

These conditions do not include Water NSW. Council is expecting their referral on Friday 8/11/19.

PART 1 – CONCEPT APPROVAL

The following conditions of consent included in this Part identify the requirements, terms and limitations imposed on the Concept Plan Approval for the site, including the construction of New Road 22.

1. Concept Development Application.

Pursuant to Clause 100 of the Environmental Planning and Assessment Regulation 2000, this Notice of Determination relates to a concept development application applying to Lot 1 in DP 633221. Subsequent development application(s) are required for any work on the site for Stages 2, 3 and 4.

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

2. Approved Plans/Documents – Concept DA Plan.

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

Document Description	Prepared By	Plan No./ Reference	Issue	Date
Site Location Plan	3XN	DA-004	A	12.07.2019
Staging Plan	3XN	DA-012	A	12.07.2019
Concept Proposal – Basement Parking	Fitzpatrick + Partners	CP-15	B	14.09.2018
Macquarie Technology Centre Landscape Concept Proposal	Site Image Landscape Architecture	002-0012	I	20.08.2019

and as amended by the conditions of this consent.

Note – There is an inconsistency with the Staging Plan provided above and the Staging Plan that forms part of the VPA in respect to the timing of the new pedestrian through site link. In this regard, the VPA Staging Plan supersedes the Staging Plan referred to above.

3. Matters Not Approved – Concept DA Plan.

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

- (a) any demolition, excavation and/or construction;
- (b) any tree removal;
- (c) the layout of each level;
- (d) the configuration and layout of the basement car parking level/s;
- (e) public domain and landscape design;
- (f) elevations and materials of buildings;
- (g) the precise quantum of floor space for each building.

4. Floor space ratio for total site.

The following applies to Floor Space Ratio:

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- (a) Precise details of the distribution of floor space shall be provided with the future development application/s for Stages 2, 3 and 4.
- (b) The total gross floor area approved as part of this application is 59,769m². This figure is inclusive of Stage 01. The gross floor area is to be calculated in accordance with the provisions of Clause 4.4 and 4.5 of the Ryde Local Environmental Plan 2014.

5. Building Height.

- (a) The height of the buildings must not exceed the following heights to the top of the building:
 - Building A: 44.5m
 - Building B: 37.1m
 - Building C: 33m
 - Building D: 29.7m
 - Building E: 29.7m
 - Support/retail buildings: 5m
- (b) Building Height shall be calculated in accordance with Clause 4.3 and 4.3A of the Ryde Local Environmental Plan 2014, applicable at the time of development consent.

6. Future Buildings (Stages 2, 3 and 4. Buildings B, C, D and E).

- (a) Buildings the subject of Stage 2, 3 and 4 DAs (Buildings B, C, D and E) shall be wholly contained within the approved building envelopes.
- (b) Subject to the other conditions of this consent, the building envelope is only approved on the basis that the ultimate building design, including services, balconies, shading devices, lifts, stairs, open space circulation space and the like will be entirely within the approved envelopes.
- (c) Encroachments and variations to the building envelopes will be assessed on merit with future development applications for Stages 2, 3 and 4 respectively.

7. Consistency of future development applications.

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

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

A 6m wide pedestrian link incorporating a 4m wide accessible paved footpath plus 2m landscape strip adjacent to it shall be provided connecting Talavera Road and future Road 1, with the layout to be generally in accordance with Ryde Development Control Plan 2014 Part 4.5 Macquarie Park Corridor.

The detailed design of the Pedestrian Link shall follow the concept design by 3XN, especially Drawing No DA-012 (Issue A). Full construction details demonstrating compliance with the City of Ryde Public Domain Technical Manual PDTM Chapter 6 – Macquarie Park Corridor are to be submitted with the Building B (Stage 02) and Building E (Stage 03) Development Application and shall include the following details:

- (a) The design must provide a clear delineation as a pedestrian-only zone as well as sufficient design variation/articulation to create an experience of high amenity for users moving through the site. Landscape variation and features to relieve the gun-barrel style design should be incorporated to distinguish the pedestrian link from the new internal roadways;

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- (b) The through-site link must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
- (c) Fully dimensioned plans showing the width of the pedestrian link, footpath, transitions and landscaping areas along the footpath;
- (d) Selection of paving type, colour and dimensions in accordance with Council's requirements;
- (e) Fencing in consultation with Council is to be provided along the eastern boundary of the pedestrian link;
- (f) 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;
- (g) The pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council. The pedestrian link shall be constructed by the developer/ owner with the Building 4 development, at no cost to Council and full public access will be required to be available at all times over the pedestrian link.

9. Bochetto Park.

Detailed Landscape Plans are to be submitted for Bochetto Park with the future Stage 03 and Stage 04 Development Application which have been prepared by a suitably qualified landscape architect with demonstrated experience in the design of public open spaces. The plans are to be consistent with the approved plans in condition 1 Part 1.

10. Car Parking Spaces and Dimensions.

A maximum of 987 off-street car parking spaces are to be provided across the Concept Plan DA site. The final number of car parking spaces, bicycle spaces, car share or loading spaces/zones is to be determined in each stage. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted with the relevant development applications for Buildings B, C, D and E.

11. Traffic Impact Assessment Report.

To ensure that traffic and parking implications are addressed for each building, a traffic impact assessment report shall be submitted with each future Development Application.

12. Water Sustainable Urban Design Strategy Plan.

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

The WSUDSP must be prepared by a suitably qualified drainage engineer, in collaboration with a landscape architect, to implement WSUD components in the stormwater management system for the development. The plan must generally be in accordance with the WSUD concept detailed in the Stormwater Management report

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by Northrop Pty Ltd, reference SY171708, dated 30th November 2017, and Council's DCP Part 8.2 (Stormwater and Floodplain Management) and comply with the following;

- (a) To encourage stormwater treatments which are aesthetically pleasing, at least half of the WSUD components must be integrated into the landscape plans for the site. The use of any proprietary / mechanical products is discouraged.
- (b) Rainwater storage is to be provided which will meet at least 50% of the non-potable water demand of the development and 80% of water use in open space areas (eg irrigation, ponds, water features). To demonstrate this, the WSUDSP will be required to present a water balance model analysing such uses respective of rainfall statistics.
- (c) Satisfy the requirements of a WSUD management plan as specified in the DCP Part 8.2 (Stormwater and Floodplain Management)

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

- 13. **Loading Bay.** To ensure the service requirements of the commercial floor area are satisfied at each stage of the development, a Loading Bay / Service Delivery Management Plan is to be submitted with each future Development Application. The Plan must specify the location of service bay areas / loading bay docks, analyse the number and frequency of service vehicle movements for the existing and proposed commercial floor area and demonstrate that such service requirements can be satisfied on the site.
- 14. **Public Domain Works.** all works in the public domain including future roads that will be dedicated as public roads, shall be undertaken in accordance with Council's standards and specifications, and City of Ryde Development Control Plan DCP 2014 Part 4.5 Macquarie Park Corridor, and the City of Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor.

