

City of Ryde
Civic Centre, Devlin Street, Ryde
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Development Consent

Applicant: Bunnings Properties Pty Ltd
C/- Philip Drew
11 Shirley Street
ROSEHILL NSW 2142

COPY

Consent No: LDA2015/0214

Consent Date: 28 October 2015

Valid until: 28 October 2020

The City of Ryde, as the consent authority under the provisions of the Environmental Planning and Assessment Act, 1979 hereby consents to the development as follows:

Property: 459 & 461-495 Victoria Rd Lot 2 DP1008105 &
Gladesville Lot 300 DP 1194688

Development: Demolition of existing structures, bulk earthworks and construction and fitout of a Bunnings Warehouse; construction of a bulky goods Homemaker Centre (no fitout proposed); construction of a child care centre for up to 50 children (no fitout or operational details proposed); two levels of car parking containing 900 parking spaces, vehicular access from Frank Street and Victoria Road, temporary vehicular access from College Street, road works in Frank Street, College Street and Victoria Road, trial closure of College Street, removal of trees, landscaping works, stratum subdivision and signage.

Subject to the conditions 1 to 142 specified in this consent.

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

This Consent does not guarantee compliance with the Disability Discrimination Act and you should, therefore, investigate your liability under the Act.

You are advised of your right of appeal to the Land and Environment Court under Section 97 of the Environmental Planning & Assessment Act and your right to request a

review of the determination to Council under Section 82A of the Environmental Planning & Assessment Act within 6 months after you have received the Consent.

A handwritten signature in black ink, appearing to read 'Andy Nixey', with a stylized flourish at the end.

Andy Nixey
Senior Town Planner

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

GENERAL REQUIREMENTS

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

1. **Approved Plans and Documents:** Except where otherwise provided in this consent, the development is to be carried out generally in accordance with the following plans (stamped approved by Council) and support documents:

Architectural Plans – Prepared by John R Brogan & Associates			
Document Description	Project No.	Date	Plan No/Reference
Cover Sheet	1277	7.05.15	Drawing No. 001 Amendment A
Demolition Plan	1277	7.05.15	Drawing No. 005 Amendment A
Demolition Plan – Trees to be removed	1277	7.05.15	Drawing No. 006 Amendment A
Site Outline	1277	7.05.15	Drawing No. 010 Amendment A
Stage 1 Floor Plan Carpark Level 2	1277	17.08.15	Drawing No. 030 Amendment C
Stage 1 Floor Plan Carpark Level 1	1277	17.08.15	Drawing No. 0031 Amendment B
Stage 1 Floor Plan Warehouse Level 2	1277	17.08.15	Drawing No. 032 Amendment B
Stage 1 Floor Plan Warehouse Level 1	1277	17.08.15	Drawing No. 033 Amendment B
Site Plan/Roof Plan Stage 1	1277	17.08.15	Drawing No. 034 Amendment B
Stage 1 Elevations	1277	17.08.15	Drawing No. 035 Amendment B
Areas Diagram Stage 1	1277	17.08.15	Drawing No. 036 Amendment B
Areas Diagram Stage 1	1277	17.08.15	Drawing No. 037 Amendment B
Stage 2 Floor Plan Carpark Level 2	1277	17.08.15	Drawing No. 040 Amendment C
Stage 2 Floor Plan Carpark Level 1	1277	17.08.15	Drawing No. 041 Amendment B
Stage 2 Floor Plan Warehouse Level 1	1277	17.08.15	Drawing No. 042 Amendment B
Stage 2 Floor Plan Warehouse Level 2	1277	17.08.15	Drawing No. 043 Amendment B
Site Plan/Roof Plan Stage 2	1277	17.08.15	Drawing No. 044 Amendment B
Stage 2 Elevations	1277	17.08.15	Drawing No. 045 Amendment B
Areas Diagram Stage 2	1277	17.08.15	Drawing No. 046 Amendment B
Areas Diagram Stage 2	1277	17.08.15	Drawing No. 047 Amendment B
Site Plan Stage 3 Parking Level 2	1277	17.08.15	Drawing No. 050 Amendment C
Site Plan/Floor Plan	1277	17.08.15	Drawing No. 051 Amendment B

Architectural Plans – Prepared by John R Brogan & Associates			
Document Description	Project No.	Date	Plan No/Reference
Stage 3 Floor Plan Carpark Level 1			
Site Plan/Floor Plan Stage 3 Floor Plan Warehouse Level 1	1277	17.08.15	Drawing No. 052 Amendment B
Site Plan/Floor Plan Stage 3 Floor Plan Warehouse Level 2	1277	17.08.15	Drawing No. 053 Amendment B
Site Plan/Roof Plan Stage 2	1277	17.08.15	Drawing No. 054 Amendment B
Areas Diagram Stage 3	1277	17.08.15	Drawing No. 055 Amendment C
Areas Diagram Stage 2	1277	17.08.15	Drawing No. 056 Amendment B
Floor Plan Carpark Level 2	1277	17.08.15	Drawing No. 100 Amendment B
Floor Plan Carpark Level 1	1277	17.08.15	Drawing No. 101 Amendment B
Floor Plan Warehouse Level 1	1277	17.08.15	Drawing No. 102 Amendment B
Floor Plan Warehouse Level 2	1277	17.08.15	Drawing No. 103 Amendment B
Floor Plan Foundation Space Level	1277	17.08.15	Drawing No. 104 Amendment B
Floor Plan Homemaker Parking	1277	17.08.15	Drawing No. 105 Amendment B
Floor Plan Homemaker Level 1	1277	07.05.15	Drawing No. 106 Amendment A
Floor Plan Homemaker Level 2	1277	17.08.15	Drawing No. 107 Amendment B
Floor Plan Bunnings Roof Plan	1277	17.08.15	Drawing No. 110 Amendment B
Floor Plan Homemaker Roof Plan	1277	17.08.15	Drawing No. 111 Amendment B
Bunnings Sections Stage 3	1277	07.05.15	Drawing No. 120 Amendment A
Homemaker Sections	1277	07.05.15	Drawing No. 121 Amendment A
Bunnings Sections Stage 3	1277	07.05.15	Drawing No. 122 Amendment A
Section Detail	1277	07.05.15	Drawing No. 123 Amendment A
Elevation Stage 1	1277	07.05.15	Drawing No. 130 Amendment A
Elevation Stage 3	1277	07.05.15	Drawing No. 131 Amendment A
Elevation Stage 1	1277	07.05.15	Drawing No. 132 Amendment A
Shadow Diagram	1277	07.05.15	Drawing No. 200 Amendment A
Floor Plan Detail	1277	07.05.15	Drawing No. 300 Amendment A

