

ATTACHMENT 1

Recommended Conditions of Consent for 144 Wicks Road, Macquarie Park LDA2015/0144 - MASTERS

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 in accordance with the following approved plans and support documents:

| Plan Title and Number | Description | Date | Issue |
|-----------------------------|--|-----------|-------|
| DA00 | Site & Locality (as amended in red) | 7/5/2015 | P4 |
| DA01 | Site Plan | 13/8/2015 | C |
| DA02 | Basement | 13/8/2015 | B |
| DA03 | Ground Floor | 29/7/2015 | A |
| DA04 | Roof Plan | 1/9/2015 | A |
| DA05 | Elevations | 13/8/2015 | A |
| DA06 | Sections | 29/7/2015 | A |
| DA07 | Site – Waterloo Rd Entry | 13/8/2015 | A |
| SA01 | Signage Plan | 13/8/2015 | A |
| SA02 | Signage Elevation 1 | 13/8/2015 | A |
| SA03 | Signage Elevation 2 | 13/8/2015 | A |
| SA04 | Ancillary Signage | 13/8/2015 | A |
| SS15-2987-000 | Landscape Cover Sheet | 14/8/2015 | E |
| SS15-2987-101 | Landscape Plan | 14/8/2015 | E |
| SS15-2987-102 | Landscape Plan | 14/8/2015 | E |
| SS15-2987-103 | Landscape Plan – Access Rd | 7/05/2015 | B |
| SS15-2987 -501 | Landscape Plan - Details Sheet | 14/8/2015 | E |
| - | Public Art (to be amended as per Condition of Consent) | July 2015 | C |
| 35502DT | Plan of Detail and Levels Sheets 1 to 10 | 31/3/2015 | F |
| MMD-318385-C-DR-00-XX -0101 | Civil Works | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0102 | Internal Civil Works | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0105 | Civil Works – General Arrangements | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0110 | Civil - Soil & Water Management Sheet 1 | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0111 | Civil – Soil & Water Management Sheet 2 | 23/3/2015 | P2 |
| MMD-318385-C- | Civil – Soil & Water Management | 23/3/2015 | P2 |

| Plan Title and Number | Description | Date | Issue |
|-----------------------------|--|-----------|-------|
| DR-00-XX -0112 | Details | | |
| MMD-318385-C-DR-00-XX -0115 | Civil Works – Road Setout | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0120 | Civil – Road Long Section Sheet 1 | 20/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0121 | Civil – Longitudinal Section Sheet 2 | 23/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0125 | Civil - Earthworks | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0140 | Site Works Sheet 1 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0141 | Site Works Sheet 2 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0142 | Site Works Sheet 3 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0143 | Site Works Sheet 4 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0144 | Site Works Sheet 5 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0145 | Site Works Sheet 6 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0146 | Site Works Sheet 7 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0150 | Site Works Basement Plan - Sheet 1 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0151 | Site Works Sheet 2 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0155 | Site Works Sections | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0160 | Site Works Details - Sheet 1 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0161 | Site Works Details - Sheet 2 | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0162 | Site Works Internal | 25/3/2015 | P3 |
| MMD-318385-C-DR-00-XX -0180 | Site Works - Epping Road (as amended in red – slip lane deleted) | 25/3/2015 | P2 |
| MMD-318385-C-DR-00-XX -0185 | Site Works – Wicks Rd Details - Sheet 1 | 23/3/2015 | P1 |
| MMD-318385-C-DR-00-XX -0186 | Site Works Auto Turn Plan | 23/3/2015 | P1 |