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

- 15. **Private Roads.** The new 14.5 metre wide private roads are to be paved to the satisfaction of Council's landscape architect and public domain team. These roads are to reinforce the pedestrian nature of the site. Details are to be consistent with the approved material in the Stage 1 development application.
- 16. **Ausgrid.** Consultation is required with Ausgrid to ensure that technical and statutory requirements in regard to the safe and reliable operation and maintenance of the Ausgrid's network is maintained.
- 17. **Stormwater Details.** To ensure that the development's generated stormwater runoff is collected and discharged appropriately, a stormwater management plan, incorporating On-Site Detention (OSD) in accordance with Part 8.2 of Council's DCP 2014 must be submitted with any subsequent development application. A revised

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concept plan(s) for Stages 2, 3 and 4, shown on Drawing Title “Civil Engineering Package Development Application, Stormwater Management and Indicative Services Plan” Drawing Number DA04.01, Issue 02, Dated 4th May 2018, to be submitted to Council for approval in the development application for Stage 2 (accounting for the drainage of **all** stages) and incorporating the following:

- (a) Details of the proposed drainage system catering for all private roads and runoff from the proposed lots for all stages. This includes details of the temporary and permanent stormwater drainage network on future Council road “Road 22”. This also includes finalising the two options presented in the concept plan for draining Stage 2 to either the existing onsite stormwater system or via a stormwater system along “Road 22” connecting to the existing stormwater system on Talavera Road.
- (b) Provision of drainage system longitudinal sections drawn 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 3), 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 Council drainage system.
- (c) The drainage design is to be for a 1:20 year ARI storm using HGL method, with the downstream HGL being the surface/grate level of the pit at the point of connection to Council's drainage system in Talavera Road. The existing inlet pit in Talavera Road shall be reconstructed to increase inlet capacity and to suit all new connections.
- (d) To minimise losses, stormwater sidelines in the future “Road 22” should be designed to connect at angle & not at 90 degrees to the main stormwater line located on the northern side of “Road 22”.
- (e) A certificate from a suitably qualified engineer confirming that the submitted design has been carried out in accordance with Council's DCP 2014 Part 8.2 and Stormwater and Floodplain Management Technical Manual.

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

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

- (a) Details of the car sharing scheme on the site (in accordance with the conditions of this consent),
- (b) Measures/ incentives to encourage occupants to enter into the car sharing scheme to be located on the site
- (c) Measures/ incentives for public transport usage,
- (d) Extension of the current parking management plan in effect at the centre, addressing the resident parking component.
- (e) Measures / incentives to encourage cycling, including detailing end of trip facilities, bicycle parking facilities, signage and notification to residents and patrons to the centre.

20. **Waste Collection.** The Stage 2, 3 and 4 Development Applications shall demonstrate compliance with Council's requirements for waste collection and Part 7.2 of DCP 2014 Waste Minimisation and Management. This is to include the

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submission of a Waste Management Plan and detailed architectural plans which address Council's requirements.

21. **Landscaping.** A detailed landscape plan is to be submitted with Stages 2, 3 and 4 Development Applications respectively. The landscaping plan is to comply with the numerical site coverage, deep soil areas and open space requirements in addition to the design requirements under Section 8.0 of Part 4.2 of Ryde DCP 2014. The landscaping plan should also include rainwater capture and include details on where/how and for what purpose the water will be used and demonstrate water efficiency and effective stormwater management.
22. **Ground floor interface.** All sides of each building are to be provided with ground floor uses that promote pedestrian interaction and activity. Where possible, service areas are not to be situated along ground floor façades.
23. **Noise impact assessment report** - A noise impact assessment report is to be submitted with any relevant Stage 2 Development Application. The report must be prepared by a suitably qualified acoustical consultant and demonstrate that the noise levels emitted from the premises will comply with the noise criteria specified in the *New South Wales Industrial Noise Policy* (EPA, 2000).

The report must include the following information:

- a. details of the site and the surrounding locality;
 - b. a description of the proposed use;
 - c. the proposed times of operation;
 - d. the existing background noise and ambient industrial noise levels;
 - e. the project-specific noise levels for the proposed use;
 - f. details of all potential noise sources associated with the proposed use;
 - g. details of any measures proposed to control or mitigate noise;
 - h. sound pressure levels at a preferred measurement distance or sound power levels, in dBA, for all major noise sources;
 - i. the predicted cumulative noise levels at all nearby affected residential premises; and
 - j. an assessment of the noise impact.
24. **Construction Noise Management Plan.** A Construction Noise Management Plan must be prepared and submitted with any Stage 2 Development Application. This Plan must be prepared by a suitably qualified acoustic consultant and must detail, but not be limited to, the following:
 - a. The equipment to be used during the construction on site, the quantity of all equipment and a plan of how equipment will be operated on site cumulatively;
 - b. The type of work that will be conducted during the construction process;
 - c. Details of any respite periods and any noise mitigation measures required;
 - d. Details of any work proposed to occur outside of Council's standard construction hours;
 - e. Details of any community consultation to be undertaken.
 25. **Public Art.** A detailed public art strategy is to be developed for the site/development in accordance with Part 4.5 Macquarie Park Corridor DCP 2014 and the Arts Plan

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(Public Art Strategy) prepared by Site Image Public Art Consultants dated 19 December 2017. The new plan is to address the following:

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

The requirement to accommodate public art as part of the redevelopment of the site must be included as part of a Stage 2 Development Application involving an increase in retail, commercial or residential GFA.

26. **Wind.** Prior to the lodgement of a Stage 2 Development Application, the detailed design shall be subject to wind tunnel testing to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible space, the surrounding streets, communal external areas and bus interchange area. Any recommendations of this wind tunnel testing and wind assessment report shall be incorporated into the final detailed design lodged as a Stage 2 Development Application.
27. **Bicycle Parking.** Bicycle parking is to be provided for any development involving an increase in the floor space for retail, commercial or residential land uses.

Details of the location, number and class of bicycle parking must be included in the Stage 2 Development Applications.

At a minimum the number of bicycle parking is to be consistent with Council's requirements in DCP 2014.

End of trip facilities are to be provided for any retail and commercial development. These facilities are to be located in close proximity to the bicycle parking.

28. **Draft Construction Pedestrian and Traffic Management Plan.** As part of a Stage 2 development application, the proponent shall prepare a draft Construction Pedestrian and Traffic Management Plan (CPTMP). The CPTMP needs to specify, but not be limited to, the following:
 - Location of all proposed work zones.
 - Proposed crane locations and methods of erection and dismantling.
 - Haulage routes.
 - Construction vehicle access arrangements.
 - Proposed construction hours.
 - Details of any required hoardings.
 - Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements.