Architectural Plans – Prepared by John R Brogan & Associates			
Document Description	Project No.	Date	Plan No/Reference
Bunnings Waste Recycling			
Floor Plan Detail – Waste Recycling for Child Care Centre Tenancy Shell	1277		Drawing No. 301 Amendment A
Plan Detail Bulky Goods Waste Recycling	1277		Drawing No. 302 Amendment A

Engineering Plans – C & M Consulting Engineers		
Document Description	Drawing No.	Revision
General Arrangement Plan Parking Level 2 Stage 1	01155_211	Revision 3
General Arrangement Plan Parking Level 1 Stage 1	01155_212	Revision 3
General Arrangement Plan Warehouse Level 1 – Stage 1	01155_213	Revision 3
General Arrangement Plan Warehouse Level 2 – Stage 1	01155_214	Revision 3
General Arrangement Plan – Roof – Stage 1	01155_215	Revision 3
General Arrangement Plan Parking Level 2 - Stage 2	01155_221	Revision 3
General Arrangement Plan Parking Level 1 - Stage 1	01155_222	Revision 3
General Arrangement Plan Warehouse Level 1 – Stage 2	01155_223	Revision 3
General Arrangement Plan Warehouse Level 2 – Stage 2	01155_224	Revision 3
General Arrangement Plan – Roof – Stage 2	01155_225	Revision 3
General Arrangement Plan Parking Level 2 - Stage 3	01155_231	Revision 3
General Arrangement Plan Parking Level 1 - Stage 3	01155_232	Revision 3
General Arrangement Plan Warehouse Level 1 – Stage 3	01155_233	Revision 3
General Arrangement Plan Warehouse Level 2 – Stage 3	01155_234	Revision 3
General Arrangement Plan – Roof – Stage 3	01155_235	Revision 3
Ramp Longitudinal Section – Ramp No. 1, 2 and 3	01155_301	Revision 1
Ramp Longitudinal Section – Ramp No. 4 and 5	01155_302	Revision 1
Ramp Longitudinal Section – Ramp No. 6	01155_303	Revision 1
Typical Sections	01155_351	Revision 1
Typical Sections	01155_352	Revision 1

Engineering Plans – C & M Consulting Engineers		
Document Description	Drawing No.	Revision
Stormwater Drainage OSD Tank No. 1 & General Details	01155_651	Revision 1
Stormwater Drainage OSD Tank No. 2 and 3 Details	01155_652	Revision 1
Sediment & Erosion Control Plan	01155_701	Revision 1
Sediment & Erosion Control Plan	01155_751	Revision 1

Landscape Plan – John Lock & Associates			
Document Description	Drawing No.	Date	Revision
Landscape Plan – Stage 1	2203 LP-00	7.09.15	Revision G
Landscape Plan – Stage 1, 2, & 3	2203 LP-01	7.09.15	Revision G
Landscape Elevations – Stage 1	22-3 LP-02.1	5.05.15	Revision F
Landscape Elevations – Stage 1	22-3 LP-02	5.05.15	Revision F
Landscape Elevations – Stage 1	22-3 LP-03	5.05.15	Revision F

Road Widening Works - AT&L			
Document Description	Drawing No.	Project No.	Issue No.
General Arrangement Plan	DAC001	11-58	P5
Functional Layout Plan – Sheet 1	DAC002	11-58	P4
Functional Layout Plan – Sheet 2	DAC003	11-58	P3
Functional Layout Plan – Sheet 3	DAC004	11-58	P3
Vehicle Turn Path – Sheet 1	DAC006	11-58	P3
Vehicle Turn Path – Sheet 2	DAC007	11-58	P3

Subdivision Plans – Craig and Rhodes		
Document Description	Drawing No.	Date
Plan of Proposed Subdivision LOT 1 D.P. 739556	191-10G L02 [00] - 001	18.01.12
Plan of Proposed (Stratum) Subdivision LOT 3 D.P. 388518	191-10G L01 [00] - 01	20.09.12

List of Consultant Documentation		
Report	Prepared by	Date
Statement of Environmental Effects	DFP Planning Pty Ltd	May 2015
Assessment of Traffic and Parking Implications	Transport and Traffic Planning Associates	May 2015

List of Consultant Documentation		
Report	Prepared by	Date
Stormwater Management Plan Report No. R01155-SWMP Revision C	C&M Consulting Engineers Pty Ltd	April 2015
Flood Risk Assessment	Cardno (NSW/ACT) Pty Ltd	08.05.15
Tree Assessment Report	Abel Ecology	23.03.15
Flora and Fauna Report	Abel Ecology	26.03.15

The following conditions refer to the stages of development as detailed in the above approved plans i.e. Stage 1: Construction of Bunnings Warehouse; Stage 2: Construction of Bulky Goods Tenancies (south); and Stage 3: Construction of Bulky Goods Tenancies (north).

For Stage 1, the conditions refer to the issuing of Construction Certificates in accordance with the following:

- #1: Excavation, in-ground services/footings and retaining walls;
- #2: car parking levels;
- #3: retail levels and roof; and
- #4: internal fitout.

