

Annexure 1

Amendments to Draft Conditions:

The applicant has requested amendment to two conditions, Conditions 84 & 85 which relates to the public domain. The proposed changes are highlighted in red.

Conditions:

84. Public domain improvements. The public domain is to be upgraded along the Byfield Street frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The work is to include paving, multifunction light poles, street furniture and plantings. **All public domain works related to this consent** must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate. **The issue of any Occupation Certificate will not be delayed in the event that the public domain works required for the RMS upgrade of Byfield Street and Waterloo Road occurs prior to the issue of any Occupation Certificate.**

A public domain plan for the following works shall be submitted to, and approved by Council's City Works & Infrastructure, prior to the issue of the 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 Macquarie Park Tree Master Plan.

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 both the Byfield Street and the Waterloo Road frontages of the development. 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 Council and relevant utility authorities for approval prior to commencement of work.
- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, with vehicular luminance category V3 and pedestrian luminance category P2 along Waterloo Road and with vehicular

luminance category V5 and pedestrian luminance category P2 along Byfield Street.

Subject to design, it is expected that three new street lights on multi-function poles (MFPs) will be required along the Waterloo Road frontage and three new street lights on multi-function poles (MFPs) will be required along the Byfield Street frontage of the site. Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works and Infrastructure Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

One existing Ausgrid street lighting pole along the Waterloo Road frontage and two existing Ausgrid street lighting poles along the Byfield Street frontage are to be removed in conjunction with the installation of the new multifunction poles.

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

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

- 85. Public Infrastructure Works.** Public infrastructure works shall be constructed as outlined in this condition of consent, and must be completed to Council's satisfaction at no cost to Council, prior to the issue of any Occupation Certificate. **The issue of any Occupation Certificate will not be delayed in the event that the public domain works required for the RMS upgrade of Byfield Street and Waterloo Road occurs prior to the issue of any Occupation Certificate.**

The public domain works associated with this development are dependent on the Roads and Maritime Services (RMS) proposed upgrading of the road infrastructure in Waterloo Road and Byfield Street. The Developer shall approach Council's City Works and Infrastructure Directorate prior to preparing the public domain design plans, for confirmation of the geometrical alignments for the new kerb and gutter.

The design plans shall also reflect the proposed acquisition of private land for the widening of the road along the Byfield Street and Waterloo Road frontages as required by the (RMS).

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 and Infrastructure prior to the issue of a 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 and other relevant details for the new works and also demonstrate the smooth connection of the proposed works into the remaining street scape.

- (a) The removal of all redundant vehicular crossings and replacement with new kerb and gutter.
- (b) The restoration of footpaths that are damaged or disturbed, and replacement of any sections of kerb and gutter that are damaged during construction. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Byfield Street and Waterloo Road.
- (c) The construction of granite paved driveway in Byfield Street.
- (d) Construction of full width granite footway (minimum 3.0m measured from the new property boundary) along the Byfield Street frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.
- (e) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (f) Any staging of the public civil works and transitions between the stages.
- (g) 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 and their requirements being fully 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. The Council's review of each submission of the plans for the proposed public domain works 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*".

Council's Response:

Council's Senior Co-ordinator – Asset Networks has advised that the applicant's concerns of not being able to obtain an Occupation Certificate due RMS's works not

being completed and that RMS works will delay the issue of their OC, is not warranted.

Council is aware that the public domain works are dependent to some extent, on the RMS proposed upgrade of the road infrastructure in Waterloo Road and Byfield Street. Hence Condition 85 requires the Developer to contact Council's City Works and Infrastructure prior to the preparation of the public domain design plans in order to obtain the required alignments for the new kerb and gutter.

The public domain consent condition (items (a) to (g) of Conditions 85) outlines the outcomes to be achieved with regards to the public improvement works along the frontages of this development site; and these works can be completed prior to any works being undertaken by the RMS.

Whilst there is an interface between the Developer's public domain works and the RMS proposed infrastructure works, the DA consent condition has been formulated such that the Developer may still complete their obligations within their consent without delaying the issue of their Occupation Certificate.

Given the above, Council does not support the proposed changes to the draft conditions No. 84 and 85.

Sandra McCarry
27 September 2017.