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

- (a) The civil and site works plan listed above are to be amended where applicable to reflect the amended architectural plan with respect to the deleted slip lane and amended building setback along Epping Road and Road 3 frontage.
2. **National Construction Code.** All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code/ Building Code of Australia.
3. **DELETED.**
4. **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.
5. **Hoardings.**
- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
6. **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. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
7. **Signage.** This development consent does not authorise the erection of any signs or advertising structures not approved under this consent. Any general advertising or advertising relating to a business activity not approved on the site is prohibited.
8. **Delete Sign.** The advertising sign referenced 5/SA02 with an area of 61.2m² shown on North Elevation displaying the words "*BEST PRICE Guarantee*" must be deleted. Amended elevation to be submitted prior to the issue of the Construction Certificate.
- [Reason: This sign is prohibited as it does not constitute a "Business Identification Sign"]
9. **Certification of signs.** Certification to be obtained by the applicant from a Structural Engineer to confirm that the proposed method of anchorage of the approved signs is structurally adequate having regard to their size, type and location.
10. **Restriction on illumination:** The proposed illumination of the signs must not cause glare or nuisance to the adjoining buildings and nearby residential properties at any time. The illumination of the signs is restricted to the following
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hours: 6am – 11pm daily. No illumination is permitted outside of these hours. The level of illumination is to be low lux LED lighting and must not result in any unacceptable glare. All proposed lighting to comply with AS4282-1997: Control of Obtrusive Effects of Outdoor Lighting.

11. **Advertising display.** All advertising signs are to be displayed in the English language but may include a translation into another language using letters or characters that are no larger than the English language letters or characters. Any translated message must be accurate and complete. No amendment to the size of a sign will be permitted to allow for both the English and translated language to be displayed.
12. **Prohibited signs.** The proposed signage must not have or use:
 - (a) Flashing lights;
 - (b) Electronically changeable messages;
 - (c) Animated display, moving parts or simulated movement;
 - (d) Complex displays that holds a drivers attention beyond 'glance appreciation'
 - (e) Displays resembling traffic signs or signals; and
 - (f) A method or level of illumination that distracts or dazzles.
13. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed building shall encroach onto the adjoining properties. Any gate installed must not open onto any public footpath.
14. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
15. **Services & Substation:** All service infrastructure/utilities including electrical substations and the like shall be located within the building envelope. All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense. Details of all service infrastructure/utilities are to be approved prior to issue of the **Construction Certificate**.
16. **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 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
17. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
18. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public

stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.

19. **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 issue of a Construction Certificate and commencement of any work, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Councils website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Work*.
- 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 Work Zone Permit 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 within the carriageway of any public road.

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.

20. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

| A – Contribution Type | B – Contribution Amount |
|---------------------------------------|--------------------------------|
| Community & Cultural Facilities | \$269,480.64 |
| Open Space & Recreation Facilities | \$0 |
| Civic & Urban Improvements | \$264,126.72 |
| Roads & Traffic Management Facilities | \$555,434.88 |
| Cycleways | \$36,516.48 |
| Stormwater Management Facilities | \$64,658.88 |
| Plan Administration | \$9,884.16 |
| The total contribution is | \$1,200,101.76 |

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

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.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business 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>.

21. **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 Principal Certifying Authority prior to the issue of the **Construction Certificate**.
22. **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**.
23. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
24. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
 - (a) Infrastructure Restoration and Administration Fee;
 - (b) Enforcement Levy.
25. **Alignment Levels.** The applicant is to apply to Council, pay the required fee, and have issued site specific alignment levels by Council prior to the issue of the **Construction Certificate**. The application shall be accompanied by engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans.
26. **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 Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
27. **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
28. **Recyclable wastes** - Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.

29. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
30. **Stormwater Management** - The proposed development shall be carried out in accordance with the recommendations stipulated in the Stormwater Management Report prepared by Mott Mac Donald dated March 2015. Prior to the issue of the Construction Certificate, a certification shall be provided to the Principal Certifying Authority confirming the recommendations in relation to drainage works and water quality objectives contained in the Stormwater Management Report have been incorporated in the drainage plans.
31. **Construction of garbage and recycling rooms** - 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 cock must be provided in or adjacent to the room to facilitate cleaning.

Construction details of the garbage storage and collection area must be submitted with the application for the **Construction Certificate**.

32. **Remediation action plan** - A Remediation Action Plan (RAP) for the removal of the pesticide contamination to be submitted be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA).
33. **Asbestos Control Plan** – An asbestos control plan to be prepared to manage the identification and removal of any asbestos found onsite during excavation & construction. The plan must also include strategy and procedure to notify the

Child Care Centre and adjoining occupiers prior to the removal of asbestos from the site. Details are required prior to the issue of any Construction Certificate.