2. **Amendment to Approved Plans.** Notwithstanding the approved plans referred to in condition 1, the following amendment is required:

a) The height of the freestanding pylon signs (located along Victoria Road) are not to exceed a maximum height of 6m above ground level and a maximum width of 2m.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

3. **Staged Construction & Occupation of the Development.** This development consent permits the staged construction and occupation of the development hereby approved as indicated on the approved plans that identify specifics relating to each construction stage.

The Bunnings Warehouse building approved as part of Stage 1 shall not be occupied until the Principal Certifying Authority is satisfied that Stage 1 in its entirety, as detailed on the approved plans, has been implemented including the construction of the road and intersection works, and the relevant public domain and landscaping works forming part of this consent.

An Occupation Certificate for the Homemaker Centre (southern portion) approved as part of Stage 2 of this consent shall not be issued until such time as all relevant conditions have been satisfied and all works associated with Stage 2 have been completed to the satisfaction of the Principal Certifying Authority or Council.

An Occupation Certificate for the Homemaker Centre (northern portion) approved as part of Stage 3 of this consent shall not be issued until such time as all relevant conditions have been satisfied and all works associated with Stage 3 have been completed to the satisfaction of the Principal Certifying Authority or Council.

4. **Traffic Management.** A Traffic Management Plan (TMP) regarding the full trial closure of College Street is to be submitted to and approved by Council and RMS prior to the commencement of demolition and will require tabling through the Ryde Traffic Committee for the Technical input prior to finalisation.

The TMP is to include the installation of measures to introduce a trial full closure of College St, that follows the RMS Proforma (http://www.rms.nsw.gov.au/business-industry/partners-suppliers/documents/technical-manuals/tmpln_v2.pdf). In conjunction with the TMP, suitably prepared drawings detailing the proposed measures shall be submitted to and approved by Council prior to the commencement of demolition. The trial full closure shall be implemented at no cost to Council by Bunnings. These works are to be completed prior to any demolition works commencing on the site.

5. **Trial Full Closure of College Street.** Prior to the commencement of demolition, the works required for the completion of the trial full closure of College Street in accordance with condition 4 are to be completed to Council's satisfaction. The trial full closure can be in the form of temporary bollards or barriers until after the 12 month trial and review required by condition 6.
6. **Trial Full Closure – Review.** The trial full closure of College Street, in accordance with conditions 4 and 5, shall be reviewed after 12 months of operation of the Bunnings store and the results reported back to Council at that time. The applicant shall cover the full cost of the traffic review, surveys and any supporting technical studies.

The report detailing the outcome of the review shall be provided by the applicant and submitted to and approved by Council and RMS for the implementation of the preferred treatment of College Street. All alterations and/or formalisation of College Street shall be undertaken by the applicant at no cost to Council.

7. **Child Care Centre.** Although the building shell for a potential child care centre is approved as part of this application, nothing in this consent permits the use of this building for a child care centre. Such a use will require the submission of a separate development application to Council.
8. **National Construction Code.** All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code/ Building Code of Australia.

9. **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.
10. **Victoria Road.** All buildings or structures together with any improvements integral to the future use of the site, are to be wholly within the freehold property (unlimited in height or depth) along the Victoria Road boundary.
11. **Works on Victoria Road.** Any land necessary to construct the new lane arrangement on Victoria Road including the bus lane, any road widening, and extension of the right turn lane, is to be dedicated for Road Reserve where required.
- Note:* The proponent is advised that land dedication or easements may be required for the maintenance of the Traffic Control Lights at the Victoria Road/Frank Street and Victoria Road/Tennyson Road intersections, and further details will be included as part of the Works Authorisation Deed process.
12. **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.
13. **Hoardings.**
- (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
14. **Public space/Illumination of public place.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council. 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.
15. **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.
16. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RTA, Council

etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

17. **Service Alterations.** The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the approved work and as required by the various public utility authorities. All mains, services, poles, etc., which require alteration shall be altered at the developer's expense.
18. **Engineering plans assessment and works inspection fees.** The applicant is to pay to Council for assessment of all engineering and public domain plans, road use permits, work zone permits, crane permits and/or concrete pump permits, and works inspection fees, in accordance with Council's Schedule of Fees & Charges, prior to any approval being granted by Council.
19. **Noise and Vibration Management Plan.** A Noise and Vibration Management Plan is to be submitted to, and approved by, Council prior to the commencement of any works. The Noise and Vibration Management Plan must be prepared by a suitably qualified acoustical consultant and must demonstrate noise and vibration during demolition and construction work will comply with the Department of Environment and Conservation NSW – *Assessing Vibration: a technical guideline* -2006 and the Australian Standard 2436-2010 "*Guide to Noise and Vibration Control on Construction, Demolition and Maintenance sites*".

A copy of the submitted Management Plan is to be provided by Council to the operator of the existing Child Care Centre located within Building F with seven (7) days allowed for comment. These comments are to be taken into account by Council in consideration of the Management Plan.

All measures and recommendations contained within the approved Management Plan must thereafter be implemented during all demolition, excavation and construction work (see also condition 98).

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.

A Construction Certificate is not required for Demolition.

20. **Demolition & Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Demolition & Construction Traffic Management Plan (DCTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to the commencement of any demolition work. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DCTMP is intended to minimise impact of demolition activities on the surrounding community, in terms of

vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent the site.

The DCTMP must:-

- Make provision for all materials to be stored on site, at all times.
- Ensure that no construction traffic enters the site from the College Street access point on the residential side (south-eastern) of the road closure.
- Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council's Public Works.
- Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- Specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street tree's.
- Take into consideration the combined construction activities of other development in the surrounding area known at the time of preparing the DCTMP. To this end, the consultant preparing the DCTMP must engage and consult with developers undertaking major development works (being *Regional Development* as defined in Schedule 4A of the *Environmental Planning and Assessment Act 1979*) 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) dump truck routes. These communications must be documented and supplied to Council.

