

27 April 2011

To:- Ryde Council – attention Sanju Reddy
To:- JRPP – attention , the panel members.

RE: - Review of the draft Conditions as presented in the Ryde Council Assessment Report in the development application referenced below

JRPP No: 2011SYE006
DA No: LDA2010/0671
PROPOSED DEVELOPMENT: Alterations and additions to existing building and commence use as data centre and research & development facility.
APPLICANT: GIDDIS Pty Ltd

GIDDIS Pty Ltd have reviewed the draft conditions prepared by Ryde City Council and make the following comments for consideration by Ryde Council and the JRPP.

Condition 1

Commentary:- The submitted plans included a trigen plant area and it is possible the acoustic report included in the DA submission for these works has been missed on the referenced documents.

Request:- Add the following document to the list of documents:-

“TF144-01F03 Noise Assessment for Trigen Plant – Rev 0, 07.12.2010”

7. Security Lighting:

Comments: – This development being of a high security nature will be designed in accordance with federal security standards for facilities of this nature and accordingly security lighting where installed will be designed to allow observation by security personnel and observers and therefore the condition is inappropriate for a development of this nature.

Request: – delete the condition or replace with:-

“Where security lighting is provided within the development it shall provide the appropriate level of illumination in accordance high security guidelines and should be designed so as not to illuminate or impact on pedestrians or motorists or police using Talavera rd.

Reason: – to clarify the condition and to allow suitable security lighting design.

19. Noise and vibration from plant and equipment

Commentary:- The acoustic consultant Renzo Tonin & Associates has indicated that the condition 19(a) should be amended to maintain consistency with the NSW Industrial Noise Policy.

Request:- insert the word “residential” in condition 19(a) in the third line so it reads

“...on or within the boundary of the most affected **residential** receiver...”

Reason:- to keep the condition consistent with the NSW Industrial Noise Policy.

20. Noise from emergency generator

Commentary:- The acoustic consultant Renzo Tonin & Associates has indicated that the condition 20 (a) should be amended to maintain consistency with the NSW Industrial Noise Policy.

Request:- delete the words “the background noise level by more than 15 dBA and, in any case a noise level of ” from condition 20(a) so it reads

(a) The LA₁₀ noise level must not exceed 65 dBA, when measured at the boundary of any affected industrial or commercial premises in the vicinity.

Reason:- to keep the condition consistent with the NSW Industrial Noise Policy.

24. Underground storage tanks

Commentary:- The developer acknowledges the requirement to comply with the Protection of the Environment Operations (Underground Petroleum Storage Systems (UPSS)) Regulation however the document provides exemptions for particular installations provided certain conditions are met.

Request:- Change the condition to read:-

24. Underground storage tanks. The site owner / operator is required to comply with the Protection of the Environment Operations (Underground Petroleum Storage Systems (UPSS)) Regulation 2008.

Reason:– to avoid isolated clauses from UPSS Regulation 2008 being imposed without consideration of the entire Regulation.

31. Public Domain Works

Commentary:- The developer acknowledges the requirement to comply with Councils public domain improvement works on the Talavera Rd frontage however the current wording prevents commencement of any works on site before the Public Domain Works plans are approved which may take an unknown time.

Request: - make changes as per the mark-ups below and relocate the condition to the section headed "Prior to Occupation".

31. **Public Domain Works** – Public domain improvement works including footpath paving, street tree planting with suitable plant species & lighting along the Talavera Road reserve fronting the subject site and the like shall be in accordance with the Macquarie Park Public Domain Technical Manual. Full details, including samples, schedules and plans are to be submitted and approved by Council ~~and the works completed~~ prior to the ~~construction of the development~~ **issue of an Occupation Certificate**. Applicants must ensure that the health of the street trees are guaranteed for a minimum of 2 years to ensure the character and appearance of the streetscape is established and maintained. Any species that die within two years of planting must be replaced by the applicant with a specimen of a similar size and maturity.

Reason:- to facilitate the appropriate time to consult with council and gain approval of the plans without undue delay to the commencement of the overall development.

35. Substations

Commentary:- This condition prevents the installation of required fire hydrants, fire booster valves, and the like around the perimeter of the building and may not meet the gas authorities requirement for the location of the gas meters.

Request:- delete the condition and replace with

35. **Substations:** All electrical substations, and the like shall be located within the building envelope. Details of all service infrastructure/utilities are to be submitted with the construction certificate application.

Reason: - to allow compliance with the BCA, relevant codes and authority regulations.

42. External Engineering Works

Comments:- Council has advised that the “Macquarie Park DCP Technical Design Manual” is the same as the “Macquarie Park Public Domain Technical Manual” referred to in Condition 31 hence this condition appears to be a repeat of Condition 31.

Request: - delete this condition for the sake of clarity
or

if it is to be retained, make changes similar to those requested for condition 31 shown below and move to the section “prior to occupation”.

42. External Engineering Works. The construction of external public infrastructure works as specified under The Macquarie Park DCP Technical Design Manual at the applicant’s expense. Detailed engineering plans prepared by a chartered civil engineer shall be submitted for Council’s approval, **and the works completed** prior to issue of **a-Construction an Occupation** Certificate. Engineering plans assessment and works inspection fees are payable in accordance with Council’s Management Plan, prior to approval being granted by Council.

Reason :- to facilitate the appropriate time to consult with council and gain approval of the plans without undue delay to the commencement of the overall development.

Thank you for your consideration of these matters.

GIDDIS Pty Ltd
Matthew Giddy
Applicant.
0421 059 501