34. **Evidence of connection by gravity flow** - Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the Construction Certificate.
35. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of approved finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the **Construction Certificate**.
36. **DELETED.**
37. **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 2890.1 (Offstreet Parking standards), AS2890.6 and AS2890.2 (for heavy vehicle usage).
38. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the internal trunk drainage system which discharges to the public drainage infrastructure in Wicks Road and Waterloo Road, generally in accordance with the plans by Mott MacDonald Consultant Engineers (Refer to Project No. MMD-318385-C-DR-XX Dwgs 0101 (P2),0102(P2), 0140 - 0146(P3), 0150(P3), 0151(P3),0162(P2) and 0180(P2) dated 23 March 2015) subject to the following variation(s) and any amendments marked on red on the approved plans;
 - The footpath corridor on the eastern façade of the subject development must have surface levels and bunding designed to convey stormwater runoff to the downstream trunk drainage system. This is to ensure the amenity of the footpath area is maintained and there is no potential for adverse impact to adjoining development downstream.
 - The onsite detention tank is to have additional access grates placed in the mid-section to ensure there is a safe level of accessibility and ventilation in the tank, as marked on the approved plans.

Detailed plans, documentation and certification of the drainage system are to be prepared by a chartered civil engineer, must be submitted with the application for a Construction Certificate and must comply with the following;

- The certification must state that the submitted design (including any associated components such as pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.

- Onsite detention must be incorporated in the stormwater management system having a minimum SSR and a maximum PSD as specified in the Stormwater Management Report by Mott MacDonald Consulting Engineers Rev C dated 23 March 2015.

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

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

40. **DELETED.**

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

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;

- is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
- details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
- Is in accordance with the recommendations of any Geotechnical Report approved under this development consent.

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

42. **Access to the site & Traffic Lights (RMS).** All access to the site shall be via the proposed traffic lights on Wicks Road (via proposed Road 3) and the priority controlled intersection on Waterloo Road via proposed Road 11. The traffic lights system shall be designed to meet Roads and Maritime requirements. The Traffic Control Signal (TCS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. Consideration shall be given to surrounding properties current access arrangements.
43. **Civil Design Plans (RMS).** In regards to the traffic lights the submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on www.rms.nsw.gov.au). The certified copies of the civil design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of a Construction Certificate. Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works. The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works.

Note:

- The WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.
 - The developer may be required to dedicate land within the traffic lights as road, details will be provided within the WAD process.
44. **Drainage – RMS.** Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to RMS for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
P O Box 973

A plan checking fee will be payable and a performance bond may be required before RMS approval is issued. With regard to the Civil Works requirement please contact the RMS Project Engineer, External Works on (02) 8849 2114 or fax (02) 8849 2766.

45. **DELETED.**

46. **Waterloo Road intersection design.** Prior to the issue of a Construction Certificate, detailed design of the intersection treatments at the Waterloo Road and Road-11 is to be prepared by a suitably qualified practitioner and submitted to the Ryde Traffic Committee for approval. The detailed design and works shall be completed by the developer at no cost to Council.

47. **Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to issue of Construction Certificate. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The CTMP must:-

- Make provision for all construction materials to be stored on site, at all times.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- 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 tree's.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane

lifts and dump truck routes. These communications must be documented and supplied to Council.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’s Manual – “Traffic Control at Work Sites” and Councils DCP 2014 Part 8.1 (Construction Activities).

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and is to be paid at the time that the Traffic Management Plan is submitted.

48. **Dilapidation Report.** To ensure Council’s infrastructures are adequately protected a dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles 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 but 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 submitted to Council’s Traffic Development Engineer, prior to works commencing with another similar report submitted at completion and prior to issue of Occupation Certificate. The reports shall be used by council to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

49. **Public Domain** - The applicant/ developer shall upgrade the public domain along the Epping Road and Wicks Road frontages of the development site (subject to requirements specified below) in accordance with the City of Ryde Public Domain Technical Manual - Section 6 – Macquarie Park and City of Ryde Council DCP 2014, Part 4.5 – Macquarie Park Corridor. This work is to include but not be limited to paving, multifunction light poles, street furniture and plantings.

