

DRAFT CONSENT – LDA2017/0096 85 to 91 & 93 to 99 WATERLOO ROAD, MACQUARIE PARK

PART 1 – CONCEPT PLAN APPROVAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on the Concept Plan Approval for the site

1. Concept Development Application.

Pursuant to Clause 100 of the *Environmental Planning and Assessment Regulation 2000*, this Notice of Determination relates to a concept development application applying to Lots 2 and 3 in DP 1046092. Subsequent development application(s) are required for any work on the site for Stages 2, 3 and 4.

Part 2 of this Notice of Determination provides the conditions of consent for the development of the Stage 1 site.

2. Approved Plans/Documents – Concept DA Plan.

Pursuant to Clause 4.22 of the *Environmental Planning and Assessment Act 1979* this Notice of Determination approves the concept proposal for the development of the site in accordance with the following plans (stamped by Council):

Document Description	Plan Number	Date	Issue
Masterplan – Site Plan	DA29	18.02.19	H
Masterplan – Site Section 1	DA30	17.03.17	C
Masterplan – Site Section 2	DA31	17.03.17	C

and as amended by the conditions of this consent.

3. Matters Not Approved – Concept DA Plan.

The following items are not approved and do not form part of this concept development consent for Stages 2, 3 and 4:

- any demolition, excavation and/or construction;
- any tree removal;
- the layout of each level;
- the configuration and layout of the basement car parking level/s;
- public domain and landscape design;
- the final number of car parking spaces, bicycle spaces, car share or loading spaces/zones;
- the number of storeys contained within each envelope;
- elevations and materials of buildings;
- the precise quantum of floor space for each building.

4. Floor space ratio for total site.

The following applies to Floor Space Ratio:

- (a) Prior to a final Occupation Certificate being issued for the development site, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under the Ryde LEP 2014, applicable at the time of development consent, to the satisfaction of the Principal Certifying Authority.
- (b) Precise details of the distribution of floor space shall be provided with the future development application/s for Stages 2, 3 and 4.

5. Building height.

- (a) The height of the buildings must not exceed the following heights to the top of the building:
 - Building 1: RL 99.5 (AHD)
 - Building 2: RL 102.00 (AHD)
 - Building 3: RL 105.00 (AHD)
 - Building 4: RL 98.00 (AHD)
- (b) Building Height shall be calculated in accordance with Clause 4.3 and 4.3A of the Ryde Local Environmental Plan 2014, applicable at the time of development consent.
- (c) Prior to the relevant Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the relevant building accords with (a) above, to the satisfaction of the Principal Certifying Authority.

6. Planning Agreement.

Pursuant to Section 4.17(1)(a) of the Environmental Planning and Assessment Act 1979, the Planning Agreement between City of Ryde and The Trust Company Limited ACN 004 027 749 as custodian for Goodman Australia Industrial Trust No. and that relates to the development application the subject of this consent must be lodged for registration on the title of the property in accordance with the terms of the Planning Agreement.

7. Building envelopes.

Subject to the other conditions of this consent, the building envelope is only approved on the basis that the ultimate building design, including services, balconies, shading devices and the like will be entirely within the approved envelopes and provide an appropriate relationship with neighbouring buildings.

8. Future Stage 2 Buildings (Buildings 2, 3 and 4).

- (a) Buildings the subject of Stage 2 DAs (Buildings 2, 3 and 4) shall be wholly contained within the approved building envelopes.
- (b) Subject to the other conditions of this consent, the building envelope is only approved on the basis that the ultimate building design, including services, balconies, shading devices, lifts, stairs, open space circulation space and the like will be entirely within the approved envelopes.

- (c) Encroachments and variations to the building envelopes will be assessed on merit with future development applications for Stages 2, 3 and 4 respectively.

9. Consistency of future development applications.

While this consent remains in force, the determination of any further development application in respect of the site cannot be inconsistent with this consent.

10. Development in Macquarie Park - Access network (Pedestrian Link).

To meet the provisions of Clause 6.9 of Ryde Local Environmental Plan 2014, a 6m wide pedestrian link incorporating a 4m wide accessible paved footpath plus 2m landscape strip adjacent to it shall be provided connecting the existing Pedestrian Link at 8 Khartoum Road, Macquarie Park to Waterloo Road, with the layout to be generally in accordance with Ryde Council Development Control Plan 2014 Part 4.5 Macquarie Park Corridor.

The detailed design of the Pedestrian Link shall follow the concept design by AT&L, especially Drawing No 16-420-DAC100 (Issue C). Full construction details demonstrating compliance with the City of Ryde Public Domain Technical Manual PDTM Chapter 6 – Macquarie Park Corridor are to be submitted with the Building 4 Development Application and 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 requirements;
- (c) Fencing in consultation with Council is to be provided along the eastern boundary of the pedestrian link;
- (d) 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;
- (e) The pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council.

The pedestrian link shall be constructed by the developer/ owner with the Building 4 development, at no cost to Council and full public access will be required to be available at all times over the pedestrian link.

11. Linear Park.

A Linear Park is to be provided along the site frontage to Waterloo Road of both Building 2 and Building 4. Concept Landscape Plans for the proposed Linear Park are to be submitted with the relevant development application for Building 2 and Building 4.

The Concept Landscape Plans must include:

- (a) Impervious hard space areas that allow for activation that incorporate WSUD components.
- (b) Good pedestrian circulation and access to Waterloo Road frontage complying with AS1428 (all parts as relevant).
- (c) Flexible gathering areas that includes various seating opportunities.
- (d) Retaining existing trees within the linear park where feasible.
- (e) The use of local native plants of the Ecological Community “Turpentine – Ironbark Forest”.
- (f) Details of plant species to be used in the Linear Park.
- (g) Supplementary lighting that improves night time activity.
- (h) Place markers through the use of public art as way finding and the like.
- (i) The provision Wi-Fi and power outlets.

12. Stage 2, 3 and 4 Parking Capacity.

To ensure the parking demands of the development are satisfied whilst in balance with the limitations of the surrounding road network, future development applications for Buildings 2, 3 and 4 are not to exceed the following parking demand rates;

Use	Parking Demand Rate (Maximums)
Commercial	Maximum of 1 parking space per 100 m ² GFA

The above parking rates are subject to variation (reduced) pending on the outcome of the traffic modelling recommendations submitted with the relevant development application.

13. Car Parking Spaces And Dimensions

A maximum of 1, 047 off-street car parking spaces are to be provided across the Concept Plan DA site. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council’s Development Control Plan. The details must be submitted with the relevant development applications for Buildings 2, 3 and 4.

14. Vehicle access – Waterloo Road.

No vehicle access points / driveways are to be provided off Waterloo Road. The existing driveway to Waterloo Road, at 85 Waterloo Road is to be removed under any future application relating to this part of the Concept Master Plan Site.

15. At grade parking.

The drop off area fronting Khartoum Road is not to provide any delineated parking spaces. Details of compliance is to be submitted as part of future development applications for Stages 2 and 3.

16. Basement setbacks.

Basement car park structures are not to encroach into the minimum required front, rear or side setback zones of Buildings 2, 3 and 4. Particularly Building 3 is to be setback a minimum of 5m to Khartoum Road.

17. Sydney Trains.

Due to the proximity of the works proposed in the Concept Plan to the existing Rail and future Metro Corridor, Sydney Trains requests that the applicant consults with Sydney Trains and Sydney Metro prior to submitting a project application for the future staged works.

18. Sydney Trains.

The proposed development is to comply with the deemed-to-satisfy provisions in the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".

