



## **Section 4.55 Consent**

**Applicant: Geron Property No. 6 Pty Ltd  
C/- Thomas Zarimis  
30 Ryde Road  
HUNTERS HILL NSW 2110**

**S4.55 Consent No: MOD2023/0010**

**Approval Date: 13 April 2023**

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**Modification of Development Consent No. LDA2021/0300 under Section 4.55 of the  
Environmental Planning and Assessment Act, 1979**

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**Property: 8 Western Crescent, Gladesville Lot 1 DP 1242260**

**Development: Construction of a nine (9) storey mixed-use development, with four  
(4) basement levels.**

**Section 4.55 Modification: S4.55(1A) modification to LDA2021/0300 to modify the  
approved development and satisfy original conditions of  
consent. The modifications include a reconfiguration of  
unit yield, additional parking spaces, provision of privacy/  
sunscreens to residential apartments, new service cabinets  
and a minor realignment of an external wall.**

The City of Ryde as the Consent Authority pursuant to Section 4.55 of the Environmental Planning and Assessment Act, 1979 (as amended) hereby consents to the modification of Local Development Application No. LDA2021/0300 dated 4 August 2022 subject to modification of conditions of consent.

Attached is a copy of the modified development Consent which incorporates the original conditions as well as the conditions modified as a result of this application. The modified conditions appear in bold, with amended elements in red text.

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

You are advised of your right of appeal to the Land and Environment Court under Section 8.9 of the Environmental Planning & Assessment Act, 1979, and your right to request a Review under Section 8.3 within 6 months after you have received the Consent.

**Shannon Butler  
Senior Town Planner**

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

## **Conditions of Consent for LDA2021/0300 :- MOD2023/0010**

### **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:**

<b>Document Description</b>	<b>Date</b>	<b>Plan No/Reference</b>
<b>Site Plan</b>	<b>16/12/2022</b>	<b>2728, 01 - Innovate Architects (Issue B)</b>
<b>P3 &amp; P4 Residential Parking Plan</b>	<b>16/12/2022</b>	<b>2728, 02 – Innovate Architects (Issue C)</b>
<b>P1 &amp; P2 Residential Parking Plan</b>	<b>28/02/2023</b>	<b>2728, 03 – Innovate Architects (Issue E)</b>
<b>Ground Floor + Level 1 Floor Plans</b>	<b>16/12/2022</b>	<b>2728, 04 – Innovate Architects (Issue C)</b>
<b>Level 2 + Level 3 Residential Floor Plans</b>	<b>16/12/2022</b>	<b>2728, 05 – Innovate Architects (Issue D)</b>
<b>Level 4 + Level 5 Residential Floor Plans</b>	<b>16/12/2022</b>	<b>2728, 06 – Innovate Architects (Issue D)</b>
<b>Level 6 + Level 7 Residential Floor Plans</b>	<b>16/12/2022</b>	<b>2728, 07 – Innovate Architects (Issue C)</b>
<b>Level 8 Floor Plan</b>	<b>16/12/2022</b>	<b>2728, 08 – Innovate Architects (Issue C)</b>
<b>North West Elevation (Ross Street)</b>	<b>16/12/2022</b>	<b>2728, 10 – Innovate Architects (Issue C)</b>
<b>South East Elevation</b>	<b>16/12/2022</b>	<b>2728, 11 – Innovate Architects (Issue C)</b>
<b>North East Elevation</b>	<b>16/12/2022</b>	<b>2728, 12 – Innovate Architects (Issue C)</b>
<b>South West Elevation</b>	<b>16/12/2022</b>	<b>2728, 13 – Innovate Architects (Issue C)</b>
<b>Section A-A</b>	<b>16/12/2022</b>	<b>2728, 14 – Innovate Architects (Issue C)</b>
<b>Section B &amp; C</b>	<b>16/12/2022</b>	<b>2728, 15 – Innovate Architects (Issue C)</b>
<b>Section D-D</b>	<b>16/12/2022</b>	<b>2728, 16 – Innovate Architects (Issue C)</b>
<b>Section E-E</b>	<b>16/12/2022</b>	<b>2728, 17 – Innovate Architects (Issue C)</b>
<b>Section F-F</b>	<b>16/12/2022</b>	<b>2728, 18 – Innovate Architects (Issue C)</b>
<b>Cover Sheet (Landscaping Plans)</b>	<b>28/01/2022</b>	<b>L-01 C – Site Design Studios</b>
<b>Public Domain Sheet 1</b>	<b>28/01/2022</b>	<b>L-02.1 C – Site Design Studios</b>