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- Construction program highlighting details of peak construction activities and proposed construction 'staging'.
 - Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works.
 - Cumulative construction impacts of projects, including ECRL conversion works to Sydney Metro. Should any impacts be identified, details are to be provided in respect to the duration of the impacts.
 - Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.
29. An Environmental Sustainability Design Report must be submitted with any Stage 2 Development Application. The report is to verify that the subsequent buildings are capable of achieving a base building of:
- 4- Star Green Star Design and As-Built v1.2 rating
 - 4.5- Star NABERS Energy base building rating.
30. Prior to the submission of the Stage 2 development application, the applicant is to:
- (a) Undertake detailed traffic modelling using an appropriate modelling tool to assess road network performance within the area of influence of the site. The traffic model is to be prepared to the satisfaction of Ryde City Council and RMS; and
 - (b) Identify local and regional impacts using traffic modelling and propose mitigation measures to ameliorate the impacts identified as a result of the development proposed in further stages of the Concept Plan.

If the traffic modelling identifies that road improvement works and/or mitigation measures are required to the intersections in the vicinity of the development to ameliorate the traffic impacts arising from the development proposed in subsequent stages of the Concept Plan, the applicant is to consult with RMS in relation to entering into a further Transport Infrastructure Contributions Deed (**Further Stages Deed**) for the payment for road improvement works and/or mitigation measures to be carried out to, or within the vicinity of the intersection of Khartoum Road and Talavera Road, Macquarie Park.

The Further Stages Deed is to include provision for the timing of payment of any further monetary contributions in stages, prior to issue of a construction certificate that authorises the construction of the building in the relevant stage in the Concept Plan that is identified in the traffic modelling as triggering the need for road improvement works and/or mitigation measures to ameliorate the identified traffic impacts.

Any monetary contributions determined by Roads and Maritime to be required as part of any subsequent stage of the Concept Plan must consider the equitable apportionment of works to reflect the cumulative impact of traffic generated by the relevant stage of the Concept Plan development within the wider Macquarie Park precinct.

End of Part 1.

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PART 2 – STAGE 1 (BUILDING A) APPROVAL

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

GENERAL

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

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

Civil Engineering Package prepared by Northrop

Document Description	Plan Reference	No./	Issue	Date
Locality Plan	DA101.01		2	04.05.2018
Sediment and Soil Erosion Control Plan	DA102.01		2	04.05.2018
Sediment and Soil Erosion Control Details	DA102.11		2	04.05.2018
Siteworks and Stormwater Management Plan	DA104.01		2	04.05.2018
Typical Sections Location Plan	DA104.06		1	23.10.2018
Typical Cross Sections	DA104.11		2	04.05.2018
Typical Cross Sections	DA104.12		1	23.10.2018
Details Sheet 01	DA106.01		2	04.05.2018
Details Sheet 02	DA106.02		2	04.05.2018
Details Sheet 03	DA106.03		3	19.07.2018
Details Sheet 04	DA106.04		1	19.07.2018

Architecture Plans prepared by 3XN

Document Description	Plan Reference	No./	Issue	Date
Site Location Plan	DA-004		A	12.07.2019
Staging Plan	DA-012		A	12.07.2019
Stage 01 Demolition Plan	DA-013		A	12.07.2019
Stage 01 Site Plan	DA-014		B	23.08.2019
Basement 03 Plan	DA-015		B	23.08.2019
Basement 02 Plan	DA-016		B	23.08.2019
Basement 01 Plan	DA-017		B	23.08.2019
Ground Plan	DA-018		C	11.11.2019
Level 01 Plan	DA-019		B	23.08.2019
Level 02 Plan	DA-020		B	23.08.2019
Level 03-06 Plan	DA-021		B	23.08.2019
Level 07-09 Plan	DA-022		B	23.08.2019
Level 10 Plant Room Plan	DA-023		B	23.08.2019
Roof Plan	DA-024		B	23.08.2019
Street Elevation	DA-025		A	12.07.2019
Elevation East (Main)	DA-026		A	12.07.2019
Elevation West	DA-027		A	12.07.2019

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Elevation South	DA-028	B	23.08.2019
Elevation North	DA-029	B	23.08.2019
Section N-S	DA-030	B	23.08.2019
Section E-W	DA-031	B	23.08.2019
Area Schedule	DA-032	C	11.11.2019
Material Selection	DA-033	A	12.07.2019
Render View	DA-034	A	12.07.2019
Render View	DA-035	A	12.07.2019
Shadow Diagrams	DA-036	A	12.07.2019
GFA Areas	DA-037	C	11.11.2019

Landscape Architecture Plans prepared by Site Image Landscape Architecture

Document Description	Plan Reference	No./	Issue	Date
Landscape Plan	A-101		H	02.08.2019
Landscape Plan Level 1	A-121		H	02.08.2019
Landscape Plan Level 2	A-122		H	02.08.2019
Landscape Details	A-501		H	02.08.2019
Landscape Sections	A-601		H	02.08.2019

Supporting Documents

Document Description	Prepared By	Plan Reference	No./	Issue	Date
Survey Plan	Real Serve	63962			23.06.2017
Environmental Sustainable Design Report	Cundall	1016098		B	19.07.2019
Fire Safety Engineering Advice	Peter Gardner & Associates	17166-L1		2	19.07.2019
Preliminary BCA Compliance Report	McKenzie Group	078600		A	19.07.2019
Framework Travel Plan	Ason Group	0513r05v1		1	23.10.2019
Arboricultural Impact Appraisal and Method Statement	Naturally Trees	Revision A			10.10.2018
Tree Management Plan	Naturally Trees	TMP01			10.10.2018
Flora and Fauna Assessment	EcoLogical	18SYD-11678		V1	29.10.2018
Waste Management Plan	The Mack Group				23.11.2017
Traffic Impact Assessment Report	Ason Group	0513		2	15.12.2017
Environmental Site Assessment	Golder Associates	1785207-002-R		A	17.11.2017
Preliminary Waste Classification	Golder Associates	1785207-003-R		A	17.11.2017
Geotechnical Site Investigation Report	Golder Associates	1785207-004-R		A	17.11.2017
Access Report	Morris-Goding Accessibility Consulting	MTC_BuildingA			23.11.2017
Pedestrian Wind Environment Statement	Windtech	WD841-01F02		2	04.12.2017
Environmental Noise Impact Assessment	Acoustic Logic	20171018BWA		2	28.11.2017
BCA Assessment Report	BCA Logic	108495-BCA		2	27.11.2017

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The Development must be carried out in accordance with the amended plans approved under this condition.

2. **Design Amendments.** To improve the pedestrian interface to the New Street 01, the following design amendments are required to the satisfaction of Council's Manager of Development Assessment:
 - (a) The ground floor retail premises at the corner of Khartoum Road and New Road 01 are to be extended a minimum of 4.5 metres along the New Road 01 frontage. This will require the relocation of the gas and water meters. This is to be relocated to the basement. Parking may be reduced as required to accommodate the room within the basement.
 - (b) The ground floor retail façade to New Road 01 is to be a minimum of 70% transparent glazed surfaces.
3. **Voluntary Planning Agreement** - Pursuant to Section 7.6 of the Environmental Planning and Assessment Act 1979, the Voluntary Planning Agreement between the City of Ryde and the Trust Company Limited and Stockland Trust Management Limited as Trustee for the Advance Property Fund and that relates to the development application the subject of this consent, must be lodged for registration on the title of the property in accordance with Clause 7.2 of the Voluntary Planning Agreement..
4. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
5. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (a) Protect and support the adjoining premises from possible damage from the excavation, and
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
6. **Signage – not approved.** Despite any notation on the plans, this consent does not authorise the erection of any signs or advertising structures. Separate approval must be obtained from Council for any additional signs, unless such signage is "exempt development".
7. **Security Grilles.** This consent does not authorise the erection of any security grilles or barriers on any shopfront. Separate approval must be obtained for any such works.
8. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.
9. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.