A Public Domain Plan with full details, including plans, specifications, sections, existing and finished design levels and material schedules shall be submitted to Council for approval prior to the issue of the Construction Certificate. The plan shall include:

- (a) Along Epping Road frontage:
 - a. All telecommunication and utility services are to be placed underground along the public road frontage of the site;
 - b. New street lighting serviced by metered underground power on multifunction poles (MFP’s) shall be designed and installed to Australian Standard AS/NZS 1158 Set:2010 Lighting for Roads and Public Spaces, with pedestrian luminance category P2 and vehicular luminance category V3.

- c. Footpath paving shall be provided in accordance with the City of Ryde Public Domain Technical Manual.
- (b) At the intersection of Wicks Road and Road 3:
 - a. The new traffic lights at the intersection of proposed Road 3 and Wicks Road must be mounted on MFP's.
 - b. A new street light shall be provided at the intersection to illuminate the intersection. The light is to be serviced by metered underground power on multifunction poles (MFP's), designed and installed to Australian Standard AS/NZS 1158 Set:2010 Lighting for Roads and Public Spaces, with pedestrian luminance category P2 and vehicular luminance category V3;
 - c. A full width concrete footpath with granite banding shall be provided on Wicks Road frontage for a distance of 3m on either side of the intersection from the boundary of the proposed Road 3.

Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park. Plans are to be submitted to Council for approval prior to lodgement of the scheme with Ausgrid for their approval. Prior to submission of the plans to Council, liaison with Council's Public Works Group is advisable so as to obtain Council's requirements and specifications for the MFP's and components, including the appropriate LED luminaire and location of the meter box.

50. **Public Infrastructure Works** - Detailed engineering plans for the future public domain infrastructure works with respect to the proposed Road No.3, Road No. 11 and pedestrian path, including the respective intersections, footpath works along the Epping Road frontage, are to be prepared by a Chartered Civil Engineer (with NPER registration with Engineers Australia), and submitted to Council for approval prior to the issue of the Construction Certificate.

The design shall be generally in accordance with the City of Ryde Development Control Plan 2014 Part 8.2 - Stormwater Management and Part 8.5 - Public Civil Works. The plans shall clearly indicate the following:

- The limits of all the construction works in relation to the boundaries of the development site;
- Indicate the 20m wide road reserve required for the future Road 3 and 14.5m wide reserve for the Road No. 11 identified on the site;
- The plans shall include details for the proposed construction of Road 3 and 11 to service this development site and conceptual design for future augmentation to a Type 2 road as required in City of Ryde Council DCP 2014, Part 4.5 – Macquarie Park Corridor;

All works shall be completed at no cost to Council, prior to the issue of the Occupation Certificate:

- (a) The construction of Road 3 and Road 11 with all the required stormwater drainage and lighting infrastructure;
- (b) The construction of 2.50m wide concrete footpath on the southern side of Road 3 and eastern side of Road 11;

- (c) The removal of all redundant vehicular crossings and the construction of the intersection of Road 3 with Wicks Road inclusive of all kerb and gutter, stormwater drainage, electrical, lighting, and traffic signals infrastructure;
- (d) Undergrounding of electrical and telecommunication services along the Wicks Road frontage of the site;
- (e) The provision of granite footpath paving along the Epping Road frontage;
- (f) The construction of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

Note: 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".

51. **Pedestrian Link** – A 6m wide pedestrian link incorporating a 4m wide accessible paved footpath shall be provided along south eastern side of the proposed building providing connectivity between Epping Road and Road 3. The paving of the pedestrian link is to be in accordance with Council's Macquarie Park Public Domain Technical Manual. Full construction details demonstrating compliance with Council's Macquarie Park Public Domain Technical Manual are to be submitted and approval obtained from Council prior to the issue of the Construction Certificate. The submission shall include the following details:
- (a) Fully dimensioned plans showing the width of the pedestrian link, footpath, transitions and landscaping areas along the footpath;
 - (b) Selection of paving type, colour and dimensions in accordance with Council's requirement;
 - (c) Provision of adequate lighting (category P2 according to Australian Standards AS/NZS 1158 Set: 2010 Lighting for Roads and Public Spaces) for illumination of the footpath to ensure safety and security of the users during night time;
 - (d) The pedestrian link shall be accessible. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted;

The pedestrian link shall be constructed by the developer/ owner prior to the issue of Occupation Certificate at no cost to Council. Full public access is to be available at all times over the pedestrian link.

