

Attachment 1 – Condition of Consent

GENERAL

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

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

Document Description	Date	Plan No/Reference
Basement 02 Plan - North	23.10.2020	DA 0098 Revision 06
Basement 01 – Plan – North	23.10.2020	DA 0099 Revision 06
Ground Floor Plan North	23.10.2020	DA 0100 Revision 05
Level 01 Plan North	23.10.2020	DA 0101 Revision 05
Level 02 Plan North	20.10.2020	DA 0102 Revision 06
Level 03 Plan North	23.10.2020	DA 0103 Revision 05
Level 04 Plan North	20.10.2020	DA 0104 Revision 04
Basement 02 Plan - South	23.10.2020	DA 0118 Revision 06
Basement 01 Plan - South	23.10.2020	DA 0119 Revision 06
Ground Floor Plan South	23.10.2020	DA 0120 Revision 05
Level 01 Plan South	23.10.2020	DA 0121 Revision 05
Level 02 Plan South	23.10.2020	DA 0122 Revision 05
Level 03 Plan South	23.10.2020	DA 0123 Revision 05
Level 04 Plan South	20.10.2020	DA 0124 Revision 04
Level 05 Plan South	20.10.2020	DA 0125 Revision 04
Level 06 Plan South	20.10.2020	DA 0126 Revision 04
Level 07 Plan South	20.10.2020	DA 0127 Revision 04
Basement 02 – Full Site	23.10.2020	DA 0150 Revision 06
Basement 01 – Full Site	23.10.2020	DA 0151 Revision 06
Overall Site Plan - Ground	23.10.2020	DA 0152 Revision 05
Level 01 – Full Site	23.10.2020	DA 0153 Revision 05
Level 02 – Full Site	23.10.2020	DA 0154 Revision 06
Level 03 – Full Site	23.10.2020	DA 0155 Revision 05
Level 04 – Full Site	20.10.2020	DA 0156 Revision 04
Level 05 – Full Site	20.10.2020	DA 0157 Revision 04
Level 06 – Full Site	20.10.2020	DA 0158 Revision 04
Level 07 – Full Site	20.10.2020	DA 0159 Revision 04
Elevation 01 – Full Site	20.10.2020	DA 0210 Revision 04
Elevation 02 – Full Site	23.10.2020	DA 0211 Revision 05
Site Section AA – Full Site	20.10.2020	DA 0230 Revision 04
Elevation 01	20.10.2020	DA 0200 Revision 04
Elevation 01	20.10.2020	DA 0201 Revision 04
Elevation 02	23.10.2020	DA 0202 Revision 05
Elevation 02	23.10.2020	DA 0203 Revision 05
Elevation 03	23.10.2020	DA 0204 Revision 05
Elevation 04	20.10.2020	DA 0205 Revision 04

Section AA	20.10.2020	DA 0220 Revision 04
Section AA	20.10.2020	DA 0221 Revision 04
Section BB	20.10.2020	DA 0222 Revision 05
Section CC	20.10.2020	DA 0223 Revision 04
Material Samples	23.10.2020	DA 0700 Revision 05
Landscape Masterplan	23.10.2020	Sheet 100 Issue C
Softworks Plan	23.10.2020	Sheet 401 Issue C
Softworks Plan	23.10.2020	Sheet 402 Issue C
Softworks Plan	23.10.2020	Sheet 403 Issue C
Softworks Plan	23.10.2020	Sheet 404 Issue C
Softworks Plan	23.10.2020	Sheet 405 Issue C
Softworks Plan	23.10.2020	Sheet 406 Issue C
Softworks Plan	23.10.2020	Sheet 407 Issue C
Softworks Plan – Lvl 1 & 2	23.10.2020	Sheet 411 Issue C
Softworks Plan – Lvl 1 & 2	23.10.2020	Sheet 412 Issue C
Softworks Plan – Lvl 1 & 2	23.10.2020	Sheet 413 Issue C
Civil Drawings		
Cover Sheet, Locality Map and Sheet List	23.10.2020	19400-RBG-ZZ-XX-DR-CV-80001 Revision P06
General Notes	23.10.2020	19400-RBG-ZZ-XX-DR-CV-80002 Revision P04
Supporting Documents		
Statement of Environmental Effects	30.10.2019	Revision 1
Acoustic Report	1.11.2019	271368-00, AC07
Geotechnical Report	15.04.2011	Project 72293 Revision 1
Preliminary Site Investigation	13.12.2019	E32814PRpt
Addendum - Letter	19.12.2019	-
Arborist Report (Area 1 Ryde Central)	17.10.2019	-
Arborist Report (Area 2 Car Park)	17.10.2019	-
Ecological Impact – Letter	28.07.2020	-
Traffic Impact Assessment	1.11.2019	-
Statement of Heritage Impact	5.11.2019	Revision 1
Social Impact Statement	4.11.2019	Revision 1
BCA and DDA Compliance Statement	1.11.2019	-
Fire Safety Report	1.11.2019	110870-FESR-r4
Crime Prevention Through Environmental Design Report	5.11.2019	-
Structural Engineer – Letter	28.07.2020	-
Environmental Sustainability & Energy	30.10.2020	-

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

3. **Public utilities and service alterations.** All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.
4. **Works on public roads.** Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
5. **Construction staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
6. **Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 - Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.
7. **Traffic management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 - Construction Activities in the City of Ryde Development Control Plan 2014.
8. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".

