

Attachment 1

Draft Conditions of Consent

DRAFT CONDITIONS OF CONSENT – LDA2017/390

DEFERRED COMMENCEMENT

PART 1 - The following are the Deferred Commencement condition(s) imposed pursuant to Section 4.16(3) of the Environmental Planning & Assessment Act 1979.

1. Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, the Applicant must satisfy the following deferred commencement conditions of consent prior to this development consent becoming operative:
 - (a) The Applicant is to enter into a Planning Agreement (as defined pursuant to Section 7.4 of the Environmental Planning and Assessment Act 1979) with Council for the delivery of the public benefits as identified within the letter of offer from John Holland Pty Ltd, dated 13 March 2018 and in accordance with the terms accepted by Council at its ordinary meeting 24 April 2018, No. 5/18 in respect of the offer.
2. Evidence that will sufficiently enable Council to be satisfied as to the compliance of those matters in deferred commencement condition 1(a) above, must be submitted to Council within **twelve (12) months** of the date of determination of this deferred commencement consent, failing which, this deferred development consent **will lapse** pursuant to Section 95(3) of the Environmental Planning and Assessment Regulation 2000.
3. This development consent will not become operative until such time that the Council notifies the Applicant in writing that the requirements of deferred commencement consent condition 1(a) above have been satisfied.
4. Upon Council giving written notification to the Applicant that the deferred commencement condition has been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent.

PART 2 - The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL

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

Document Description	Date	Plan No/Reference
Application Plan	9/3/18	MP1-ARC-DRW-ARC-0064 Issue E prepared by Architectus
Site Plan	9/3/18	MP1-ARC-DRW-ARC-0070 Issue E prepared by Architectus
Lift Pits Plan	9/3/18	MP1-ARC-DRW-ARC-0080 Issue E prepared by Architectus
Basement 2 Plan	9/3/18	MP1-ARC-DRW-ARC-0081 Issue E prepared by Architectus
Basement 1 Plan	9/3/18	MP1-ARC-DRW-ARC-0082 Issue E prepared by Architectus
Ground Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0083 Issue E prepared by Architectus
Mezzanine Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0084 Issue E prepared by Architectus
Level 1 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0085 Issue E prepared by Architectus
Level 2 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0086 Issue E prepared by Architectus
Level 3 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0087 Issue E prepared by Architectus
Level 4 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0088 Issue E prepared by Architectus
Level 5 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0089 Issue E prepared by Architectus
Level 6 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0090 Issue E prepared by Architectus
Level 7 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0091 Issue E prepared by Architectus
Level 8 Floor Plan	9/3/18	MP1-ARC-DRW-ARC-0092 Issue E prepared by Architectus
Level 9 Plant	9/3/18	MP1-ARC-DRW-ARC-0093 Issue E prepared by Architectus
Top of Roof	9/3/18	MP1-ARC-DRW-ARC-0094 Issue E prepared by Architectus
Site Section Sheet 01	9/3/18	MP1-ARC-DRW-ARC-0120 Issue E prepared by Architectus
Section Sheet 01	9/3/18	MP1-ARC-DRW-ARC-0125 Issue E prepared by Architectus
Section Sheet 02	9/3/18	MP1-ARC-DRW-ARC-0126 Issue E prepared by Architectus
Section Sheet 03	9/3/18	MP1-ARC-DRW-ARC-0127 Issue E prepared by Architectus
Section Sheet 04	9/3/18	MP1-ARC-DRW-ARC-0128 Issue E prepared by Architectus
Section Sheet 05	9/3/18	MP1-ARC-DRW-ARC-0129 Issue E prepared by Architectus
Section Sheet 06	9/3/18	MP1-ARC-DRW-ARC-0130 Issue E prepared by Architectus

Elevation Sheet 1	9/3/18	MP1-ARC-DRW-ARC-0145 Issue E prepared by Architectus
Elevation Sheet 2	9/3/18	MP1-ARC-DRW-ARC-0146 Issue E prepared by Architectus
Elevation Sheet 3	9/3/18	MP1-ARC-DRW-ARC-0147 Issue E prepared by Architectus
Elevation Sheet 4	9/3/18	MP1-ARC-DRW-ARC-0148 Issue E prepared by Architectus
Public Domain Stage 1	8/9/17	MP1-MGC-DRW-LAN-0001 Issue E prepared by McGregor + Coxall
Building C Landscape Plan	8/9/17	MP1-MGC-DRW-LAN-0002 Issue E prepared by McGregor + Coxall
Finishes Plan	18/8/17	MP1-MGC-DRW-LAN-0003 Issue C prepared by McGregor + Coxall
Sections A, B & C	8/9/17	MP1-MGC-DRW-LAN-0004 Issue D prepared by McGregor + Coxall
Sections D, E & F	8/9/17	MP1-MGC-DRW-LAN-0005 Issue D prepared by McGregor + Coxall
Sections G & H	8/9/17	MP1-MGC-DRW-LAN-0006 Issue D prepared by McGregor + Coxall
Planting Palette	18/8/17	MP1-MGC-DRW-LAN-0007 Issue C prepared by McGregor + Coxall
Precedents and Materials	18/8/17	MP1-MGC-DRW-LAN-0008 Issue C prepared by McGregor + Coxall
Drainage Plan Sheet 1	1/3/18	MP1-ENS-DRW-CIV-5201 Issue G prepared by Enstruct Group Pty Ltd
Drainage Plan Sheet 2	26/2/18	MP1-ENS-DRW-CIV-5202 Issue F prepared by Enstruct Group Pty Ltd
Drainage Plan Sheet 3	6/3/18	MP1-ENS-DRW-CIV-5203 Issue B prepared by Enstruct Group Pty Ltd