Public Domain Sheet 2	28/01/2022	L-02.2 C – Site Design Studios
Level 1 Sheet 1	28/01/2022	L-03.1 C – Site Design Studios
Level 1 Sheet 2	28/01/2022	L-03.2C – Site Design Studios
Level 7	28/01/2022	L-04C – Site Design Studios
Planting Details	28/01/2022	L-05C – Site Design Studios
Plant Schedule	28/01/2022	L-06C – Site Design Studios
Notes	28/01/2022	L08C – Site Design Studios
Concept Stormwater Layout Drawing – Basement Level 4	28/06/2021	SW010 A1 – Mance Arraj
Concept Stormwater Layout Drawing – Basement 1 & 2 Level	02/02/2022	SW020 A1 – Mance Arraj
Plan of OSD Tank and Section Details	02/02/2022	SW021 A1 – Mance Arraj
Operational Waste Management Plan	February 2022	Waste Audit
Demolition and Construction Waste Management Plan	July 2021	Waste Audit
Revised DA Acoustic Assessment	01/07/2021	Acoustic Logic

Prior to the issue of a Construction Certificate, the following amendments shall be made (as marked in red on the approved plans):

- ~~a) The windows associated with Bedroom 1 windows for Units 101, 201, 301, 401, 501 and 601 shall be amended to have a vertically proportioned screening arrangement which orientates the opening towards the south-west (Coulter Street).~~
- b) Any air conditioner units are to be located on the roof, service room or appropriately enclosed and noise attenuated if located on balconies.
- ~~c) Adjustable sunscreens are to be provided to the west facing windows and balconies in units 203, 303 and 403 in order to better satisfy the glare and thermal comfort outcomes of the Apartment Design Guide (ADG).~~
- ~~d) At a minimum, all residential visitor parking spaces on Level P2 are to be provided with electric vehicle charging points.~~

The Development must be carried out in accordance with the amended plans approved under this condition.

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

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

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

3. **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.

(Reason: Statutory requirement).

4. **BASIX. Compliance with all commitments listed in BASIX Certificate(s) numbered 697061M\_06, dated 16 December 2022.**

(Reason: Statutory requirement).

5. **Occupation of Community Facility Floorspace.** Separate development consent is required for the occupation and fitout of the ground floor community facility floorspace. The application for this floorspace is to address the operational aspects of the proposed use. The floorspace is required to be occupied and operated in accordance with the definition of Community Facility within the Ryde Local Environmental Plan 2014.

(Reason: To ensure that the community facility floorspace is occupied in a lawful manner.)

6. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- a. Protect and support the adjoining premises from possible damage from the excavation, and
  - b. Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

(Reason: Statutory requirement).

7. **Site Maintenance.** For the period the site remains vacant of any development the subject of this consent, the site is to be regularly maintained in a tidy manner such that it does not become overgrown with weeds or become a repository for the leaving or dumping of waste.

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

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

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

9. **Hoardings.**

- a. A hoarding or fence must be erected between the work site and any adjoining public place.
- b. Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

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

(Reason: To ensure public safety).

11. **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, with the exception of the approved awnings at street frontages. Gates must be installed so they do not open onto any footpath.

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

12. **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.

(Reason: to ensure public safety).

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

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

14. **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.

(Reason: To ensure suitable public utility and servicing arrangements.)

15. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (Road opening Permit) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.

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

16. **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.

(Reason: to ensure the public areas are restored upon completion of construction works).

17. **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 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that appropriate measures/controls are in place to assist with the safety of all affected road users within the public domain when construction works are being undertaken.)

18. **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.

(Reason: Statutory requirement.)

19. **Construction Staging** – For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.

(Reason: To ensure suitable arrangements for staging of public domain works.)

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

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

(Reason: To ensure accurate design work.)

21. **Compliance with Acoustic Report** - All control measures nominated in the Acoustic Report No. 20210774.1/0107A/R1/BJ dated 1 July 2021 prepared by Acoustic Logic must be implemented.

(Reason: To demonstrate compliance with submitted reports)

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

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

23. **Contaminated Land: Discovery of Additional Information** - Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.

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

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

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

25. **Entry Portico.** The entry portico of the Jordan Hall façade that was deconstructed in accordance with MOD2018/0179 of LDA2016/0058 is to be reconstructed in accordance with the document “heritage works methodology for portico walls and roof” prepared by Heritage 21, dated 15/04/2019, Issue 2. All works are to be undertaken in accordance with any specific conditions of this consent and the above document.

(Reason: To ensure that the entry portico is reconstructed as previously outlined).

## **PRIOR TO CONSTRUCTION CERTIFICATE**

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

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

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

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

26. **Surrender of previous consent.** Prior to the issue of any Construction Certificate for any works, the applicant is to surrender Development Consent No. LDA2016/0058. The surrender is to be in accordance with Clause 68 of the Environmental Planning and Assessment Regulations 2021.

(Reason: To prevent any conflicts arising from the two consents applying to the land and to ensure that orderly development occurs.)