Protection of Adjoining and Public Land

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

Where the applicant is intending to operate outside of the specified hours above, the applicant is to notify Council of the nature of the proposed works and the proposed hours of operation, and is to obtain permission to vary the hours from Council prior to commencing any work.

10. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.

- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed.
11. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
12. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
13. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.

General Engineering

14. **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 the City of Ryde DCP 2014, Part 8.5 - Public Civil Works and Part 8.2 - Stormwater and Floodplain Management, except otherwise as amended by conditions of this consent.

Transport for NSW Conditions

15. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Devlin Street boundary.

TfNSW is carrying out road works within the road corridor in relation to the Devlin Street and Blaxland Road Intersection Upgrade Project. This work will be carried out from October 2020 to late 2022. Any proposed landscaping within the Devlin Street road reserve should not preclude the TfNSW upgrade works.

16. The Traffic Control Signal (TCS) plan for the Parkes Street/Devlin Street intersection will need to be updated by a suitably qualified person to include the proposed alignment changes to Parkes Street and Blaxland Road, at the full cost of the developer.
17. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

Ausgrid Conditions

18. **Method of electricity connection.** The method of connection will be In line with Ausgrid's Electrical Standard (ES)1 – 'Premise Connection Requirements'.
19. **Supply of electricity.** It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:
- The existing network can support the expected electrical load of the development;
 - A substation may be required on-site, either a pad mount kiosk or chamber style; and
 - site conditions or other issues that may impact on the method of supply.

Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

20. **Streetlighting.** The developer is to consider the impact that existing streetlighting and any future placement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particular the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers cost. In many cases is not possible to relocate streetlighting due to its strategic positioning.

Proximity to Existing Network Assets

21. **Underground cables.** There are existing underground electricity network assets in 1 Devlin Street Ryde.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Safework Australia–Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

22. **Substation.** There are existing electricity substation assets 1 Devlin St Ryde. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings. In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non-combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1HZ–100kHz)(ICNIRP 2010). For further details on fire segregation requirements refer to Ausgrid's Network Standard 141. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.

Food Premises

23. **Construction and fit-out of food premises.** All proposed food premises must be constructed and fitted-out in accordance with the requirements of:
- (a) Food Safety Standard 3.2.3: Food Premises and Equipment; and
 - (b) Australian Standard AS 4674-2004: Design, construction and fit-out of food premises.
24. **Construction of walls.** The walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials.
25. **Provision for installation of kitchen exhaust systems.** Adequate provision must be made for the installation of kitchen exhaust systems to the proposed food premises.

Mechanical Ventilation

26. **Fresh air intake vents.** All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
27. **Exhaust air discharge vents.** All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

Regulated Systems

28. **Installation, operating and maintenance requirements.** All air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
29. **Access for maintenance purposes.** Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 Air-handling and water systems of buildings - Microbial control - Operation and maintenance.
30. **Registration of water-cooling systems.** 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 Customer Service Centre on Tel. 9952 8222.

Plumbing and Drainage

31. **Plumbing and drainage work.** All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
32. **Installation of grease traps.** Grease traps must be installed as required by Sydney Water Corporation. Grease traps must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored, or food contact equipment or packaging materials are handled or stored is not permitted.

PRIOR TO CONSTRUCTION CERTIFICATE

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| <ol style="list-style-type: none">1. A Construction Certificate must be obtained from a Certifying Authority to carry out the relevant building works approved under this consent. All conditions in this Section of the consent must be complied with before a Construction Certificate can be issued.2. Council Officers can provide these services and further information can be obtained from Council's Customer Service Centre on 9952 8222. |
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| <ol style="list-style-type: none">3. Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifier is responsible for determining compliance with the conditions in this Section of the consent.4. Details of compliance with the conditions, including plans, supporting documents or other written evidence must be submitted to the Principal Certifier. |
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33. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards.
34. **Ecology Assessment.** A suitably qualified Ecological Consultant is to be engaged to verify the recommended methodology for the treatment of habitat trees detailed in the Arboricultural Letter prepared by Arbor Skills dated 28 July 2020. A report is to be prepared by the engaged Ecological Consultant and submitted to Council for approval prior to issue of a Construction Certificate. The report must provide a detailed discussion of the habitat trees (Trees 12, 15, 22 and 39) as identified within the Arboricultural Impact Assessment prepared by Arbor Skills dated 17th October 2019, and provide recommendations pertaining to how tree removal may be undertaken in an ecologically sustainable manner to protect any fauna that may be identified in these trees. The recommendations of this report must be undertaken prior to removal of the trees.
35. **Landscape plans – Devlin Street planting buffer.** Landscape documentation is to be updated to resolve planting arrangements adjacent to the Top Ryde basement entry ramp and Blaxland Road exit adjoining Devlin Street. The updated landscape documentation provided is to represent an enhanced planting scheme inclusive of street trees commensurate with the scale of the proposed built form. The applicant is to consult with Transport for NSW regarding the proposed arrangements prior to submission of the landscape documentation to Council for approval by Council's Landscape Architect, prior to issue of a Construction Certificate.
36. **Landscape plans – Blaxland Road.** Landscape documentation is to be updated to provide additional screen planting in the deep soil zone on the western side of the "4m clearance in front of the substation" adjacent to the vehicle access from Blaxland Road. Screen planting should be of a height commensurate to the protruding basement element and should maintain visibility splays compliant with AS 2890.1 (2004) for vehicles entering/exiting the basement. The landscape plans are to be submitted to Council for approval by Council's Landscape Architect prior to issue of a Construction Certificate.
37. **Public domain planting.** Landscape documentation is to be updated to comply with the provisions for public domain planting within Parkes Street and Blaxland Road as stipulated within the following regulatory document:
 - (a) Part 4.4, Section 3.8 'Landscaping and Street Trees' and Section 8.1.6 'Site A - Public Domain' of Ryde DCP 2014; and
 - (b) Parts 4.4 and 5.3 of the Ryde Town Centre Public Domain Plan 2006.