Prior to the issue of a Construction Certificate, the following amendments shall be made:

- a) The dedicated drop off and set down area as shown in the road reserve of proposed 1 on drawing number MP1-ARC-DRW-ARC00083 Issue E is to be deleted. The design and layout of the road is to be in accordance with the requirements of condition 50.
2. **Voluntary Planning Agreement** - Pursuant to Section 4.17(1)(a) of the Environmental Planning and Assessment Act 1979, the Voluntary Planning Agreement between the City of Ryde and John Holland Pty Ltd and that relates to the development application the subject of this consent required under deferred commencement condition 1(a), must be lodged for registration on the title of the property in accordance with the terms of the Voluntary Planning Agreement.

3. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
4. **Signage.** This consent does not approve any signs, advertising structures or signage zones. It will be necessary to submit a separate development application for any signs or advertising structures, unless such signage is “exempt development”.
5. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Saturday (other than public holidays). No building activities are to be carried out at any time on a Sunday or a public holiday.
6. **Works outside standard hours of construction.** Internal work may be undertaken outside of the approved hours of work outlined condition 6 only after the completion of the external shell and the sealing of the entire floor during the hours between 7.00pm and 7.00am, Mondays to Saturdays subject to:
 - i. No works are to be undertaken externally;
 - ii. No material delivery or removal of waste must take place during the extended hours;
 - iii. Approval is not given for the use of any high noise intrusive plant and equipment other than hand operated power tools; and
 - iv. The works should not be heard at the boundary of any adjoining property.
7. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
 - (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.
8. **Illumination of public place.** Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
9. **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.
10. **Public space.** The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
11. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra,

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

12. **Roads Act.** Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
13. **Installation, operating and maintenance requirements** - All air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
14. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.
15. **Registration of water-cooling systems.** Any water-cooling regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
16. **Construction Staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
17. **Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 *Public Civil Works*, to the satisfaction of Council.
18. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 1985 and City of Ryde, Development Control Plan 2006: - Part 8.1; Construction Activities.
19. **RMS.** The subject property is affected by a road proposal. The subject property is also subject to a proposed lease to RMS for compound site purposes.

The subject site is within an area under investigation for the proposed Macquarie Park Bus Priority and Capacity Improvements project. Further information about this project is available by contacting the project Team on: 1800 575 250 or email Macquarieparkbuspriority@rms.nsw.gov.au or by

visiting the project website at <http://www.rms.nsw.gov.au/projects/sydney-north/macquarie-bus-priority-capacity-improvement/index.html>

The land required for future road works shall be sub-divided into a separate lot in any future subdivision.

20. **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) and Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management), except otherwise as amended by conditions of this consent.
21. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
22. **Road Opening Permit.** The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) required within the road reserve. No works shall be carried out on the footpath without this permit being paid and a copy kept on the site.

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.

23. **Section 7.11.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$1,568,374.87

Open Space & Recreation Facilities	-
Civic & Urban Improvements	\$1,536,873.75
Roads & Traffic Management Facilities	\$1,636,180.03
Cycleways	\$212,506.00
Stormwater Management Facilities	\$190,548.32
Plan Administration	\$57,305.42
The total contribution is	\$5,201,788.39

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 Interim Update (2014), effective from 10 December 2014.

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.

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service 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>.

24. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
25. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation).

26. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
- (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
27. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
28. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.
29. **Evidence of connection by gravity flow.** Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the relevant Construction Certificate.
30. **Grease trap room details.** A grease trap(s) must be installed if required by Sydney Water Corporation. The grease trap(s) must be located outside the building or in a dedicated grease trap room(s) and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.

Details of any proposed grease trap room(s) must be submitted for approval with the application for the relevant Construction Certificate.

31. **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 are to be submitted on the relevant Construction Certificate plans.

32. **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 AS4674-2004: Design, Construction and Fit-out of Food Premises.

Detailed plans demonstrating compliance with the above must be submitted with the application for the relevant Construction Certificate. Such plans must include:

- (a) The proposed floor layout and use of each room or area;
- (b) The proposed floor, wall and ceiling finishes;
- (c) Details of all proposed fixtures fittings and equipment (including the proposed method of installation); and
- (d) Lighting, ventilation and drainage details.

You are advised that the walls of all proposed food premises must be constructed of brick, concrete blocks, preformed panels filled with suitable material or other solid materials. Adequate provision must also be made for the installation of a kitchen exhaust systems to each of the proposed food premises.

33. **Mechanical ventilation details** - Details of all proposed mechanical ventilation systems, must be submitted for approval with the application for the relevant Construction Certificate. Such details must include:

- (a) Plans 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.

All loading docks located more than 10 metres from the external entrance opening must be provided with a system of mechanical ventilation complying with clause 4.5.2 of Australian Standard AS 1668.2-2012: *The use of mechanical ventilation and airconditioning in buildings – Mechanical ventilation in buildings*.

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.