27. **Section 7.11. A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:**

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
<b>Community &amp; Cultural Facilities</b>	<b>\$169,235.68</b>
<b>Open Space &amp; Recreation Facilities</b>	<b>\$291,415.82</b>
<b>Roads &amp; Traffic</b>	<b>\$89,463.86</b>
<b>Plan Administration</b>	<b>\$8,251.86</b>
<b>The total contribution is</b>	<b>\$558,367.22</b>

**These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.**

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



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

A copy of the 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>.

(Reason: Statutory requirement).

28. **Design verification.** Prior to a Construction Certificate being issued with respect to this development, the Principle Certifying Authority is to be provided with a written Design Verification from a registered architect that has overseen the design. This statement must include verification from the registered architect that the plans and specification achieve or improve the design quality of the development to which this consent relates, having regard to the design quality principles set out in Part 2 of *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development*. This condition is imposed in accordance with Clause 143 of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: Statutory requirement.)

29. **Access for people with disabilities (residential).** Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that access for people with disabilities to and from and between the public domain, residential units and all common open space areas is provided. Consideration must be given to the means of dignified and equitable access.

Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be provided prior to the issue of any Construction Certificate. All details shall be prepared in consideration of the Disability Discrimination Act, and the relevant provisions of AS1428.1, AS1428.2, AS1428.4 and AS 1735.12.

(Reason: Statutory requirement.)

30. **Adaptable units.** Prior to the issue of any Construction Certificate, the Certifier shall be satisfied that the nominated adaptable units nominated in the development application are designed as Class C Adaptable Housing in accordance with the provisions of Australian Standard AS4299-1995: Adaptable Housing and a notice placed on the power box identifying these units as adaptable.

**Note:** Evidence from an appropriately qualified professional demonstrating compliance with this standard is to be submitted to and approved by the Certifier prior to the issue of any Construction Certificate.

(Reason: Statutory requirement.)

31. **Storage.** Each residential unit is to be provided with the minimum internal storage area as required by the Apartment Design Guide. Details of the location of the storage and dimensions of the storage areas are to be provided on the Construction Certificate plans. The architect is to verify in writing that the development complies prior to the issue of the relevant **Construction Certificate**.



(Reason: To ensure that unit are provided with adequate storage facilities.)

32. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

33. **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**.

(Reason: Statutory requirement).

34. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of any Construction Certificate satisfactory evidence is to be provided to the Certifying Authority that arrangements have been made for:

- (i) The installation of fibre-ready facilities to all individual lots and/or premises in a real estate development project so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Alternatively, demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.

And

- (ii) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in a real estate development project demonstrated through an agreement with a carrier.

(Note real estate development project has the meanings given in Section 372Q of the Telecommunications Act).

(Reason: Statutory requirement).

35. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

36. **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**.

(Reason: Statutory requirement).

37. **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](http://www.sydneywater.com.au/tapin) to apply.

(Reason: Statutory requirement).

38. **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**.

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

39. **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 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.
- c) To ensure compliance with the standards governing disabled parking space, the following is required;
  - Parking spaces No.13 and No.14 at level P1 shall be swapped to allow for a provision of designated shared area adjoining a disabled parking space.
  - Two (2) parking spaces shall be marked as a visitor accessible parking space with a designated shared area adjoining it.

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

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

40. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to a proposed kerb inlet pit within the Ross Street frontage and connect to the existing Council's public inground drainage system, generally in accordance with the plans by Mance Arraj Civil & Structural Engineers (Project No.:

2870-DA, Issue No.: B, Dated:22/02/22 subject to any variations marked in red on the approved plans or noted following;

The proposed onsite detention storage volume shall be increased to 28.16m<sup>3</sup> (minimum) as per the On-site Detention Calculation Sheet prepared by Mance Arraj Engineers Civil & Structural Consulting Engineers.

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;

- 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.

(Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

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

As a minimum, the OSD system must;

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

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

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

- 42. 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 Council's DCP - Part 8.2 (*Stormwater and Floodplain Management*).

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

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

(Reason: To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards.)

- 43. Stormwater Management – Connection to Public Drainage System.** Engineering plans detailing the connection of the developments stormwater management system to the public drainage service must be forwarded to Council and an inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

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.

(Reason: To ensure that the connection is in accordance with the City of Ryde 2014 DCP Part 8.2 and to Council's satisfaction.)

- 44. Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.

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

- 45. Site Dewatering Plan.** A Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;

- a) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.

- c) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
- e) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
- f) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
- h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

(Reason: To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems.)