Specifically, those provisions relating to street tree planting must be reflected in the updated plans inclusive of replacement trees for those proposed for

removal along Blaxland Road. The proposed arrangements are to be submitted to Council's Landscape Architect for approval prior to issue of a Construction Certificate.

38. **Heritage Assessment - The Great North Road alignment.** The evidence for the road and its alignment should be retained, conserved and reinterpreted. A Heritage Assessment is required to be prepared and submitted to Council's Heritage Officer prior to issue of a Construction Certificate. Archaeological staff of the Office of Environment & Heritage should be consulted prior to any excavation projects along the road alignment, due to the archaeological potential. The Stage 1 Conservation Plan for the Great North Road (Recommended Management guidelines from the Statement of Significance - NSW Heritage Database) should be referred to for guidance.
39. **Ecologically Sustainable Development.** The targets and recommendations outlined in the Environmental Sustainability & Energy Efficiency Report prepared by ARUP dated 30 October 2019, must be achieved or exceeded, including the following:
- (a) Building Code of Australia – compliance with the requirements of Section J Energy Efficiency;
 - (b) Requirements of Part 7.1 “Energy Smart, Water Wise” of the Ryde Development Control Plan 2014;
 - (c) Performance equivalent to 5 Star Green Star Design & As-Built v1.2 Rating;
 - (d) Performance equivalent to 5.5 Star NABERS Energy Base Building Rating;
 - (e) Minimum 50% of Indoor Environment Quality (IEQ) points; and
 - (f) Property Council of Australia (PCA) Office Quality Grade B.

A report is to be prepared by a suitably qualified person and submitted to the Certifying Authority demonstrating the development achieves the energy efficiency targets prior to the issue of a Construction Certificate.

40. **Disabled access.** Prior to the issue of the relevant Construction Certificate, a report is to be provided from a suitably qualified access consultant to verify that the Construction Certificate Drawings fully comply with the Building Code of Australia and Australian Standards AS1428.1, AS4299, AS1735.12 and AS2890.6. The report is to be provided to the Principal Certifying Authority and Council (if Council is not the Principal Certifying Authority).
41. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely 142 Blaxland Road (Masonic Temple) and 158 Blaxland Road (Hatton's Cottage). A copy of the survey is to be submitted to the Principal Certifying Authority (and Council, if Council is not the Principal Certifying Authority) prior to the issue of the Construction Certificate.
42. **Waste and service vehicle access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of a 12.5m long Heavy Rigid Vehicle (HRV), as a minimum requirement. The minimum height clearance required is

4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.

Plans showing the ramp grades, transitions and height clearance and swept path diagrams of a 12.5m long HRV shall be submitted to and approved by Council's Transport Department prior to the issue of the Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

43. **Stormwater management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the public inground drainage system generally in accordance with the plans by Robert Bird Group (Refer to Project No. 19400-RBG-ZZ-XX-DR-CV Sheets 80001,80002,81001,81002,83001-83003,86001-86053 Issued 23 October 2020) and subject to any variations noted as follows:
- (a) The onsite detention system (OSD) must be reconfigured to consist of a multistage outlet divided into two sections (OSD1 and OSD2) so as to not exacerbate flooding in downstream catchments. All runoff from the development must be directed to OSD 1 (discharging to Belmore Road) and overflow from this storage discharge into OSD2 (discharging to Parkes Street).
 - (b) OSD1 is to discharge to the Belmore Road public drainage infrastructure and must have a PSD no greater than 47 L/s. The system is to incorporate a high early discharge (HED) chamber and sufficient storage to accommodate at least up to the 5yr ARI storm event. All overflow from OSD1 is then to be directed to OSD2.
 - (c) OSD2 is to discharge to the Parkes Street public drainage infrastructure and must have a PSD no greater than the sites accumulated "state of nature" runoff for the 100yr ARI, estimated to be 101L/s ("state of nature" for entire site less the designed OSD1 discharge). No HED is permitted. Runoff from the maximum 100yr ARI storm event must be accommodate in the net provided OSD storage.
 - (d) A rainwater tank must be integrated in the design, located upstream of the onsite detention systems and having storage capacity capable of accommodating 50% of the sites non-potable water usage, but no less than 10kL of storage.
 - (e) Both OSD1 & OSD2 must have a surface (not piped) failure mode which directs any overflow to the public road clear of habitable areas.
 - (f) The discharge lines to the public inground drainage infrastructure must be realigned so as to provide the shortest and most direct path possible between the site and the receiving kerb inlet pit so as to minimise the imposition of maintenance and installation of other services in the public domain.
 - (g) In addition to the requirements of conditions concerning Public Domain design, kerb inlet pits must be located along the northern kerb of Parkes Street, upstream of the realignment with Blaxland Road. This

infrastructure is to discharge to the Parkes Street drainage infrastructure, will provide a point of discharge for OSD2 as well as prevent the continuance of sheet flow over the intersection of Blaxland Road and Parkes Street intersection.