All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

34. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the relevant **Construction Certificate**.
35. **Disabled Access.** Disabled access is to be provided to and within the development in accordance with the recommendations contained within the Access Report prepared by iAccess Consultants dated 10 September 2017 with the exception of the two dedicated drop-off and set down areas as shown on Road 1. These spaces are to be deleted in accordance with condition 1a. Details including compliance with these recommendations are to be submitted to the Principal Certifying Authority (PCA) prior to the relevant construction certificate being issued.
36. **Bicycle Parking.** A minimum of 311 bicycle parking spaces or lockers designed and installed in accordance with the Australian Standard AS2890.3 are to be provided with the development. Details are to be submitted on the relevant Construction Certificate plans.
37. **Service Infrastructure/Utilities.** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like (unless already shown on the plan) shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to the issue of the relevant Construction Certificate.
38. **Energy Efficiency.** The development is to comply with the ESD Strategy as outlined in the DA ESD Report prepared by LCI Consultants (Aust) Pty Ltd Revision D dated 8 September 2017. The PCA is to be provided with a report to verify that the relevant Construction Certificate Plans comply with the recommendations of the report.
39. **Noise.** The development shall be carried out in accordance with the recommendations provided within the Building C Environmental Noise Impact Assessment prepared by Acoustic Logic Revision C Dated 18/8/17. The

recommendations contained in the report are to be demonstrated on the relevant Construction Certificate plans. Details indicating compliance with these recommendations are to be submitted to the PCA prior to the Construction Certificate being issued.

40. **Arts and Cultural Plan.** Prior to the issue of any Construction Certificate for the public domain, a site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be prepared by an arts and cultural planner and will be required to address the following:
- Provide a detailed description of the art works including concept drawings. This is to include issues such as durability, robustness and longevity of the public art.
 - Preliminary construction details.
 - Demonstrate how the public art is incorporated in the site and the built form design.

The public art to be undertaken is to have a value of 0.1% as a guide of the estimated costs of the works as identified on the development application form capped at \$1,500,000. Details of the costings are to be provided within the Public Arts Plan.

41. **Safer by Design.** All recommendations contained in the Crime Prevention through Environmental Design (CPTED) Assessment Report prepared by Ethos Urban dated 14 September 2017 are to be implemented. Details demonstrating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.
42. **Wind Mitigation.** The development shall be carried out in accordance with the recommendations provided within the Wind Assessment Report titled MP1-VIP-REP-WIN-0001_C prepared by Vipac Engineers and Scientists. These recommendations are to be demonstrated on the relevant Construction Certificate plans.
43. **Tree Planting.** The trees located within the WSUD rain gardens and along the southern side boundary are to be large growing locally native canopy trees capable of reaching a minimum of 15 metres in height with a spreading canopy. The trees are to be planted at a minimum 200 litre pot size and meet the specifications of AS2303 Tree Stock for Landscape Use. Details of compliance are to be shown on the plans for the relevant Construction Certificate.
44. **Tree Retention.** Those trees shown as being retained on the Landscape Plans prepared by McGregor Coxall dated 08.09.2017 which are located along the southern side boundary are to be removed and replaced with locally native canopy trees at a minimum 200 litre pot/container size. Details of compliance are to be shown on the plans for the relevant Construction Certificate.
45. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of the relevant Construction Certificate satisfactory evidence is to be provided to the Certifier that arrangements have been made for:

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

And

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

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

46. **Public domain improvements** - The public domain along the Waterloo Road frontage of the development site and the provision of Road 14 and part of Road 1 (as indicated on plan number MP1-ARC-DRW-ARC-0064 Issue E) is to be provided in accordance with the City of Ryde Public Domain Technical Manual PDTM Section 6 – Macquarie Park Corridor. The work is to include footpath paving, construction of new access road **Nº14** at the Waterloo Road frontage and new future road **Nº1**, pedestrian link, multifunction light poles, street furniture and plantings.

A public domain design for the following works shall be submitted to Council and approved by Council's City Works & Infrastructure having regard to this approved plans, Council's DCP 2014 and the Ryde Public Domain Technical Manual, prior to the issue of the relevant Construction Certificate for above ground public domain works.

- (a) Footpath paving and construction of new roads, including reconstruction of existing infrastructure is required as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Macquarie Park Street Tree Master Plan. Street tree plantings are to be provided at a minimum 200 litre pot/container size and meet the specifications of AS2303 Tree Stock for Landscape Use.

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

- (c) All telecommunication and utility services are to be placed underground along the Waterloo Road frontage, new access road **Nº14**, future road **Nº1** and within proposed pedestrian link. The extent of works required

in order to achieve this outcome may involve works beyond the frontage of the development site. Plans with required design are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network. The plans shall be submitted within the set for public domain design and approved by Council's City Works Directorate. The proposed utility designs shall be submitted to the relevant utility authorities.

- (d) New street lighting (minimum of 2) using LED luminaires is to be designed and installed to Australian Standard AS1158:2010 Lighting for Roads and Public Spaces, including Council's MFP schema plan, with vehicular luminance category **V3** and pedestrian luminance category **P2** along Waterloo Road. The street lighting will remain on the Ausgrid street lighting network.
- (e) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, including Council's MFP schema plan, with a minimum vehicular luminance category **V5** and pedestrian luminance category **P2** along new access road **Nº14**, future road **Nº1** and within proposed **pedestrian link**.

All telecommunication and utility services are to be placed underground along Waterloo Road and new roads **Nº1** & **Nº14**, including proposed **pedestrian link**.

