

Attachment 1

Proposed Modified Consent conditions

LDA2018/0171 - MOD2020/0004

That the Section 4.55 application No. MOD2020/0004 to modify Local Development Application No.LDA2018/171 at 159 to 161 Epping Road, Macquarie Park be approved subject to the following:

A. The description of the development be amended to read as follows:

Development: Construction of 2 x 15 storey residential apartment buildings comprising 317 dwellings (~~2 x studio, 104 94 x 1 bedroom, 179 186 x 2 bedrooms & 32 31 x 3 bedrooms, and 6 x 4 bedrooms~~ apartments) over ~~3 basement~~ 2 levels (*basement and part ground floor*) of car parking for ~~308~~ 306 car spaces together with landscaping works and associated site works.

B. Delete Part 1 of the Consent, including Conditions (A), (B), (C) and (D).

C. The following conditions are to be amended as outlined below with ***bold italics*** identifying additional wording and ~~strike through~~ identifying words to be deleted.

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
Cover Sheet	28.11.18 05.05.2020	A-DA 00.000, Revision C E
Demolition Plan	28.11.18	A-DA 01.102, Revision B
Proposed Site Plan	18.4.19	A-DA 01.201, Revision E
Basement 2	18.4.19	A-DA 10.001, Revision F
Basement 1	18.4.19 05.05.2020	A-DA 10.002, Revision F J
Ground Level	18.4.19 17.06.2020	A-DA 10.003, Revision H M
Level 1	26.2.19 17.06.2020	A-DA 10.004, Revision F K
Level 2	28.11.18 05.05.2020	A-DA 10.005, Revision D G

Document Description	Date	Plan No/Reference
Level 3	28.11.18 05.05.2020	A-DA 10.006, Revision D G
Level 4	28.11.18 05.05.2020	A-DA 10.007, Revision D G
Level 5	28.11.18 05.05.2020	A-DA 10.008, Revision D G
Level 6	28.11.18 05.05.2020	A-DA 10.009, Revision D G
Level 7	28.11.18 05.05.2020	A-DA 10.010, Revision D G
Level 8	28.11.18 05.05.2020	A-DA 10.011, Revision D G
Level 9	28.11.18 05.05.2020	A-DA 10.012, Revision D G
Level 10	28.11.18 05.05.2020	A-DA 10.013, Revision D G
Level 11	28.11.18 05.05.2020	A-DA 10.014, Revision D G
Level 12	28.11.18 05.05.2020	A-DA 10.015, Revision D G
Level 13	28.11.18 05.05.2020	A-DA 10.016, Revision C F
Level 14	28.11.18 05.05.2020	A-DA 10.017, Revision C F
Roof Level	28.11.18 05.05.2020	A-DA 10.018, Revision C F
Pre & Post Adaption Layout	10.03.2020	A-DA 15.001, Revision D
Pre & Post Adaption Layout	28.11.18 13.12.2019	A-DA 15.002, Revision B C
Pre & Post Adaption Layout	10.03.2020	A-DA 15.003, Revision B
Northeast Elevation	28.11.18 05.05.2020	A-DA 20.101, Revision B F
Southeast Elevation	28.11.18 05.05.2020	A-DA 20.102, Revision C G
Northwest Elevation	28.11.18 05.05.2020	A-DA 21.101, Revision C F
Southwest Elevation	28.11.18	A-DA 21.102, Revision B F

Document Description	Date	Plan No/Reference
	05.05.2020	
Northeast & Southwest Internal Elevations	28.11.18 05.05.2020	A-DA 22.001, Revision B E
Building Sections AA	28.11.18 05.05.2020	A-DA 30.101, Revision B F
Building Sections BB	28.11.18 05.05.2020	A-DA 30.102, Revision B F
Building Sections CC	28.11.18 05.05.2020	A-DA 30.103, Revision B G
Building Section DD	28.11.18 05.05.2020	A-DA 30.104, Revision B F
Detail Sections	28.11.18 05.05.2020	A-DA 31.101, Revision C H
Detail Sections	05.05.2020	A-DA 31.102, Revision B
Landscape Plans	June 2020 30.11.2018 05.03.2019 30.11.2018 30.11.2018 30.11.2018 30.11.2018 30.11.2018 30.11.2018 30.11.2018	L-DA-5 – L-DA-16, Issue C L00 – L01, Revision B L02, Revision I L03, Revision C L04 – L06, Revision B L07, Revision D L08, Revision B L09, Revision F L10, Revision C L11, Revision C
Epping Road Land Dedication Planting	-	-
Staging Plan	19.12.2019	A-DA 90.001, Revision A

