by Urban Arbor dated 16/09/2024. The following trees on site are to be removed: Group 1 and Group 2. |
| **Condition Reason:**  To ensure only the specified trees approved for removal are removed. |
|  | **Project Arborist Inspections** |
| While site work is being carried out, the Project Arborist is to issue Certificates of Compliance to the principal certifier verifying that inspections have been undertaken at each relevant project phase as required by Section 5 Monitoring and Certification of AS4970-2009 as follows.   |  |  |  | | --- | --- | --- | | **PROJECT PHASE** | **ACTIVITIES** | **PROJECT ARBORIST to** | | Initial Site Preparation | Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained. | Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage.  **Issue a Certification of Compliance** of tree protection measures being in place and soil rehabilitation undertaken | | Construction work | Liaison with site manager, compliance, and any deviation from approved plan | Maintain or amend protective measures.  Supervision and monitoring formal notification of any deviation from approved tree protection plan | | Stormwater connection installation through TPZ, Implement hard and soft landscape works | **Supervise** Installation of pipes within tree TPZ | Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works.  **Issue a Certificate of Compliance** | | Practical Completion | Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees | Remove all remaining tree Protection measures.  **Certification of tree protection and soil rehabilitation for Protected Trees** | | Defects liability / maintenance period | Tree vigour and structure | Undertake any required remedial tree works.  **Certification of tree protection if necessary** | |
| **Condition Reason:**  To ensure the timing and frequency of inspections by the Project Arborist is appropriate to maintain the health of existing trees to be retained. |
|  | **Tree works (Australian Standards)** |
| While site work is being carried out, all tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007) |
| **Condition Reason:**  To ensure that any tree work is carried out by a qualified Arborist |

**BEFORE ISSUE OF AN OCCUPATION CERTIFICATE**

|  | Condition |
| --- | --- |
|  | **Acoustic Verification Report** |
| Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant\* must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:   1. All recommendations contained in the DA acoustic report prepared by Acoustic Dynamics, reference 6322R001.LM.240325 Rev 1, dated 25 March 2024 have been implemented, and 2. The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.   \*Note: Suitably qualified Acoustic Consultant being a consultant who holds a current member grade of the Australian Acoustical Society. |
| **Condition reason:** To protect the amenity of the local area. |
|  | **Completion of public utility services** |
| Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, have been completed and this confirmation must be provided to the principal certifier. |
| **Condition Reason:**  To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation |
|  | Removal of waste upon completion |
| Before the issue of an occupation certificate:  all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and  written evidence of the waste removal must be provided to the satisfaction of the **principal certifier.** |
| **Condition reason:** To ensure waste material is appropriately disposed or satisfactorily stored. |
|  | Completion of works |
| Before the issue of the relevant occupation certificate, all works shown on the approved plans are to be completed. |
| **Condition reason:** To ensure all approved works are completed. |
|  | BASIX |
| Before the issue of any occupation certificate, documentary evidence of compliance with all commitments listed in the approved BASIX Certificate(s) is to be provided to the principal certifier. |
| **Condition reason:**  Statutory requirement. |
|  | **Flooding – Engineering Compliance Certificate** |
| Before the issue of any occupation certificate, a compliance certificate prepared by a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, to the satisfaction of Principal Certifying Authority, confirming that all requirements of condition *“Flooding - Flood and Overland Flow Protection”* have been satisfied. |
| **Condition Reason:** To ensure that all flood and overland flow protection requirements are satisfied. |
|  | Mechanical Ventilation – Compliance |
| Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, certification must be provided to the satisfaction of the Principal Certifier confirming that the system has been designed, installed and has been tested to show it is operating in accordance with the National Construction Code 2019. |
| **Condition Reason:** To ensure correct installation of mechanical ventilation systems. |
|  | Apartment noise attenuation design |
| Before the issue of any occupation certificate, an Association of Australasian Acoustical Consultants (AAAC) 5 Star Certificate must be submitted by a qualified member of the AAAC demonstrating that the construction of the internal party walls ensures that all sound between apartments (being the internal party walls between the bedroom and the living room of adjoining separate apartments), sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems has sufficient acoustical attenuation. Details of compliance must be to the satisfaction of the principal certifier before the issue of the relevant occupation certificate. |
| **Condition reason:** To comply with best practice standards for residential acoustic amenity. |
|  | Sydney Water – Section 73 compliance certificate |
| Before the issue of any occupation certificate, a compliance certificate must be obtained from Sydney Water under Section 73 of the Sydney Water Act 1994. |
| **Condition reason:**  Statutory requirement. |
|  | Letterboxes and house/unit numbering display |