- (h) Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

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

- (a) The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management and associated annexures.
- (b) The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- (c) The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.

44. **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) Have a design configuration and parameters complying with the requirements stated under the Condition 100 - Stormwater 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 and Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management are to be submitted with the application for a Construction Certificate.

45. **Stormwater management - pump system.** The basement pump system must be dual submersible and shall be sized and constructed in accordance with Section 9.3 of AS 3500.3.

The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3, 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 Ryde DCP - Part 8.2 - Stormwater and Floodplain Management.

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

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

46. **Stormwater management – connection to public drainage system.** The connection to the public inground stormwater drainage infrastructure located in Parkes Street and Blaxland Road will require the assessment, approval and inspection by Council's Public Works section to ensure the integrity of this asset is maintained. Engineering plans detailing the method of connection complying with Council's DCP and Technical Standards and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

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

47. **Geotechnical Design, Certification and Monitoring Program.** The proposed development involves the construction of subsurface structures and excavation that has potential to adversely impact neighbouring property if undertaken in an inappropriate manner. To ensure there are no adverse impacts arising from such works, the applicant must engage a suitably qualified and practicing Engineer having experience in the geotechnical and hydrogeological fields, to design, certify and oversee the construction of all subsurface structures associated with the development.

The Engineer is to prepare the following documentation:

- (a) Certification that the civil and structural details of all subsurface structures are designed to:
- Provide appropriate support and retention to neighbouring property;

- Ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure; and
 - Ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- (b) A Geotechnical Monitoring Program (GMP) is to be implemented during construction that:
- Is based on a geotechnical investigation of the site and subsurface conditions, including groundwater;
 - Details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - Details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer;
 - Details an action plan and contingency for the principal building contractor in the event these trigger levels are exceeded; and
 - Is in accordance with the recommendations of the approved Geotechnical Report.

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

48. **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 must be in accordance with the manual *“Managing Urban Stormwater: Soils and Construction”* by NSW Department – Office of Environment and Heritage and must contain the following information:

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls

- Details for any staging of works
- Details and procedures for dust control.

The ESCP is to be submitted with the application for a Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

49. **Structural certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the issue of the Construction Certificate.
50. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the Construction Certificate. (category: other buildings with delivery of bricks or concrete or machine excavation)
51. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the Construction Certificate:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
52. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Certifying Authority prior to the issuing of the Construction Certificate.
53. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.
54. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Certifying Authority prior to the release of the Construction Certificate.
55. **Ground anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:

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

56. **Public domain improvements.** The public domain is to be upgraded in all frontages of the development site in accordance with the City of Ryde Development Control Plan DCP 2014 Part 4.4 Ryde Town centre precinct, and the City of Ryde Public Domain Technical Manual PDTM Section 7 – Ryde Town Centre. The required works are specified DCP 2014 Section 4.4 – 8.1.5, Figure 4.4.13. City of Ryde Public Domain. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the City of Ryde Public Domain Technical Manual PDTM Section 7 – Ryde Town Centre and Part 4.4 and Section 8.1.6 of the Ryde DCP 2014.

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 applicant.

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

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

- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian

Standard AS1158.3.1:2020 Lighting for Roads and Public Spaces, along Parks Road and Blaxland Road.

Subject to design, lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

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

Note: Council has prepared a design guide and schema for the provision of the street lighting on MFPs. A copy of the design guide including the design template and checklist, and the street lighting schema can be made available to the Electrical Design Consultant upon request to Council's City Works Directorate.

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

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

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

Full design engineering plans and specifications for the following infrastructure works in accordance with requirements of the Ryde DCP 2014 Part 4.4 Ryde Town centre precinct, and the Ryde Public Domain Technical Manual PDTM Section 7 – Ryde Town Centre.

Pavement testing and design shall be carried out in accordance with Council's Road Pavement Guidelines, specifically conforming to the following:

- (a) Sampling, testing and evaluation of pavement materials;
- (b) Pavement design and performance requirements; and
- (c) Placing and compaction of the materials in the construction of the pavement.