19. NSW Roads and Maritime Service.

Development approved under the Concept DA Plan must comply with the NSW Roads and Maritime Service Conditions included in their letter dated 24 August 2017 (Ref: SYD17/00549) including:

- (a) The subject property is within an area under investigation for the proposed Macquarie Park Bus Priority and Capacity Improvements project. The investigations completed to date indicate that part of the subject property will be required for this project as shown on the attached sketch SR4841 included at **Attachment 1** of this consent.

Further information about this project is available by contacting the project team on 1800 575 250 or Email macquarieparkbuspriority@rms.nsw.gov.au or by visiting the project website at <http://www.rms.nsw.gov.au/projects/sydney-north/macquarie-park-bus-priority-capacityimprovement/index.html>

Therefore any new buildings or structures, together with any improvements integral to the future use of the site, are to be erected clear of the land required for road (unlimited in height or depth). For more information regarding this road proposal, please contact Network & Development Manager Lindsay Thorpe on 8849 2263 or via email Lindsay.Thorpe@rms.nsw.gov.au

- (b) Roads and Maritime advises that, several construction projects, including the Sydney Metro, are likely to occur at the same time as this development within the Macquarie Park precinct. The cumulative increase in construction vehicle movements from these projects will impact on general traffic and bus operations within the Macquarie Park precinct, as well as the safety of pedestrians and cyclists particularly during commuter peak periods.

Therefore Roads and Maritime requests that the applicant prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with Roads and Maritime. The CPTMP needs to specify, but not be limited to, the following:

- Location of the proposed work zone;
- Haulage routes;
- Construction vehicle access arrangements;
- Proposed construction hours;
- Estimated number of construction vehicle movements;
- Construction program;
- Consultation strategy for liaison with surrounding stakeholders;
- Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- Cumulative construction impacts of projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network; and;
- Mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
- No ROLs will be permitted on any roads for the construction of the proposed development.

- (c) Right turn access into 93 Waterloo Road will be banned once the signals at this site are installed.

20. Remediation of land. A Detailed Environmental Site Assessment (DESA) must be submitted for Council's consideration with any relevant Stage 2, 3 or 4 development application. The DESA must comply with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.

If remediation is require, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation work.

If requested by Council, the proponent must submit a site audit statement and a site audit summary report from an accredited site auditor under the Contamination Land Management Act 1997, verifying the information contained in the DESA.

21. NSW Police.

Location maps should be used throughout the Concept DA Plan Site to indicate to visitors where they are.

22. Public Art.

A detailed public art strategy is to be developed for the Building 2, 3 and 4 Development Applications in accordance with Part 4.5 Macquarie Park Corridor DCP 2014 and the following:

- (a) Public art concept/s illustrated in such a way that the form, dimensions, materials and locations of the proposed artwork/s are developed and clearly communicated.
- (b) Brief statement explaining how the artwork themes developed for each of the four sites/interventions identified in the preliminary public art strategy.
- (c) Site plans (ie architectural and landscape drawings) that show how the artwork is integrated with the site. The plans must clearly present a public art space (eg the surface or 3D envelope that will contain the artwork/s).
- (d) Program for detailed design documentation, fabrication and installation; and
- (e) Details of the artist/s developing the documentation and artwork.
- (f) The requirement to accommodate public art as part of the redevelopment of the site must be included as part of future Stage 2, 3 and 4 Development Applications.

23. Crime Prevention Through Environmental Design.

Development Applications for Stages 2, 3 and 4 are to comply with the principles of Crime Prevention Through Environmental Design.

24. Wind.

Prior to the lodgement of a Development Application for Stage 2, 3 and 4, the detailed design shall be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible space, the surrounding streets, and pedestrian link. Any recommendations of this wind tunnel testing and wind assessment report shall be incorporated into the final detailed design lodged with the respective Development Application.

25. Framework Travel Plan.

A Framework Travel Plan is to be submitted with any future Development Application for Stages 2, 3 and 4. The Framework Travel Plan is to be prepared in accordance with the requirements of Part 4.5 Macquarie Park Corridor DCP 2014 and include (but not be limited to):

- (a) Details of the car sharing scheme on the site (in accordance with the conditions of this consent),
- (b) Measures/ incentives to encourage occupants to enter into the car sharing scheme to be located on the site
- (c) Measures/ incentives for public transport usage,
- (d) Extension of the current parking management plan in effect at the centre, addressing the resident parking component.

- (e) Measures incentives to encourage cycling, including detailing end of trip facilities, bicycle parking facilities, signage and notification to residents and patrons to the centre.

26. Waste Collection.

The Stage 2, 3 and 4 Development Applications shall demonstrate compliance with Council's requirements for waste collection and Part 7.2 of DCP 2014 Waste Minimisation and Management. This is to include the submission of a Waste Management Plan and detailed architectural plans which address Council's requirements.

27. Landscaping.

A detailed landscape plan is to be submitted with the Stages 2, 3 and 4 Development Applications respectively. The landscaping plan is to comply with the numerical site coverage, deep soil areas and open space requirements in addition to the design requirements under Section 8.0 of Part 4.2 of Ryde DCP 2014.

The landscaping plan should also include rainwater capture and include details on where/how and for what purpose the water will be used and demonstrate water efficiency and effective stormwater management.

28. Access.

An access report shall be submitted with any Stage 2 Development Application to demonstrate that the building has been designed and is capable of being constructed to provide access and facilities for people with a disability in accordance with the Disability Discrimination Act and Access to Premises Standards.

29. Ecological Sustainable Development.

An ecologically sustainable development report is to be submitted with the Stage 2, 3 and 4 Development Applications respectively. This report is to demonstrate that the following targets are to be achieved:

- (a) Office/commercial A 5 Star Green Star – Design and As Built rating for the office; and A 5 Star base building NABERS Office Energy rating.
- (b) Retail A Green Star – Retail v1 – 4 Star design equivalency rating with an aspiration to 5 stars.

30. Public Domain.

A public domain plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with the development applications relating to Stages 2, 3 and 4. The public infrastructure works along Khartoum Road and Waterloo Road are to be in accordance with City of Ryde Development Control Plan 2014 Part 4.5 Macquarie Park Corridor and the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park.

31. Ausgrid.

Consultation is required with Ausgrid to ensure that technical and statutory requirements in regard to the safe and reliable operation and maintenance of the Ausgrid's network is maintained. Details of the consultation undertaken are to be provided with the relevant Stage 2 Development Application.

32. Future Stormwater Management Plan.

To ensure that the development's generated stormwater runoff is collected and discharged appropriately, a stormwater management plan, incorporating On-Site Detention (OSD) in accordance with Part 8.2 of Council's DCP 2014 must be submitted with any development application for Buildings 2, 3 and 4. The stormwater management plan shall be generally in accordance with the Stormwater Management report by AT&L Pty Ltd, 16-420 dated 17th March 2017, particularly the Stormwater Drainage Catchment Plan (Drawing number DAC041 Issue A).

33. Active Frontages.

Continuous ground level active uses as defined by Part 4.5 Macquarie Park Corridor of DCP 2014 must be provided along the Waterloo Road frontage. Buildings 2 and 4 must address the street or public domain and front doors are to be located on the primary frontage.

34. Water Sustainable Urban Design Strategy Plan.

To ensure that the development's stormwater management system integrates the principles of water sustainable urban design (WSUD) as required by Council's DCP and policies, as well as best practise design approach to urban stormwater management, a Water Sustainable Urban Design Strategic Plan (WSUDSP) must be prepared detailing WSUD components to be implemented throughout each stage of the development.