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- (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.
10. **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.
 11. **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.
 12. **Drainage.** Any boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.
 13. **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 2014 Part 8.5 (*Public Domain Works*), except otherwise as amended by conditions of this consent.
 14. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.
 15. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 2009 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.
 16. **Electric Vehicle Charging Point.** 2 Electric Vehicle Charging Point spaces are to be provided and designated for use only by Electric Vehicles by signage. These 2 designated Electric Vehicle Charging Point parking spaces shall be retained in perpetuity and shall not be reallocated to an alternative use.
 17. **Design and Construction Standards.** All engineering works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works and relevant Development Control Plans except as amended by the conditions herein.
 18. **Public Utilities and Service Alterations.** All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Ausgrid, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation,

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replacement and/or adjustments to public infrastructure or services affected by the development.

19. **Works on Public Roads.** Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
20. **Construction Staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
21. **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.
22. **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. Council's standards and specifications are available on the Council website.
23. **Separate development application.** Separate development application must be submitted to Council for any future use of the commercial retail tenancies.
24. **Provision for installation of kitchen exhaust systems.** Adequate provision must be made for the installation of kitchen exhaust systems to any proposed future food premises.
25. **Base Building (kitchen exhaust vent).** The kitchen exhaust vent must be located above roof level:
 - (a) at least 6 metres from any fresh air intake vent or natural ventilation opening;
 - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary; and
 - (c) at least 8 metres from any cooling tower.
26. **Base Building (grease trap Installation).** A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room 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.
27. **Base Building (carpark exhaust vents).** The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
 - (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and

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- (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.
- 28. **Base Building (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*
- 29. **Connection by gravity flow.** All sanitary fixtures must be connected to the sewerage system by gravity flow.
- 30. **Plant and Equipment Noise.** The operation of any plant or machinery 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 the most affected noise sensitive location 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).
 - (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.
- 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

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- (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.

Details demonstrating compliance are to be submitted on the construction certificate plans.

- 32. **Water NSW.** Compliance with the General Terms of Approval issue by Water NSW as attached to these conditions.

DEMOLITION CONDITIONS

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

A Construction Certificate is not required for Demolition.

- 33. **Demolition Pedestrian and Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Demolition Pedestrian and Traffic Management Plan (DPTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by Council prior to commencing any demolition work.

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 DPTMP.

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 Demolition Pedestrian and Traffic Management Plan is submitted.

The DPTMP must:-

- (a) Make provision for all construction materials to be stored on site, at all times.
- (b) The DPTMP is to be adhered to at all times during the project.
- (c) Specify that all demolition vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- (d) Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- (e) 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 is not permitted unless approved by City Works Directorate
- (f) Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- (g) Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- (h) Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on

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the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.

- (i) Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the DPTMP 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. These communications must be documented and submitted to Council prior to work commencing on site.
- (j) Specify spoil management process and facilities to be used on site.
- (k) Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- (l) Comply 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 DPTMP checklist. A copy of Council’s DPTMP checklist shall be obtained from Council’s Traffic, Transport and Development Department prior to submission of DPTMP.

NOTE: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The DPTMP 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.

- 34. **Implementation of Demolition Pedestrian and Traffic Management Plan.** All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP 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 DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
- 35. **Tree Removal.** The following trees as referenced within the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees dated 10 October 2018 are approved for removal: Tree 1, 2,3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 23, 24, 25, 26, 27, 28, 29, 30, 31, 130, 131, 132, 133, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156. All other trees on site must be retained and protected.

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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.

36. **RMS.** The applicant is to enter into a Transport Infrastructure Contribution Deed (Stage 1 Deed) with the Roads and Maritime, prior to the issue of a construction certificate that authorises the construction of Building A, for the delivery road improvement works at the intersection of Khartoum Road and Talavera Road, Macquarie Park comprising a monetary contribution of \$600,000.
37. **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**.
38. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
39. **Access.** The recommendations contained within the approved Access Report are to be adopted within information supplied with the **Construction Certificate**.
40. **Security deposit.** The Council must be provided with security for the purposes of section 4.17 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 buildings with delivery of bricks or concrete or machine excavation.)
41. **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
42. **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**.
43. **Sydney Water Tap in™.** The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any

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Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Sydney Water Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, eg relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

44. **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 **Construction Certificate**.
45. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of the Environmental Sustainable Design Report prepared by Cundall (dated 20 November 2017), including measures sufficient to achieve:
- (a) Green Building Council of Australia 4 Star Green Star rating
 - (b) NABERS Office Base Building Energy rating of 4.5 stars

Details are to be noted within the information submitted with the **Construction Certificate**.

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

With respect to this, the following revision(s) / documentation must be provided with the plans submitted with the application for a Construction Certificate;

- a) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially

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occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.

- b) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an access way / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) To allow for adequate sight distance from a vehicle exiting the property to pedestrians in the footpath area, the driveway entry at the property boundary must have clear sight through a splayed region defined by Figure 3.3 of AS 2890.1 (2004) and Council's DCP. Ideally the region is to be free of all obstructions, otherwise any solid obstructions are to be no greater than 900mm above finished surfaces and horizontal fencing/ slats are to permit more than 50% visual permeability.
- d) Where the drop adjacent to the parking module(s) exceeds 600mm, structural barriers must be provided. Where the drop is between 150-600mm, wheel stops or other appropriate physical control must be provided. The above physical controls may be required for parking spaces 7 through to 11, in accordance with the requirements of Section 2.4.5 of AS/NZS 2890.1-2004.

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

47. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the existing kerb inlet pit along Khartoum Road, generally in accordance with the plans by Northrop Pty Ltd, drawing number 171708 DA101.01, DA102.01, DA102.11, DA104.01, DA104.11, DA106.01, DA106.02, revision 02, dated 4th May 2018, DA106.03, revision 03, and DA106.04, revision 01, dated 19th July 2018, subject to any variations marked in red on the approved plans or noted following;

- The plans must ensure the OSD capacity is in accordance with the findings of the system capacity analysis, carried out by Northrop Pty Ltd, reference 171708_CL01, dated 31st October 2018
- Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate and prepared by a suitably qualified 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.

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- 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.

48. **Stormwater Management - Onsite Stormwater Detention.** In accordance with Council's community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.

As a minimum, the OSD system must;

- (a) provide site storage requirement (SSR) and permissible site discharge (PSD) design parameters complying with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management).
- (b) incorporate a sump and filter grate (trash rack) at the point of discharge from the OSD system to prevent gross pollutants blocking the system or entering the public drainage service,
- (c) ensure the OSD storage has sufficient access for the purpose of ongoing maintenance of the system, and
- (d) ensure the drainage system discharging to the OSD system is of sufficient capacity to accommodate the 100 year ARI 5 minute storm event.