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

- a) Existing and final contours
- b) The location of all earthworks, including roads, areas of cut and fill
- c) Location of all impervious areas
- d) Location and design criteria of erosion and sediment control structures,
- e) Location and description of existing vegetation
- f) Site access point/s and means of limiting material leaving the site
- g) Location of proposed vegetated buffer strips
- h) Location of critical areas (drainage lines, water bodies and unstable slopes)
- i) Location of stockpiles
- j) Means of diversion of uncontaminated upper catchment around disturbed areas
- k) Procedures for maintenance of erosion and sediment controls
- l) Details for any staging of works
- m) Details and procedures for dust control.

The ESCP must be submitted with the application for a Construction Certificate.

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

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

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

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

48. **Stormwater - Drainage Design Submission - Assessment Fee** – The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, 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 prior to the issue of the Construction Certificate.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the Council drainage works and any additional reviews required.

(Reason: to ensure relevant Council assessment fees are paid.)

49. **Stormwater - Drainage Design Submission** - Engineering drawings prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) are to be submitted to, and approved by Council's City Works Directorate for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the Construction Certificate.

The design submission shall address the following:

- 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) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on {Stormwater Plans prepared by Mance Arraj Civil & Structural Engineers P/L Drawing No. SW010, SW020, SWS021, (Project No. 2870\_DA, Revision B, 02 February 2022)} is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) 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.
- e) 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.
- f) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

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

50. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

Truck movements will be restricted to outside of school zone periods between 8:00am – 9:30am and 2:30pm – 4:00pm due to the close proximity of the development site to Gladesville Public School. 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:-

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



- Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: This condition is to ensure that a plan is prepared to address traffic impacts during construction to minimise any inconvenience and safety risks to the public.)

51. **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.

(Reason: To clarify arrangements in the event of ground anchors being required.)

52. **Public domain improvements** - The public domain is to be upgraded in all frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 2 - Gladesville. The works shall include paving, street 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 Gladesville Street Tree Master Plan. The Public Domain Technical Manual Figure 13. Street Tree Plan identifies "Future street & open space tree planting" for the **Western Crescent** and **Ross Street** frontages of the development. – Refer to Landscape Architect – Development Assessment for exact wording.

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

- (c) All telecommunication and utility services are to be placed underground along the Western Crescent, Ross Street and Coulter Street frontages. The extent of works required to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the

existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

For the undergrounding of existing overhead electricity network, the requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.

- (d) New street lighting using LED luminaires is to be designed and installed to Australian Standard AS1158:2020 Lighting for Roads and Public Spaces, with vehicular luminance category V5 and pedestrian luminance category PR2 along the Western Crescent, Ross Street and Coulter Street frontages. New lights illuminating the existing public footpath within the Council's carpark may need to be installed on the building face due to it being built to the boundary. Easement for maintenance will need to be created in favour of Council. The street lighting will remain on the Ausgrid street lighting network.

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

(Reason: To outline public domain works in accordance with the City of Ryde Public Domain Technical Manual.)

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

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

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

- (a) The full reconstruction of half road width for the Western Crescent, Ross Street and Coulter Street frontages of the development site in accordance with the City of Ryde DCP 2014 *Part 8.5 - Public Civil Works*, Clause 1.1.4 – *Constructing Half Road*.
- (b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (c) The construction of new kerb and gutter along the Western Crescent, Ross Street and Coulter Street frontages of the development site. Proposed kerb profiles are to be provided to ensure proper connections to the existing kerb and gutter.

- (d) The construction of two new kerb ramps to replace the existing ones at Western Crescent – Ross Street and Ross Street – Coulter Street intersections.
- (e) Construction of full width granite footway (Paving Type 2) along the Western Crescent, Ross Street and Coulter Street frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual (**PDTM**) **Chapter 2 – Gladesville**.
- (f) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (g) Signage and line-marking details.
- (h) Staging of the public civil works, if any, and transitions between the stages.
- (i) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

**Notes:**

- 1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
- 2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
- 3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance and is available upon request to Council's City 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.

(Reason: To require the completion of public infrastructure works to Council's standards.)

54. **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 B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground

utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

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

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

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

(Reason: To outline requirements relating to vehicle footpath crossing and gutter crossovers.)

55. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **\$20,000** shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

(Reason: To ensure satisfactory performance of public domain works.)

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

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

(Reason: To reflect the requirements of Council's Schedule of Fees and Charges.)

57. **Anticipated Assets Register - Changes to Council Assets** - In the case that public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works. The new elements may include but are not limited to new road pavements, new Street Lighting Poles, new concrete or granite footways, new street trees and tree pits, street furniture, bus shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

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

(Reason: To require a record of Council's assets in the vicinity of the site.)

- 58. Waste Management Plan.** Any changes to the Waste Management Plan dated February 2022 or Revised Plan B – 2728 which were utilised to evaluate the waste collection by Council, are required 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.

(Reason: To ensure that any changes to the Waste Management Plan are reviewed by Council.