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

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

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

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

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works and Infrastructure prior to issue of any relevant Construction Certificate for above ground public domain works. The works shall be in accordance with City of Ryde DCP 2014 Part 4.5 Macquarie Park Corridor, Part 8.5 - Public Civil Works, and Part 8.2 - Stormwater and Floodplain Management, where applicable and City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.

The drawings shall include plans, sections, existing and finished surface levels, drainage system configurations, kerb returns, existing and proposed signage and line marking, and other relevant details for the new works. The consultant shall liaise with Council's City Works and Infrastructure Directorate in obtaining Council's specification and details, if not available on the Council's website, including the checklist requirements. The drawings shall also demonstrate the smooth connection of the proposed works into the remaining street scape.

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

- (a) Design and construction of full width granite paving footpath along the Waterloo Road frontage of the development site and within the new roads **Nº14 & Nº1** and proposed **pedestrian link** is required to be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor.
- (b) The reconstruction of existing infrastructure is to be achieved through the construction of new footpath, kerb and gutter along the Waterloo Road and infill of road pavement for a minimum width of one traffic lane.
- (c) The design and construction of new Council's roads **Nº14 & Nº1** and proposed **pedestrian link** shall be in accordance with the City of Ryde DCP 2014 Part 4.5 Macquarie Park Corridor, *Part 8.5 - Public Civil Works*, Austroads and the City of Ryde Public Domain Technical Manual Section 6: Macquarie Park Corridor.
- (d) The design for new Council's access road **Nº14** shall comply with requirement for the width of road reserve to be 14.5 m in accordance with Figure 4.1.3 of the DCP 2014. The longitudinal section of the road shall show design levels are matching with existing levels of Waterloo Road.

Note: No approval has been granted for the road configuration of Road 14 at the intersection with Waterloo Road. This intersection and the entire road is to be designed as a 14.5m wide road and provide for left in and left out only.

- (e) The design for new Council's road **Nº1** shall generally be in accordance with the concept design plans submitted on 27 July 2018. Road No. 1 shall have a 20.0m road reserve and comply with Council's requirements as shown in Figure 4.1.2 of the City of Ryde DCP 2014 Part 4.5 Macquarie Park Corridor. The longitudinal section shall show

design levels that will allow for a future road connection at Lane Cove Road.

- (f) The design for proposed **pedestrian link** is to comply with the requirements of condition 52.
- (g) The vehicular access from Waterloo Road to the site is restricted in manner left in/left out way from new Council's road **N°14**.
- (h) The new roads **N°1 & N°14** are to be fully constructed and dedicated to Council. All elements of required infrastructure within the new roads and pedestrian link shall include lighting, paving, street furniture, landscaping and the tree planting.
- (i) New roads **N°1 & N°14** are to be maintained by the landowner until dedicated to Council.
- (j) The removal of redundant vehicular crossing is required at the proposed intersection of Waterloo Road and new access road **N°14**. Design and construction of new kerb & gutter and the adjacent road pavement reconstruction shall be in accordance with City of Ryde *standards and specifications, including RMS's specification for the part of reconstruction on Waterloo Road*.
- (k) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along *Waterloo Road*.
- (l) Stormwater drainage systems in the public domain shall be design and constructed in accordance with the Council stamped approved plans and DCP 2014 Part 8.2 - Stormwater and Floodplain Management.
- (m) Signage and line marking details are required to be provided on a separate plan and submitted with the set of plans for public domain. Proposed signage and line marking shall include traffic requirements, cycleway and waste collection requirements, if applicable.
- (n) The Bicycle Network is to be implemented as off-street shared cycleway along **Regional Bicycle Route** in Waterloo Road. Cycleways are to be located, as per approved concept plan from Council's Traffic Department adjacent to the property, to minimise conflict with street trees, lighting, signage and other public domain elements. The **Local Bicycle Network** is to be implemented as off-street shared cycleway in accordance with the Ryde Bicycle Strategy 2014 along proposed new road **N°1**, located adjacent to property boundary to minimise conflict with street trees, lighting, signage, and other public domain elements.
- (o) Staging of the public civil works, if any, and transitions between the stages shall be clearly indicated on proposed design, including applicable specification for proposed transition work.
- (p) The relocation/adjustment of all public utility services affected by the proposed works. Proposed design plans that conform to the applicable Public Authority requirements shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

1. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks. The applicant is advised that any partial or incomplete submission would not be reviewed and will be returned to be complemented with the required design.
 2. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist is also available upon request to Council's City Works & Infrastructure Directorate.
48. **Pedestrian Link** – The proposed **pedestrian link** incorporating a 4.0m wide accessible paved footpath shall be provided along South- East side of the proposed building "C" providing connectivity between new road **N°14** and Lane Cove Road. The paving of the pedestrian link is to be in accordance with Council's Macquarie Park Public Domain Technical Manual. Full construction details are required to be incorporated within the Public Domain design, demonstrating compliance with Council's Macquarie Park Public Domain Technical Manual. The submission shall include the following details:
- (a) Fully dimensioned plans showing the width of the pedestrian link, footpath, transitions and landscaping areas along the footpath;
 - (b) The design shall incorporate the finished levels of the new road **N°14**.
 - (c) Selection of paving type, colour and dimensions in accordance with Council's requirement;
 - (d) Provision of adequate lighting (category P2 according to Australian Standards AS/NZS 1158 Set: 2010 Lighting for Roads and Public Spaces) for illumination of the footpath to ensure safety and security of the users during night time;
 - (e) The pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council.