2. Amendments

- (a) Notwithstanding the approved plans referenced above, amended plans shall be submitted to resolve ~~acoustic and aural privacy concerns~~ **building separation issues adjacent to the north-western boundary on Level 13 by deletion of the north-western terraces to Apartment Nos. 3T (North Tower) and 3O (South Tower) and relocate the western window openings to bedrooms to the southern elevation.**

These plans are to be submitted to Council for approval prior to the release of any relevant Construction Certificate. ~~The windows of the following apartments shall be deleted:~~

<i>Unit No.</i>	<i>Room</i>	<i>Building Elevation</i>
<i>Level 2</i>		
N2-10	Bathroom Bedroom	East
S2-08	Bedroom	East
<i>Level 3</i>		
N3-07	Living	West
N3-10	Living	East
N3-13	Bathroom Bedroom	East
S3-07	Living	West
S3-10	Living	East
S3-13	Bathroom Bedroom	East
<i>Level 4</i>		
N4-02	Living	West
N4-07	Living	West
N4-10	Living	East
N4-13	Bathroom Bedroom	East
S4-01	Living	West
S4-07	Living	West
S4-10	Living	East
S4-13	Bathroom Bedroom	East
<i>Level 5</i>		
N5-02	Living	West
N5-07	Living	West
N5-10	Living	East
N5-13	Bathroom Bedroom	East
S5-01	Living	West
S5-07	Living	West
S5-10	Living	East
S5-13	Bathroom Bedroom	East
<i>Level 6</i>		
N6-02	Living	West

<i>Unit No.</i>	<i>Room</i>	<i>Building Elevation</i>
<i>N6-07</i>	<i>Living</i>	<i>West</i>
<i>N6-10</i>	<i>Living</i>	<i>East</i>
<i>N6-13</i>	<i>Bathroom</i> <i>Bedroom</i>	<i>East</i>
<i>S6-01</i>	<i>Living</i>	<i>West</i>
<i>S6-07</i>	<i>Living</i>	<i>West</i>
<i>S6-10</i>	<i>Living</i>	<i>East</i>
<i>S6-13</i>	<i>Bathroom</i> <i>Bedroom</i>	<i>East</i>
<i>Level 7</i>		
<i>N7-02</i>	<i>Living</i>	<i>West</i>
<i>N7-07</i>	<i>Living</i>	<i>West</i>
<i>N7-09</i>	<i>Living</i>	<i>East</i>
<i>N7-12</i>	<i>Bathroom</i> <i>Bedroom</i>	<i>East</i>
<i>S7-01</i>	<i>Living</i>	<i>West</i>
<i>S7-07</i>	<i>Living</i>	<i>West</i>
<i>S7-10</i>	<i>Living</i>	<i>East</i>
<i>Level 8</i>		
<i>N8-02</i>	<i>Living</i>	<i>West</i>
<i>N8-07</i>	<i>Living</i>	<i>West</i>
<i>N8-09</i>	<i>Living</i>	<i>East</i>
<i>N8-12</i>	<i>Bathroom</i> <i>Bedroom</i>	<i>East</i>
<i>S8-01</i>	<i>Living</i>	<i>West</i>
<i>S8-07</i>	<i>Living</i>	<i>West</i>
<i>S8-10</i>	<i>Living</i>	<i>East</i>
<i>S8-13</i>	<i>Bathroom</i> <i>Bedroom</i>	<i>East</i>
<i>Level 9</i>		
<i>N9-02</i>	<i>Living</i>	<i>West</i>
<i>N9-07</i>	<i>Living</i>	<i>West</i>
<i>N9-09</i>	<i>Living</i>	<i>East</i>
<i>N9-12</i>	<i>Bathroom</i>	<i>East</i>
<i>S9-01</i>	<i>Living</i>	<i>West</i>
<i>S9-07</i>	<i>Living</i>	<i>West</i>
<i>S9-10</i>	<i>Living</i>	<i>East</i>
<i>S9-13</i>	<i>Bathroom</i>	<i>East</i>
<i>Level 10</i>		
<i>N10-02</i>	<i>Living</i>	<i>West</i>
<i>N10-07</i>	<i>Living</i>	<i>West</i>