The WSUDSP must be prepared by a suitably qualified drainage engineer, in collaboration with a landscape architect, to implement WSUD components in the stormwater management system for the development. The plan must generally be in accordance with the WSUD concept detailed in the Stormwater Management report by AT&L Pty Ltd, 16-420 dated 17th March 2017 and Council's DCP Part 8.2 (Stormwater and Floodplain Management) and comply with the following;

- (a) To encourage stormwater treatments which are aesthetically pleasing, at least half of the WSUD components must be integrated into the landscape plans for the site. The use of any proprietary / mechanical products is discouraged.
- (b) Rainwater storage is to be provided which will meet at least 50% of the non-potable water demand of the development and 80% of water use in open space areas (eg irrigation, ponds, water features). To demonstrate this, the WSUDSP will be required to present a water balance model analysing such uses respective of rainfall statistics.

- (c) Satisfy the requirements of a WSUD management plan as specified in the DCP Part 8.2 (Stormwater and Floodplain Management)

The WSUDSP must be submitted with the first Development Application for any above ground development works. The approved WSUDSP is to be implemented for every following development application.

35. Loading Bay / Service Delivery Management Plan.

To ensure the service requirements of the commercial floor area are satisfied at each stage of the development, a Loading Bay / Service Delivery Management Plan is to be submitted with each future Development Application. The Plan must demonstrate that all loading and unloading in relation to the use of the premises can take place wholly within the property. The Plan must specify the location of service bay areas / loading bay docks, analyse the number and frequency of service vehicle movements for the existing and proposed commercial floor area and demonstrate that such service requirements can be satisfied on the site.

36. Noise impact assessment report.

A noise impact assessment report is to be submitted with any relevant Stage 2 Development Application. The report must be prepared by a suitably qualified acoustical consultant and demonstrate that the noise levels emitted from the premises will comply with the noise criteria specified in the *New South Wales Industrial Noise Policy* (EPA, 2000).

The report must include the following information:

- (a) details of the site and the surrounding locality;
- (b) a description of the proposed use;
- (c) the proposed times of operation;
- (d) the existing background noise and ambient industrial noise levels;
- (e) the project-specific noise levels for the proposed use;
- (f) details of all potential noise sources associated with the proposed use;
- (g) details of any measures proposed to control or mitigate noise;
- (h) sound pressure levels at a preferred measurement distance or sound power levels, in dBA, for all major noise sources;
- (i) the predicted cumulative noise levels at all nearby affected residential premises; and
- (j) an assessment of the noise impact.

37. Setbacks to Building 2.

Building 2 is to be setback to reflect the RMS requirements under Condition 19 of this Part, as well as Council's DCP requirements.

End of Part 1.

PART 2 – STAGE 1 (BUILDING 1) APPROVAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on the construction of the Stage 1 part of the site, including the construction of New Road 1.

GENERAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on the development.

- 1. Stage 1 approval.** Pursuant to Clause 4.22(4) of the Environmental Planning and Assessment Act 1979, consent is granted to the first stage of development of the site for Building 1 on the land at 93-99 Waterloo Road and 101 Waterloo Road, Macquarie Park without the need for further consent.
- 2. Approved Plans/Documents – Stage 1.**
Except where otherwise provided in this consent, the Building 1 development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Civil Plans prepared by AT&L

Document Description	Plan Number	Date	Issue
Cover Sheet and Locality Plan	16-420-DAC001	29.10.18	D
Noted and Legends	16-420-DAC002	29.10.18	C
General Arrangement Plan	16-420-DAC003	27.11.18	D
Typical Road Cross Sections – Sheet 1 of 2	16-420-DAC004	4.12.18	F
Typical Road Cross Sections – Sheet 2 of 2	16-420-DAC005	4.12.18	B
Siteworks and Stormwater Drainage Plan	16-420-DAC011	4.12.18	H
Proposed Road 01 Longitudinal Section	16-420-DAC021	29.10.18	F
Proposed Road 01 Cross Sections	16-420-DAC025	29.10.18	C
Pavement Plan	16-420-DAC035	29.10.18	C
Roadworks Details	16-420-DAC036	29.10.18	C
Stormwater Drainage Catchment Plan Sheet 1	16-420-DAC040	29.10.18	A
Stormwater Drainage Catchment Plan Sheet 2	16-420-DAC041	29.10.18	C
Stormwater Drainage Details	16-420-DAC042	29.10.18	C

Document Description	Plan Number	Date	Issue
Stormwater Drainage Onsite Detention Tank 1 Details	16-420-DAC043	29.10.18	C
Stormwater Longitudinal Section	16-420-DAC045	29.10.18	C
Services and Utilities Coordination Plan Sheet 1	16-420-DAC070	29.10.18	D
Services and Utilities Coordination Plan Sheet 2	16-420-DAC071	29.10.18	D
Erosion and Sediment Control Plan	16-420-DAC080	29.10.18	C
Erosion and Sediment Control Details	16-420-DAC081	29.10.18	D
Turning Path Plan	16-420-DAC090	29.10.18	C
Retaining Wall Contiguous Pile Option	ATL-CV-16-420-SKC13	7.03.19	P2

Architecture Plans prepared by Rice Daubney

Document Description	Plan Number	Date	Issue
Cover Page	DA01	17.09.18	D
Location Plan	DA02	21.08.18	D
Site Plan	DA03	06.11.18	F
Ground Floor Plan	DA04	06.11.18	G
Lower Ground Floor Plan	DA05	17.09.18	F
Basement 1	DA06	12.06.18	D
Basement 2	DA07	12.06.18	D
Basement 3	DA08	12.06.18	D
Basement 4	DA09	12.06.18	D
Level 1 (Level 2 Sim)	DA10	20.02.19	D
Typical Floorplate Analysis	DA11	20.02.19	D
Level 3	DA12	20.02.19	D
Level 5	DA13	20.02.19	D
Level 7	DA14	20.02.19	D
Level 9	DA15	20.02.19	D
Level 11 - Plant	DA16	17.03.17	C
Long Section	DA17	04.07.18	D
Short Section	DA18	20.02.19	F

Document Description	Plan Number	Date	Issue
North Elevation	DA19	17.09.18	D
East & West Elevation	DA20	17.09.18	D
South Elevation	DA21	20.02.19	E
Photomontages	DA25	17.09.18	D
Shadow Diagrams	DA27	17.03.18	C
GFA Area Schedule	DA28	17.09.18	D
Typical Section of Road 27 prepared by Goodman	-	19.03.19	A

Landscape Plans prepared by Arcadia

Document Description	Plan Number	Date	Issue
Masterplan	100	11.09.18	B
Softworks Plan	400	11.09.18	B
Softworks Plan	401	11.09.18	B
Softworks Plan	402	11.09.18	B
Softworks Plan	403	11.09.18	B
Details	500	11.09.18	B
Specifications	501	11.09.18	B
South-West Retaining Wall Details prepared by WMK Architecture	DA22	7.3.19	B

Supporting Documents

Document Description	Prepared by	Reference	Date
Tree Management Plan	Naturally Trees	TMP01 Sheet 1 of 3	12.12.16
Tree Management Plan	Naturally Trees	TMP01 Sheet 2 of 3	12.12.16
Tree Management Plan	Naturally Trees	TMP01 Sheet 3 of 3	12.12.16
Arboricultural Impact Appraisal and Method Statement	Naturally Trees	Goodman_97_ Waterloo _ AIA and MS.doc	12.12.16
Ecologically Sustainable Design Statement	Cundall	Revision -	20.03.17

Document Description	Prepared by	Reference	Date
Acoustic Assessment Report	Wilkinson Murray	Report No. 16315, Version A	17.03.17
Waste Management Plan	Goodman	-	March 2017

3. **Staged Construction (Building 1).** The Building 1 works may be carried out in stages with the relevant conditions being satisfied prior to the issue of a Construction Certificate for each stages as follows:

Construction Certificate Stage	Description
1A	<ul style="list-style-type: none"> • All inground services and pits to basement • Lift pits • Piles and footings • Slab on ground • All structure from B4 to upper ground level (UGL) inclusive • OSD tank and stormwater
1B	<ul style="list-style-type: none"> • New council road, including retaining wall, services, lighting, Council signage and associated landscaping
1C	<ul style="list-style-type: none"> • Structure Level 1 to Roof inclusive • Roof coverings, including roof drainage • Façade • Services, including plant room fitout and finishes • External and feature lighting (attached to the building) • Vertical transport • Basement levels fitout and finishes • Lower Ground and Ground level fitout and finishes • Levels 1 to 10 base build fitout and finishes
1D	<ul style="list-style-type: none"> • External hard landscaping • External stairs and ramps (not forming part of the main structure) • External feature and wayfinding lighting (separate from the building) • Trees and soft landscaping (excluding to new council road) • External furniture, fixtures and equipment.