The pedestrian link shall be constructed by the developer/owner prior to the issue of any Occupation Certificate. The pedestrian link as Right of Way shall be constructed as part of Public Domain Works in accordance with the Voluntary Planning Agreement referred to in deferred commencement condition 1.

49. **Driveway Access and Boundary Alignment Levels** - The applicant shall apply to Council for site specific vehicular access and boundary alignment levels prior to the commencement of preparation for engineering plans required for Public Domain Design. The application shall be accompanied by preliminary engineering plans of civil works along the frontage of the development site. The Council issued levels shall be incorporated into the detail design plans

for the public domain improvements and infrastructure works, and 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.

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

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

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

51. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the public domain works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or unconditional Bank Guarantee in accordance with the Voluntary Planning Agreement referred to in deferred commencement condition 1 shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met.

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

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

53. **Construction Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person in consultation with Sydney Coordination Office (SCO) of the Transport for NSW and submitted to and approved by Council prior to issue of any Construction Certificate.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be restricted during the major commuter peak times being 8.00-9.30am and

4.30-6.00pm. Truck movements must be agreed with Council's Traffic and Development Engineer prior to submission of the CTMP.

The CTMP must:-

- i. Consider the Station Link (formerly known as Epping to Chatswood Temporary Transport Plan), which is due to commence on 30 September 2018 and will operate for approximately 7 months. Key features of Station Link include:
 - High frequency, turn-up-and-go services to stations between Epping and Chatswood at least every six minutes during the peak.
 - More than 110 services per hour in the busiest parts of the day.
 - A dedicated high frequency service to Macquarie University Campus from Epping Station.
 - A loop service running at least every 10 minutes 7 days a week to all stations between Epping to Chatswood
 - Further information on Station Link can be found at <http://www.mysydney.nsw.gov.au/stationlink>
- ii. Make provision for all construction materials to be stored on site, at all times.
- iii. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- iv. 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.
- v. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- vi. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- vii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- viii. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- ix. Specify spoil management process and facilities to be used on site.

- x. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xi. The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”, Council’s DCP 2014 Part 8.1 (Construction Activities) and Council’s CTMP checklist. A copy of Council’s CTMP checklist shall be obtained from Council’s Traffic, Transport and Development Department prior to submission of CTMP.
- xii. All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Note: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CTMP is intended to minimise impact of construction activities on the surrounding community, in terms of vehicle traffic (including traffic flow and parking) and pedestrian amenity adjacent to the site.

- 54. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed to comply with forward in and forward out access of an 8.8m Medium Rigid Vehicle (MRV), as a minimum requirement. The height clearance required is 4.5m. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 8.8m MRV shall be submitted to and approved by Council’s Traffic Engineer prior to the issue of the relevant Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.
- 55. **Drainage System.** The proposed Council drainage systems (including temporary and permanent) shall be redesigned to suit the final road design levels approved by Council for Road No. 1 and Road No. 14. The final drainage concept design shall be in accordance with DCP 2014 Part 8.2 – Stormwater and Floodplain Management and approved by Council prior to commencing detailed design for the proposed drainage systems.
- 56. **Stormwater Plans for Temporary Drainage Works.** The detailed design for the temporary drainage works, connection to Council’s 1500mm pipe located at the site and new design of Road No. 1 and Road No. 14 drainage systems shall be prepared and submitted to Council for approval prior to the issue of the relevant Construction Certificate.
 - The hydraulic modelling shall be carried out for the minor (20 years ARI) and major drainage (100 year ARI) and the model files shall be submitted to Council for its approval.

- A drainage system longitudinal section drawn for minor and major storm events at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and showing crossing utility services, pipe size, class and type (minimum class 4), pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system.

57. 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 (Off-street Parking standards).

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

- a) The footpath crossover at both the vehicle entry points to the site must be constructed as a formed driveway crossover so as to ensure there is a clear, unobstructed footpath alignment in this region. The design must incorporate a gutter crossover and footpath crossing with levels having being approved by Council's Civil Infrastructure and Integration Section in the public domain plans.
- b) Further to the above, the footpath crossover is to clearly delineate the vehicle path of travel by alternate pavement treatment, paving, construction or other treatment approved by Council's Civil Infrastructure and Integration Section to ensure pedestrians are away when crossing the entry.
- c) Both vehicle entries are to be reduced in width, with the entry to the loading bay area no greater than 4.30m wide and the private parking area no greater than 7m wide. A separation between the vehicle entry points of at least 2m must be provided to minimise pedestrian exposure times when crossing the vehicle entry.

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

58. Stormwater Management. Stormwater runoff from building "C" shall be collected and piped by gravity flow to the inground drainage infrastructure servicing Road No. 1, generally in accordance with the plans by Enstruct Group Pty Ltd. (Refer to Dwg MP1-ENS-DRW-CIV-5201 Iss. G dated 1 Mar 2018 & Dwg MP1-ENS-DRW-CIV-5202 Iss. F dated 26 February 2018) subject to the following variations and requirements;

- The invert of the onsite detention system may need to be adjusted so as to be in accordance with the approved Public Domain plans. Accordingly details of the private system, particularly the OSD and discharge to the public drainage system, are to be provided in conjunction with the plans submitted to Council in association with the Public Domain approval.
- The detention storage is to be an engineered storage tank, constructed in situ such to have a service life commiserate with the building.