52. **Public Access and Right of Way.** A Right of Way must be created over the pedestrian link in favour of Council for public access. Prior to the issue of the Occupation Certificate, a Right of Way permitting access, at all times to all members of the public is to be created over the pedestrian link. Terms regarding the creation of the ROW are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office with evidence regarding effective registration being submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- (a) The Pedestrian Link is accessible at all times to the Public; and,
- (b) That the pedestrian link will be adequately maintained by the occupier/ owner of the site at all times;
- (c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.

53. Public Positive Covenant

- (a) Prior to the issue of any Occupation Certificate for the development a public positive covenant, pursuant to Section 88E of the Conveyancing Act 1919, is to be created over the subject land in order to ensure that the registered owner of the land, at his / her / its own cost and risk:
 - (i) maintains and repairs at all times that area of the subject land that has been designated as the privately owned, publicly accessible pedestrian link, to a standard commensurate with Council's standards for the maintenance of such facility;
 - (ii) **DELETED.**
- (b) The Instrument that is to create the public positive covenant referred to in this condition is to be submitted to and approved by Council prior to lodgement for registration at the Land & Property Information.
- (c) **DELETED.**

54. Engineering plans assessment and works inspection fees – The applicant is to pay to Council for assessment of all engineering and public domain plans and works inspection fees, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.

55. Hold Points during construction - Inspections shall be required to be undertaken by a Chartered Engineer with NPER registration with Engineers Australia, at the following hold points: -

- 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 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.

The Applicant shall submit certification from the Engineer, at each stage of the inspection listed above, confirming that the works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

56. **Public Domain Works. Maintenance Bond.** To ensure satisfactory performance of the required public domain works, a maintenance period of six (6) months shall apply to the works in which Council will take ownership of, on completion of the development. The performance period shall commence from the date of issue by Council, of the Compliance Certificate. 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. A bond in the form of a cash deposit or Bank Guarantee of \$50,000 shall be lodged with the City of Ryde prior to the issue of the 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 six (6) months maintenance period.
57. **Landscaping.** Trees that are shown on the approved plans as being retained (including the trees on the adjoining properties) must be protected against damage during construction. Trees nominated for retention and protection under this development consent must be clearly shown on the construction plans. Details of tree protection measures must be submitted with the application for the **Construction Certificate**.
58. **Retaining wall & Safety Barrier.** All approved fill and cut must be appropriately retained. A retaining wall must be erected to support the excavated area along the north western corner of the site. The retaining wall shall be designed by a structural engineer to ensure its structural soundness. Details are to be submitted prior to the issue of Construction Certificate. A 1.2m high safety barrier (measured from the adjacent existing ground level) of open construction (see through) must be erected over the retaining wall to ensure safety of the general public.
59. **Public Art Plan.** The applicant/ developer is to provide and install a public art as part of the proposed development in accordance with Council's Public Art Policy. This plan is to be prepared by a Public Art Consultant and address the following requirements:
- (a) The plan must identify opportunities for the integration of public art in the proposed development by exploring various options and themes. The selected theme and public art expressions prepared by Site Image dated 30 July 2015 is acceptable in principle subject to further requirements below;
 - Given the relevance of the proposed theme to the site, the nostalgic relationship the Peter Board High School had with the local community, the art work must be accompanied with some form of text to be displayed using suitable medium such as plaque. Examples of phrases/texts contained under Section 2 "Creative Writing" of the above proposal may be useful;
 - (b) Submission of the detailed public art proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area. Given the scale of the development, the architecture, signage and graphics proposed for the site, the artwork needs to be of a larger scale and size than that shown with the DA (larger than what is shown on the DA plans);
-

- (c) The proposal must provide a program for installation and integration with the construction program for the development. Construction of the public art must be completed prior to the issue of the Occupation Certificate;
- (d) The proposal should provide engineer's drawings and demonstrate the following:
 - Australian building standards requirements and codes for the structural design;
 - Sound practices for fabrication and construction, and materials appropriate for application;
 - Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.
 - A maintenance plan;

Accordingly a Public Arts Plan is to be submitted for approval by Council prior to the issue of any **Construction Certificate**.