Note: Local Development Application No. LDA2018/0481 dated 25 January 2019 approved *Early site works, including excavation for basement development.*

4. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
5. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
6. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".
7. **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.
8. **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.
9. **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.
10. **Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
11. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
12. **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.

13. **Excavation.** All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
14. **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 Civil Domain Works), except otherwise as amended by conditions of this consent.
15. **Works on Public Roads** – Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
16. **Installation, operating and maintenance requirements** - Any air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
17. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.
18. **Registration of water-cooling systems** - Any water-cooling regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
19. **Construction of garbage rooms** - All garbage 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.

20. Paving to collection point - The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.

21. Access for waste collection vehicles - Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.

Additional clearances must be provided for overhead and side loading where appropriate.

22. Installation of grease trap(s) - A grease trap(s) must be installed if required by Sydney Water Corporation. The grease trap(s) must be located outside the building or in a dedicated grease trap room(s) and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.

23. 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.

24. Subsoil drainage. All subsoil drainage must be designed to meet the requirements set out in AS3500.

25. Boundary fencing and surface water. Any boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party

26. NSW Police - CCTV Installation.

- a) The applicant must install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should include the foyer area to the building, lifts, public space and any retail/commercial space. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also monitor the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.
- b) As a minimum, CCTV cameras at entry and exit points to the premises MUST record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras MUST record footage of a nature and quality in which it can be used to recognise a person recorded by the camera.
- c) The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.
- d) If requested by police, the applicant or body corporate is to archive any recording until such time as they are no longer required.
- e) 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.
- f) The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.
- g) 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.

27. NSW Police - Lighting.

- a) 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.
- b) Sensor lighting should be installed into areas that may be areas of concealment.

28. NSW Police - Signage

- a) A street sign should be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No.8.
- b) Signage needs to be provided at entry/exit points and throughout the development to assist users. Clear signage should indicate any restricted areas.
- c) Signage also needs to be provided on any fire exit doors warning users that the doors are to be used for emergency purposes only.
- d) Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful. The front of the building should have clear signage in regards to street numbers so that emergency services are able to clearly read the numbers. To assist with way finding for emergency services,

numbering of street numbers, building numbers and levels of the building should be clearly displayed.

29. NSW Police - Access

- a) Access control should be set in place to exclude unauthorized access to the buildings as well as to restricted areas.
- b) Doors and locks, including fire exit door locks, are to be of high quality and comply with the relevant Australian Standards to restrict unauthorised access to the development.
- c) It is recommended that for security reasons that the basement car parking areas have a security gate or security roller shutter that can be closed to prevent people loitering in the car park and to prevent crime.
- d) To enhance security, swipe cards, pin codes or keys should be used for restricted areas. To prevent general public access to commercial/office areas that may be for employees only, access cards for lifts should be utilized that will allow employees only to certain floors or areas.
- e) Any basement car park for staff only should be accessed via a boom gate/roller shutter with swipe access to prevent general public access and to enhance security.

30. Traffic Management. Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 2009 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.

31. Design and Construction Standards – All engineering works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works and relevant Development Control Plans except as amended by the conditions herein.

32. Service Alterations – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the applicant's expense.

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

34. Public areas and restoration works - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council.

PRIOR TO CONSTRUCTION CERTIFICATE

A Construction Certificate must be obtained from a Principal Certifier 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 Certifier 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 Certifier.

- 35. 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 Certifier prior to the issue of the relevant **Construction Certificate**.
- 36. 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 relevant **Construction Certificate**.
- 37. Security deposit.** The Council must be provided with security for the purposes of section 4.17(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 any **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
- 38. 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
- 39. 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 Certifier prior to the issuing of the **Construction Certificate**.
- 40. Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.
- 41. Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including

colours and texture must be provided to the Principal Certifier prior to the release of the **Construction Certificate**.

42. Crime Prevention through Environmental Design. The recommendations made in the Crime Prevention through Environmental Design (CPTED) Assessment Report prepared by Goodman, dated March 2017, are to be incorporated into the development, this includes the following:

- The ground and lower ground floors of the building, including the front entrance doors are to be glazed to provide natural surveillance from the building out to street, out towards and pedestrian pathways.
- Landscaping along the street frontages include low form shrub planting to reduce opportunity for hiding and loitering. Vegetation is not to conceal entrances/exits, and trees are to be spaced to form discontinuous canopies.
- Public access to the rear of the building (south and eastern boundary) is to be limited to reduce any unauthorised access to the building.
- At night the building is to be internally lit, particularly on the lower levels of the development, and the landscaping is to have lighting to increase natural surveillance and visibility.
- Street lighting is to be provided along the northern boundary road in accordance with the Ryde Council's Public Domain Manual.
- Security is to be present at the premises, either at ground floor or the basement entrance as deemed necessary by management. Patrols are to be used where required to reduce the likelihood of vandalism.
- Swipe card access is to be incorporated into the office use, and doors are to be locked to prevent any unwanted access.
- Security Alarms are to be monitored, and security guards are to be present on site as required for adequate protection.
- The premises including the landscaping and building are to be maintained by building management. The presentation of the building is to make it clear that the development is as a well-cared for corporate premises.
- Materials and coating finishes of the building accessible from the ground are to be 'anti- vandal' and 'anti-graffiti'.
- Low level lighting is to be incorporated for the underground parking spaces, with greater intensity lighting for the entrances.
- Open style security grills are to be installed for the underground parking entry.
- There is to be no hidden spaces surrounding the parking area.
- Disabled parking spaces is to be located at the entry in a highly visible area.
- Electronic boom gates are to be used to control access to the car park areas

Details of compliance are to be submitted with the plans for **Construction Certificate**.

43. Compliance with Access Report. The development is to comply with the recommendations contained in the Access Review prepared by Morris-Goding Accessibility Consulting, dated 20 March 2017 (Version. Final V2) and all other relevant BCA access requirements. Including the following recommendations:

- Provide suitable AS1428.1 compliant accessible paths of travel from the site boundaries to the building main entries in accordance with the DDA Premises Standards.
- Ensure grading is compliant with AS1428.1.
- Provide a main entry door that is accessible (e.g. hinged/sliding with minimum 850mm clear width generally 920mm door leaf) and door hardware for ease of operation, in compliance with AS1428.1:2009.
- Ensure door latch side clearance and circulation space is sufficient according to AS1428.1 Section 13.3 and the DDA Premises Standards. This will also ensure ramp landing will be sufficient.
- Provide at least one accessible continuous handrail within both fire-isolated stairs/ramps, compliant with AS1428.1 Clause 12, as required under BCA 2014 part D2.17.
- The stair design to provide an off-set tread at base of all stair flights to enable the continuous handrail provision at consistent height, compliant with AS1428.1 fig. 28(a)
- Consideration for emergency alarm systems within building to have provision for visual and audio warnings and signals (advisory/best practice).
- Ensure common area floor surfaces are suitably slip resistant and traversable by a wheelchair or walking frame, compliant with AS 1428.1:2009 and HB198/AS4856 (wet pendulum method).
- Ensure doors between gym and fire stair and meeting rooms have sufficient latch/hinge side clearance and circulation space compliant with AS1428.1 Section 13.3 and the DDA Premises Standards.
- Ensure common use stairs have handrails with suitable handrail extensions compliant with AS1428.1.
- Ensure common use stairs have TGSIs installed at the top and bottom compliant with AS1428.4.1.
- Lift car components (e.g. grabrail, control buttons, lighting etc.) to comply with AS1735.12 and the DDA Premises Standards Part E3.6.
- Ensure accessible toilets have a balance of left hand and right hand transfer in accordance with DDA Premises Standards Clause F2.4(g).
- Ambulant cubicles in each of the male and female toilet banks must be in accordance and comply with AS1428.1 Section 16 and the DDA Premises Standards Clause F2.4(c).
- Provide at least 1 accessible car-parking space per 100 car parking spaces to satisfy the DDA Premises Standards and BCA Table D3.5 for this Class 5 development.
- Provide an AS1428.1 compliant accessible path of travel from accessible car bays to lift lobby.
- In general the maintenance illumination levels should be 150 lux for paths of travel, corridors and stairs. Ensure all lighting levels comply with AS1680.
- Signage to comply with BCA part D3.6.
- All accessible parking spaces must be located adjacent to the lift lobby.

Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.

44. **Ecologically Sustainable Development.** The recommendations of the submitted Ecologically Sustainable Design Statement prepared by Cundall, dated 20 March 2017, are to be incorporated into the development. Specific sustainability initiatives to be implemented include:
- Selection of non-toxic finishes to improve Indoor Environmental Quality (IEQ)
 - Water-efficient fittings, fixtures and appliances to minimise water demand
 - Load reduction, passive design, energy-efficient building services and smart controls to reduce energy consumption
 - Promotion of active living through design and education strategies, including recreational and end-of-trip facilities
 - Enhanced commissioning and tuning practices to translate design intent into actual performance
 - Environmental and construction waste management to ISO14001 standard during demolition and construction
 - Selective procurement to consider the supply chain impacts of materials used in construction in terms of environmental and social responsibility, and to reduce embodied carbon

Details of compliance are to be submitted with the plans for the relevant **Construction Certificate**.

45. **Drainage Easement.** An easement to drain stormwater must be established over the downstream property, 101 to 107 Waterloo Road in order for the development to legally drain via gravity to the downstream public drainage infrastructure. The easement is to be created in accordance with Part 8.2 and 8.4 of Council's DCP 2014 requirements. Documentary evidence of registration of the drainage easement with the Land & Property Information Authority, including the terms of the drainage easement and its location on the burdened lot(s), must be submitted to Council to demonstrate the requirements of this condition have been satisfied, prior to the release of the Stage 1B Construction Certificate.

Alternatively, if it is demonstrated that the development at 101 to 107 Waterloo Road has completed, registered and dedicated the road at the rear of the property to Council, the Construction Certificate for Stage 1B can be released without the drainage easement.

46. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
47. **Bicycle/motorcycle parking.** An area shall be designated for motorbike and/or bicycle parking on the site within the basement level with a minimum of 18 bicycle spaces. A bicycle parking rack or the like must be provided. These must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of any **Construction Certificate**.

- 48. Vehicle Access & Parking.** All internal driveways, vehicle turning areas, garages and vehicle parking space/ loading bay dimensions must be designed and constructed to comply with the relevant section of AS 2890 (Offstreet Parking standards).

With respect to this, the following revision(s) must be undertaken;

- a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890.1. To demonstrate compliance with this Standard, the development's structural details must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.
- b) All internal driveways and vehicle access ramps catering for service vehicle access must have ramp grades, transitions and height clearances complying with AS 2890.2 for the designated vehicle class (SRV 3.5m – MRV/ HRV – 4.5m). To demonstrate compliance with this Standard, the development's structural details must include an access path profile taken along the service vehicle path of the travel into the enclosed garage structure to the loading bay areas. The profile must show ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel and is to include provision for overhead services.
- c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the northern side of the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.
- d) There is a concern regarding the location of the boom gate position at the secondary vehicular entry into basement level 1 as it may conflict with vehicles entering the site. A B99 swept path analysis utilising only one manoeuvre to enter is required to be submitted. The swept path analysis is required to allow for swept path clearances as per Australian Standard AS 2890.1 – 2004 Section B3.2. And all circulation roadways intersections require a further 300mm structural clearance as per AS 2890.1 – 2004 Section 2.5.2(C).

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

- 49. Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the existing Council easement and

infrastructure that runs via the Macquarie Shopping Centre, generally in accordance with the plans by AT&L Pty Ltd, drawing number 16-420-DAC 001 to 004 B, 011 E, 021 E, 025 B, 030 B, 031 B, 034 A, 035 B, 036 B, 041 to 043 B, 045 A, 070 B, 071 B, 080 B, 081 B, 090 B and 100 A, dated 6th September 2018.

The detailed plans, documentation and certification of the drainage system must be submitted with the application prior to the release of any Construction Certificate and prepared by a chartered civil engineer and comply with the following;

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

50. Stormwater Management – Connection to Public Drainage System. The connection to the public inground stormwater drainage infrastructure will require the assessment, and inspection by the relevant Officer from Council's City Works Directorate 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 Schedule of Fees and Charges must be paid to Council prior to the issue of the Construction Certificate Stage 1B. 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.

51. Driveway Access Levels. The applicant is to apply to Council, pay the required fee, and have issued site specific driveway access levels by Council prior to the issue of any **Construction Certificate**.

52. Geotechnical Design, Certification and Monitoring Program. The proposed development involves the construction of subsurface structures 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 the Geotechnical Report by Michael Adler and Associates Pty Ltd, reference 06/07390.

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

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

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

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill

- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Location of critical areas (drainage lines, water bodies and unstable slopes)
- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

The ESCP must be submitted prior to the release of any Construction Certificate. This condition is imposed to protect downstream properties, Council's drainage system and natural watercourses from sediment build-up transferred by stormwater runoff from the site.

- 55. Stormwater drainage pits and pipes location and design details** - New stormwater drainage pipes are to be located underneath the kerb & gutter to facilitate future maintenance. This includes sections such as between Pit A/6 and Pit A/5 as shown on Drawing No. 16-420-DAC011, Project No. 16-420, Issue H, dated 4.12.2018.

The location and as built information (including dimensions and invert levels) of Pit EX02/1 as shown on the abovementioned drawing shall be confirmed by a qualified surveyor to ensure that the stormwater pit EX02/1 has been built to the required levels.

Additionally, the concrete collar details for Pit EX02/1 shall be designed by a suitably qualified structural engineer to meet (or exceed) the design life of the connected stormwater pipes.

Any stormwater pit with a depth greater than 1.5 metres shall be designed and certified by a suitably qualified Structural Engineer prior to the issue of Construction Certificate Stage 1B.

A copy of the updated plan shall be submitted to the Principal Certifying Authority prior to the issue of Construction Certificate Stage 1B.

- 56. Remediation of land** - The land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work on the land, excluding those works required for the remediation of the site eg. excavation or shoring, until Council has confirmed in writing that it is

satisfied that the land is suitable for the proposed use, without the need for further remediation.

- 57. 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*.
- 58. Remediation work** - Any 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.
- 59. 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.
- 60. Automated Irrigation.** An automatic watering system is to be supplied to all landscape areas including common areas, public and private open spaces and podium planters to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details of compliance are to be submitted with the plans for the relevant Construction Certificate.
- 61. 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 in consultation with Sydney Coordination Office (SCO) of the Transport for NSW and submitted to and approved by Council prior to issue of any Construction Certificate.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and 4.30-6.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CTMP.