<i>Unit No.</i>	<i>Room</i>	<i>Building Elevation</i>
<i>N10-09</i>	<i>Living</i>	<i>East</i>
<i>N10-12</i>	<i>Bathroom</i>	<i>East</i>
<i>S10-01</i>	<i>Living</i>	<i>West</i>
<i>S10-07</i>	<i>Living</i>	<i>West</i>
<i>S10-10</i>	<i>Living</i>	<i>East</i>
<i>S10-13</i>	<i>Bathroom</i>	<i>East</i>
<i>Level 11</i>		
<i>N11-02</i>	<i>Living</i>	<i>West</i>
<i>N11-07</i>	<i>Living</i>	<i>West</i>
<i>N11-09</i>	<i>Living</i>	<i>East</i>
<i>N11-12</i>	<i>Bathroom</i>	<i>East</i>
<i>S11-01</i>	<i>Living</i>	<i>West</i>
<i>S11-07</i>	<i>Living</i>	<i>West</i>
<i>S11-10</i>	<i>Living</i>	<i>East</i>
<i>S11-13</i>	<i>Bathroom</i>	<i>East</i>
<i>Level 12</i>		
<i>N12-02</i>	<i>Living</i>	<i>West</i>
<i>N12-07</i>	<i>Living</i>	<i>West</i>
<i>N12-10</i>	<i>Bathroom</i>	<i>East</i>
<i>S12-01</i>	<i>Living</i>	<i>West</i>
<i>S12-07</i>	<i>Living</i>	<i>West</i>
<i>S12-10</i>	<i>Bathroom</i>	<i>East</i>
<i>Level 13</i>		
<i>N13-05</i>	<i>Bathroom</i>	<i>East</i>
<i>S13-05</i>	<i>Bathroom</i>	<i>East</i>

4. **BASIX.** Compliance with all commitments listed in BASIX Certificate(s) numbered 894075M_02 **03**, dated *5 March 6 December* 2019.

37. **Section 7.11 – Stage 1.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council ***prior to the issue of any Construction Certificate for Stage 1*** as follows:

<i>A – Contribution Type</i>	<i>B – Contribution Amount</i>
<i>Community & Cultural Facilities</i>	<i>\$630,602.01</i>
<i>Open Space & Recreation Facilities</i>	<i>\$1,215,767.33</i>
<i>Transport Facilities</i>	<i>\$86,177.67</i>
<i>Plan Administration</i>	<i>\$28,988.21</i>
<i>The total contribution is</i>	<i>\$1,961,535.22</i>

<i>A – Contribution Type</i>	<i>B – Contribution Amount</i>
<i>Community & Cultural Facilities</i>	<i>\$726,690.37</i>
<i>Open Space & Recreation Facilities</i>	<i>\$2,915,123.92</i>
<i>Civic & Urban Improvements</i>	<i>\$374,991.82</i>
<i>Roads & Traffic Management facilities</i>	<i>\$402,458.72</i>
<i>Cycleways</i>	<i>\$51,844.96</i>
<i>Stormwater Management Facilities</i>	<i>\$45,896.</i>
<i>Plan Administration</i>	<i>\$13,977.49</i>
<i>The total contribution is</i>	<i>\$4,530,983.46</i>

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014.