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

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

21. **Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
 - a. Council must be notified of the following particulars:
 - (i) The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - (ii) The date the work is due to commence and the expected completion date

- b. A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
22. **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.
23. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
24. **Demolition Work Method Statement.** A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with the Work Cover Authority, in accordance with AS 2601-2001: *The Demolition of Structures*, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.
25. **Imported fill – type.** All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.
26. **Identification and removal of hazardous materials.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
27. **Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by WorkCover New South Wales.
28. **Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
29. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
30. **Disposal of demolition waste/surplus excavated material.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.

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

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

32. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any Occupation Certificate for Stage 1:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$411,550.56
Open Space & Recreation Facilities	\$NIL
Civic & Urban Improvements	\$654,473.12
Roads & Traffic Management Facilities	\$151,078.40
Cycleways	\$55,745.36
Stormwater Management Facilities	\$208,762.88
Plan Administration	\$15,213.36
The total contribution is	\$1,496,823.68

The components of the Section 94 levy that fall both within the category of 'Civic – Urban Improvements' and form part of the works required by conditions 47 and 48, may be offset by works-in-kind in accordance with section 2.9 of the Section 94 Contribution Plan.

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development

Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

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

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

33. **Compliance with Australian Standards.** The development, including all engineering work, is required to be carried out in accordance with all relevant Australian Standards. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

34. **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 any Construction Certificate.
35. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of any Construction Certificate for Stage 1, Stage 2 and Stage 3 (category: other buildings with delivery of bricks or concrete or machine excavation).
36. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of any Construction Certificate for Stage 1, Stage 2 and Stage 3:
- (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
37. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments

Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of any Construction Certificate for Stage 1, Stage 2 and Stage 3.

38. **Remediation Action Plan.** Prior to the issue of Construction Certificate #2 in any Stage, a Remediation Action Plan is to be prepared taking into account the staged construction of the development hereby approved. The Remediation Action Plan is to incorporate the recommendations contained on Pages 4 and 5 of the Environmental Site Assessment prepared by Environmental Investigation Services (Ref: E24260KHlet rev1) prepared on 21 April 2015 and the recommendations of the Hazardous Materials Risk Assessment prepared by John R Brogan and Associates Pty Ltd.

The Remediation Action Plan is to require a Site Validation Report to be prepared in relation to each construction stage.

39. **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.

Construction Certificate #2 shall not be issued 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.

40. **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*.
41. **Remediation work.** All remediation work must be carried out in accordance with the requirements of:
- a. State Environmental Planning Policy No. 55 - Remediation of Land;
 - b. any relevant guidelines published by the NSW Environment Protection Authority; and
 - c. any council policy or development control plan relating to the remediation of land.
42. **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.
43. **Works on Victoria Road/Tennyson Road Intersection.** The proposed fourth leg of the Traffic Control Lights at the intersection of Victoria Road/Tennyson Road shall be designed to meet Roads and Maritime requirements. The Traffic Control Signal

(ICS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on www.rms.nsw.gov.au). The certified copies of the civil design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of Construction Certificate #2 for Stage 1 and commencement of road works.

Works associated with the provision of access to the site via Tennyson Road, including Works to Traffic Control Lights and utilities, are to be carried out at no cost to Roads and Maritime.

Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works prior to the release of Construction Certificate #2 for Stage 1. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.

44. **Works on Victoria Road/Frank Street Intersection.** The Frank Street approach to Victoria Road is to be widened to three lanes as shown indicatively on the development plans. These works including any alterations to Traffic Control Lights and utilities are to be carried out at no cost to Roads and Maritime.

Alterations to the existing Traffic Control Lights at the intersection of Victoria Road/Frank Street shall be designed to meet Roads and Maritime requirements. The Traffic Control Signal (TCS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on www.rms.nsw.gov.au). The certified copies of the civil design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of a Construction Certificate #2 for Stage 1 and commencement of road works.

Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works prior to the release of Construction Certificate #2 for

Stage 1. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.

45. **Safety Audit.** A Pedestrian and Road Safety Audit and Management Plan is to be prepared, by a qualified person, that considers the high probability that parents will park at Bunnings to pick up school children or for access to sporting fields (at no cost to council by Bunnings) and also to consider the impact of the two proposed child care centers in that location. The Pedestrian and Road Safety Audit and Management Plan is to be submitted to and approved by Council prior to the issue of Construction Certificate #3 for Stage 1.

46. Deleted.

47. **Public Domain – Improvement Works:** Public domain improvement works are to be undertaken along the Victoria Road, Frank Street and College Street frontages of the development site in accordance with the City of Ryde Development Control Plan 2014 Part 6.5 461-495 Victoria Road, Gladesville, and City of Ryde Public Domain Technical Manual, Section 2 – Gladesville. This work is to include but not be limited to paving, street lighting, street furniture and plantings. A public domain plan is to be submitted to Council for approval, prior to the issue of Construction Certificate #2 for Stage 1. The public domain improvement works are to comprise the following:

- (a) All telecommunication and utility services are to be placed underground along the Victoria Road, Frank Street and College Street frontages. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to Council and relevant utility authorities for approval prior to commencement of work.
- (b) New street lighting serviced by metered underground power and on multifunction poles (MFP's - 9.6m tall with banner fittings) shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting vehicular luminance category V3 and pedestrian luminance category P2 along Victoria Road. The lighting consultant will be required to confirm the lighting layout has achieved compliance with the illumination levels required by this condition of consent. Plans are to be submitted to Council for approval prior to lodgement of the scheme with Ausgrid for their approval.

Note: The consultant shall liaise with Council's Public Works Group in obtaining Council's requirements and specifications for the MFP's and components, including the appropriate LED luminaire and location of the meter box.

- (c) New street lighting shall be designed and installed to Australian Standard AS1158.3.1-1999 Road Lighting pedestrian luminance category P3 along Frank Street and College Street. These lights will remain part of Ausgrid street lighting network. The lighting consultant will be required to confirm the lighting layout has

achieved compliance with the illumination levels required by this condition of consent. Plans are to be submitted to Council for approval prior to lodgement of the scheme with Ausgrid for their approval.