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

- (a) The full reconstruction of road width for Blaxland Road frontage and Parkes Road frontage of the development site in accordance with the Ryde DCP 2014 Part 8.5 - Public Civil Works.
- (b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction. If along State Roads, need to mention TfNSW's standards and specifications.
- (c) The kerb and gutter is to be reconstructed along the development site frontages. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Parkes Street, Devlin Road and Blaxland Road frontages.
- (d) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along the development frontages.
- (e) The provision of S-kerbs to connect to the existing kerb and gutter so as to enable street sweepers to properly manoeuvre the indented section of the road pavement.
- (f) The Applicant shall resubmit a longitudinal section along each side of the proposed new accesses driveways drawn at 1:50 or 1:20 Natural Scale. The section shall show the existing and proposed levels to AHD along the 12.5m Heavy Rigid Vehicles (HRV) and B99 Vehicles paths from the centre of the road through the gutter/layback to the proposed lading bay and parking slab. The longitudinal section must also demonstrate that a minimum clearance of 4.5m and 2.5 metres between the finished level of the driveway and the underside of slab (clear from any proposed roller shutter) is achievable.
- (g) Swept path analysis showing compliance of access for the relevant vehicles along the new development and at the new intersection of Parkes Road and Blaxland Road.
- (h) Construction of granite footway along the development frontages.
- (i) The work is to include upgrade of the existing shared user path (bicycles and pedestrians) in front of the development site as part of the Regional Bicycles Network.
- (j) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (k) Signage and linemarking and any new traffic devices details.
- (l) Staging of the public civil works, if any, and transitions between the stages.
- (m) 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 Ryde DCP 2014 Part 8.5 - Public Civil Works, Section 5 "Standards Enforcement". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.
 4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.
58. **Reinstatement of bus stop.** Any existing bus stop along the development frontages of the development site shall be relocated to a Council approved temporary location prior to commencement of the public domain improvement works. The bus stop shall be reinstated in its final location in accordance with the requirements of the Disability Standards for Accessible Public Transport 2002.
59. **Vehicle access & parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

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

- (a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- (b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- (c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the northern side of the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the

region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.

- (d) Any traffic control device at the entry (security gate/ entry boom gate) must be setback no less than 12m from the public road boundary to allow for queuing of at least 2 vehicles inside the property.
- (e) The sides of circulation ramps, particularly the western side of the ramp descending to basement level 2, must have clear openings to allow drivers to see approaching traffic/ pedestrians.
- (f) The northern loading dock has insufficient clearance to accommodate the inside swept path of an MRV design vehicle. The internal wall of the loading dock will need to be shifted slightly north to accommodate this. Revised plans demonstrating the required clearances for the MRV design vehicle are to be depicted on the plans submitted with the application for a Construction Certificate.

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

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

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

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B99 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 Offstreet Parking and Council's specifications. The new crossing shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

61. **Public domain works – defects security bond.** To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following dedication of the roads as public roads. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the Public Infrastructure Works. The builder/civil contractor shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of one million shall be lodged with the City of Ryde prior to the issue of any Construction Certificate for each stage of the development site, to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

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

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

63. **Waste Management Plan.** The Waste Management Plan dated November 19 2019 and Amended plans (S0151 (Rev 05) from October 2020 need to be amended to reflect the requirements for a separate food waste collection from the Council facilities and Restaurant/Bar along with the Bin Store Room in the basement to reflect the bin allocation for each of the tenancies identifying the number of waste, recycle and foodwaste bins accordingly. Bin Numbers should be reflected on a 5 day a week collection of food waste, 3 day a week collection of waste and 2 day a week collection of recyclables. Any other amendments to the plans also need to be approved by the Waste Department at the City of Ryde Council before the issue of a Construction Certificate to ensure the waste collection is not affected.

64. **Design of waste storage areas.**

- (a) 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
- (b) All garbage and recycling rooms must be constructed in accordance with the following requirements:

- (i) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
- (ii) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
- (iii) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
- (iv) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
- (v) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
- (vi) 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;
- (vii) 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;
- (viii) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (ix) The room must be provided with adequate artificial lighting; and
- (x) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning.

Details demonstrating compliance with these requirements are to be shown on the Construction Certificate plans.

Contaminated Land

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

If remediation is required, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation work.

66. **Remediation of land following detailed site investigation.** If required by the detailed site investigation report, the land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work on the land, excluding those works required for the remediation of the site eg. excavation or shoring, until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.

67. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a Transport for NSW' (TfNSW) accredited person and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Due to heavy traffic congestion throughout Top Ryde, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CPTMP.

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

The CPTMP must include but not limited to the following:

- (a) Make provision for all construction materials to be stored on site, at all times.
- (b) 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.
- (c) Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- (d) Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- (e) Include a Traffic Control Plan(s) prepared by a TfNSW accredited traffic controller 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.
- (f) Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- (g) 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.
- (h) 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.

- (i) Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with developers undertaking major development 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, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- (j) Specify spoil management process and facilities to be used on site.
- (k) 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.
- (l) 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.

Transport for NSW Conditions

68. The following information is to be submitted to Wen Lo (TfNSW Easing Sydney Congestion PMO, wen.lo@transport.nsw.gov.au) for review and comment, prior to the issue of a Construction Certificate:
- (a) Detailed program and schedule for the proposed development works to further assess potential impacts on the TfNSW Devlin Street Project.
 - (b) Copy of traffic management plan and construction vehicle movement details on Parkes Street and Devlin Street.
 - (c) Noise impact assessment for cumulative construction noise impacts.
 - (d) Utility drawings showing existing utilities and any proposed utility relocation for this development.
69. A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

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

70. **Appoint an Arborist.** An AQF Level 5 Arborist is also to be engaged to monitor the trees throughout the development process and ensure compliance with the tree protection measures. A letter of engagement shall be provided to the

certifying authority. The site arborist will oversee all works relating to trees on or adjacent to the site.

Hold points and certification

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

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

71. **Tree Protection.** All tree protection works including installation of any fencing is to be undertaken prior to commencement of any construction works.
72. **Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

Transport for NSW Condition

73. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@rms.nsw.gov.au.

A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

74. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@rms.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

75. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Devlin Street during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

76. **Notice of intention to commence public domain works.** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

Note: Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

77. **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.