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

The monetary contribution must be paid prior to the issue of the first occupation certificate in respect of any building to which this consent relates. However, if no construction certificate in respect of the erection of any building to which this consent relates has been issued on or before 25 September 2022, the

monetary contribution must be paid before the issue of the first construction certificate after that date for any such building. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

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

37A. Section 7.11 – Stage 2. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Construction Certificate for Stage 2 as follows:

<i>A – Contribution Type</i>	<i>B – Contribution Amount</i>
<i>Community & Cultural Facilities</i>	<i>\$915,116.05</i>
<i>Open Space & Recreation Facilities</i>	<i>\$1,764,295.11</i>
<i>Transport Facilities</i>	<i>\$125,059.34</i>
<i>Plan Administration</i>	<i>\$42,066.96</i>
<i>The total contribution is</i>	<i>\$2,846,537.46</i>

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014.

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

The monetary contribution must be paid prior to the issue of the first occupation certificate in respect of any building to which this consent relates. However, if no construction certificate in respect of the erection of any building to which this consent relates has been issued on or before 25 September 2022, the monetary contribution must be paid before the issue of the first construction certificate after that date for any such building. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

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

50. **Compliance Acoustical Assessment Report.** The development is to comply with the recommendations contained in the Acoustic Report prepared by ~~Wood & Grieve Engineers, dated 11 April 2018~~ **Northrop Consulting Engineers, dated 6 December 2019 including the Acoustics Memorandum provided by Northrop Consulting Engineers dated 12 June 2020**. All noise and vibration control measures nominated in the acoustical consultant's report and any related project documentation must be implemented and shown on the Construction Certificate plans. The recommendations include:

- Minimum recommended glazing systems for proposed development are presented in Table ~~10 16~~ on pages ~~10 17~~ and ~~11 18~~ of the report, for the new building. **Glazing, frames and seals to the façade shall achieve minimum R_w requirements as shown in Table 10.** ~~It is assumed for the purposes of the assessment that the non-vision façade elements will be a solid construction achieving a minimum of R_w50 . Acceptable glazing systems presented in Table 16 should be considered as the minimum thickness (including glass, frame and seals) to achieve the targeted acoustic ratings. Greater glazing thickness or different glazing configurations may be required for thermal performance, structure loading, wind loading, etc.~~
- **Operational, mechanical and other building services noise shall not exceed the background noise criteria given in Table 8 at the boundary of the nearest affected receivers.**
- ~~Noise generated by the mechanical services shall be addressed in accordance with the NSW NPfI. Noise sources from typical operation of the proposed buildings would include mechanical services noise from external condenser units, external garbage exhaust fan and external stair press fans. These noise sources have been used to predict the worst-case scenario noise impact of the proposed use of the site to the nearby residential receivers. The provided the sound power levels, with the minimum distance to any residential boundary, the noise from the mechanical services and the acoustic mitigation measures implemented are expected to comply with the requirements of the NSW NPfI.~~
- ~~It is required to install an acoustic barrier surrounding the condenser units in order to achieve compliance with the relevant criteria. The acoustic barrier should possess a minimum surface density of 16kg/m^2 and transmission loss values similar or better in performance as those described in Table 18 on page 19 of the report. The acoustic barrier should be continuous and solid over the length and height specified. Any holes and gaps would compromise the barriers performance and therefore should be avoided. The nominal height for the proposed noise barrier is to be 2400mm leaving 900mm between the proposed barrier height and the height of condenser units.~~

52. **Compliance with Wind Report.** The development is to comply with the requirements contained in the Wind Report prepared by Windtech Consultants Pty Ltd, ***dated 6 December 2019***. The development is to comply with the recommendations made in this report. These recommendations include:

- The inclusion of the proposed balustrades along the perimeter of the balconies is expected to further enhance the wind conditions. Hence these features are recommended to be retained in the final design of the development.
- The private terraces located on Level 13 are potentially exposed to accelerating flows around the corners of the building, funnelling wind effect between the building and direct wind effects due to the lack of shielding of shielding from upstream developments at these elevations. It is expected the retention of densely foliating hedge planting within the proposed planter areas along the terrace perimeter edge as indicated in the architectural drawings is expected to be effective in mitigating these adverse wind effects.
- It is expected that suitable wind conditions can be achieved for all outdoor trafficable area within and around the site with the inclusion of the treatment strategies detailed in this report and summarised as follows:
- The retention of the proposed vegetation scheme as indicated in the landscape drawings.
 - o The inclusion of additional localised densely foliating shrubs or trees around the through-site link entrances from Eucalyptus Street and Epping Road.
 - o The retention of densely foliating hedge planting within the proposed planter areas along the perimeter edge of the Level 13 private terraces.
- The densely foliating vegetation is recommended to be of an evergreen species to ensure their effectiveness in wind mitigation throughout the year. The inclusion of additional wind mitigation elements such as baffle screens, pergolas and densely foliating vegetation such as trees or shrubs/hedge planting within the various outdoor trafficable areas; in particular around the corner areas and around the areas intended for short duration stationary activities such as outdoor seating or lawn areas, are expected to be effective in further enhancing the localised wind conditions.

53. **Compliance with Access Report.** The development is to comply with the requirements contained in the Access Review Report prepared by Morris-Goding Accessibility Consulting dated ~~16 April 2018~~ ***6 December 2019***. The development is to comply with the Access to Premises Standard 2010, BCA 2014 and Australian Standard AS 1428.1 – 2009 Design for Access and Mobility – General Requirements For Access -New Building Work. Australian Standard AS 4299 – 1995. These requirements include:

External Linkages

- It will be necessary to provide an accessible path of travel from main pedestrian entry points at the site allotment boundary to all building entrances compliant with AS1428.1:2009.
- An accessible path of travel between buildings (or parts of buildings) that are connected by a pedestrian linkage, within the site allotment boundary, compliant with AS1428.1:2009 is also required.
- An accessible path of travel to building entrances (required to be accessible) from associated accessible car-parking bays, compliant with AS1428.1:2009 is required.

Entrances

- Access is required through at least 50% of entrances, including the principal pedestrian entrance/s to all buildings or parts of buildings (i.e. when they have a separate function and/or use e.g. external retail tenancy). Note it is preferred that all entrances are accessible.
- A non-accessible entry cannot be located more than 50m distance from an accessible entry (for buildings greater than 500m²). 4x external linkages in the corners of the landscape are emergency egress only.
- All accessible doors to have 850mm min. clear width opening and suitable door circulation area, compliant with AS1428.1:2009. Note: Manual doors require lightweight door forces to be operable by people with disabilities (20N max.). We recommend that main entrances include automated sliding doors to be used where possible. Revolving doors are not accessible, if maintained an alternate accessible door is required adjacent.
- An accessible path of travel eg. ramp or lift needs to be provided adjacent (or in reasonable proximity) to any stair access. Note: providing choice of access route directly adjacent so that people can start and finish in the same location/travel similar route promotes inclusion and UD principles.

Emergency egress

- Consideration of waiting spaces within fire-stairs should be strongly considered for people with mobility impairment. The current configuration of stairs suggests the spatial requirements would not be incorporated without layout amendments, but if provided with future design development these would generally require:
 - 850mm min. clear width egress door and 510mm min. external door circulation area, compliant with AS1428.1:2009;
 - Wheelchair space (800mm W x 1300mm L min. dimensions) within fire-isolated stair, outside of the required egress path, that can be accessed on a continuous path of travel. This is a recommendation only, not a DDA requirement.
 - Alternative evacuation means eg. emergency passenger lift/s could be provided instead of/ or only in addition to 'waiting spaces' in line with ABCB Handbook and/or consideration of stair evacuation

devices (with appropriate storage and staff training) within fire stairs.

- Clarification from BCA consultant/PCA is required to satisfy BCA Part D2.17 for the height of the top of the handrail to be at a consistent height (AS1428.1 clause 12e), in particular throughout stair flights and if provided as inner handrail over landings.

This could be achieved by including an off-set tread at base of each stair flight or by increasing stair landings by 300mm min. length (more than required egress path) to allow space for handrail to extend and continue at consistent height.