Detailed engineering plans and certification demonstrating compliance with this condition & Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) are to be submitted with the application for a Construction Certificate.

49. **Stormwater Management - Pump System.** The basement pump system must be dual submersible and shall be sized and constructed in accordance with Section 9.3 of AS 3500.3.

The wet well must be designed and constructed in accordance with section 9.3 of AS 3500.3, except that the sump volume is to be designed to accommodate storage of runoff accumulating from the 100yr ARI 3 hour storm event, in the event of pump failure as per the requirements of Council's DCP - Part 8.2 (*Stormwater and Floodplain Management*).

Direct connection of the pumps rising main to the kerb will not be permitted. The rising main must discharge to the sites drainage system, upstream of the onsite detention system (if one is provided) or any rainwater tank which is utilised for irrigation only.

Pump details and documentation demonstrating compliance with this condition are to be submitted in conjunction with the Stormwater Management Plan for the approval of the Certifying Authority, prior to the release of any Construction Certificate for construction of the basement level.

50. **Stormwater Management - Connection to Public Drainage System.** The connection to the public inground stormwater drainage infrastructure located along Khartoum Road will require inspection by Council's Public Works section to ensure the integrity of this asset is maintained. Engineering plans detailing the method of connection complying with Council's DCP and Technical Standards and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the Construction Certificate. Council must be notified

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when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

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

51. **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 the Geotechnical Report by Golder Associates Pty Ltd, report number 1785207-004-R-Rev0, dated 17th November 2017.

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

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52. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.
53. **Site Dewatering Plan.** To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.
- (a) The SDP is to comprise of detailed plans, documentation and certification of the system, must be prepared by a chartered civil engineer and must, as a minimum, comply with the following;
 - (b) All pumps used for onsite dewatering operations are to be installed on the site in a location that will minimise any noise disturbance to neighbouring or adjacent premises and be acoustically shielded so as to prevent the emission of offensive noise as a result of their operation.
 - (c) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
 - (d) Discharge lines are to be recessed across footways so as to not present as a trip hazard and are to directly connect to the public inground drainage infrastructure where ever possible.
 - (e) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
 - (f) Certification must state that the submitted design is in accordance with the requirements of this condition and any relevant sections of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
 - (g) Be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
 - (h) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.
 - (i) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.
54. **Erosion and Sediment Control Plan.** An Erosion and Sediment Control Plan (ESCP) must be prepared by a suitably qualified consultant, detailing soil erosion control measures to be implemented during construction. The ESCP is to be submitted with the application for a Construction Certificate. The ESCP must be in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by NSW Department – Office of Environment and Heritage and must contain the following information;
- Existing and final contours
 - The location of all earthworks, including roads, areas of cut and fill
 - Location of all impervious areas
 - Location and design criteria of erosion and sediment control structures,
 - Location and description of existing vegetation
 - Site access point/s and means of limiting material leaving the site
 - Location of proposed vegetated buffer strips

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- 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.

55. **Construction Pedestrian and Traffic Management Plan.** As a result of the site constraints, limited vehicle access and parking, a Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by an RMS accredited person in consultation with 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 to a number agreed with Council 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 CPTMP.

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 Pedestrian and Traffic Management Plan is submitted.

The CPTMP must:-

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- iii. Make provision for parking onsite once basement level is constructed. All Staff and Contractors are to use the basement parking once available.
- 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 City Works Directorate.
- 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 CPTMP 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

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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. Comply with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”, Council’s WASTE AND SERVICE
- xii. DCP 2014 Part 8.1 (Construction Activities) and Council’s CTMP checklist. A copy of Council’s CPTMP checklist shall be obtained from Council’s Traffic, Transport and Development Department prior to submission of CPTMP.

Note: This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems. The CPTMP 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.

56. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of 8.8m Medium Rigid Vehicle, as a minimum requirement. The height clearance required is 4.5m, measured from the floor level to any overhead structures such as pipes. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 8.8m Medium Rigid Vehicle shall be approved by the Principal Certifying Authority prior to the issue of the 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.
57. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council’s City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
- (a) Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
 - (b) the payment of all fees in accordance with Council’s Schedule of Fees & Charges at the time of the issue of the approval, and
 - (c) the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council’s interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.
58. **Public domain improvements.** The public domain is to be upgraded for Stage 1 in the Khartoum Road frontage of the development site in accordance with the City of

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Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor. The work is to include footpath paving, construction of new access at Khartoum Road frontage and new 14.5m Private Road for building A, multifunction light poles, street furniture and plantings, and must be completed, prior to the issue of any Occupation Certificate for Stage 1, to Council's satisfaction at no cost to Council.

Public domain design plans for Stage 1 – Stage 4 shall be submitted to Council and approved by Council's City Works Directorate, prior to the issue of any Construction Certificate for Stage 1.

- (a) Footpath paving and construction of new access, 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 and Macquarie Park Corridor Public Domain Technical Manual.
- (c) The deep soil area to the west of the rainwater OSD tank on the Khartoum Road frontage is to be utilised for more intensive landscaping to strengthen the buffer of planting to the roadway interface. Details of compliance are to be shown on the plans for Construction Certificate.
- (d) All telecommunication and utility services are to be placed underground along Khartoum Road frontage for Stage 1, new access, the private Road for Building A and within the proposed pedestrian link to be delivered in future stages. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

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

- (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 Khartoum Road and along the proposed pedestrian link to be delivered in future stages.

Subject to design, it is expected that for the whole development (Stages 1 – 4), six new street lights on multi-function poles (MFPs) will be required along the Khartoum Road frontage, seven new street lights on MFPs will be required along the Talavera Road frontage and six new street lights on MFPs will be required along the entire length of New Road 22 frontage of the development site.

Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor. The

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consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for Stage 1 and submitted to, and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.

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

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

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Construction Certificate for Stage 1. The works shall be in accordance with City of Ryde DCP 2014 Part 4.5 Macquarie Park Corridor, Part 8.5 - Public Civil Works, Part 8.2 - Stormwater Management, where applicable, and City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and linemarking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed civil works into the remaining street scape.

The Applicant must submit, for approval by Council as the Road Authority, engineering details and specifications for the following infrastructure works for Stages 1 – 4 (as relevant):

- (a) Concept Design (Stages 1 – 4) for all the future roadworks (Road 22, private access roads and shared user paths), associated with this development site and connecting with the existing Council road network and the future road network (Road 1) in the adjacent property.
- (b) Design and construction of full width granite footpath paving along Khartoum Road frontage of the development site for Stage 1.
- (c) The entry point to the private road for Stage 1 shall be designed as a driveway with a threshold beyond the boundary to delineate private land from public road. **The rest of the private road to be constructed of a material that reinforces the pedestrian nature of the site.**
- (d) The new access from Khartoum Road into the proposed private access road for Building A shall be restricted to "Left In/Left Out", regulated at this point in time with traffic signs only.
- (e) Stormwater drainage installations in the public domain shall be designed and constructed in accordance with the DA approved plans and DCP 2014 Part 8.2 - Stormwater Management.