78. **Construction noise control.** A Construction Noise and Vibration Management Plan to protect the amenity of the adjacent properties must be prepared by a

suitable qualified acoustic consultant and submitted to the Certifying Authority before commencement of construction works where activities are likely to cause significant noise or vibration impacts (eg. jackhammering, rock breaking or impact piling). The plan must be prepared in accordance with the relevant requirements of Interim Construction Noise Guideline (DECC, 2009) and *AS2436-2010 "Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites"* and include:

- (a) Identification of nearby affected residences or other sensitive receivers.
- (b) An assessment of the expected noise impacts.
- (c) Details of the work practices required to minimise noise impacts.
- (d) Noise monitoring procedures.
- (e) Procedures for notifying nearby affected residents or businesses.
- (f) Complaints management procedures.

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

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

79. **Pre-construction inspection.** A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

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

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

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

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

81. **Road Activity Permits.** To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's

website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.

- (a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads for any works that may impact on traffic flows on Devlin Street during construction works.**
- (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
- (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- (e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- (f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- (g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

82. **Temporary footpath crossing.** A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.
83. **Road Occupancy Licence.** Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows within the surrounding road network (e.g. lane closures, etc.).
84. **Site sign.**
A sign must be erected in a prominent position on site, prior to the commencement of construction:
- (a) Showing the name, address and telephone number of the Certifying Authority for the work;
 - (b) Showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours;
 - (c) Stating that unauthorised entry to the work site is prohibited; and
 - (d) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
85. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

DURING CONSTRUCTION

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

86. **Tree retention.** The following trees and groups of trees as referenced within the Arboricultural Impact Assessment prepared by Arborskills dated 17th October 2019 must be retained and protected: Trees 1, 2, 3, 4, 5, 20, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 70, 71, 72, 73, 77 & Group D.
87. **Tree removal.** The following trees and groups of trees as referenced within the Arboricultural Impact Assessment prepared by Arborskills dated 17th October 2019 are approved for removal: Trees 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 39, 40, 74, 75, 76, 78, 79, 80, 81, 82 & Group A.
88. **Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
89. **Canopy tying.** Where possible tree branches overhanging the construction zones are to be tied back to the main trunk rather than pruned.

90. **Root pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.
91. **Traffic management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
92. **Implementation of Construction Pedestrian and Traffic Management Plan.** All works and construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP) for each stage of the development. All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW (TfNSW) accreditation. Should the implementation or effectiveness of the CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council's Traffic, Transport and Development Department for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the Principal Certifier or Council on request.
93. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Devlin Street.
94. **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.
95. **Waste disposal/recycling.** Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
96. **Stormwater management - construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Robert Bird Group (Refer to Project No. 19400-RBG-ZZ-XX-DR-CV Sheets 80001,80002,81001,81002,83001-83003,86001-86053 Issued 23 October 2020) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
97. **Erosion and Sediment Control Plan - implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management

procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.

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

99. **Vibration.** The Geotechnical Monitoring Program implemented during construction under Condition 99 with regard to excavation induced ground vibrations is to be adhered to.

All reasonable efforts are to be undertaken to ensure that the demolition and construction will not cause unreasonable interference to the existing amenity of the area and the occupants of surrounding buildings. This includes noise, vibration and dust.

If requested by Council or the Private Certifier, details of the construction methodology is to be provided and adjustments made to reduce impact.

100. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
101. **Waste disposal/recycling.** Tip Dockets identifying the type and quantity of waste disposed/recycled during demolition are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.
102. **Waste management – illegal dumping and litter.** The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken.
103. **Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.
104. **Hold Points during construction - public domain.** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council’s City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- (a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
 - (b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
 - (c) Upon compaction of the applicable sub-base course.
 - (d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
 - (e) Upon installation of any formwork and reinforcement for footpath concrete works.
 - (f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.
105. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
106. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*; and
 - (c) The material is reused only to the extent that fill is allowed by the consent.
107. **Construction materials.** All materials associated with construction must be retained within the site.
108. **Site facilities.**
The following facilities must be provided on the site:
- (a) Toilet facilities in accordance with Safework NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) A garbage receptacle for food scraps and papers, with a tight fitting lid.
109. **Site maintenance.**
The applicant must ensure that:
- (a) Approved sediment and erosion control measures are installed and maintained during the construction period;
 - (b) Building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (c) The site is clear of waste and debris at the completion of the works.
110. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

Waste Management

111. **Identification and removal of hazardous materials.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
112. **Hazardous wastes.** All wastes classified as hazardous wastes under the *Protection of the Environment Operations Act 1997* must be transported to an appropriately licensed waste facility for disposal.
113. **Removal of underground storage tanks.** The removal of the underground storage tanks must be carried out in accordance with:
 - (a) Australian Standard AS 4976-2008: *The removal and disposal of underground petroleum storage tanks*; and
 - (b) the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*.
114. **Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
115. **Contaminated soil.** All potentially contaminated soil excavated during construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) before being transported from the site.
116. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
117. **Clean water only to stormwater system.** Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
118. **Clean-up materials to be kept on premises.** An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills.
119. **Cleaning wastes and spills.** All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.
120. **Duty to notify.** Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the *Protection of the Environment Operations Act 1997*.
121. **Air pollution.** The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that

are a nuisance or danger to health.