The CTMP must:-

- (a) Consider the Station Link (formerly known as Epping to Chatswood Temporary Transport Plan), which commenced on 30 September 2018 and will operate for approximately 7 months. Key features of Station Link include:
 - High frequency, turn-up-and-go services to stations between Epping and Chatswood at least every six minutes during the peak.
 - More than 110 services per hour in the busiest parts of the day.

- A dedicated high frequency service to Macquarie University Campus from Epping Station.
- A loop service running at least every 10 minutes 7 days a week to all stations between Epping to Chatswood
- Further information on Station Link can be found at <http://www.mysydney.nsw.gov.au/stationlink>
- (b) Make provision for all construction materials to be stored on site, at all times.
- (c) Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- (d) 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.
- (e) Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- (f) Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- (g) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- (h) 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 submitted to Council prior to work commencing on site.
- (i) Specify spoil management process and facilities to be used on site.
- (j) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- (k) The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – "Manual of Uniform Traffic Control Devices", RMS' Manual – "Traffic Control at Work Sites", Council's DCP 2014 Part 8.1 (Construction Activities) and Council's CTMP checklist. A copy of Council's CTMP checklist shall be obtained from Council's Traffic, Transport and Development Department prior to submission of CTMP.
- (l) 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 are to be paid at the time that the Construction Traffic Management Plan is submitted.

Note: 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 to the site.

- 62. Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed to comply with forward in and forward out access of an 8.8m Medium Rigid Vehicle (MRV), as a minimum requirement. The height clearance required is 4.5m. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 8.8m MRV shall be submitted to and approved by Council's Traffic Engineer prior to the issue of the relevant Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.
- 63. Ground Anchors -** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
- (a) Advice being provided to the relevant Public Utility Authorities of the proposed anchoring.
 - (b) the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the application, and
 - (c) the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.
- 64. Public Domain Improvement Works –** Construction Certificate Stage 1B of the proposed development includes the design and construction of a part of New Road 1 along the northern boundary of the development site and the design only of the full length of the new Pedestrian Link. The public domain works shall be in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park Corridor. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

A public domain plan for the following works shall be submitted to, and approved by Council's City Works Directorate, prior to the issue of the relevant Construction Certificate.

- (a) Detailed Design for the New Road 1 and the Pedestrian Link as specified in the condition of consent for public infrastructure works.

- (b) Street trees to be provided in accordance with the Macquarie Park Street Tree Master Plan and the City of Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor.

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

- (c) All telecommunication and utility services are to be placed underground along the proposed new Road 1 frontage. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

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

- (d) New street lighting 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 a minimum vehicular luminance category V5 and pedestrian luminance category P2 along the New Road 1.

Subject to design, it is expected that a minimum of **seven** new street lights on staggered multi-function poles (MFP) on both sides of the New Road 1 will be required.

The Lighting design shall be in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

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

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 Directorate.

- 65. Public Infrastructure Works** – Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Stage 1B 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, proposed signage and line-marking, and other relevant details for the new works. The drawings shall demonstrate the smooth connection of the proposed new road works with the already existing street scape.

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

- (a) The construction of a part of the New Road 1 (continuation of Banfield Road to the west). The New Road 1 will have a formation width of minimum of 20m comprising 11m sealed carriageway (a 3m wide traffic lane and 2.5m wide parking lane on each side) and a minimum of 4.5m wide footpath on both sides. This part of Road 1 is between two other portions of the road where levels had been fixed. The detailed design shall follow the concept design by AT&L, specifically Drawing No 16-420-DAC021 (Issue F). The pavement of the new road shall be based on the local geotechnical report and vehicular loading as specified by Council.

The construction shall include kerb and gutters, underground piped stormwater drainage system, granite paved footpaths, street lighting and Water Sensitive Urban Design (WSUD) treatment system, including any other works where required to make the construction effective.

- (b) The construction of a retaining wall supporting the excavation for New Road 1 along the boundary with the neighbouring property at 10-14 Khartoum Road, generally in accordance with the drawing by AT&L Drawing No. ATL-CV-16-420-SKC13, Issue P2.

The design of the retaining wall shall:

- despite Clause (a), maintain a minimum width of 4,000mm for the pedestrian footpath;
- be contained entirely within the road reserve for the New Road 1;

- be structurally sound in order to withstand the existing geotechnical loadings;
- include appropriate fencing on the top of the wall for public safety reasons;
- be easily maintained;
- be consistent along the length of the wall;
- relate to the site's urban context and/or the history of Macquarie Park;
- be of tones which will blend and harmonise with the urban environment;
- provide pattern/texture/details/artwork/paintings which will provide visual interest to the public domain; and
- be of materials which are durable, vandal and graffiti proof and will complement the materials of the public domain.

A Certificate from the Design Engineer for the structural adequacy of the wall is to be submitted to and endorsed by Council before the issue of the Stage 1B Construction Certificate.

- (c) The necessary infrastructure for the installation plus the cost of **minimum 2** and **maximum 4 parking meters** along the New Road 1 in consultation with Council.
- (d) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (e) Signage and line-marking details.
- (f) Staging of the public civil works, if any, 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 along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.
4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.

- 66. Vehicle Footpath Crossings** – To protect the footpath from damage resulting from the vehicular traffic, the footpath crossing/s shall be designed and constructed in accordance with the City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works*, and all relevant Australian Codes and Standards (AS2890.1). The crossings shall match the paving style along the frontages of the development site.

In order to avoid the access driveway looking like a public road, kerbs shall not be returned to the boundary alignment line.

The applicant shall provide Council with certification from a Chartered Civil Engineer (registered on the NER of Engineers Australia) confirming that the vehicle footpath crossing and driveway design meet Council requirements and the relevant standards, prior to the issue of the Construction Certificate.

- 67. Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **\$200,000** shall be lodged with the City of Ryde prior to the issue of Construction Certificate Stage 1B to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

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

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

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

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

And

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

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

70. Public Art. A Public Arts Plan is to be submitted for approval by Council in accordance with Council's Public Art Policy, prior to the issue of the relevant **Construction Certificate**. The public art shall be equal to approximately 0.1% of the estimated total construction cost, is to be prepared by an arts and cultural planner and is to address the following:

- (a) The provision of detailed design stage is to satisfy the City of Ryde that the public art is being developed according to the approved Landscape Strategy Public Art Strategy, and the public art commitments are being fulfilled.
- (b) Submission of the detailed 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;
- (c) The detail design will be reflect the undertakings as documented in the Landscape Strategy Public Art Strategy.
- (d) The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate;
- (e) The proposal should provide engineer's drawings and demonstrate:
 - 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.

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.

71. 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 Certifier 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.

72. 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.

73. Safety fencing. The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

74. Development to be within site boundaries. The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Any doors/gates on the boundary must be installed so they do not open onto any footpath.

75. Construction Noise Control - A comprehensive construction noise and vibration management plan to protect the amenity of the adjacent properties must be prepared by a suitable qualified acoustic consultant and submitted to the Principal Certifying Authority before any construction commences. The plan must be prepared in accordance with the relevant requirements of Interim Construction Noise Guideline (DECC, 2009) and AS2436-2010 *“Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites”* and include:

- (a) Identification of nearby affected residences or other sensitive receivers.
- (b) An assessment of the expected noise impacts.
- (c) Details of the work practices required to minimise noise impacts.
- (d) Noise monitoring procedures.
- (e) Procedures for notifying nearby affected residents or businesses.
- (f) Complaints management procedures.

Note: Appropriate background noise levels relevant to the most sensitive receivers will be required to support the plan.

All relevant requirements of the plan must be implemented throughout the period of construction.