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- (f) The removal of any redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- (g) Signage and line-marking details.
- (h) Staging of the public civil works, if any, and transitions between the stages.
- (i) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

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

60. **Vehicle Footpath Crossing and Gutter Crossover.** A new vehicle footpath crossing and associated gutter crossover shall be constructed at the approved vehicular access location/s. Where there is an existing vehicle footpath crossing and gutter crossover, the reconstruction of this infrastructure may be required in order that it has a service life that is consistent with that of the development, and that it is also compliant with current Council's standards and specifications. The location, design and construction shall be in accordance with City of Ryde Development Control Plan 2014 Part 8.3 *Driveways* and Part 8.5 - *Public Civil Works* and Australian Standard AS2890.1 – 2004 *Offstreet Parking*.

Prior to the issue of the Construction Certificate for above ground works, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B85 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The new driveway crossover shall be constructed at right angle to the alignment of the kerb and gutter, and located no

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closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

Fees are payable at the time of the application, in accordance with Council's Schedule of Fees and Charges.

The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the relevant Construction Certificate.

61. **Public Domain Works – Defects Security Bond.** To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of **\$60,000** shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

62. **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.

63. **Stormwater Design.** The proposed roof drainage system for Stage 1 "Building A" shall be designed for the 1 in 100 year ARI event so as to capture all runoff generated at the 1 in 100 year ARI Storm event in the proposed on-site detention basin for "Building A".

A design certificate from a suitably qualified Chartered Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate confirming that the requirement has been satisfied in the detailed design.

64. **Stormwater - Reflux Valve.** A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, confirming that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 100 year ARI.

65. **Pre-Construction CCTV Report.** To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any construction works.

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An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator that assesses the condition of the existing drainage line adjacent to the site is required. This report shall include the date of CCTV inspection and shall be submitted to Council's City Works Directorate for approval prior to commencement of any works.

Note: The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing Stormwater network in the vicinity prior to conducting the CCTV survey.

66. **Mechanical Ventilation Details.** Details of all proposed mechanical ventilation systems, and alterations to any existing systems, must be submitted to Council or an accredited private certifier with the application for the **Construction Certificate**.

Such details must include:

- (a) Plans (coloured to distinguish between new and existing work) and specifications of the mechanical ventilation systems;
- (b) A site survey plan showing the location of all proposed air intakes exhaust outlets and cooling towers, and any existing cooling towers, air intakes, exhaust outlets and natural ventilation openings in the vicinity; and
- (c) A certificate from a professional mechanical services engineer certifying that the mechanical ventilation systems will comply with the *Building Code of Australia* and setting out the basis on which the certificate is given and the extent to which the certifier has relied upon relevant specifications, rules, codes of practice or other publications.

67. **Fresh air intake vents.** All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
68. **Exhaust air discharge vents.** All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.
69. **External Lighting Design.** A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers all open space areas within the site including interface of the ground commercial spaces with the adjoining public domain. All lighting is to comply with the relevant Australian Standards. Details of compliance are to be submitted with the plans for Construction Certificate.
70. **Automated Irrigation.** An automatic watering system is to be supplied to all landscape areas including communal open spaces to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details of compliance are to be submitted with the plans for Construction Certificate.
71. **Wind Protection.** The recommended measures outlined within the approved Pedestrian Wind Environment Study must be incorporated into the construction certificate plans. Where the Wind Environment Study recommends either natural or built amelioration measures, preference must be given to the natural measures. The

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design of any required screening devices must be submitted to and approved by Council.

72. **Wind Tunnel Testing.** Wind tunnel testing is to undertaken by a suitably qualified wind engineer to consider wind tunnel impacts associated with Building A. Any design recommendations that arise from the wind tunnel testing are to be incorporated into the plans submitted with the construction certificate, and to the satisfaction of Council's Manager of Development Assessment.
73. **Podium Planting.** All podium planting or planting on structure must conform to the recommended soil depths and volumes as described within Section 8.3 of Part 4.5 of the Ryde DCP 2014. Details of compliance are to be shown on the plans for Construction Certificate.
74. **Substation Location.** The location of the proposed substation depicted on the plans is not approved. The final design and siting is to be determined in consultation with Council. The alternative location is required to be depicted on the construction certificate plans.
75. **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).
76. **Disabled Access.** Disabled access is to be provided to and within the development in accordance with the recommendations contained within the DA Access Review prepared by Morris Goding Accessibility Consulting dated 23rd November 2017.
77. **Soil Depth Over Structures.** Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Residential Flat Design Code. Information verifying that the development complies with these requirements to be provided on the Construction Certificate plans.

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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.

78. 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.

79. Excavation adjacent to adjoining land

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

80. **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.

81. **Property above/below Footpath Level.** Where the ground level adjacent the property alignment is above/below the established verge and footpath level, adequate measures are to be taken (either by means of constructing approved retaining structures or batters entirely on the subject property) to support the subject land/footpath and prevent harm to the public / occupants of the site due to the abrupt level differences.

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

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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.

83. **Notification of adjoining owners & occupiers – public domain works** - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact name and number should they have any enquiries in relation to the construction works. The duration of any interference to neighbouring driveways shall be minimised; and driveways shall be returned to the operational condition as they were prior to the commencement of works, at no cost to the owners.
84. **Pre-construction inspection** - A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.
85. **Pre-Construction Dilapidation Report** - To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, **up to 100m either side of the development site**, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.
- (a) Road pavement,
 - (b) Kerb and gutter,
 - (c) Footpath,
 - (d) Drainage pits,
 - (e) Traffic signs, and
 - (f) Any other relevant infrastructure.

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

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

86. **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

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Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.

- (b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
 - (c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
 - (d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
 - (e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
 - (f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
 - (g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.
87. **Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.
88. **Ryde Traffic Committee Approval** - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the

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Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.

89. **Council Drainage - Structural Adequacy** - Council stormwater pits which are being connected into shall be surveyed. The pits (including grates, frame and kerb inlet) shall be confirmed to be capable as being structurally adequate for receiving the upstream connection from the development and satisfy durability requirements consistent with the new drainage line. If it is deemed appropriate to replace the pit, kerb inlet pits shall be cast in-situ and conforming to Council's standard drainage pit details.

A certificate from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority, prior to the commencement of any works, certifying compliance with this condition.

90. **Tree Protection Fencing.** All protective fencing and signage around TPZ's must be located in accordance with AS4970: Protection of Trees on development sites prior to site preparation or demolition works. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary Fencing and hoardings.

91. **Arborist Supervision.** All work within the Tree Protection Zones and Structural Root zones of trees to be retained is to be supervised and overseen by the Project Arborist.

A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees dated 4 December 2017. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.

The Project Arborist appointed is to inspect and document with Certificates of Compliance to the certifying authority as per the below and as stipulated in Section 5 Monitoring and Certification of AS4970-2009.

PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST
<i>Initial Site Preparation</i>	<i>Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.</i>	<i>Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage Issue Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken</i>
<i>Construction work</i>	<i>Liaison with site manager, compliance and any deviation from approved plan</i>	<i>Maintain or amend protective measures Supervision and monitoring formal notification of any deviation from approved tree protection plan</i>

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<i>Stormwater connection installation through TPZ, Implement hard and soft landscape works</i>	<i>Supervise</i> Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works <i>Issue Certificate of Compliance</i>
<i>Practical Completion</i>	<i>Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees</i>	Remove all remaining tree Protection measures <i>Certification of tree protection and soil rehabilitation for Protected Trees</i>
<i>Defects liability / maintenance period</i>	<i>Tree vigour and structure</i>	Undertake any required remedial tree works <i>Certification of tree protection if necessary</i>

92. **Retaining Wall Construction.** Any retaining wall construction necessary within the Tree Protection Zones of trees to be retained is to utilise a construction technique which minimises the level of impact to existing tree roots such as pier and beam with a suspended beam, modular concrete sleepers with steel post supports or gravity wall. The design and method of construction is to be reviewed and approved by the Project Arborist as part of the Construction Certificate.
93. **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 >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non-motorised hand tools or directional drilling.
94. **Excavation within TPZ.** Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.
95. **Canopy Tying.** Where possible tree branches overhanging the construction zones and building are to be tied back to the main trunk rather than pruned.
96. **Machinery Damage.** Care shall be taken when operating cranes, drilling rigs and similar equipment near trees to avoid damage to tree canopies (foliage and branches). Under no circumstances shall branches be torn-off by construction equipment. Where there is potential conflict between tree canopy & construction activities, the advice of the Project Arborist must be sought.
97. **Tree Damage.** In the event of any tree being damaged during the construction period, the Project Arborist is to inspect and provide advice on any remedial action to minimise any adverse impact. Such remedial action shall be implemented as soon as practicable and certified by the arborist.

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98. **Root Pruning.** Where root pruning is required, roots shall be severed with clean, sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.
99. **Canopy Pruning.** All canopy pruning work required shall be carried out in accordance with Australian Standard 4373-2007 – Pruning of Amenity Trees.
100. **Soil Moisture within TPZ.** Soil moisture levels within all TPZs are to be regularly monitored by the Project Arborist. If temporary irrigation or watering is required within the TPZ, then any above-ground irrigation system is to be installed and maintained by a suitably qualified individual.

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.

101. **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*.
102. **Survey of footings/walls.** All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
103. **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.
104. **Construction materials.** All materials associated with construction must be retained within the site.
105. **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.
106. **Site maintenance**
The applicant must ensure that:

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- (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.
107. **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".
108. **Tree protection – no unauthorised removal.** This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.
109. **Tree protection – during construction.** Trees that are shown on the approved plans as being retained must be protected against damage during construction.
110. **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.
111. **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.
112. **Stormwater Management – Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Northrop Pty Ltd, drawing number 171708 DA101.01, DA102.01, DA102.11, DA104.01, DA104.11, DA106.01, DA106.02, revision 02, dated 4th May 2018, DA106.03, revision 03, and DA106.04, revision 01, dated 19th July 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.
113. **Erosion and Sediment Control Plan – Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
114. **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

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works commence.

115. **Site Dewatering Plan – Implementation.** The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled “Site Dewatering Plan.”, the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.
116. **Implementation of Construction Pedestrian and Traffic Management Plan.** All works and construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP) for each stage of the development. All controls in the CPTMP 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 CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.
117. **Hold Points during construction.** Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown below.

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

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

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

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

The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications 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) Upon excavation of trenches shown on the approved drainage drawings.
- (b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- (c) Upon installation of pipes and other drainage structures prior to backfilling.
- (d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- (e) Upon connection to Council's existing kerb inlet pit.
- (f) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

Any stormwater pit with a depth greater than 1.8 metres shall be certified by a suitably qualified Structural Engineer.

120. **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.
121. **Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.
122. **Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
123. **Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
124. **Imported fill.** All imported fill must be validated in accordance with the *Contaminated Sites Sampling Design Guidelines* (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.

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125. **Dust Control.** Adequate dust control methods must be implemented to prevent the escape of dust from the site during demolition and construction this may include:

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

126. **Construction Noise Control.** All noise from construction work must comply with the Interim Construction Noise Guideline (DECC, 2009) and AS2436-2010 *“Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites”* and AS2436-2010 *“Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites”* this may include:

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

127. **Construction requirements.** All acoustical treatments nominated in the acoustical assessment report (Acoustic Logic Pty Ltd – Report No.20171110.1, dated: 19.1.2018 and 12.04.2019) and any related project documentation must be implemented during construction.

128. **Storage and removal of wastes.** All construction waste must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.

129. **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.

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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.

130. **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.
- Senior 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.

131. **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.

132. **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.

133. **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.

134. **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.

135. **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.

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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.

136. **Public Benefit Works.** All public benefit works as identified in the VPA required in Part 2 Condition 3 are to be completed to Council's satisfaction prior to the issue of any Occupation Certificate unless varied by any other condition of consent.

137. **Landscaping.** All landscaping works approved by this consent are to be completed prior to the issue of any **Occupation Certificate**.

138. **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 Fire and Rescue NSW.

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

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

139. **Road opening permit – compliance document.** The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of any **Occupation Certificate**.

140. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the

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Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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

141. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System on site 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
142. **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, and pump/ sump components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard terms for such systems 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.
143. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

- (a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- (b) 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.
- (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 is unacceptable. Any locations in Public Access areas are to be demarcated and safe pedestrian travel paths must be provided.
- (f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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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.

144. **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) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of the condition "*Flood and Overland Flow Protection*" have been satisfied.
- (c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- (d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- (e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
- (f) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual "*Managing Urban Stormwater: Soils and Construction*" by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
- (g) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
- (h) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

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145. **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).
146. **Parking Area Linemarking and Signage.** To ensure the safe and efficient circulation of traffic and access to parking, directional signage, traffic control linemarking and signs must be installed in the developments parking area. The location and specifications of these measures must be in accordance with AS 2890.1, must be based on Traffic Engineering principals and must be located under the guidance of a suitably qualified Traffic Engineer experienced in traffic safety. Certification that these measures have been implemented must be provided to the Accredited Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area
147. **Signage and Linemarking – External.** A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of any Occupation Certificate.

Note: The applicant is advised that the plan will require approval by the Ryde Traffic Committee if the proposal requires change in existing parking conditions and hence, adequate time should be allowed for this process.

148. **Signage and Linemarking – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of any Occupation Certificate.
149. **Vehicle Footpath Crossing and Gutter Crossover.** Construction - The proposed vehicle footpath crossing and gutter crossover shall be constructed prior to the issue of any Occupation Certificate at no cost to Council. Works may include the removal of any redundant vehicle footpath crossing and gutter crossover and reinstatement of kerb and gutter and restoration of road pavement.
- Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the utility authority. Minimum cover requirements of utility authorities must be maintained
150. **Compliance Certificate.** Vehicle Footpath Crossing and Gutter Crossover - A Compliance Certificate shall be obtained from Council's City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council's standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council's Schedule of Fees and Charges.
151. **Public Domain Improvements and Infrastructure Works – Completion.** All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

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152. **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.
153. **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.
154. **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.
155. **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.
156. **Public Domain Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.
- In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council’s Asset Registers.
157. **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.
158. **Post-Construction Dilapidation Report.** To ensure Council’s infrastructures are adequately protected a post-construction dilapidation report on the existing public

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infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

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

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

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.