122. **Standards of air impurities not to be exceeded.** Any discharge to atmosphere from the premises must comply with the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

Imported Fill

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

Noise Pollution

124. **Noise control measures.** All noise and vibration control measures and acoustic treatments nominated in the acoustical consultant's report and any related project documentation must be implemented.

PRIOR TO OCCUPATION CERTIFICATE

1. An Occupation Certificate must be obtained from a Principal Certifying Authority prior to commencement of occupation of any part of the development, or prior to the commencement of a change of use of a building.
2. Prior to issue, the Principal Certifying Authority must ensure that all works are completed in compliance with the approved construction certificate plans and all conditions of this Development Consent.
3. Unless an alternative approval authority is specified (eg Council or government agency), the Principal Certifying Authority is responsible for determining compliance with conditions in this Part of the consent. Details to demonstrate compliance with all conditions, including plans, documentation, or other written evidence must be submitted to the Principal Certifying Authority.

125. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any Occupation Certificate.
126. **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.
127. **Framework Travel Plan.** A Framework Travel Plan shall be prepared in accordance with the City of Ryde Travel Plan Guidelines dated December 2015 and must be submitted to Council's Transport and Environment Department for approval prior to the issue of an Occupation Certificate.
128. **Plan of Management – Civic Building.** Prior to the issue of a Construction Certificate, the applicant shall submit to Council for approval a Plan of Management (POM) to demonstrate how the refreshment/entertainment area in

the Civic Building will be managed to reduce its impact upon the amenity of surrounding properties. The POM must provide all details relevant to the operation of the premises. The approved POM must be complied with during the ongoing operation of the premises.

129. **Public Art Plan.** Prior to the issue of any Occupation Certificate, a site specific Public Art Plan is to be prepared and submitted to Council's Urban Strategy Centres Coordinator for approval. This plan is to be prepared by an arts and cultural planner and be in accordance with the City of Ryde's Public Art Principles outlined in the *City of Ryde Public Art Planning Guide for Developers*. The Public Art Plan is required to address the following:

- (a) Specific project description
 - Aims and objectives
 - Statement of artistic intent
- (b) Thematic framework
 - How the artwork is developed in relation to the site
 - Response and interpretation of urban fabric and local culture
 - Explanation of the range of art forms and design applications
- (c) Concept drawings / descriptions of proposed public artworks (which correspond with architect drawings/plans approved as part of the development)
 - Integrated artworks
 - Site specific artworks
 - Proposed use of materials – robustness and durability
- (d) Project parameters and implementation
 - Arts management
 - Scope of works
 - Schedule of works and timeframe
 - Public art budget and budget breakdown
 - Engineering works
 - Construction schedule
 - Maintenance requirements and schedule
 - Decommissioning procedures

The public art is to be constructed and installed prior to the issue of any Occupation Certificate.

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

Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the

utility authority. Minimum cover requirements of utility authorities must be maintained.

131. **Compliance Certificate – vehicle footpath crossing and gutter crossover.** A Compliance Certificate shall be obtained from Council's City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council's standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council's Schedule of Fees and Charges.
132. **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.
133. **Ryde Traffic Committee approval.** A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.
134. **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 Ryde DCP 2014 Part 8.5 - Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.
135. **Electricity accounts for new street lighting.** Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.
136. **Compliance Certificates – street lighting.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
137. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council's Transport Department prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how the internal loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any

period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.

An authorised Council traffic engineer or 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.

138. **Onsite Waste Collection – Positive Covenant.** Where it is necessary for waste collection vehicles to enter the property to service the waste containers, 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 the standard terms (available from Council) and any amendments undertaken in accordance with the City of Ryde DCP 2014 - Part 8.4 (*Title Encumbrances*) - Section 7. The terms of the covenant are to be to the satisfaction of Council prior to endorsement and are to be registered on the title prior to the release of any Occupation Certificate.

The application to Council for endorsement of the positive covenant 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. Details of a separate food waste service and bins are to be provided for the Council offices, rooftop restaurant and bar area and performance hall in accordance with the updated Waste Management Plan.

139. **Road Widening.** The approved public domain plans may require the dedication of any necessary strip of land to Council for public road use along the Blaxland Road northern frontage of the site. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The dedication shall occur prior to the issue of any Occupation Certificate. The instrument terms must be in accordance with Council's standard terms and are to be submitted to and approved by Council's City Works Directorate prior to the lodgement at the NSW Land registry Services and prior to issue of the Occupation Certificate.
140. **Signage and linemarking – external.** A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Note: The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.

141. **Signage and linemarking – implementation.** The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken prior to the issue of any Occupation Certificate.
142. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the Fire and Rescue NSW.

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

Each year the Owners must send to the Council and the Fire and Rescue NSW an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

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

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

144. **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.

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

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

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

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

146. **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.
147. **Final inspection – assets handover.** For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

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

148. **Compliance Certificate – external works and public infrastructure restoration.** Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
149. **Engineering condition – public domain works.** All outstanding civil works associated with new development and all other road works, kerb and gutter, footpath, vehicular crossings and stormwater drainage works for this development site shall be completed in accordance with Council's

specifications and to the satisfaction of Council prior to the issue of the strata plans/subdivision certificate.