- The storage must provide adequate access for maintenance and access (complying with the relevant Australian Standards concerning access to confined spaces) and are to be located such to provide a clear overland flow to the kerb in the event of blockage / surcharge of the system.
- All surface levels and grades along the eastern and southern perimeter of building “C” must direct surface flows to the point of discharge. This may warrant a swale/ dwarf wall to be located along the eastern boundary so as to direct flow to the new Road “1”.

The detailed plans, documentation and certification of the drainage system servicing the approved building “C” must be submitted with the application for the relevant Construction Certificate and prepared by a chartered civil engineer and comply with the following;

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council’s DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- Onsite detention must be incorporated in the stormwater management system having a minimum SSR of 160m³, a maximum PSD of 65L/s and supplemented by the a 200m³ rainwater tank. Any variations to these values attributed to changes required by conditions of this consent, must be in accordance with Council’s DCP requirements for onsite detention and must validated in the certification of the design required by this condition.
- 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.

NOTE: All stormwater infrastructure located in the region to be dedicated to public road are subject to review and approval by Council’s Civil Infrastructure and Integration Section.

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

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
- provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
- is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures, settlement and excavation induced ground vibrations to the relevant Australian Standard;
 - details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
 - details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
 - Is in accordance with the recommendations of any approved Geotechnical Report.

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

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

- Existing and final contours
- The location of all earthworks, including roads, areas of cut and fill
- Location of all impervious areas
- Location and design criteria of erosion and sediment control structures,
- Location and description of existing vegetation
- Site access point/s and means of limiting material leaving the site
- Location of proposed vegetated buffer strips
- Location of critical areas (drainage lines, water bodies and unstable slopes)

- Location of stockpiles
- Means of diversion of uncontaminated upper catchment around disturbed areas
- Procedures for maintenance of erosion and sediment controls
- Details for any staging of works
- Details and procedures for dust control.

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

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.

61. **Site Sign**

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

62. **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.

63. **Tree Protection Fencing.** All protective fencing and signage around TPZs must be located in accordance with AS49970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

64. **Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and

the Arboricultural Impact Appraisal & Method Statement prepared by Naturally Trees dated 28/2/18. 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.

65. **Notice of Intention to Commence Public Domain Works** – Prior to commencement of the public domain works, a *Notice of Intention to Commence Public Domain Works* shall be submitted to Council's City Works and Infrastructure Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

Note: Copies of a number of documents are required to be lodged with the Notice; no fee is chargeable for the lodgement of the Notice.

66. **Notification of adjoining owners & occupiers – public domain works** - The Applicant shall ensure that the adjoining owners and occupiers are given prior written notice (by registered post) of when construction works will occur. The notice is to include a contact number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.

67. **Pre-Construction Dilapidation Report** - To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

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

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

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

68. **Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the *Roads Act 1993*. Prior to the

commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form *"Road Activity Permits Checklist"* (available from Council's website) are to be obtained and copies submitted to Council with the *Notice of Intention to Commence Public Domain Works*.

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.
- 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.
69. **Temporary Footpath Crossing** - Application for any temporary driveway crossing must be submitted to Council with plans for approval prior to the issue of any Construction Certificate. To obtain the permit, an application must be made to Council with payment of the adopted assessment/inspection fees.
70. **Work Zones and Permits**. Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
71. **Road Occupancy Licence**. Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows on Waterloo Road, Herring Road & Lane Cove Road.

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.

72. **Critical stage inspections**. The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.
73. **Hold Points during construction – Drainage Works** - Construction inspections shall be required by Council's Stormwater Engineer for the Council stormwater drainage connection works at the following hold points: -
- Upon installation of pipes and other drainage structures prior to backfilling.
 - Upon backfilling of excavated areas and prior to the construction of the final surface.
- An inspection fee is applicable for each visit, and at least 24 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection.
74. **Noise from construction work**. All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.

75. **Noise management plan.** Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:
- (a) Identification of nearby affected residences or other sensitive receivers.
 - (b) An assessment of the expected noise impacts.
 - (c) Details of the work practices required to minimise noise impacts.
 - (d) Noise monitoring procedures.
 - (e) Procedures for notifying nearby affected residents.
 - (f) Complaints management procedures.
76. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
77. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
 - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
 - (c) the material is reused only to the extent that fill is allowed by the consent.
78. **Construction materials.** All materials associated with construction must be retained within the site.
79. **RMS.** All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone may not be permitted on Waterloo Road.
80. **Site Facilities.** The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
81. **Site maintenance.** The applicant must ensure that:
- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
 - (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - (c) the site is clear of waste and debris at the completion of the works.
82. **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.

83. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".
84. **Surveillance cameras.** Surveillance cameras and recorders are to be installed and maintained to monitor and record all entrance and exit points to the building. This is to include the basement car park areas, the entry and exit points to the car park, the foyer area to the building, communal areas, lifts, public spaces and the retail areas. The cameras should also monitor the 50 metre vicinity outside the building. Recordings should be made 24 hours a day 7 days a week.

As a minimum, CCTV cameras at entry and exit points to the premises must record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras must record footage of a nature and quality in which it can be used to recognise a person recorded by the camera. The time and date must automatically be recorded on all recordings made whilst it is recording.

All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed. If requested by the Police, any recordings are to be archived until such time as they are no longer required.

Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.