- 59. Waste Storage Areas.** All waste storage areas which have a doorway must be wide enough to allow the bins allocated to the property to fit through opening including the door.
- 660L Bins – width 1.3m, depth 0.8m, height 1.3m
  - 240L Bins – width 600mm, depth 800mm, height 1100mm

(Reason: To ensure that waste storage areas can accommodate required bins.)

- 60. Waste Receptacles in Units.** Two separate receptacles must be provided inside each dwelling to store up to two days' worth of waste and recyclables awaiting transfer to the communal bin disposal areas to ensure source separation of recyclables.

(Reason: To ensure that units contain suitable waste storage areas.)

- 61. Garbage and Recycling Room Requirements.** All garbage and recycling rooms must be constructed in accordance with the following requirements:
- (a) 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;
  - (b) 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;
  - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
  - (d) 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;
  - (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
  - (f) 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;

- (g) 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;
- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) a hose with a trigger nozzle must be provided in or adjacent to the room to facilitate cleaning

(Reason: To ensure that construction of garbage and recycling rooms occurs in accordance with requirements.)

62. **Spot Levels and Top of Wall Heights.** Spot levels (RLs) and Top of Wall (TOW) levels are to be included within the landscape plans for all areas. Details of compliance are to be shown on the plans for Construction Certificate.

(Reason: To ensure raised planter gardens afford sufficient soil depths to sustain planting species.)

63. **Privacy Screen Extensions.** The privacy screens provided between communal open space and private open space on both levels 01 and 06 are to be extended to the boundaries to afford a sufficient privacy and security for users of the spaces. Details of compliance are to be shown on the plans for Construction Certificate.

(Reason: To ensure safety and privacy is provided for all users.)

64. **Additional Perimeter Planting.** The proposed planting scheme to the perimeter raised garden beds on levels 1 and 7 is to be enhanced to provide a greater occupation of trailing plants which are capable of softening the edges of the built form as indicated by the South-East Elevation on Sheet 11 of the architectural package. Details of compliance are to be shown on the plans for Construction Certificate.

(Reason: To ensure the proposed building is softened via trailing planting species as indicated by elevations included by the architectural package.)

65. **Level 7 Additional Tree Planting.** Additional small-medium tree planting is to be included to the perimeter of the Level 7 Communal Open Space Area. Details of compliance are to be shown on the plans for Construction Certificate.

(Reason: To enhance shade during hot Westerly Summer sun and provide additional amenity and vertical planting elements.)

66. **Construction Noise Management Plan (Construction)** - A construction noise management plan must be prepared by a suitably qualified and experienced noise expert in accordance with the noise management levels in EPA's *Interim Construction Noise Guideline* and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- a. hours of construction
- b. Identification of nearby residences and other sensitive land uses.
- c. Assessment of expected noise impacts.
- d. describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers
- e. include strategies that have been developed with the community for managing high noise generating works.

- f. Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.
- g. include a complaints management system that would be implemented for the duration of the construction
- h. include a program to monitor and report on the impacts and environmental performance of the development

(Reason: To prevent loss of amenity to the area and maintain appropriate amenity to nearby occupants)

67. **Noise impact on residential building** - Prior to the issue of a Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on **residential buildings** from rail corridors and/or busy roads:
- a. In any bedroom in the building: 35dB(A) between 10pm – 7am
  - b. Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

(Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP)

68. **Prohibition of external service pipes and the like.** Proposed water pipes, waste pipes, stack work, duct work, mechanical ventilation plant and the like must be located within the building. Details confirming compliance with this condition must be shown on Construction Certificate plans and detailed with Construction Certificate specifications. Required external vents or vent pipes on the roof or above the eaves must be shown on Construction Certificate plans and detailed with Construction Certificate specifications. External vents or roof vent pipes must not be visible from any place unless detailed upon development consent plans. Where there is any proposal to fit external service pipes or the like, this must be detailed in an application to modify this Development Consent (S4.55) and submitted to Council for determination.

Vent pipes required by Sydney Water must not be placed on the front elevation of the building or front roof elevation. The Applicant, owner and builder must protect the appearance of the building from the public place and the appearance of the streetscape by elimination of all external services excluding vent pipes required by Sydney Water and those detailed on the Development Consent plans.

**(Reason:** To protect the streetscape and the aesthetic integrity of the approved development)

69. **Entry Foyer Roof.** The entry foyer roof structure over the reconstructed original walls of the Jordan Hall building shall be installed and fixed in such a manner that does not involve material affectation to the original fabric. The roof structure shall not involve any physical attachment to the decorative moulded pediments to the parapet walls of the façade. Details demonstrating compliance shall be submitted to the satisfaction of Council prior to the issue of any Construction Certificate.

(Reason: To ensure that the entry foyer roof does not involve material affectation to the original fabric.)