- 60. **Bicycle parking & storage.** A designated area shall be provided within the site for secure bicycle parking. Details showing area to park at least 20 bicycles are to be submitted with the application for **Construction Certificate**.
- 61. **Car parking.** A total of three hundred and eighty (380) car parking spaces are to be provided on the site including at least thirteen (13) spaces allocated as *accessible spaces*. Details are to be provided with the application for **Construction Certificate**.
- 62. **Disabled Access.** A continuous accessible path of travel shall be provided to the building from Road 3 and from the pedestrian link. Disabled access is to be provided to and within the development in accordance with the applicable legislation. Details and certification indicating compliance with the Access to Premises Standards, AS1428, and the National Construction Code are to be submitted to the Principal Certifying Authority (PCA) prior to the **Construction Certificate** being issued.
- 63. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of the **Construction Certificate**, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.

Or telephone 13 20 92.

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.

64. 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.

65. Excavation adjacent to adjoining land

- (a) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must, at their own expense, protect and support the adjoining premises from possible damage from the excavation, and where necessary, underpin the adjoining premises to prevent any such damage.
- (b) The applicant must give at least seven (7) days notice to the adjoining owner(s) prior to excavating.
- (c) An owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

66. Notice of remediation work - Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.

67. Remediation work - All remediation work must be carried out in accordance with the requirements of:

- (a) *State Environmental Planning Policy No. 55 - Remediation of Land*;
- (b) any relevant guidelines published by the NSW Environment Protection Authority; and
- (c) any council policy or development control plan relating to the remediation of land.

68. Council may require site audit of validation report - If requested by Council, a site audit statement and a site audit summary report from an accredited site auditor under the *Contaminated Land Management Act 1997* must be submitted to Council verifying the information contained in the site validation report.

69. **Construction Noise Management Plan (CNMP).** Due to the likely impacts on the Child Care Centre at No 16 Waterloo Road, Macquarie Park, a Construction Noise Management Plan must be submitted to Council for approval prior to the commencement of any works on the site. The CNMP is intended to minimise impact of construction activities on the surrounding community in terms of noise. The CNMP must:
- Make provision for ameliorative measures in respect of the child care centre at 16 Waterloo Road. The ameliorative measures are to include acoustic barriers, the use of silencing devices, the use of rubber matting over material handling areas, the treatment of specific equipment, establishment of site practices, strategic positioning of processes on site and management training.
 - Include the establishment of a direct community consultation and complaints handling system/ scheme. The consultation process is to inform and educate groups about the project and the noise controls being implemented as well as identify concerns generated by the project so that the issues can be addressed.
 - A permanent register of complaints must be held. All complainants should also be notified of the results and action arising from the investigation. If required by Council, copies of this register is to be made available to Council.
 - Any acoustic measures put in place are to be at the cost of the applicant.
 - The Construction Noise Management plan is to be prepared by an appropriately qualified person.
70. **Tree Protection Measures:** Adequate tree protection measures must be installed on the site before commencement of any works on the site including demolition works.
71. **Project Arborist** - A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and adjoining allotments and that recommendations contained within Arboricultural Impact Assessment Report dated 31 March 2015 prepared by Tree iQ are carried out. These trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction. The arborist is to be engaged to supervise the progress of development as per the following hold points).

| Hold Point | Task | Responsibility | Certification | Timing of Inspection |
|------------|---|----------------------|------------------|--|
| 1. | Indicate clearly (with spray paint on trunks) trees approved for removal only | Principal Contractor | Project Arborist | Prior to demolition and site establishment |
| 2. | Establishment of tree protection fencing | Principal Contractor | Project Arborist | Prior to demolition and site establishment |
| 3. | Supervise all | Principal | Project | As required prior to the |

| | | | | |
|----|---|----------------------|------------------|--|
| | excavation works proposed within the TPZ | Contractor | Arborist | works proceeding adjacent to the tree |
| 4. | Inspection of trees by Project Arborist | Principal Contractor | Project Arborist | Bi-monthly during construction period |
| 5. | Final inspection of trees by project Arborist | Principal Contractor | Project Arborist | Prior to issue of Occupation Certificate |

72. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
73. **Existing Substation.** Prior to the commencement of construction works on the site and if necessary, the developer must arrange for the decommissioning and removal of the existing substation equipment on the site as well as the relocation of the associated underground cables. It may be necessary for the developer to arrange for installation of a temporary substation on the site prior to establishment of a permanent substation in order to supply site construction loads and maintain existing street network loads. This requirement must be met in accordance with AUSGRID requirements.