- (d) Landscaping and street tree planting – the Public Domain Technical Manual specifies *Pyrus calleryana* "Capital" (Ornamental Pear) 200L, pit size 3m x 1.5m or *Platanus acerifolia* (London Plane Tree) as the designated street tree for the Victoria Road frontage of the development site.
- (e) Street furniture – new seats and bins are to be provided along the Victoria Road frontage of the development site. Advice to be sought from Council's Public Works Group for any specific requirements.
- (f) The temporary relocation of the existing bus stops along the Victoria Road frontage of the site during the footpath works and the installation of new bus stops that comply with the requirements of the Disability Standards for Accessible Public Transport (2002).

48. **Public Domain - Improvement Works Design Approval:** Engineering drawings prepared by a Chartered Civil Engineer (with NPER registration with Engineers Australia) are to be submitted to Council for approval prior to the issue of Construction Certificate #2 for Stage 1. 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 alignments and levels, and other relevant details for the following works:

- (a) The removal of all redundant vehicular crossings and the construction of new vehicular crossings in Frank Street.
- (b) The removal of all redundant vehicular crossings along College Street and replacement with new kerb and gutter and 1.5m wide concrete footpath with granite banding at 6.00m to maximum 7.5m intervals, in accordance with City of Ryde Standard Detail Drawing No. PV1.2a.
- (c) The removal of all damaged kerb and gutter and the construction of new kerb and gutter along both the Frank Street and College Street frontages of the site, and the smooth connections to existing kerb and gutter. A longitudinal section showing the existing and the proposed levels of the kerb profile for the whole length of the works shall be included in the engineering drawings submitted to Council. The replacement of the existing kerb and gutter will involve reconstruction of a strip of road pavement for a minimum 500mm wide along both frontages.

- (d) All necessary details of the footpath upgrade in Victoria Road and Frank Street. The footpath shall be full width from boundary to kerb at the Victoria Road and Frank Street corner, at bus stops and at pedestrian entries to the building. The typical detail of the full width concrete footpath with granite banding is shown on Fig. 3.3.3 in the site specific DCP 2014 Part 6.5. The plans shall show the granite banding, the exact position of proposed street trees and the existing trees to be retained, the proposed street lighting, street furniture – bins, benches, traffic signs, etc.
- (e) Longitudinal section showing the proposed gutter levels along the Victoria Road frontage of the development.
- (f) Detailed cross sections of the proposed footpath upgrades along the Frank Street, College Street and Victoria Road frontages of the development site, at 10m intervals and critical locations.
- (g) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council and their requirements being fully complied with.

Note: Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Section 5 "Standards Enforcement".

49. **Vehicle Footpath Crossing.** The footpath crossing shall be constructed where vehicles cross the footpath, to protect it from damage resulting from the vehicular traffic. The crossing is to be constructed to match the paving style along the frontage of the development site and conform to the boundary alignment levels issued by Council's Public Works Division. The location, design and construction shall comply 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.

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 (with NPER registration with Engineers Australia) confirming that the vehicle crossing design meets Council requirements and the relevant standards, prior to the issue of the relevant Construction Certificate.

50. **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 commencement of any work in the road reserve, 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 Work.

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
- c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
- d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

51. **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) The proposed alignment of the northern vehicle exit to Frank Street is at an acute angle to the roadway and therefore is unsafe for pedestrians and decreases the ability for exiting drivers to detect northbound traffic from College Street. Accordingly the plans are to be revised to ensure that the driveway and exit ramp alignment are perpendicular to the property boundary alignment.
- b) The parking allocated for the childcare centre is short by 1 carspace. To address this, a disabled space is to be provided in the space adjoining the western side of the lift and widened to comply with AS 2890.6. The 2 proposed disabled spaces and shared space is to be allocated to conventional car spaces.
- c) The proposed exit from the Bulky Goods tenancy - Stage 3 located at the south side of the development lot depicts a column in the access aisle, which will impose on the swept turning path of an exiting vehicle. The column is to be relocated clear of the vehicle swept path.
- d) The intersection of the access ramp to the parking area on Level 1 at the southwestern corner must incorporate unbroken centreline marking ("BB" linemarking) to demarcate the paths of travel and maintain clearance between traffic flows approach/ departing the ramp from the parking area.
- e) The centre median located on the access aisle from Victoria Road on Level 2 must be segmented every 20 metres to enable vehicles to cross into the opposing lane if required. This is to ensure the access aisle does not become blocked in the event of a vehicle breakdown/ obstruction or a vehicle having to stop / stand a length of time for an emergency.
- f) The nominated "NO LEFT TURN TO COLLEGE STREET" depicted on the western most vehicle exit to College Street is not required due to the implementation of the College Street road closure.

These amendment(s) must be clearly marked on the plans submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

52. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the public in-ground drainage network in College Street. generally in accordance with the plans by C&M Consulting Engineers (Refer to Project No. 01155 Sheets 100 to 751 issued 8 September 2015) and the Stormwater Management Report by same consultant.

Detailed plans, documentation and certification of the drainage system are to be prepared by a chartered civil engineer, must be submitted with the application for the relevant Construction Certificate for Stage 1 and must 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.
- The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.

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

This engineer is to prepare the following documentation:

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

- details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.

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 for Stage 1 Stage 2 and Stage 3.

54. **Site Dewatering Plan.** If the geotechnical advice required by condition 53(a) in relation to groundwater recommends that dewatering is necessary, then the following requirements of this condition apply.

To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate for Stage 1.

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

- All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
- Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
- The consultant is to liaise with Council's Public Works - Stormwater Asset Management section concerning the determination of an appropriate rate of discharge to the public inground drainage system. Consideration will be given to the capacity of the downstream system and the ability of the site to detain stormwater during the construction period. Should there be no public inground drainage infrastructure in which to drain to, the maximum rate of discharge is to be limited to 30L/s to the kerb.
- Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.