159. **Decommissioning of Ground Anchors.** Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
160. **Final Inspection – Assets Handover.** For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

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

161. **Compliance Certificate – External Works and Public Infrastructure Restoration.** Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have 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 in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

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162. **Works-as Executed Drawings.** Council Stormwater Drainage - Prior to the issue of an Occupation Certificate for "Stage 3", Works-As-Executed Drawings for all Council stormwater drainage works shall be submitted to and accepted by Council's City Works Directorate. Where applicable, all departures from Council's stamped approved plans shall be clearly marked in red.

The Works-as-Executed Drawings shall be accompanied by a certificate from a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent, certifying the drawings are a true and accurate representation of the constructed works.

163. **Post-Construction CCTV Report.** To ensure Council's stormwater infrastructures are adequately protected, there are no damages and no protruding pipe inside Council's pipeline due to proposed construction activities and property drainage connection, a post-construction CCTV report on the existing and new stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council.

An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate.

The report shall be used by Council to compare with the pre-construction CCTV footage report, and to assess whether any rectification works will be required to Council's satisfaction at no cost to Council. The applicant shall obtain written approval from a Council Engineer prior to the issue of the Occupation Certificate.

Note: The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey.

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 report is submitted. The applicable fee is for 2.0 hour of Staff Time.

164. **Drainage Works – Post Construction Certifications.** Following completion of the final stage of the drainage and associated works and prior to the issue of the Occupation Certificate, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for "Hold Points during construction – Drainage Works", to Council's City Works Directorate for acceptance and written approval.

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

165. **Council Drainage Connection – Certification.** The connection to Council's existing stormwater drainage system shall be flush. If it is deemed appropriate to replace the existing pit located at Talavera Road to satisfy the condition outlined in "**Council**

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Drainage - Structural Adequacy”, kerb inlet pits shall be cast in-situ and must conform to Council’s standard drainage pit details.

A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming that all stormwater works have been constructed in accordance with Council’s standard detail from Council’s Stormwater and Floodplain Management Technical Manual.

166. **Positive Covenant - Stormwater Drainage.** A positive covenant pursuant to the relevant section of the Conveyancing Act must be created on the title of the property to prevent future modification or alteration without the written consent of Council, and to ensure suitable maintenance is carried out.

The positive covenant shall detail the following items incorporated in the development:

- (a) stormwater drainage system including pits and pipes in the private roads
- (b) on-site stormwater detention system(s)
- (c) water sensitive urban design component(s)

The wording of the Instrument shall be submitted to, and approved by Council’s City Works Directorate prior to lodgement at NSW Land Registry. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

167. **Certification of Mechanical Ventilation Work.** Where any mechanical ventilation systems have been installed or altered, a 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**.

168. **Final Assessment of Trees.** At completion of all construction works the Project Arborist is to carry out an assessment of all trees that were required to be retained. This assessment is to be documented in writing, a copy of which is to be submitted to Council prior to the issue of any occupation certificate for the development. The documentation is also to specify any required on-going remedial care that is required to be undertaken to ensure the continuous health and retention of the specified trees.

169. **Tree Stock.** All plants, materials, hardscape and watering systems identified on the approved drawings are to be grown and installed in a manner consistent with Australian Standard AS2303 - 2015 – Tree Stock for Landscape Use and AS4419 - 2003 – Soils for Landscaping and Garden Use. Evidence of tree and landscape materials conforming with the relevant standards must be provided prior to Occupation Certificate.

170. A final Travel Plan based on the Framework Travel Plan is to be provided to Council for approval prior to the issue of any occupation certificate.

171. The proponent shall demonstrate that an agreement with a car-share provider for provision of 6 car share vehicles to be located within designated car share parking bays is executed prior to the issue of any Occupation Certificate (including an “Interim” Occupation Certificate). These 6 car share parking spaces are to be

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designated for use only by car share vehicles by signage. These 6 designated car share parking spaces shall be retained in perpetuity and shall not be reallocated to an alternative use

172. The proponent shall include in any lease agreement for the building the requirement for tenants to develop and implement an Employer Specific Travel Plan (consistent with Final Travel Plan for Building A as certified by Council) and participate in an Annual Travel Plan Review process for a minimum period of five years after the issue of the Occupation Certificate.
173. **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.

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.

174. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain 296 off-street parking spaces. Of these spaces the following minimum parking allocation is as follows;
- 10 disabled spaces,
 - 6 car share spaces, and
 - 4 B99 courier bay spaces.
- In addition a minimum of 30 bicycle parking spaces must be provided.
175. **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).
176. **Car Share Parking.** To maintain, facilitate and encourage the use of the car share scheme implemented in the development, the following requirements are to be maintained for the ongoing serviceable life of the development;
- Carshare parking spaces must be clearly designated and linemarked in the development.
 - Must be retained as Common Property by any future strata subdivision of the development lot.
177. **Travel Plan Coordinator.** The proponent shall include in any property management contract for Building A the requirement for the Building Manager to act as a Travel Plan Coordinator and to be responsible for overseeing the ongoing implementation and monitoring of the Final Travel Plan for Building A and undertaking and submitting an Annual Review of the Travel Plan to Council.
178. **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 Khartoum Road is not permitted.
179. **Framework Travel Plan.** A Review of the Final Travel Plan shall be conducted annually and submitted to Council for a minimum of 5 years after the issue of an

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occupation certificate. The Travel Plan review shall demonstrate progress towards Travel Plan targets and objectives and include the following information:

- Basic information about the site, including the number of employees;
- Details of mode-splits and progress towards targets (obtained from an annual survey);
- Details of the initiatives implemented since the last review;
- An assessment of whether initiatives have been successful in terms of meeting Travel Plan objectives and targets; and
- Details of future initiatives to be undertaken or other changes required to meet targets and objectives.

This requirement shall be included in any contract of sale for the property

180. **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*.
181. **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.
182. **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.
183. **Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
184. **Waste containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
185. **Recyclable wastes.** Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.
186. **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.

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187. **Trade waste permit.** The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
188. **Maintenance of waste storage areas.** All waste storage areas must be maintained in a clean and tidy condition at all times.
189. **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.
190. **Delivery and loading/unloading – location.** All loading and unloading in relation to the use of the premises shall take place wholly within the property in the approved locations.
191. **Loading areas.** Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.
192. **Control of Spruiking and Music.** Unless separate approval is granted by Council, the operators of the premises must not permit any spruiking at the site or within the public domain, or the playing of amplified music or messages that would disturb the amenity of other public and private places.
193. **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)

End of Part 2.