76. Dust Control– A dust control plan must be prepared in accordance with relevant legislation and guidelines and submitted to the Principal Certifying Authority before demolition commences to prevent the escape of dust from the site during demolition and construction and include:

- (a) Physical barriers being placed around the site and other dust sources to prevent wind or work activities from generating dust.
- (b) Watering areas of exposed soil during dry windy weather.
- (c) Covering or watering stockpiles during dry windy weather.
- (d) Watering the work area or use of fog cannons during excavation work.
- (e) Stopping excavation work during periods of high winds if dust emissions cannot be prevented.
- (f) Watering haul roads during dry weather.
- (g) Ensuring that all excavated materials transported from the site are covered.
- (h) Re-stabilisation of disturbed areas as soon practicable after work is completed.

All relevant requirements of the plan must be implemented throughout the period of demolition and construction.

77. Sydney Trains. Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure. This must be submitted to and approved by Sydney Trains or Sydney metro prior to the commencement of construction.

78. Sydney Trains. Sydney Trains and Transport for NSW, and persons authorised by them for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

79. Tree Protection. All tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site.

80. Tree Protection Fencing. All protective fencing and signage around TPZs must be located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

81. 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 neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Assessment Appraisal & Method Statement prepared by Naturally Trees dated 12.12.2016. All 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 by the Project Arborist throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.

- 82. Work Zones and Permits.** Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
- 83. Notice of Intention to Commence Public Domain Works –** Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.
- Note:** Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.
- 84. Notification of adjoining owners & occupiers – public domain works -** The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.
- 85. Pre-construction inspection -** A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.
- 86. Pre-Construction Dilapidation Report -** To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
- (a) Road pavement,
 - (b) Kerb and gutter,
 - (c) Footpath,
 - (d) Drainage pits,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

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

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

87. Road Activity Permits - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "*Road Activity Permits Checklist*" (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.

- (a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
- (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
- (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- (e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- (f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of

the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.

- (g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

88. Temporary Footpath Crossing - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.

89. Ryde Traffic Committee Approval - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.

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.

90. Critical stage inspections. The person having the benefit of this consent is required to notify the Principal Certifier during construction to ensure that the critical stage inspections are undertaken, as specified under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

91. 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.

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

93. Use of fill/excavated material. Excavated material must not be reused on the property except as follows:

- (a) Fill is allowed under this consent;
- (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
- (c) the material is reused only to the extent that fill is allowed by the consent.

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

95. Site Facilities

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with Safework NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

96. 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.

97. Work within public road. At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 “Traffic Control Devices for Work on Roads”.

98. Tree Protection. The following trees as identified within the Arboricultural Impact Appraisal & Method Statement dated 12.12.2016 prepared by Naturally Trees must be retained and protected: Tree 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 68, 69, 70, 71, & 72. No trees are to be removed on neighbouring allotments.

99. Tree removal work. No trees are approved to be removed under this consent.

100. Tree protection – during construction. Trees that are shown on the approved plans as being retained must be protected against damage during construction.

101. Tree works – Australian Standards. Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.

102. Tree works – arborist supervision. A Consultant Arborist must be appointed to oversee all works, including demolition and construction, in relation to the trees identified for retention on the site.

103. Tree works – provision of arborist details. Council is to be notified, in writing, of the name, contact details and qualifications of the Consultant Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.

104. Stormwater Trench/Pit Locations. The alignment of stormwater infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the stormwater pits and trenches conflict with any

major structural roots (greater than >25 mm diameter) of existing trees, their location and alignment is to be modified in consultation with the Project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.

- 105. Underground Utilities.** Any utility services to be located underground within the Tree Protection Zone (TPZ) as identified in the approved Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees (dated 12.12.2016) are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non-motorised hand tools or directional drilling.
- 106. Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
- 107. Canopy Tying.** Where possible tree branches overhanging the construction zones are to be tied back to the main trunk rather than pruned.
- 108. Machinery Damage.** Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy & construction activities, the advice of the Project Arborist must be sought.
- 109. Tree Damage.** In the event of any tree being damaged during the construction period, the Project Arborist is to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.
- 110. Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.
- 111. Canopy Pruning.** All canopy pruning work required shall be carried out in accordance with Australian Standard 4373-2007 – Pruning of Amenity Trees. All pruning work shall be carried out by an experienced Arborist with minimum AQF Level 3 qualifications. No branches of greater than 100mm in diameter should be removed or pruned without further advice from the Project Arborist.
- 112. Soil Moisture within TPZ.** Soil moisture levels within all TPZs are to be regularly monitored by the Project Arborist. If temporary irrigation or watering is required within the TPZ, then any above-ground irrigation system is to be installed and maintained by a suitably qualified individual.
- 113. Tree Protection Schedule.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre

construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to Ryde City Council on completion of the project.

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 excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the 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 the relevant Occupation Certificate

- 114. 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.

Accordingly, a detailed plan of traffic management prepared by a traffic engineer including certification indicating compliance are to be submitted with the Construction Certificate application.

- 115. Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

- 116. 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 AT&L Pty Ltd, drawing number 16-420-DAC 001 to 004, 011, 021, 025, 030, 031, 034, 035, 036, 041 to 043, 045, 070, 071, 080, 081, 090 and 100 submitted in compliance to the condition labelled “Stormwater Management” and the requirements of Council in relation to the connection to the public drainage system.
- 117. Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual “Managing Urban Stormwater: Soils and Construction” by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
- 118. 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 construction and excavation works. The applicant must give at least seven (7) days’ notice to the owner and occupiers of the adjoining allotments before excavation works commence.
- 119. Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.
- 120. Construction Traffic Management Plan - Implementation.** All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
- 121. Public Domain Works - Construction.** The public domain infrastructure works specified in this consent must be constructed in accordance with the approved civil infrastructure plans, documentation and any associated conditions as issued by Council’s Civil Infrastructure & Integration Department under the provisions of Section 138 of the Roads Act and Local Government Act.

122. Utility Services - The applicant shall undertake and bear all costs associated with the liaison, approval and relocation of any utility services. All correspondence and approvals between the Applicant and utility authorities shall be provided to the Council in conjunction with engineering documentation for the stormwater drainage works.

123. Hold Points during construction – Drainage Works - Council requires inspections to be undertaken by a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, for all Council stormwater drainage works at the following hold points.

The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications.

Note that any stormwater pits with a depth greater than 1.5 metres shall be certified by a suitably qualified Structural Engineer.

The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- (a) Upon excavation of trenches shown on the approved drainage drawings.
- (b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- (c) Upon installation of pipes and other drainage structures prior to backfilling.
- (d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- (e) Upon connection to Council's Existing kerb inlet pit.
- (f) Final inspection - upon the practical completion of all drainage and associated works with all disturbed areas satisfactorily restored.

124. Council Inspection during construction – Drainage Works. Joint inspections shall be undertaken with Council's Engineer and the Site Engineer to confirm the construction for the stormwater drainage is to Council's satisfaction.

The scope and number of inspections required shall be discussed and mutually agreed with Council's Engineer at the construction commencement stage. Council shall be given a minimum 7 days' notice prior to the commencement of drainage Construction works.

Inspections shall typically occur at the following hold points:

- (a) Upon installation of pipeline in the trench and installation of other drainage structures, prior to backfilling.
- (b) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection.

Further work is not to proceed until the works are inspected and approved by Council in writing.

125. Public areas and restoration works - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council

126. Hold Points during construction - Public Domain – Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

The Applicant shall submit to Council's City Works Directorate, certification from the Engineer, at each stage of the inspection listed below, within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- (a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
- (b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
- (c) Upon compaction of the applicable sub-base course.
- (d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
- (e) Upon installation of any formwork and reinforcement for footpath concrete works.
- (f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

PRIOR TO OCCUPATION CERTIFICATE

An Occupation Certificate must be obtained from a Principal Certifier 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 Certifier 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 Certifier 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 Certifier.