The CCTV control system should be located within a secured area of the premises and only accessible by authorised personnel.

If the CCTV system is not operational, immediate steps are to be taken to ensure that it is returned to fully operational condition as soon as possible.

If requested by police, the applicant is to archive any recording until such time as they are no longer required.

85. **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.

- Senor lighting should be installed into areas that may be areas of concealment.
 - All outdoor public spaces should be well lit to ensure safety during the hours of darkness.
 - Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
 - To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.
86. **Street sign.** A street sign is to be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No. 8.
87. **Fire Doors.** Signage is to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only. All fire doors are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.
88. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.
89. **Access control.** Access control should be put in place to prevent authorised access. In this respect, access should be restricted to employees only to the lifts and stairs leading to the upper levels.
90. **Locks to doors.** All locks fitted to the doors should be of high quality and meet the Australian design standard. Any glass within these doors should be laminated to enhance the physical security of the doors.
91. **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.
92. **Tree Protection Schedule.** The following schedule includes a list of hold points throughout the development. Each hold point is to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be submitted to Council prior to the issue of any Occupation Certificate.

Hold	Task	Responsibility	Certification	Timing of Inspection
1	Establishment of tree protection fencing and additional root, trunk	Principal Contractor	Project Arborist	Prior to demolition and site

2	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding
3	Inspection of trees by Project	Principal Contractor	Project Arborist	Bi-monthly during
4	Final inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation

93. **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.
94. **Stormwater Trench/Pit Locations.** The alignment of stormwater infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the stormwater pits and trenches conflict with any major structural roots (greater than 25mm diameter) of existing trees, their location and alignment is to be modified in consultation with the project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.
95. **Underground Utilities.** Any utility services to be located underground within the TPZ are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than 25mm diameter). To prevent soil compaction and root damage these works should be conducted with non-motorised hand tools or directional drilling.
96. **Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZ's of trees to be retained shall be carried out by hand using manual, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
97. **Hold Points during construction - Public Domain –** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

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

- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.

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

98. **Implementation of Construction Traffic Management Plan.** 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.
99. **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.
100. **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.
101. **Stormwater Management - Construction.** The stormwater drainage system servicing building "C" must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Enstruct Group Pty Ltd. (Refer to Dwg MP1-ENS-DRW-CIV-5201 Iss. G dated 1 Mar 2018 & Dwg MP1-ENS-DRW-CIV-5202 Iss. F dated 26 February 2018) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
102. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan 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.

103. **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.

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.

104. **Public Benefit Works.** All public benefit as identified in the VPA referred to in deferred commencement condition 1(a) associated with Building C are to be completed to Council's satisfaction prior to the issue of any Occupation Certificate.
105. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any **Occupation Certificate**.
106. **Sydney Water – Section 73 Compliance Certificate.** A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water will determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. A Section 73 Compliance Certificate must be completed before the issue of the relevant Occupation Certificate. Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

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

107. **Letterboxes and street/house numbering.** All letterboxes and house numbering are to be designed and constructed to be accessible from the public way. Council must be contacted in relation to any specific requirements for street numbering.
108. **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.
109. **Certification of mechanical ventilation work** - Where any mechanical ventilation systems have been installed, 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.
110. **Registration of premises** - The operator of the business must register the premises with Council's Environmental Health Unit before trading commences.

The operator of the business must also notify their business details to the NSW Food Authority before trading commences. Notifications may be lodged on-line at www.foodnotify.nsw.gov.au.

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

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

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

112. **Public Art.** Prior to the issue of any Occupation Certificate, the public art as approved in the Public Arts Plan as required in condition 56 is to be provided on the site.
113. **Framework Travel Plan.** Prior to the issue of any Occupation Certificate, a detailed Framework Travel Plan is to be submitted to Council. This Plan is to identify measures that will be introduced by the primary tenant of Building C to

ensure that a 40% public transport/60% private transport target for the journey to work, including appointing a Travel Plan Coordinator, minimising drive alone trips to work, encouraging walking, cycling, car sharing, car pooling and public transport use.

114. **New Roads** – The dedication of new roads **N°1 & N°14** to Council for public road in accordance with the City of Ryde Council DCP 2014 Part 4.5 will be required. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The dedication shall occur prior to the issue of **any** Occupation Certificate for Building C. The Plan of dedication is to be lodged and registered with the Land and Property Management Authority prior to issue of the Occupation Certificate.
115. **Public Domain Improvements and Infrastructure Works – Completion** – All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain design plans and at no cost to the Council, prior to the issue of any Occupation Certificate.
116. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.
117. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.
118. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
119. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

120. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans shall be submitted to Council for review and approval. The Works-as-Executed Plans are to be prepared on a copy of the approved plans and certified by a Registered Surveyor, and shall contain notations in red, all departures from the Council approved details. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.
121. **Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
122. **Post-Construction Dilapidation Report** – To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
- (a) Road pavement,
 - (b) Kerb and gutter,
 - (c) Footpath,
 - (d) Drainage pits and lintels,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

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

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

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

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

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

125. **Compliance Certificate – External Works and Public Infrastructure Restoration** – Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works and Infrastructure confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have been dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this certificate.
126. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by the applicant. Due to the Sydney Metro Stations Upgrade works and Waterloo Road Bus Priority Project, this plan is to be prepared in consultation with Sydney Coordination Office (SCO) of the Transport for NSW. The plan is to be submitted to and approved by Council prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how safe servicing arrangements will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.
- Note: Any further enquiries related with the LDMP should be directed to Joel Azzopardi on 0466 427 016 or email at Joel.Azzopardi@transport.nsw.gov.au or David Collaguazo on 0435 658 792 or email David.collaguazo@transport.nsw.gov.au
127. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
128. **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 WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be

in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

129. **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) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
 - (c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
 - (d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
 - (e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve or public domain is not accepted. Areas are to be demarcated if required.
 - (f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

130. **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 areas to be dedicated as a public road, 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 have been completed to Council's satisfaction.