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.

74. **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*.
75. **Tree Removal.** Tree removal as identified in the Arboricultural Impact Assessment Report dated 31 March 2015 prepared by Tree iQ is to take place in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 5 qualification. Approval is granted for the removal of the following trees as referenced in the above report - Trees 1-8, 1-39, 41, 44, 46-52, 54-60, 64-67, 69-89, 91-113, 115 and 116.
76. **Tree to be retained:** The following trees as identified and referenced in the Arboricultural Impact Assessment Report dated 31 March 2015 prepared by Tree iQ (trees identified as Tree No. 10, 40, 42, 43, 45, 53, 61, 62, 63, 68, 90 and 114) must be protected and retained. All works in relation to these trees is to take place in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 5 qualification. These trees must be protected against damage during construction in accordance with this Development Consent and adequate protection measures must be implemented during demolition and construction stage.

77. **Tree to be transplanted.** The tree identified as Tree No. 9 in the Arborists Report is to be transplanted as part of the proposed development. Prior to the transplanting works, a Transplant Method Statement should be prepared by a qualified Arborist (minimum AQF Level S) with experience in tree transplanting. If the tree fails to establish within twelve (12) months of the completion of the development works, it should be replaced with advanced-size specimens of the same species.
78. **CCTV.** The applicant/ developer must install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should monitor the foyer area and the area immediately in front of the building. CCTV cameras should also cover any communal areas, lifts and the under-croft car park. The occupier of the building must ensure the following:
- (a) Recordings should be made twenty four (24) hours a day seven (7) days a week. The time and date must automatically be recorded on all recordings made whilst it is recording.
 - (b) All recordings are to be kept for a minimum period of fifteen (15) days before they can be reused or destroyed. If requested by police, the applicant is to archive any recording until such time as they are no longer required.
 - (c) Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.
 - (d) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.
 - (e) If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.
79. **Lighting.** The areas around the entrances and communal areas should be well lit and that all lighting should be designed to Australian and New Zealand Lighting standards. Sensor lighting is to be installed into areas that may be areas of concealment.
80. **Doors & Locks.** All areas should be fitted with doors that comply with Australian Design Standards. The locks fitted to the doors should be of a high quality and meet the Australian design standards. Any glass within these doors should be laminated to enhance the physical security of the doors. Access control should be set in place to exclude unauthorized access to restricted areas and where money handling takes place and where safes are located. After hours all doors should be kept locked unless a delivery is taking place.
81. **Construction noise.** The L_{10} noise level measured for a period of not less than 15 minutes while demolition and construction work is in progress must not exceed the background noise level by more than 20 dB(A) at the nearest affected residential premises.
82. **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.

83. Site Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with WorkCover 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.

84. 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.
- (d) No sediment, dust, soil or similar material shall leave the site during construction work.

85. Traffic Management. Any traffic management procedures and systems must be in accordance with *AS 1742.3 1996* and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

86. Truck Shaker. A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point(s). 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.

87. Erosion and Sediment Control. The applicant shall install erosion and sediment control measures in accordance with the approved plan by Mott MacDonald Consultant Engineers (Refer to Project No. MMD-318385-C-DR-XX Dwgs 0110,0111 & 0112 dated 25 March 2015) at the commencement of works on the site. Suitable 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. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.

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

89. 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 Mott MacDonald Consultant Engineers

(Refer to Project No. MMD-318385-C-DR-XX Dwgs 0100-0105, 0140-0151, 0162 & 0180 dated 25 March 2015) submitted in compliance to the condition labelled “Stormwater Management.” and the requirements of Council in connection to the trunk drainage system.