Circulation areas

- Wheelchair passing bays (1800mm width x 2000 length) are also required when a direct line of sight is not available and are to be provided at 20m max. intervals along access-ways.
- Turning spaces (at least 1540mm W x 2070mm L) are required within 2m of every corridor end and at 20m.max intervals along all access-ways. This is needed for wheelchairs to make a 180 degree turn, compliant with AS1428.1:2009.
- All common-use doors (ie. not excluded under Part D3.4) to have 850mm min. clear width opening (each active door leaf) and suitable door circulation area, compliant with AS1428.1:2009.
- All common-use corridors and accessible paths of travel to be at least 1000mm min. width when travelling in linear direction (or 1200mm min. under AS1428.2 in line with Ryde Access DCP). Note: Increased clear width paths of travel required for doorway circulation, turning areas etc.

Passenger lifts

- Passenger lifts to have min. internal size at floor of 1400mm width x 1600mm depth, compliant with BCA/DDA Access Code Part E3.6 and AS1735.12. In particular, the lift type must comply with Part E3 of the BCA / DDA Access Code 2010.
- All lift lobbies and main corridors on each level to have 1800mm min. clear width to allow two wheelchairs ability to space pass each other.

Stairs and ramps

- Ramps are to have maximum 1:14 gradient with landings at no more than 9 metre intervals.
- Ramps are to have handrails on both sides with minimum 1 metre clearance in accordance with AS1428.1.
- Landings are to have 1200mm length with 1500mm length at 90 degree turns.
- Stairs are to have handrails on both sides in accordance with AS1428.1.
- Stairs and ramps are to be offset to ensure no encroachment of handrail extensions into from transverse path of travel at top and bottom of stair/ramp.

Adaptable Unit Design

- The entry door of the unit achieves 850mm clear width opening (920 door leaf). Latch side clearance of 530mm needs to be achieved at pre adaptation, externally and internally of the door in accordance with AS4299.
- The kitchen needs 1550mm circulation space outside of the kitchen work spaces
- The bathroom needs to be of an adequate size to achieve an AS1428.1 compliant bathroom of shower, WC and basin with required circulation spaces. Capped off service can be provided for the relocation of basin at post adaptation. The shower recess will require review during design development.
- The living area needs to be large enough to achieve a circulation space of 2250mm min diameter after furniture placement, compliant with AS4299.
- The bedroom needs to achieve 1 metre either side of queen size bed and 1550 x 2070mm at the base of bed or similar configuration
- The laundry area requires 1500mm in front of laundry appliances in accordance with AS4299.
- All doors need to achieve 850mm clear opening width from the outset and easily achievable latch side clearances at post adaptation, compliant with AS1428.1:2009.
- All balconies/terraces to have appropriate latch side clearances compliant with AS1428.1-2009.

Silver Liveable Unit Design

- The entry door into the units are to be detailed to achieve suitable clear width of at least 820mm during detailed design development stage to be compliant with Silver Level rating requirements in accordance with Liveable Housing Design Guideline 2015:
- From the unit entry, there needs to be appropriate 1m clearances throughout the unit to allow suitable accessible paths of travel within accordance with Silver Level rating requirements in accordance with Liveable Housing Design Guideline 2015.
- All internal doorways into bathroom, bedroom and out to balcony are required to achieve at least 820mm clear open widths in accordance with Silver Level rating requirements in accordance with Liveable Housing Design Guideline 2015. This can be achieved during detailed design development.
- The silver levels units require bathrooms that can accommodate the required 900mm wide by 1200mm long clear visitable toilet circulation space in front of the leading edge of the pan compliant with Silver Level rating requirements in accordance with Liveable Housing Design Guideline 2015.
- The walls surrounding the shower and toilet pan require sufficient reinforcements for the provision of grab rails in the future when required.

Common Areas

- For class 2 access is required to a unique common use facility such as swimming pool, sauna, common laundry, entertainment rooms.
- Accessibility is required to common use courtyards within buildings
- Mailboxes and garbage rooms within residential buildings require appropriate accessibility.
- Wheelchair access is required to any external and outdoor terrace areas including roof terraces compliant with AS1428.1.