| Before to the issue of any occupation certificate, the principal certifier must be satisfied that all house/unit numbering is displayed in accordance with the official property addressing allocated by Council’s Spatial Data Services section. The principal certifier must ensure that the display of the street address must be of a sufficient size and clarity to be easily visible from the street.  Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage must be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. |
| **Condition reason:**  To assist in way finding. |
|  | Installation of water-cooling systems |
| Where any water-cooling system is installed, the following shall be undertaken, a Compliance Certificate shall be obtained certifying that the system has been installed in accordance with the provisions of the Public Health Act 2010, the Regulations thereunder, the NSW Code of Practice for the Control of Legionnaires Disease and Australian Standard 3666. |
| **Condition Reason:** To comply with the Public Health Act. |
|  | **Stormwater Management (Work-as-Executed Plan)** |
| A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff. |
| **Condition Reason:** To clarify the configuration of the completed stormwater management system. |
|  | **Stormwater Management (Covenants)** |
| Positive covenant(s) must be registered on the title of the subject property pursuant to the relevant section 88 of the Conveyancing Act (1919) in relation to the following stormwater components, wherever these are present in the constructed Stormwater Management system;  a) onsite detention system,  b) pump/ sump,  c) charged/ siphonic configuration (where the system discharges against the fall of the land), and,  d) onsite disposal/ absorption system.  Engineering certification must be submitted with the “Application Form for Endorsement of Title Encumbrances” (available from Council’s website), with the drafted version of the terms so as to ensure the components are completed as per the approved plans. The terms of the covenant(s) are to be in accordance with the Council's standard terms. Any variation to the terms is at the discretion of Council.  The positive covenant(s) must be registered on the title prior to the release of any Occupation Certificate for areas of the development reliant upon these component(s). |
| **Condition Reason:** This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). |
|  | **Drainage System Maintenance Plan** |
| A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development. The DSMP must contain the following;  a) All matters listed in Section 1.4.9 of Council’s DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).  b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.  c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.  d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (e.g. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.  e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.  f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.  The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate. |
| **Condition Reason:** To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development. |
|  | **Final Assessment of Trees** |
| At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any Occupation Certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees. |
| **Condition Reason:**  To ensure the existing trees have been maintained in a viable condition. |
|  | **Completion of landscape and tree works** |
| Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent |
| **Condition Reason:**  To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s) |
|  | **Public Domain Improvements and Infrastructure Works – Completion** |
| All public domain improvements and infrastructure works shall be completed to Council’s satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate. |
| **Condition Reason:** Ensure compliance. |
|  | **Restoration – Supervising Engineer’s Certificate** |
| Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council’s standards and specifications, and DCP2014 Part 8.5 Public Civil Works, or the Roads and Maritime Services’ standards and specifications, where applicable. |
| **Condition Reason:** Ensure public safety and protection of infrastructure. |
|  | **Council Road Reserve Land Title Amendment** |
| Prior to the issue of any Compliance Certificate from Council confirming acceptance of all alterations to the external Council assets, the applicant must make amendment to the land title registry to reflect any amendments made to the existing open space lot to facilitate connection between Halifax Street and the internal mews road.  The required amendments must be lodged with the NSW Land Registry Services at no cost to Council. The dedication must only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works within the Halifax Street frontage. The associated administrative and registration costs where applicable, must be borne by the Applicant.  Lodgement of the above amendments with the NSW Land Registry Services will be required prior to the Council Compliance certificate for external works being issued by Council. |
| **Condition reason:**  To ensure correct classification of land following amendments to the public domain and Council open space lots. |
|  | **Certificate of Compliance for Electrical Work in the Public Domain** |
| Prior to the issue of any occupation certificate, a Certificate of Compliance - Electrical Work (CCEW) from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant must be prepared to the satisfaction of Council confirming that the street lighting in the public domain has been constructed in accordance with the approved drawings and City of Ryde standards and specifications. |
| **Condition reason:**  To ensure all works completed are compliant with relevant standards. |
|  | **Compliance Certificate – External Landscaping Works** |
| Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. |
| **Condition Reason:** Ensure compliance. |
|  | **Public Domain Works-as-Executed Plans** |