127. Public Benefit Works. All public benefit works identified in the Planning Agreement referred to in **Conditions 64 and 65** associated with Building 1 are to be completed to Council's satisfaction prior to the issue of the relevant Occupation Certificate.

128. Landscaping. All landscaping works approved by condition 1 of Part 2 are to be completed prior to the issue of any **Occupation Certificate**.

129. Sydney Water – Section 73 Compliance Certificate. A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

130. Public domain – work-as-executed plan. A works as executed plan for works carried out in the public domain must be provided to and endorsed by Council prior to the issue of any **Occupation Certificate**.

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

132. 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, WSUD, and pump/ sump, components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to

the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

- 133. Stormwater Management – Maintenance program.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, without imposition on the public domain, the applicant is to prepare a drainage system maintenance plan (DSMP) which is to contain;
- (a) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
 - (b) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
 - (c) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
 - (d) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
 - (e) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

The DSMP is to be prepared by a suitably qualified and practising drainage engineer in co-operation with a workplace safety officer (or similar qualified personal) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate.

- 134. Redundant Footpath Crossing.** The existing footpath crossing(s) and associated gutter crossover(s) which are not accessing approved vehicle access points must be removed and restore kerb and gutter, verge and footway to match existing adjoining sections. All new levels and materials must be flush and consistent with adjoining sections and all costs are to be borne by the applicant. The works must be completed to Councils satisfaction, prior to the issue of the relevant Occupation Certificate.
- 135. Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- (a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- (b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- (c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- (d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- (e) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- (f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- (g) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- (h) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- (i) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

136. 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).

- 137. Public Drainage Infrastructure–Post construction dilapidation report (CCTV).** Upon completion of development works, a dilapidation report must be submitted to Council to verify that the works have not damaged public drainage infrastructure adjacent the property. The report must include a CCTV (closed circuit television) inspection of the length of the drainage infrastructure in DVD format, in colour, digital and date stamped and must be submitted to Council's City Works & Infrastructure – Stormwater Section for approval, prior to the release of any Occupation Certificate.
- 138. Public Drainage Infrastructure – Post construction certifications -** Following completion of the final stage of the drainage works and prior to the issue of the Occupation Certificate, the applicant shall submit all certifications from the Supervising Engineer, as outlined in the condition for "Hold Points during construction – Drainage Works", to Council's City Works Directorate, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications. The certificates shall contain photographs of the completed works and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken
- 139. Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of any Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.
- Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.
- 140. Compliance report.** 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.
- 141. Sydney Trains.** Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains, Sydney Metro and Council. The as-built drawings shall indicate that there has been no encroachment into the Sydney Trains/Sydney Metro land or easements. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains or Sydney Metro confirming that this condition has been satisfied.
- 142. Final Assessment of Trees.** At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is

to be submitted to Council prior to the issue of any occupation certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.

- 143. Post-Construction CCTV of stormwater drainage network-** A post-construction CCTV report of the newly constructed stormwater drainage network through the proposed development site and the Existing Pit at the northern corner the property are to be submitted to Council. An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator that assesses the condition of the new drainage lines within the subject site is required. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. Any rectifications required by Council shall be completed by the applicant prior to the issue of any Occupation Certificate to the satisfaction of Council. All cost related to the rectification works shall be borne by the applicant.
- 144. Signage and Linemarking – External.** A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of any Occupation Certificate.
Note: The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.
- 145. 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 any Occupation Certificate.
- 146. Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by Council prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.
- 147. Road Dedication –** The Developer must dedicate the new Road 1 to Council. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The Developer must lodge for registration a plan of subdivision or consolidation to dedicate Road 1 as a Public Road prior to the issue of any Occupation Certificate.
- 148. Public Domain Improvements and Infrastructure Works – Completion –** All public domain improvements and infrastructure works shall be completed to

Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

- 149. Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.
- 150. Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.
- 151. Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
- 152. Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
- 153. Public Domain Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.
- In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.
- 154. Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of

Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

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

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

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

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

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

- 157. Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

A minimum 48 hours' notice will be required when booking for the final inspection.

- 158. Compliance Certificate – External Works and Public Infrastructure Restoration** – Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming

that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have been dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.

- 159. NSW Police – Graffiti.** All surfaces on the street level that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an **Occupation Certificate**.
- 160. Engineering Condition – Public Domain Works** - All outstanding civil works associated with the New Road 1, the Pedestrian Link and all other road works, kerb and gutter, footpath, vehicular crossings and stormwater drainage works for this development site shall be completed in accordance with Council's specifications and to the satisfaction of Council prior to the issue of the strata plans/subdivision certificate.
- 161. Travel Place.** A Framework Travel Plan (FTP) to be submitted to Council detailing the promotion, development, implementation and monitoring of a co-ordinated transport strategy for the building. The objectives of the FTP are to encourage/provide incentives for residents to utilise public transport, walking and cycling and to investigate alternative modes of transport (away from single-occupancy car use) to more sustainable forms of transport and how the plans will achieve and monitor the objectives. The FTP is to be submitted and approved by Council prior to the issue of any **Occupation Certificate**.
- 162. Wind Impact.** A report from a qualified wind consultant demonstrating compliance with the Acceptable Criteria for Environmental Wind Conditions contained in the Wind Impact Assessment prepared by Vipac dated 20 March 2017 (Rev. 0, Ref: 30N-16-0168-TNT-614640-0) must be submitted to the Principal Certifying Authority before the issue of any **Occupation Certificate**. The recommendations included in the Wind Impact Assessment report must be complied with including:
- Incorporate some trees within the northeast corner landscaping areas to suppress corner flows and reduce wind levels to within recommended walking criterion.
 - Incorporate some porous windscreen or planters in the perimeter of the outdoor seating areas in the southwest corner to create a relative stationary wind conditions for seating areas.
 - Incorporate higher balustrade or porous windscreen (above 1.6m, could be transparent) on the perimeter of the open terrace at Level 7.
- 163. Retaining Wall - Works-as-Executed Drawings and Certification from Structural Engineer** – Works-as-Executed (WAE) drawings shall be submitted to Council confirming the works pertaining to the retaining wall along the New Road 1. The WAE drawings shall be prepared on the approved set of plans, and shall be accompanied with a Certificate from the Structural Engineer (registered on the NER of Engineers Australia) confirming the details. All departures from the approved plans shall be marked in red with proper

notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Construction 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.

- 164. Waste storage/disposal – method.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
- 165. Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.
- 166. Stormwater Management – Implementation of maintenance program.** The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP).
- 167. Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
- 168. Retail premises noise.** Retail premises must limit any spruiking and the playing of amplified music or messages so as not to disturb the amenity of other public and private places.
- 169. Disposal of liquid wastes** - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.
- 170. Trade waste permit** - The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
- 171. 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*.
- 172. 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.

173. Public stormwater drainage system: The public stormwater drainage system shall be maintained and cleared of any debris by the developer until the stormwater assets are handed over to City of Ryde.

174. Use - Separate DA Required.

A separate development application for the fitout and use of the retail shop in Building 1 must be submitted to and approved by Council prior to that fitout or use commencing.

175. Building 1 Car and Bicycle Parking Spaces and Dimensions. For the proposed Building 1 development, the owner and occupier of the development must provide and maintain the parking allocation as follows;

- 280 Commercial spaces (maximum).
- Of the provided commercial parking spaces, a minimum of 10 disabled spaces is required.
- 28 bicycle parking spaces (minimum).

End of Part 2.

PROPOSED NEW ROAD BOUNDARY

LAND TO BE ACQUIRED FOR ROAD PURPOSES

Total land to be acquired for road purposes ABT 270m²

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