## 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. Site Sign

- a. A sign must be erected in a prominent position on site, prior to the commencement of construction:
  - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
  - (ii) 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, and
  - (iii) stating that unauthorised entry to the work site is prohibited.
- b. 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.

(Reason: Statutory requirement).

71. **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.

(Reason: Statutory requirement).

72. **Proposed Property Addressing.** Proposed addressing for the new development must have been lodged with Council, prior to the commencement of construction.

(Reason: To ensure the address of the development meets Council's requirements).

73. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken, either by means of constructing approved retaining structures or batters entirely on the subject property, to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.

(Reason: To preserve public safety and the support of property due to abrupt level differences between the site and public domain land.)

74. **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 application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

(Reason: To minimise the imposition of soil / rock anchors on the public domain.)

75. **Stormwater - Pre-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing

stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any construction works.

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

Note: The applicant shall contact Council's Assets and Integration section to obtain a map of Council's existing Stormwater Network in the vicinity prior to conducting the CCTV survey.

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

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

76. **Work Zones and Permits.** Prior to commencement of the associated works, 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.

(Reason: Specific activities on public roads where Council is the consent authority requires Council approval prior to such activities being undertaken.)

77. **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 on a State Road (e.g. lane closures, etc.) and/or within 100m of a signalised intersection.

(Reason: Transport for NSW requirement.)

78. **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 several documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

(Reason: To require notification of Council for the commencement of public domain works.)

79. **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.

(Reason: To require public notification of commencement of public domain works.)

80. **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. (Reason: To outline the requirement for a pre-construction inspection of public domain features.)

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

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

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

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

(Reason: To outline the requirement for a pre-construction dilapidation report addressing Council's infrastructure.)

82. **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.**
- 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.

(Reason: Statutory requirement under the Roads Act 1993.)

83. **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.

(Reason: To outline the requirement for a temporary footpath crossing.)

84. **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 line-marking.

(Reason: To require approval of signage, line marking and traffic devices by the Ryde Traffic Committee.)

## 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.

85. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal 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*.

(Reason: Statutory requirement).

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

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

87. **Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.

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

88. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.

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

89. **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*;
- c. the material is reused only to the extent that fill is allowed by the consent.

(Reason: To ensure fill is consistent with the consent).

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

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

91. **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.

(Reason: Statutory requirement).

92. **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.

(Reason: To ensure the site is appropriately maintained during construction).

- 93. 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.

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

- 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.

(Reason: To prevent soil and sediment spill in the public domain.)

- 95. 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 Mance Arraj Civil & Structural Engineers (Project No.: 2870-DA, Issue No.: B, Dated:22/02/22, submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

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

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

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

- 97. Geotechnical Monitoring Program - Implementation.** The construction 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 works.

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

- 98. Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.

(Reason: To ensure that site dewatering is undertaken appropriately throughout the period of construction.)

- 99. Stormwater - Hold Points during construction – {Council Drainage Works} –** Council requires inspections to be undertaken by a suitably qualified Chartered

Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, for {all Council stormwater drainage works.}

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

a) {Upon connection to Council's proposed kerb inlet pit.}

(Reason: to ensure construction works satisfy the Council DCP requirements and Australian standards.)

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

(Reason: This condition is to ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction.)

101. **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.

(Reason: To outline required inspections of public domain works.)

102. **Tip Dockets for Waste Disposal/Recycling.** Tip Dockets identifying the type and quantity of waste disposed/recycled during construction are to be kept in accordance with the Site Waste Minimisation & Management Plan for spot inspections.



(Reason: To ensure that tip dockets are available if required.)

103. **Maintenance of Construction Site.** The area surrounding the construction site must be maintained to reduce the incidence of illegal dumping and management of litter from the site and workers associated with the site must be undertaken.

(Reason: To require the maintenance of the construction site to reduce the incidence of illegal dumping.)

104. **Works to be undertaken by suitably qualified trades.** All works relating to the reconstruction of the portico, structural works to ensure the retention of the façade and restorative works of the façade, shall be undertaken by suitably qualified tradesmen/specialists, with demonstrated practical experience in dealing with heritage fabric and good practice heritage methodology. All such works shall be undertaken under the supervision of a suitably qualified heritage specialist who shall provide advice as necessary to ensure the works are undertaken in accordance with the 'Heritage Works Methodology for Portico Walls and Roof' (Prepared by Heritage 21 and dated April 2019).

(Reason: To ensure that the portico reconstruction is undertaken in a suitable manner.)

## **PRIOR TO OCCUPATION CERTIFICATE**

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

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

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

105. **BASIX. The submission of documentary evidence of compliance with all commitments listed in BASIX Certificate(s) numbered 697061M\_06, dated 16 December 2022.**

(Reason: Statutory requirement).