Car Parking

- Accessible car bays require 2.4 metre with 2.4 metre shared area.
- Class 2 residential. Provide an adaptable unit car bay for each adaptable unit. These car bays can have 3.8 metre width or 2.4 m with 2.4 metre shared zone. Currently there are 33x accessible car bays are shown on the drawings. The split is 32x Adaptable SOU car bays + 1x accessible visitor car bay compliant with AS4299.
- All accessible car bays to be located near relevant lifts and/or associated building entry points to minimise distance to relevant lift and ensure accessible path of travel between these areas.
- Ensure 2.5m min. height clearance, compliant with AS2890.6 fig 2.7 over accessible car bays with 2.2 m min. vertical clearance leading to the accessible and adaptable unit car bays (Note: consideration for 2.3 or 2.4m min. height preferred for higher vans/adapted vehicles is recommended as good practice).

Prior to the issue of any construction Certificate, a suitably qualified access consultant is to certify that the development complies with the requirement of this condition.

78. **Stormwater management.** Stormwater runoff from the development shall be collected and piped by gravity flow to Epping Road. A detailed stormwater drainage design prepared by a qualified practicing Civil Engineer must be provided prior to the issue of a Construction Certificate. The submitted design must be generally in accordance with the plans, specifications and details prepared by ***Webber Design Pty Ltd, drawing number 19112 C000 P2, C001 P1, C050 P1, C051 P1, C055 P1, C070 P1, C090 P4, C091 P5, C100 P4, C101 P5, C102 P2, C110 P5, C111 P6, C120 P2, C121 P2, C200 P6, C201 P6, C300 P4, C310 P2, C311 P1, and C320 P1, dated 5th May 2020, Robert Bird Group Pty Ltd, drawing number 17438C C-6-01(3), C-6-15(3) and C-6-16(1) dated 17 April 2019*** subject to any variations marked in red on the approved plans and noted following;

- ***An overland flowpath must be provided between the front of the dwelling and Epping Road frontage. This area must be graded so that bypass flows from the site drainage system are directed to Epping Road.***

- ~~Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, pits and pipelines and be discharged together to the public drainage infrastructure located along Epping Road.~~
- ~~Onsite detention must be incorporated in the stormwater management system having a minimum SSR 270 m³ and a maximum PSD of 170 L/s. Note—These values are approximate based on current provided design. Any changes will need the SSR and PSD to be recalculated in accordance with Part 8.2 of Council's DCP.~~
- ~~The OSD tank must be reconfigured to ensure that under all circumstances any surcharge from the storage tank is directed to Epping Road, away from the basement. The use of sealed pits to protect the basement is not supported. There is potential to locate the storage tank below the vehicular entry. In order to increase the area of the OSD tank to achieve volume compliance, the courtyard of unit SG-06 and landscaped area within the front setback may be reconfigured and/or reduced. Alternatively, the system may be divided into a number of tanks.~~
- ~~The rising main from the basement pump out tank must discharge to the OSD system.~~
- ~~An overland flowpath must be provided between the front of the dwelling and Epping Road frontage. This area must be graded so that bypass flows from the site drainage system are directed to Epping Road. Note an overland flow path will also be required for the rear courtyards facing Eucalyptus Street.~~
- ~~Due to the lowering of the proposed courtyards below the boundary levels, the internal drainage system shall be designed to cater for the 100year storm event.~~
- Connection to the public drainage infrastructure will require a road opening permit. Plans detailing these works are to be provided with the permit application and Council's City Works & Infrastructure is to inspect the connection prior to backfill. This is to be noted on the detailed 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 chartered civil engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- Onsite detention must be incorporated in the stormwater management system having a minimum SSR and a maximum PSD as determined in the final detailed stormwater plans. Any variations to these values attributed to changes required by conditions of this consent, must be in accordance with

Council's DCP requirements for onsite detention and must validated in the certification of the design required by this condition.