90. **Dust control** - Appropriate measures must be taken to control the generation of dust during demolition and excavation work:
- (a) Any materials that are likely to generate dust during demolition, excavation or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
 - (b) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
 - (c) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.
91. **Contamination remediation measures** - All contamination and remediation measures nominated in the environmental consultant’s report and any related project documentation must be implemented.
92. **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.
93. **Contaminated soil** - All potentially contaminated soil excavated during demolition, excavation and construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.
94. **Transportation of wastes** - All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
95. **Disposal of asbestos wastes** - All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.
96. **Surplus excavated material** - All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.

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.

97. **Landscaping.** All landscaping works including tree protection, replacement planting, transplanting, and public domain works are to be completed prior to the issue of any **Occupation Certificate**.

98. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

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

99. **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 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 Interim/Final Occupation Certificate.

100. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all adjoining properties, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation reports. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to the issue of the **Occupation Certificate**.

101. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence and certification is to be obtained from a suitably qualified person confirming that the development meets the accessibility requirements and is to be provided to the PCA prior to the issue of any Occupation Certificate.
102. **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 Plans certified by a Registered Surveyor, shall be submitted to Council for review with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Construction Certificate drawings, and certification from a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

All public domain works are to be completed to Council's satisfaction prior to the issue of the Occupation Certificate.

103. **Public domain – work as executed plan** – A works-as-executed plan for works carried out in the public domain must be provided to Council and endorsed by Council, as the Road Authority, prior to the issue of the Occupation Certificate. All public domain works are to be completed to Council's satisfaction prior to the issue of the Occupation Certificate.
104. **Signage and Linemarking – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of an Occupation Certificate. This is to be done at no cost to Council.
105. **Waterloo Road Access – Installation.** The applicant/ owner is to complete the road works associated with Road 11 including installation of a traffic island to create a suitable transition to the adjacent slip lane. Suitably prepared plans are to be submitted to and approved by Council prior to the issue of the Construction Certificate and all works are to be implemented to Council satisfaction at no cost to Council prior to the issue of an Occupation Certificate.
106. **Signage and Linemarking – External.** Prior to the issue of an Occupation Certificate. A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified practitioner and submitted to and approved by the Ryde Traffic Committee.
- Note: The applicant is to be advised that the plan will require approval from the Ryde Traffic Committee and adequate time should be allowed for this process.
107. **Traffic Signals – Installation.** Prior to the issue of an Occupation Certificate, the applicant is to install Traffic Control Signals (TCS) at the intersection of

Wicks Road and Road-3 as per the RMS approved TCS plans and requirements to RMS satisfaction at no cost to Council and RMS.

108. **DELETED.**

109. **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, WSUD, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.

110. **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, WSUD and onsite disposal/ absorption components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's draft terms for these systems as specified in Council's DCP 2014 Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of any Occupation Certificate for that title.

111. **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 constructed trunk drainage system complies with the construction plan requirements and the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- c) 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.
- d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National

- Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
 - g) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
 - h) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
 - i) Compliance certificate from Council confirming that all external works in the public road have been completed to Council's satisfaction.

112. **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 Ryde Civic Centre (Devlin Street, Ryde).

113. **Acoustic certification.** A report from a qualified acoustical consultant demonstrating compliance with the relevant noise criteria must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.

OPERATIONAL CONDITIONS

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

114. **Offensive noise.** The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

115. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed as per Council's requirements. An adequate number of suitable waste containers must be kept on the premises for the storage of garbage.

116. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
117. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
118. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy.
119. **DELETED.**
120. **Opening Hours.** The premises will operate within the following hours:
- | | |
|----------------------|------------------|
| Monday to Friday: | 6:00am – 10:00pm |
| Saturday and Sunday: | 6:00am to 9:00pm |
121. **Car parking management.** Car parking is to be restricted to a maximum of three (3) hour free parking Monday to Friday. Prior to the issue of any Occupation Certificate the applicant is to submit a car parking management plan for Council's approval showing detailed measures put in place such as sign posting, patrolling of the car park, boom gate etc. to ensure that the site is not used for 'all day' parking by the commuters or the workers from around the Macquarie Park.

End of Conditions