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

(Reason: To ensure that landscaping works are completed prior to the issue of an Occupation Certificate.)

107. **Positive Covenant.** Prior to the issue of any Occupation Certificate, a public positive covenant, pursuant to Section 88E of the Conveyancing Act 1919, is to be created over the subject land at 8 Western Crescent, Gladesville to maintain the ground floor tenancy

as a community facility in accordance with the definition within the Ryde Local Environmental Plan 2014.

Evidence of the registration on title shall be submitted to Council prior to the issue of any Occupation Certificate.

(Reason: To ensure the ongoing use of the ground floor tenancy for a community facility activity).

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

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

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

(Reason: Statutory requirement.)

109. **Design Verification.** Prior to an **Occupation Certificate** being issued to authorise a person to commence occupation or use of a residential flat building, the Principal Certifying Authority (PCA) is to be provided with a Design Verification from a qualified designer. The statement must include verification from a qualified designer that the residential flat development achieves the design quality of the development shown on plans and specifications in respect to any Construction Certificate issued, having regard to the design quality principles set out in Schedule 1 of the State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development. This condition is imposed in accordance with Clause 154A of the *Environmental Planning and Assessment Regulations 2000*.

(Reason: Statutory requirement.)

110. **Compliance with BCA.** The principal certifying authority is to ensure compliance with the national Building Code of Australia and BCA performance-based documentation whereby compliance achieved by satisfying the deemed to satisfy requirements or by formulation an alternative solution to address the relevant performance requirements.

(Reason: To ensure compliance with the BCA.)

111. **Accessibility.** Prior to the issue of an Occupation Certificate, the Principal Certifier shall be satisfied that:

- The lift design and associated functions are compliant with AS 1735.12 & AS 1428.2.
- The level and direction of travel, both in lifts and lift lobbies, is audible and visible.
- The controls for lifts are accessible to all persons and control buttons and lettering are raised.

- International symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2.
- The height of lettering on signage is in accordance with AS 1428.1 – 2009 and the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods.

(Reason: To ensure that the building meets the relevant accessibility standards.)

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

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

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

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

- 114. 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 components incorporated in the approved Stormwater Management system. 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.

(Reason: This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s).)

- 115. Drainage System Maintenance Plan.** A drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.

- d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (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 personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.

(Reason: To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development)

**116. 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 Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that 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 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 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).
- 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 and alteration to Council assets located in the property have been completed to Council's satisfaction.

(Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.)

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

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

- 118. Parking Area Linemarking and Signage.** Traffic measures such as 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 Accredited Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area.

(Reason: To ensure the safe and efficient circulation of traffic and access to parking areas from the public road.)

- 119. Stormwater - Post-Construction CCTV Report -** To ensure Council's stormwater infrastructures are adequately protected, there are no damages and no protruding pipe inside Council's pipeline due to proposed construction activities and property drainage connection, a post-construction CCTV report on the Council's stormwater pipeline through the proposed development site and the existing kerb inlet pit in front of the property is to be submitted to Council.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. 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 CCTV footage report, and to assess whether any rectification works will be required to Council's satisfaction at no cost to Council. The applicant shall obtain written approval from a Council Engineer prior to the issue of the Occupation Certificate.

Note: The applicant shall contact Council's Assets and Integration Section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

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

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

120. **Final Inspection – Council Drainage Assets Handover** - For the purpose of the handover of the trunk drainage assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the {Council Drainage Works}. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the trunk drainage Works.

Note: An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

(Reason: to verify the new drainage asset/s have been built as per Council's standards.)

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

(Reason: to ensure the disturbed area is restored as per pre-development conditions.)

122. **Signage and Linemarking – External**. Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to be submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

Changes to the existing parking restrictions along both sides of Coulter Street are likely to be required when kerbside garbage collection is being undertaken to assist with the safety and efficiency of traffic movements to, from and within Coulter Street. These parking changes are to be shown within the signage and linemarking plan.

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

All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges.

(Reason: This condition is to ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity.)

123. **Signage and Linemarking (External) – 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.

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

124. **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.

(Reason: To require the completion of vehicle footpath crossings and gutter crossovers prior to the issue of an Occupation Certificate.)

125. **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.

(Reason: To require the completion of a vehicle footpath crossing and gutter crossover Compliance Certificate.)

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

(Reason: To outline the requirements for the completion of public domain improvements and infrastructure works.)

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

(Reason: To ensure that restoration works are suitably completed prior to the issue of an Occupation Certificate.)

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



(Reason: To ensure that street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications)

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

(Reason: To ensure that public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.)

130. **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.

(Reason: To ensure the public infrastructure works are completed in accordance with the approved plans and specifications.)

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

(Reason: To ensure that all works are contained within the site's land boundary.)