| To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.  In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council’s Asset Registers. |
| **Condition Reason:** Record of Completed Works. |
|  | **Registered Surveyor Final Certificate** |
| Upon completion of all construction works, and before the issue of any Occupation Certificate, Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site’s land boundary. |
| **Condition Reason:** Ensure Compliance and no encroachments. |
|  | **Supervising Engineer Final Certificate** |
| Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings. |
| **Condition Reason:** Ensure compliance. |
|  | **Post-Construction Dilapidation Report** |
| To ensure Council’s infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.   1. Road pavement, 2. Kerb and gutter, 3. Footpath, 4. Drainage pits, 5. Traffic signs, and 6. Any other relevant infrastructure.   The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and approved by Council’s City Infrastructure Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Compliance Certificate for External Works and Public Infrastructure Restoration.  All fees and charges associated with the review of the report shall be in accordance with Council’s Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted. |
| **Condition Reason:** Protection of public assets. |
|  | **Decommissioning of Ground Anchors** |
| Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum. |
| **Condition Reason:** Ensure compliance and protection of public assets. |
|  | **Final Inspection – Assets Handover** |
| For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council’s Engineer from City Infrastructure Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council’s Schedule of Fees & Charges at the time. |
| **Condition Reason**: Ensure compliance. |
|  | **Compliance Certificate – External Works and Public Infrastructure Restoration** |
| Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council’s City Infrastructure Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council’s satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council’s Schedule of Fees and Charges at the time of issue of the Certificate. |
| **Condition Reason:** Ensure compliance. |
|  | **Council Road Pavement Dilapidation Fee** |
| A Road Pavement Dilapidation Fee is payable, prior to issue of any Occupation Certificate, to offset the significant acceleration of the serviceable lifespan of Council Road pavement resulting from dilapidation during demolition and construction phases of the development works. The following documentation is to be provided to Council to enable calculation of the fee in accordance with Council’s current Schedule of Fees and Charges:  Approved Construction Traffic Management Plan (CTMP) detailing approved routes of heavy vehicles to and from the site during the demolition and construction phases.  Documentation detailing the Gross Floor Area (GFA) of any structures to be demolished as part of the development works.  Documentation detailing the Gross Floor Area (GFA) of the proposed or completed structures, constructed on the development site, in accordance with the approved development plans.  The applicant is to pay the fee based on the above documentation and Council’s Schedule of Fees & Charges at the time of the issue of the plan approval, prior to issue of any Occupation Certificate. |
| **Condition Reason:** Protection and maintenance of Council's road pavement assets. |
|  | **Signage and Linemarking (External – Approval)** |
| Before the issue of an occupation certificate, a signage and linemarking plan must be prepared by a suitably qualified traffic engineer to the satisfaction of Council’s Traffic Services Department for any traffic and parking changes proposed on the public road network.  **Note:** The person acting on this consent is advised that traffic and parking changes may need to be referred to the Ryde Traffic Committee, which generally meets once a month. As such, adequate time should be allowed for the review and approval process.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment). |
| **Condition reason:** To ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity. |
|  | **Signage and Linemarking (External – Implementation)** |
| Before the issue of any occupation certificate, the installation of the signage and linemarking, as per the plan approved by Council, is to be carried out by the person acting on this consent. All costs associated with the supply and construction of the signage and linemarking are to be borne by the person acting on this consent (at no cost to Council). |
| **Condition reason:** To ensure that the works approved in the signage and linemarking plan are installed. |
|  | **Loading Dock Management Plan** |
| Before the issue of the occupation certificate, a Loading Dock Management Plan must be prepared to the satisfaction of Council, providing the following information at a minimum:   1. Vehicle types permitted to access the loading dock: 12.5m long garbage truck)>. 2. Management of the loading dock to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users and the efficiency of traffic movements on the public road (including the verge); 3. Delivery requirements and service schedules; 4. Operational aspects on how to use facilities; 5. “ALL VEHICLES RIGHT ONLY 7M and OVER” sign on Mews Road facing exiting truck drivers are required. The truck movements are also restricted turning right into/out of Mews Road at the intersection with Halifax Street. 6. Management duties and responsibilities; and 7. 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). |
| **Condition reason:** To assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads. |
|  | **Framework Travel Plan** |