- Be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
 - Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
 - Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.
55. **Frank Street Widening – Detailed Drawings.** Suitably prepared plans for the widening of the Frank Street carriageway are to be submitted to Council for approval prior to the issue of Construction Certificate #2 for Stage 1.
56. **Cressy Road Widening – Detailed Drawings.** Suitably prepared plans for the widening of the Cressy Road carriageway as well as the full width concrete footpath and safety fence from the corner of Victoria Road and Cressy Road to the entrance of the Holy Cross College to Cressy Road are to be submitted to Council for approval prior to the issue of Construction Certificate #2 for Stage 1.
57. **Driveway and Boundary Alignment Levels.** The proponent is to apply to Council for site specific driveway access and boundary alignment levels prior to the issue of the relevant Construction Certificate. The application shall be accompanied by engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the design of the internal driveway, car parking areas, landscaping and stormwater drainage plans. Fees are payable in accordance with Council's Schedule of Fees & Charges at the time of the application.
58. **Public Domain Works – Maintenance Bond.** To ensure satisfactory performance of the required public domain works, a maintenance period of six (6) months shall apply to the works in which Council will take ownership of, on completion of the development. The performance period shall commence from the date of issue by Council, of the Compliance Certificate. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification. A bond in the form of a cash deposit or Bank Guarantee of \$60,000 shall be lodged with the City of Ryde prior to the issue of Construction Certificate #3 for Stage 1 to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the six (6) months maintenance period.
59. **Mechanical ventilation details:** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted for approval with the relevant Construction Certificate. Such details must include:
- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems; and
 - (b) A design certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and the conditions of this Consent.

60. **Fresh air intake vents.** All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.
61. **Exhaust air discharge vents.** All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.
62. **Carpark exhaust vent.** The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

63. **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.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

64. **Evidence of connection to sewer system.** Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system must be submitted with the application for the relevant Construction Certificate.
65. **Construction and fit-out of food premises.** All proposed food premises must be constructed and fitted-out in accordance with the requirements of:
- (a) Food Safety Standard 3.2.3: *Food Premises and Equipment*; and
 - (b) Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

66. **Provision for installation of kitchen exhaust systems.** Adequate provision must be made for the installation of kitchen exhaust systems (if required) to the proposed food premises.

The kitchen exhaust vent must be located above roof level:

- (a) at least 6 metres from any fresh air intake vent or natural ventilation opening;
- (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary; and
- (c) at least 8 metres from any cooling tower.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of the relevant Construction Certificate.

67. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the non-residential portion of the development, shall comply with the requirements of Part 7.1 of Council's DCP 2014. Details are to be noted on the plans submitted with the relevant Construction Certificate.
68. **Sydney Water – quick check.** The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre, prior to the release of any Construction Certificate for Stage 1, Stage 2 and Stage 3, to determine whether the development will affect any Sydney Water assets, sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped.

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

- Quick Check agents details - see Building, Developing and Plumbing then Quick Check; and
 - Guidelines for Building Over/Adjacent to Sydney Water assets - see Building, Development and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

PRIOR TO COMMENCEMENT OF CONSTRUCTION

Prior to the commencement of any demolition, excavation, or building work the following conditions in this Part of the Consent must be satisfied, and all relevant requirements complied with at all times during the operation of this consent.

69. Site Sign.

- a. A sign must be erected in a prominent position on site, prior to the commencement of demolition/excavation/construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
- b. Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

70. 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.

71. Property above/below Footpath Level. Where the ground level adjacent the property alignment is above/below the ultimate footpath level, as set by Council, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath. An approved fence shall be erected along the boundary for public safety.

72. **Ground Anchors.** The installation of permanent ground anchors into the public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department, as per the provisions of Section 138 of the Roads Act. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.
73. **Dilapidation Report.** To ensure Council's infrastructures are adequately protected a dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to the location, description and photographic record of any observable defects but to the following infrastructure where applicable:
- (a) Road pavement,
 - (b) Kerb and gutter,
 - (c) Footpath,
 - (d) Drainage pits,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

The report is to be submitted to Council's Traffic Development Engineer, prior to works commencing with another similar report submitted at completion and prior to issue of any Occupation Certificate. The reports shall be used by council to assess whether restoration works will be required prior to the issue of the Occupation Certificate.

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

74. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
75. **RMS Approval of Site and Support Structures.** The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:
Project Engineer, External Works
Sydney Asset Management

Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least *seven* (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

76. **RMS Stormwater Drainage System.** Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to:
The Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

77. **Road Occupancy Licence.** A Road Occupancy Licence should be obtained from Roads and Maritime Services for any works that may impact on traffic flows on Victoria Road during construction activities.

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.

78. **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. 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 throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.
79. **Tree Removal Work.** All tree removal work is to be carried out in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

80. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
81. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
82. **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.
83. **Storage of garbage and recyclable materials.** A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recyclable materials.
84. **Inspections – Drainage and Stormwater.** Construction inspections shall be required by Council's Senior Engineer, Stormwater Asset at the following hold points: -
- Prior to the set-out on site of the position of the drainage connection works to the existing Council's pit at College Street.
 - Upon installation of any pipe connection to the existing Council's pit and other associated drainage structures.
 - Before and after completion of the drainage works an internal inspection of the Council's pit and connecting stormwater conduits to determine their structural conditions must be carried out by Closed Circuit Television (CCTV). The inspection is to ensure that the stability of the Council's stormwater pit is not affected during the construction. The CCTV reports must be forwarded to Council for its review and concurrence.
85. **Public Domain Works - Hold Points during Construction.** Inspections shall be required to be undertaken by a Chartered Civil Engineer (with NPER registration with Engineers Australia), at the following hold points:
- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
 - b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
 - c) Upon compaction of the applicable sub-base course.

- d) Upon compaction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course)
- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

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

A final inspection for the purpose of the handover to Council, of the public infrastructure assets, shall be conducted in conjunction with Council' Engineer following the completion of the external works. Additional inspections, if required, shall be subject of additional fees payable in accordance with Council's Schedule of Fees & Charges at the time.