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

(Reason: To ensure that public domain works have been completed in accordance with Council approved drawings and City of Ryde standards and specifications.)

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

(a) Road pavement,

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

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

(Reason: To ensure that Council's infrastructure is in a suitable condition prior to the issue of an Occupation Certificate.)

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

(Reason: To require decommissioning of any ground anchors.)

135. **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.

(Reason: To outline the requirement for a final inspection of public assets prior to handover to Council.)

136. **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.

(Reason: To require the completion of restoration works to public assets.)

137. **Public Domain Design and Construction Staging** – The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 *Public Civil Works*, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work thought out 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.

(Reason: To outline completion of public domain works in the event of staging.)

138. **Access and Servicing by Waste Collection Vehicle.** An authorised Council waste officer is to ensure that the development can be accessed and serviced by the nominated waste collection vehicle in accordance with the Waste Management plan providing safe easy access to service the waste containers. Approval must be provided by City of Ryde Council prior to the issue of the Occupation Certificate.

(Reason: To ensure appropriate access and servicing by the nominated waste collection vehicle.)

139. **Suitable Arrangements with Council.** Suitable arrangements must be made with the City of Ryde Council for the provision of garbage services to the premises prior to the issue of any Occupation Certificate.

(Reason: To ensure that Council is consulted in relation to provision of garbage servicing.)

140. **Access to Bin Room or Hardwaste Storage Room.** Where there is a lockable door to access a bin room or hardwaste storage room, the universal Council key should be installed so the contractor can access the room for servicing bins or collect the household cleanup items.

(Reason: To ensure that the bin room or hardwaste storage room is accessible for collections.)

141. **All works/methods/procedures/control measures** - Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

- Acoustic Report No. 20210774.1/0107A/R1/BJ dated 1 July 2021 prepared by Acoustic Logic

(Reason: To demonstrate compliance with submitted reports)

142. **Noise Limits** - Noise generated at the premises must not exceed the noise limits specified in the Acoustic Report No. 20210774.1/0107A/R1/BJ dated 1 July 2021 prepared by Acoustic Logic, submitted with the development application.

(Reason: To demonstrate compliance with the submitted report)

143. **Acoustic Compliance report (Building design)** - Prior to the issue of Occupation Certificate, written certification from a suitably qualified person shall be submitted to the

Principal Certifying Authority and Council, stating that appropriate design and construction materials have been utilised to ensure compliance with Australian Standards AS/NZS 2107 and Table 4 point 8 of the EPA Road Noise Policy, Department of Environment, Climate Change and Water NSW, March 2011.  
(Reason: Compliance with relevant noise criteria)

## OPERATIONAL CONDITIONS

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

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

- 45 residential spaces
- 6 visitor spaces
- 17 community facility spaces

~~Two (2) parking spaces shall be marked as a visitor accessible parking space with a designated shared area adjoining.~~

(Reason: To ensure the development maintains the capacity and allocation of parking spaces on the site.)

**145. 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).

(Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.)

**146. Private Contractors for Waste.** Council does not support the use of private contractors for the collection of domestic waste. All domestic waste will be collected by the Council waste collection contractor.

(Reason: To outline that domestic waste is to be collected by Council's waste contractor.)

**147. Signage in Bin Storage Area.** 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.

(Reason: To encourage correct recycling and reduce contamination.)

**148. Recycling Bins.** Staff or contractors must be employed to take the recyclable bins from the waste service rooms on each floor and decant into the 660L recycle bins provided in the bin storage room.

(Reason: To ensure that appropriate arrangements are in place for transfer of recyclables.)

**149. Clear Passageway for Bins.** The caretaker/cleaner is to ensure that there is a clear passageway for the contractor to access the bins and the bulky waste on collection day.

(Reason: To ensure that bins and bulky waste can be moved for collection.)

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

(Reason: To demonstrate compliance with relevant legislation)

151. **Noise from mechanical equipment** - The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

(Reason: To protect the amenity of the area)

152. **Remove putrescible waste at sufficient frequency** - All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

(Reason: To ensure provision of adequate waste disposal arrangements)

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

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

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

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

155. **Storage of bins between collection periods** - Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

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

156. **Landscape Maintenance.** The landscaped and outdoor areas must be maintained in accordance with the 12 Month Maintenance section of Page L-09C of the approved landscaping plans prepared by Site Design Studios in perpetuity. A log-book shall be maintained on-site demonstrating compliance with the Maintenance Schedule with regular reporting provided to the strata manager.

(Reason: To ensure the successful establishment and ongoing viability of new planting.)

157. **Restriction of Access.** Access to the building is to be controlled via swipe cards or similar to prevent unauthorised access to the residential levels by occupants of the community facility and vice versa.

(Reason: To ensure the ongoing security of the building for its occupants.)

**End of Consent**