| Before the issue of the occupation certificate, a final Framework Travel Plan (FTP) must be prepared to the satisfaction of Council’s Traffic Services Department detailing:   1. Adopted targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode; 2. Develop measures to achieve the targets including a list of specific tools or actions; 3. Develop monitoring scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey; 4. Adopt strategies and procedures to meet mode share target in Macquarie Park as stated in Ryde Integrated Transport Strategy for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor; 5. Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the mode share target for the development for the journey-to-work; 6. Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-sitelinks where required; and 7. Provide, to Council satisfaction, supportive infrastructure for:    1. Public transport passengers (bus shelters and passenger waiting areas) to be provided where a new public bus stop or service is required to service the additional demand from the development or meet relevant mode share targets for the development.    2. Taxi drop-off areas or parking (as appropriate) and carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development.    3. Walking and cycling (lockers and end-of-trip facilities).   It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents to encourage use of public transport.   The FTP must be incorporated into or annexed to the strata management plan for the residential units in perpetuity.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges). |
| **Condition reason:** To assist in reducing future traffic congestion and promote alternative transport options. |
|  | **Final Inspection by Waste** |
| An authorised Council waste officer is to ensure that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the Occupation Certificate. |
| **Condition Reason:** To ensure that the waste requirements have been implemented. |
|  | **Commencement of Waste Services** |
| Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate. Once the registered Occupation Certificate has been provided to Council, waste services will be provided. |
| **Condition Reason:** To ensure that waste servicing can be commenced. |
|  | **Universal Key** |
| Before the issue of an occupation certificate, all lockable doors which provide access to bin collection/storage rooms or bulky waste storage room must have Council’s universal key system installed so Council contractors can access the room for servicing. |
| **Condition Reason:** To ensure access to bin rooms and hardwaste storage room. |
|  | **Waste servicing (key fobs)** |
| Before the issue of an occupation certificate**,** where there will be secure access in place to the loading dock area, Council’s Waste Department must be provided with three (3) access fobs or the relevant access code for use by the contractor to enable service. |
| **Condition reason:** To ensure unobstructed access is available to waste collection contractors**.** |
|  | **Waste travel paths** |
| Before the issue of an occupation certificate,the paving from the waste storage areas to the collection point must be moderately graded in accordance with Council’s Development Control Plan Waste Minimisation and Management with no steps or uneven surfaces so that bins can be safely and easily be transported. |
| **Condition reason:** To ensure waste bins can be efficiently and practically transported with reduced manual handling. |
|  | **Waste servicing (lockbox)** |
| Before the issue of an occupation certificate,where there will be secure access in place to access the basement loading dock area, a lock box accessed by the Council universal key must be provided on the outside of the roller shutter doors. The building access fob will be housed in the lock box for use by the contractor to enable access to service the bins. |
| **Condition reason:** To ensure unobstructed access is available to waste collection contractors**.** |
|  | **Positive Covenant - Onsite** **Waste Collection** |
| A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), ensuring that future owners provide and maintain the access driveway and loading bay accommodating waste collection services undertaken by Council. The terms of the instrument are to be generally in accordance with Council’s current standard terms (available from Council) and any amendments necessary drafted in accordance with the City of Ryde DCP 2014 - Part 8.4 (*Title Encumbrances*), to Council’s satisfaction. The drafted instrument must be accompanied by a Works-As-Executed plan of the service area ensuring there is adequate swept path and height clearances so as to accommodate Council waste vehicles. A swept path analysis may also be required to clarify this. The instrument and works-as-executed plans are to be submitted to Council with a completed “*Application Form for Endorsement of Title Encumbrances*” (available from Council’s website) for review and the covenant must be registered on the title prior to the release of any Occupation Certificate for the development works. |
| **Condition Reason:** To ensure ongoing waste management for the development. |
|  | **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 the constructed interallotment drainage system complies with the construction plan requirements and the Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.  g) 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.  h) 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.  i) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes. |
| **Condition Reason:** To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development. |
|  | **On-Site Stormwater Detention System (Marker Plate)** |
| To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at 1 Pope Street – Ryde (Top Ryde City Shopping Centre). |
| **Condition Reason:** To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development. |
|  | **Easement for Drainage of Water and Works-as-executed Plan** |