- 86. **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.
- 87. **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.
- 88. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by C&M Consulting Engineers at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.
- 89. **Geotechnical Monitoring Program – Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

90. **Site Dewatering Plan – Implementation.** If dewatering is required, then 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.
91. **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.
92. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the approved Stormwater Management Plan submitted in compliance to the condition labelled "Stormwater Management" and the requirements of Council in connection to the trunk drainage system.
93. **Dust Control Management Plan.** A Dust Control Management Plan is to be submitted to, and approved by, Council prior to the commencement of any works. The Management Plan must be prepared by an appropriately qualified consultant.
- A copy of the submitted Management Plan is to be provided by Council to the operator of the existing Child Care Centre located within Building F with seven (7) days allowed for comment. These comments are to be taken into account by Council in consideration of the Management Plan.
- All measures contained within the approved Management Plan must thereafter be implemented during all demolition, excavation and construction work.
94. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.
95. **Storage and removal of wastes.** All demolition, excavation and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.

96. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
97. **Removal of underground storage tanks.** The removal of the underground storage tanks must be carried out in accordance with:
- (a) Australian Standard AS 4976-2008: *The removal and disposal of underground petroleum storage tanks*; and
 - (b) the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*.
98. **Noise & Vibration Management Plan - Implementation.** All noise and vibration control measures nominated in the Noise & Vibration Management Plan approved under condition 19 must be implemented during demolition and construction work.

PRIOR TO OCCUPATION CERTIFICATE

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

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

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

99. **Flood Risk Assessment.** The proposed development shall be carried out in accordance with the recommendations in the Flood Risk Assessment Report by Cardno, dated 8 May 2015 and the Stormwater Management Plan by C&M Consulting Engineers, dated April 2015. The peak flow rate in the downstream reach of the site must not exceed the maximum discharge rate for the relevant stage of development, as determined in the Stormwater Management Report by C&M Consulting Engineers.

To ensure this, a suitably qualified and practicing drainage engineer shall provide certification to the Principal Certifying Authority prior to the issue of the relevant Occupation Certificate for each stage (1, 2 and 3), confirming that the drainage system has been designed and constructed to comply with this requirement at the relevant stage of development.

100. **Electricity accounts for new street lighting.** Council's Asset Networks Section shall be consulted and approval obtained in regard to the setting up of the electricity account/s in order to energise the newly constructed street lighting prior to the issue of the Occupation Certificate for Stage 1.
101. **Compliance Certificate – External Works.** Prior to the issue of any Occupation Certificate for each Stage, a compliance certificate shall be obtained from Council confirming that all applicable external works have been completed to Council's satisfaction. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.
102. **Public Domain Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed Plans certified by a Registered Surveyor, shall be submitted to Council for review with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate for Stage 1.

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

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

103. **Road Widening – Implementation.** The widening of the Frank Street carriageway and the Cressy Road carriageway as well as the full width concrete footpath and safety fence from the corner of Victoria Road and Cressy Road to the entrance of the Holy Cross College shall be completed prior to the issue of any Occupation Certificate for Stage 1.
104. **Intersection works.** Tennyson Road and Frank Street site access and traffic signal adjustments are to be operational (at no cost to Council) prior to the occupation of the Bunnings Warehouse building approved as part of the Stage 1 construction works.
105. **Closure of South-Eastern College Street Access.** Prior to the issue of any Occupation Certificate for Stage 3, the south-eastern College Street access (located to the south-east of the trial road closure point), is to be closed and removed.
106. **Safety Audit.** All applicable recommendations within the Pedestrian and Safety Audit and Management Plan approved under condition 45 are to be implemented prior to the issue of any Occupation Certificate for Stage 1 at no cost to Council.
107. **Parking Optimisation Plan.** A Parking Optimisation Plan for Frank Street and College Street between Frank Street and Orient Street is to be prepared to counteract any loss of parking due to the Bunnings development and implemented (at no cost to council by

Bunnings). Suitably prepared plans shall be provided by the applicant and submitted to and approved by Council prior to the issue of any Occupation Certificate for Stage 1.

All approved recommendations from the Parking Optimisation Plan shall be implemented by the applicant at no cost to Council prior to the issue of any Occupation Certificate.

108. **Review of Trial Full Closure – Bond.** Prior to the issue of any Occupation Certificate for Stage 1, the applicant is provide to Council a bond of \$20,000.00. The bond will be refunded following the review and implementation of the preferred treatment of College Street to Council's satisfaction (see condition 6).
109. **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 an Occupation Certificate for Stage 1.

NOTE: The applicant is advised that the plan will require approval by the Ryde Traffic Committee and adequate time should be allowed for this process.

110. **Signage and Linemarking – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. The applicable works for each Stage are to be undertaken prior to the issue of the relevant Occupation Certificate.
111. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for any Occupation Certificate for Stage 1. 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.
112. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and onsite disposal/ absorption components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's terms for these systems as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of the Occupation Certificate for that title. Note that completed WAE plans as well as certification of the completed stormwater management system must be provided with the application, prior to it being endorsed by Council.

113. **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 master plan 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 relative to the master plan (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. 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 person) and all signage / linemarkings are to be implemented prior to the issue of any Occupation Certificate for the relevant stage of works.

114. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.

- d) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- e) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- f) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- g) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
- h) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

115. **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).
116. **Landscaping.** All landscaping works approved by condition 1 are to be completed as applicable for each Stage prior to the issue of the relevant Occupation Certificate.
117. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time

consuming and may impact on other services and building, driveway or landscape design.

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

118. **CCTV Cameras.** CCTV cameras will be required to be installed in the following locations:

- All entry and exit points to the buildings;
- Lifts; and
- Car parks.

Digital technology will be required to be used to record images from the camera and this is to be located in a secure location. As a minimum, the cameras at the entry and exit points 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. It must be maintained in working order at all times and installed by a qualified and reputable company.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate for each Stage.