150. **Public domain design and construction staging.** The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Ryde DCP 2014 Part 8.5 - Public Civil Works, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work throughout the assessment phase of the development applications. All design and construction to public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.
151. **Registered Surveyor Final Certificate.** Upon completion of all construction works and before the issue of any Occupation Certificate a Certificate from a Registered Surveyor should be submitted to Council, stating that all works (above and below ground) are contained within the site's boundaries as defined according to the Consent Condition about the Land Boundary / Cadastral Survey.
152. **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.
153. **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.
154. **Disused gutter crossing.** All disused gutter and footpath crossings shall be removed and the kerb and footpath reinstated to the satisfaction of Council.
155. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. 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). The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council

with a completed “*Application Form for Endorsement of Title Encumbrances*” (available from Council’s website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

156. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- (a) All matters listed in Section 1.4.9 of the Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management – Technical Manual.
- (b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- (c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- (d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- (e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
- (f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

157. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Principal Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- (a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Ryde 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 Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- (c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- (d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management and associated annexures and any requirements of Council pending on site conditions.
- (e) 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 Ryde DCP 2014 Part 8.1 - Construction Activities.
- (f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- (g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- (h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

158. **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 Ryde DCP 2014 Part 8.2 - Stormwater and Floodplain Management and associated annexures. The plate may be purchased from Council's Customer Service Centre (within Top Ryde City Shopping Centre).

159. **Parking area linemarking and signage.** To ensure the safe and efficient circulation of traffic and access to parking, directional signage, traffic control linemarking and signs must be installed in the developments parking area. The location and specifications of these measures must be in accordance with AS 2890.1, must be based on Traffic Engineering principals and must be located

under the guidance of a suitably qualified Traffic Engineer experienced in traffic safety. Certification that these measures have been implemented must be provided to the Principal Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area.

Noise Pollution

160. **Compliance report.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria must be submitted to the Principal Certifier before the issue of an Occupation Certificate.

Food Premises

161. **Certification of fit-out work.** Where Council is not the Principal Certifier, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an Occupation Certificate.

OPERATIONAL CONDITIONS

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

162. **Maximum number of persons – performance space.** The maximum number of patrons permitted to occupy the performance space is 700 persons.

A sign must be displayed in a prominent position in the building stating the maximum number of persons that are permitted in the building as per the Building Code of Australia or appropriate regulation.

163. **Entertainment venues.** The use of the performance space as an entertainment venue shall comply with the requirements of Schedule 3A of the Environmental Planning & Assessment Regulation 2000.

164. **Hours of operation.** The hours of operation are to be restricted to:

- (a) Performance Space
 - (i) 6.30am to 12.00 midnight, daily
 - (ii) Set up and set down times are permitted between 5.00am and 2.00am, daily
- (b) Gallery
 - (i) 6.00am to 10.00pm, daily
 - (ii) 6.00am to 12.00 midnight, for exhibition openings and launches
- (c) Activity Rooms
 - (i) 6.30am to 11.00pm, daily
 - (ii) Set up and set down times are permitted between 6.00am and 12.00 midnight

165. **Parking Allocation and Management Plan.** To ensure that the provided level of parking does not impose upon the on street parking conditions surrounding the site, a Parking Allocation and Management Plan must be prepared prior to commencement of use of the development and implemented during the operation and use of the development

The plan must provide the following minimum parking allocations at the time of the permitted uses and will require the shared use of spaces as well as the limitation of operation hours for certain components.

The minimum parking allocation required during hours of the following uses is as follows:

- 110 spaces for Council,
- 52 spaces for the commercial component,
- 39 spaces for Council Chamber meetings,
- 74 spaces for the Performance Hall,
- 46 spaces for Activity rooms,
- 12 spaces for the Gallery,
- 6 spaces for Retail, and
- 6 spaces for bar/ restaurant.

In shoulder periods where uses may overlap (eg between business hours and evening), the minimum parking allocation of the primary use (Council and Commercial component) may be reduced by 85% and the ancillary uses may be reduced by 50%, for shoulder periods only.

166. **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).
167. **Implementation of Loading Dock Management Plan.** All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) is not permitted.
168. **Delivery and loading/unloading – hours.** No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 7am on any day, unless loading and unloading is associated with the set up and set down activities associated with the performance space and activity rooms permitted in Condition 164.
169. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property from Blaxland Road.
170. **Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.

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

Waste Management

172. Signs will be required to be placed within the bin area to encourage correct recycling and reduce contamination. City of Ryde will provide the required signage.
173. All bins from the various locations will be transported by the cleaners/caretakers to the dedicated waste collection area and housed in individual waste storage areas for each of the commercial entities.
174. Smaller bin stations for collection waste, recycling and food waste will be provided in allocated spaces on each floor for ease of disposal. The material from these bins will be emptied into the relevant larger bins in the basement.
175. Staff or contractors must be employed to take the waste and recycling from the relevant garbage and recycling bins/containers stored in each floor/location to the bins located in the Bin Room adjacent to the Loading Dock on the Basement Level 1 and decant into the larger bins for servicing.
176. All food waste must be separated into food organics bins and serviced by a separate food organics truck to ensure that it is diverted from landfill.

Waste Storage and Handling Facilities

177. **Waste storage/disposal – hours of collection.** Waste and recyclable material generated by these premises must not be collected between the hours of 9pm and 8am on any day.
178. **Disposal of liquid wastes.** All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.

The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.

Noise Pollution

179. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
180. **Noise and vibration from plant or equipment.** Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:

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