| Prior to the issue of any Occupation Certificate, Works-As-Executed Plans of the constructed site drainage system must be prepared by a registered surveyor.  In the case that the location, extent, width or alignment of the constructed onsite detention system deviates from the approved stormwater plan of LDA2024/66 or LDA2024/103, registered easement diagram and associated instrument shall be modified in accordance with the work-as-executed stormwater management plans and City of Ryde’s DCP Parts 8.2 Stormwater and Floodplain Management and Part 8.4 Title Encumbrances. Engineering certification must be submitted with the “Application Form for Endorsement of Title Encumbrances” (available from Council’s website) to Council for assessment, with the drafted version of the terms so as to ensure the stormwater component(s) are completed as per the work-as-executed stormwater management plan. The easement must be registered on the title prior to the release of any Occupation Certificate for areas of the development reliant upon the stormwater component(s). |
| **Condition Reason:** To clarify the configuration of the completed stormwater management system and ensure that all required easements are implemented. |

**OCCUPATION AND ONGOING USE**

|  | Condition |
| --- | --- |
|  | **Noise from mechanical equipment** |
| The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997. |
| **Condition Reason**: To protect the residential amenity of neighbouring properties. |
|  | **No ‘offensive noise’** |
| Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise' as defined by the Protection of the Environment Operations Act 1997. |
| **Condition Reason:** To reduce noise levels. |
|  | **Stormwater Management (Implementation of maintenance program)** |
| The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP). |
| **Condition Reason:** To ensure the stormwater management system is appropriately maintained for the life of the development. |
|  | Parking allocation |
| Both the owner and occupier of the development must provide and maintain the parking allocation as follows;  • A maximum of 216 residential spaces including a minimum of 24 accessible parking spaces  • 24 visitor spaces including a minimum of one (1) accessible visitor parking space  • 5 carshare spaces including two (2) at the proposed basement level 1 and three (3) on Mews Road.  Any two parking spaces in a tandem arrangement are to be allocated to the same residential unit in any strata subdivision. |
| **Condition reason:**  To ensure the development maintains the capacity and allocation of parking spaces. |
|  | Waste education |
| Signage must be placed within the bin area to encourage correct recycling and reduce contamination. Signage is provided by City of Ryde. |
| **Condition reason:**  To ensure occupants are aware of the correct procedures for recycling and source separation. |
|  | **Registration of warm water or water-cooling system** |
| All water-cooling systems regulated under the Public Health Act 2010 must be registered with Council’s Environmental Health Unit within one (1) month of installation. Registration forms may be obtained from Council’s website.  The operation of the water-cooling system is to comply with the relevant provisions of the Public Health Act 2010, Public Health Regulation 2022 and the Australian Standard 3666. |
| **Condition Reason:** To ensure compliance with cooling tower installation requirements. |
|  | **Implementation of Loading Dock Management Plan** |
| All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) or outside of the loading dock is not permitted. |
| **Condition reason:** To ensure compliance with the approved loading dock management plan. |
|  | **Truck movement restrictions** |
| Truck movements to and from the site are to be restricted to outside of school zone periods being 8:00am – 9:30am and 2:30pm – 4:00pm once the proposed new school within Lachlan Line is in operation. The truck movements are also restricted turning right into/out of Mews Road at the intersection with Halifax Street. This requirement is to form part of any tenancy agreement and site Loading Dock Management Plan with future operator(s) of the site. |
| **Condition reason:**  To minimise the risk to the safety of all road users. |
|  | **Review Report of Framework Travel Plan** |
| One year from the issue of the occupation certificate, and every year for 5 years thereafter, the person acting on this consent must submit to the satisfaction of Council’s Traffic Services Department a Review Report on the effectiveness of the Framework Travel Plan (FTP). The reviews must include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review must also include any recommendations for improving the effectiveness of the FTP. Any recommendations made to improve the effectiveness of the plan must be incorporated into an updated FTP.  All fees and charges associated with the review of this plan are to be paid (as per Council’s Fees and Charges current at the time of payment). |
| **Condition reason:** To ensure the effective management of the Framework Travel Plan. |
|  | **Council Waste Collection** |
| Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor. |
| **Condition Reason:** To ensure compliance with Council’s waste contract. |
|  | **Storage of Bins** |
| Garbage and recycling bins must always be stored on-site between collections. |
| **Condition Reason:** To ensure that bins are stored on the site. |
|  | **Maintenance of Waste Storage Areas** |
| All waste storage areas must be maintained in a clean and tidy condition at all times. |
| **Condition Reason:** To ensure that waste areas are maintained. |
|  | **Waste servicing** |
| Staff must be employed to take and return bins from the storage room to the nominated emptying/collection point. |
| **Condition reason:**  To ensure the appropriate management of bins. |
|  | **Storage and Disposal of Waste** |
| All waste generated on the premises must be stored and disposed of in an environmentally acceptable manner. |
| **Condition Reason:** To ensure correct waste disposal. |
|  | **Clean Up Collections** |
| The building manager or Strata Manager will be required to pre-book household clean-up collections for the building. |
| **Condition Reason:** To ensure arrangements are in place for clean up collections. |

**End of conditions**