82. **Stormwater Management – Positive Covenant(s) ~~Drainage System~~.** The applicant shall submit detailed design documentation for the proposed drainage works in Epping Road as shown on ***the drawings prepared by Webber Design Pty Ltd, drawing number 19112 C000 P2, C001 P1, C050 P1, C051 P1, C055 P1, C070 P1, C090 P4, C091 P5, C100 P4, C101 P5, C102 P2, C110 P5, C111 P6, C120 P2, C121 P2, C200 P6, C201 P6, C300 P4, C310 P2, C311 P1, and C320 P1, dated 5th May 2020, Drawing C-6-01 Job No. 17438C Revision 6 Dated 30.11.18 prepared by Robert Bird Group*** to Council for its approval prior to the issue of any Construction Certificate. The proposed pipeline in Epping Road shall be a minimum 375 mm diameter RCP. The proposed kerb inlet pit 2/A must be relocated to the straight section of the kerb and gutter. The existing pit 1/A shall be reconstructed if damaged. The detailed design drawings shall be prepared in accordance with the Council's DCP 2014 Part 8.2, Roads and Maritime Services (RMS) guidelines and shall include but not limited to:
- a. A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
 - b. A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
 - c. Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
 - d. The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
144. **BASIX.** The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 894075M_02 03, dated 5 ~~March~~ **6 December** 2019.
168. **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 terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. 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.

168(a). Restriction as to User – Overland Flow Path. *A restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in the 100ARI or due to blockage, such to adversely impact flood protection of the approved dwelling or have an adverse impact on neighbouring properties. The terms of the restriction shall be generally in accordance with Council's current standard terms for provision for overland flow, to the satisfaction of Council and must be registered on the title of the property prior to the release of any Occupation Certificate.*

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

- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- b) Confirming ~~that~~ the **dedicated overland flow path along the eastern boundary to Epping Road has been constructed as designed.** ~~Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.~~
- c) **Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.** ~~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 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.***
~~*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 Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.*~~
- e) ***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 Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.***
~~*Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.*~~
- f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- g) 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.
- h) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- i) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in private property have been completed to Council's satisfaction.

195. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows;

- ~~238~~ **237** residential spaces
- 32 disabled residential space
- 31 visitor spaces
- 1 disabled visitor spaces
- 6 car share spaces
- 1 **shared visitor and** car wash bay, and
- 31 bicycle parking spaces.

174. 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 safe and efficient servicing arrangements including waste collection will be undertaken without disrupting general traffic within the off-street parking & loading area as well as within the surrounding public roads. All vehicles must enter and exit the site in a forward direction. No vehicle queuing on public roads is allowed.***

The LDMP must include (but not limited) to the following:

- ~~(a) — How loading dock will be managed to ensure that there will be no more than two vehicles within the loading dock in any period.~~
- ~~(b) — Provide details of waste vehicle movements and how these movements will be managed through the single lane driveway ramp.~~
- ~~(c) — Vehicle queuing on Epping Road is not permitted.~~
- ~~(d) — Removalist vehicles typically require longer dwell times.~~
- (a) Maximum number of vehicles permitted on-site (Please note: the maximum number of vehicles being serviced on-site cannot exceed the number of loading docks provided on site).**
- (b) Specify the size of the largest vehicle to be serviced within the loading dock area.**
- (c) Operational hours of the loading dock area.**
- (d) Identify the likely frequency of site servicing associated with the likely operational requirements of the development.**
- (e) Management procedures to be implemented to ensure safe and efficient loading dock operations that minimises conflict with vehicles and pedestrians in the vicinity of the loading dock area.**
- (f) Responsibilities of the loading dock manager and truck drivers.**
- (g) Driver code of conduct.**

D. The following additional conditions are to be included.

60A. Fencing along northern boundary. ***The existing fence along the northern boundary fronting Eucalyptus Street is to be retained or alternatively a new fence is to be erected to restrict pedestrian access from the site to Eucalyptus Street. The fence must be maintained until such time that legal access is granted by the adjoining property owner or a public road is constructed. Design details of the fence are to be submitted and approved by Council prior to the issue of the Construction Certificate for Stage 1 construction works.***

103A. Landscaping - Planting Plans. Detailed Planting Plans for Stages 1 and 2 of the proposed development are to be prepared and submitted to Council for approval prior to the issue of a Construction Certificate.

103B. Landscaping - Seating. Landscape documentation is to be updated to include varied seating types throughout the through-site link and Communal Open Space Area. Updated documentation is to be prepared and submitted to Council for approval prior to the issue of a Construction Certificate.