119. **Lighting.** Lighting is to be provided around the site and all lighting is to comply with the following requirements:

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- A Lighting Maintenance Policy is required to outline the maintenance, monitoring and operation of lighting.
- Australia and New Zealand Lighting Standard 1158.1 – Pedestrian, requires lighting engineers and designers to consider crime risk and fear when selecting lamps and lighting levels.
- The areas around the entrances should be well lit and that all lighting should be designed to Australian and New Zealand Lighting standards.
- Sensor lighting should be installed into areas that may be areas of concealment especially at the rear of the building and around loading areas.

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

120. **Stratum Subdivision.** The approved stratum subdivision shall be lodged with LPI prior to the issue of any Occupation Certificate for Stage 1. Evidence of lodgement shall be provided to the Principal Certifying Authority.

121. **Security.** To enhance the physical security of doors, all glass within doors are to be laminated and the fire exit doors are to be fitted with a single cylinder lockset (Australian and New Zealand Standard - Lock Sets), which comply with the Building Code of Australia. All areas should be fitted with doors that comply with Australian Design Standards.

After hours, all doors should be kept locked unless a delivery is taking place. All basement car park areas should have a barrier so that they are able to be locked after hours. Signs should be erected in the car park areas to remind customers to take valuables with them and to lock their vehicles. Basement car parks should be painted a light colour to ensure that the lighting within the car park is consistent without creating dark areas of the car park.

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

122. **Certification of fit-out work.** Where Council is not the Principal Certifying Authority, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an Occupation Certificate for Stage 1.
123. **Certification of mechanical ventilation work.** Where any mechanical ventilation systems have been installed or altered, an installation certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an Occupation Certificate for each Stage.
124. **Works As Executed – Drainage and Stormwater.** Works-As-Executed Drawings of the Council stormwater pit and drainage connections works at College Street shall be submitted to and approved by Council prior to the issue of an Occupation Certificate for each Stage. The Works-as-Executed Drawings shall be accompanied by a certificate from a suitably qualified engineer, certifying the drawings are a true and accurate representation of the constructed works.
125. **Disabled access.** Access for disabled persons shall be provided in the building or portion of the building in accordance with the applicable legislation and the requirements set out in AS 1428.1. Documentary evidence and certification is to be obtained from a suitably qualified person confirming that the development meets the accessibility requirements and is to be provided to the PCA prior to the issue of an Occupation Certificate for each Stage.
126. **Fire safety matters.** At the completion of all works, a Fire Safety Certificate must be prepared, which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This

certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

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

127. **Dedication of Land.** Dedication of land required for the widening of Frank Street at the intersection with Victoria Road to Council for public road along the Frank Street frontage of the site will be required. The dedication shall occur prior to the issue of any Occupation Certificate for Stage 1 and the associated administrative and registration costs where applicable, shall be borne by the Applicant.

- 127A. **Fencing.** A chain wire fence at least 1.8m in height is to be erected and maintained along the line of bollards between Buildings F & G and any other potential direct pedestrian travel path between the car park for Buildings F & G and Bunnings. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate for Stage 1. The fence is to remain in place until the commencement of Stage 3.

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.

128. **Bunnings Warehouse Operating Hours:** The operation of the Bunnings Warehouse is limited to the following hours:

- Monday to Friday – 6.00am till 10.00pm; and
- Saturdays, Sundays and Public Holidays – 6.00am till 7.00pm.

129. **Home Maker Centre Stages 2 and 3:** The retail space associated with Stages 2 and 3 are to be used for the purpose of Bulky Goods Premises which is defined as follows:

bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- (a) a large area for handling, display or storage, and
- (b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire, and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

The bulky good premises hours of operation are limited to the following:

- Monday to Friday – 8.00am till 9.00pm; and
- Saturdays, Sundays and Public Holidays – 8.00am till 7.00pm.

130. **Traffic Management Report.** The proponent shall provide a quarterly traffic management report to the Local Road Authority for the first 12 months of operation of the Bunnings store to document any traffic and parking issues arising that have affected the external road system and how they have been or are proposed to be mitigated.
131. **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).
132. **Illuminated Signage.** Illuminated signage that is approved as part of this application shall be programmed to be turned off outside of the hours of operation associated with the Bunnings Warehouse use (see condition 128).
133. **Signage – illumination intensity.** The level of illumination and/or lighting intensity used to illuminate the signage must be capable of adjustment and is to be minimised to ensure that excessive light spill or nuisance is not caused to any nearby premises. The level of illumination is to be low lux LED lighting and must not result in any unacceptable glare. All proposed lighting to comply with AS4282-1997: Control of Obtrusive Effects of Outdoor Lighting.
134. **Advertising display.** General or third party advertising is prohibited. All advertising signs are to be displayed in the English language but may include a translation into another language using letters or characters that are no larger than the English language letters or characters. Any translated message must be accurate and complete. No amendment to the size of a sign will be permitted to allow for both the English and translated language to be displayed.
135. **Prohibited signs.** The approved signage must not have or use:
 - (a) Flashing lights;
 - (b) Electronically changeable messages;
 - (c) Animated display, moving parts or simulated movement;
 - (d) Complex displays that holds a drivers attention beyond 'glance appreciation'
 - (e) Displays resembling traffic signs or signals; and
 - (f) A method or level of illumination that distracts or dazzles.
136. **Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner. An adequate

number of suitable waste containers must be kept on the premises for the storage of garbage.

137. **Air pollution.** The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
138. **Clean water only to stormwater system.** Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
139. **Recyclable wastes.** Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.
140. **Graffiti.** All external surfaces of the building shall be maintained in a clean and tidy manner.
141. **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*.
142. **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.

ADVISORY NOTES

1. **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".
2. **Registration of premises.** The operator of the business must register the premises with Council's Environmental Health Unit before trading commences.

3. **Inspections and fees.** Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*. The approved fees are contained in Council's Management Plan and may be viewed or downloaded at www.ryde.nsw.gov.au.

End of consent