131. **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).

132. **Public Drainage Easement.** The drainage line and infrastructure servicing the development and new roadway (to be dedicated to Council) will come under the care and maintenance of Council. To ensure these services are preserved and access (for maintenance) to the infrastructure is maintained, a public drainage easement (Easement in Gross) must be registered over the drainage services, commencing from the road dedication area to the point of discharge. The terms, alignment and dimensions of the easement must be in accordance with Council's DCP Part 8.4 (Title Encumbrances) or as otherwise agreed to the satisfaction of Council's Civil Infrastructure and Integration Section. The

easement will not be endorsed by Council until the works are completed to the satisfaction of Council and will warrant the submission of WAE plans of the services, a CCTV inspection of the full length of the drainage line to be dedicated and engineering certification – prior to the endorsement of the easement by Council. The easement must be registered on the title prior to the release of any Occupation Certificate.

133. **Energy Efficiency.** Prior to the issue of any Occupation Certificate, the applicant is to provide a report to Council and the PCA to confirm that the development complies with the ESD report prepared by LCI Consultants (Aust) Pty Ltd Revision D dated 8 September 2017.
134. **Noise.** Prior to the issue of any Occupation Certificate, a suitably qualified access consultant is to certify that the development complies with the recommendations in the report entitled Building C – Environmental Noise Impact Assessment prepared by Acoustic Logic, Revision C dated 18/8/17.
135. **Disabled Access.** Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with Australian Standard 1428 and the Building Code of Australia.
136. **Wind Mitigation.** Prior to the occupation of the development, a suitably qualified Wind consultant is to verify that the development complies with the recommendations in the report titles MP1-VIP-REP-WIN-0001-C prepared by Vipac Engineers and Scientists.

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.

137. **Hours of operation.** The hours of operation for the retail spaces on the ground floor of the building are to be restricted to:
 - 6am to 11pm (Monday-Friday).
 - 6am to 10pm (Saturday)
 - 7am to 10pm (Sundays and public holidays)
138. **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 and trade waste.

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.

All waste storage areas must be maintained in a clean and tidy condition at all times.

139. **Green Travel Plan.** The actions and timeframes as identified in the Green Travel Plan are to be implemented over the first 12 months of occupation of the building. At the end of this 12 months, monitoring of the actions should be undertaken to assess if the actions have been successful. The responsibility for adoption of this plan and monitoring is to be the site manager. If requested by Council, the findings of this monitoring are to be made available to Council.
140. **Disposal of liquid wastes** - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.

The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.

141. **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.
142. **Standards of air impurities not to be exceeded** - Any discharge to atmosphere from the premises must comply with the requirements of the *Protection of the Environment Operations (Clean Air) Regulation 2010*.
143. **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*.
144. **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.
145. **Noise from emergency generators** - The noise emitted by the emergency generators must comply with the following criteria:

- (a) The L_{A10} noise level must not exceed the background noise level by more than 15 dBA and, in any case, a noise level of 65 dBA, when measured at the boundary of any affected industrial or commercial premises in the vicinity.
- (b) Between 7.00am and 10.00pm the L_{A10} noise level must not exceed the background noise level by more than 10 dBA and, in any case, a noise level of 55 dBA, when measured at the boundary of any affected residential premises in the vicinity.
- (c) Between 10.00pm and 7.00am the L_{A10} noise level must not exceed the background noise level by more than 5 dBA and, in any case, a noise level of 45 dBA, when measured at the boundary of any affected residential premises in the vicinity.

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).

- 146. **Council may require acoustical consultant's report** - Council may require the submission of a report from an appropriately qualified acoustical consultant demonstrating compliance with the relevant noise and vibration criteria.
- 147. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.
- 148. **Clean-up materials to be kept on premises** - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills. All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.
- 149. **Duty to notify** - Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the Protection of the Environment Operations Act 1997.
- 150. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property.
- 151. **Delivery and loading/unloading – hours.** No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 7am on any day.
- 152. **Implementation of Loading Dock Management Plan.** All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) is not permitted.
- 153. **Parking Allocation.** Both the owner and occupier of the development must ensure the following allocation of parking is maintained for the ongoing service life of the development;
 - 350 commercial spaces

- 5 courier spaces
- 311 bicycle parking spaces.

Of the 355 parking spaces, all spaces allocated for recharge/ courier use are to be clearly marked and maintained.

154. **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).

ADVISORY NOTES

1. **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.

2. **Saturated and trans fats** - To minimise the risk of cardiovascular disease in the community, fats and cooking oils that are high in saturated and/or trans fats should not be used in the preparation or cooking of food. Alternatively, instead of deep frying, change to healthier cooking methods such as baking, grilling, steaming or microwaving or use mono/polyunsaturated fats or oils such as canola, olive, sunflower, soybean and safflower oils and margarines.