

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:

Document Description	Date	Plan No/Reference
Coversheet & Location Plan	15 June 2021	Drawing No. DA000. Rev K
Site Plan – Existing	27 August 2020	Drawing No. DA101. Rev H
Site Plan – Existing	14 August 2020	Drawing No. DA101. Rev J
Extent of Public Domain Works	30 June 2021	Drawing No. DA127. Rev A
Public Domain Plan (Overall)	15 June 2021	Drawing No. DA123. Rev F
Public Domain (Plan)	15 June 2021	Drawing No. DA124. Rev L
Public Domain (Station Plaza)	15 June 2021	Drawing No. DA125. Rev K
Public Domain (Sections)	16 April 2021	Drawing No. DA126. Rev J
GFA Plan – Existing & Proposed – Level 0A	15 June 2021	Drawing No. DA140. Rev L
GFA Plan – Existing & Proposed – Level 1A	15 June 2021	Drawing No. DA141. Rev L
GFA Plan – Existing & Proposed – Level 2A	15 June 2021	Drawing No. DA142. Rev Q
GFA Plan – Existing & Proposed – Level 3A	15 June 2021	Drawing No. DA143. Rev R
GFA Plan – Existing & Proposed – Level 4A	15 June 2021	Drawing No. DA144. Rev R
GFA Plan – Existing & Proposed – Level 4A Mezz	15 June 2021	Drawing No. DA145. Rev H
GFA Plan – Existing & Proposed – Roof/Car Park	15 June 2021	Drawing No. DA146. Rev G
Demolition Plan (Level 0A)	15 June 2021	Drawing No. DA211. Rev G
Demolition Plan (Level 1A)	15 June 2021	Drawing No. DA211. Rev J
Demolition Plan (Level 2A)	15 June 2021	Drawing No. DA211. Rev H
Demolition Plan (Level 3A)	15 June 2021	Drawing No. DA211. Rev H

Document Description	Date	Plan No/Reference
Demolition Plan (Level Roof)	15 June 2021	Drawing No. DA211. Rev G
Demolition Plan (Car Park Level 4)	27 August 2020	Drawing No. DA211. Rev C
Floor Plan Zone G – Level 1A	15 June 2021	Drawing No. DA221. Rev N
Floor Plan Zone G – Level 2A	15 June 2021	Drawing No. DA222. Rev R
Floor Plan Zone G – Level 3A	15 June 2021	Drawing No. DA222. Rev W
Floor Plan Zone G – Level 4A	15 June 2021	Drawing No. DA224. Rev P
Floor Plan Zone G – Level 4A Mezz	15 June 2021	Drawing No. DA225. Rev M
Floor Plan Zone G – Roof	15 June 2021	Drawing No. DA227. Rev L
Floor Plan Zone B – Level 0A	15 June 2021	Drawing No. DA230. Rev N
Floor Plan Zone B – Level 1A	15 June 2021	Drawing No. DA231. Rev F
Floor Plan Zone B – Level 2A	15 June 2021	Drawing No. DA232. Rev M
Floor Plan Zone B – Level 3A	15 June 2021	Drawing No. DA233. Rev M
Floor Plan Zone B – Level 4A	15 June 2021	Drawing No. DA234. Rev H
Floor Plan Zone B – Level 4A Mezz	15 June 2021	Drawing No. DA235. Rev G
Floor Plan Zone B – Roof	15 June 2021	Drawing No. DA237. Rev F
Floor Plan Car Park – Level Floor 4	15 June 2021	Drawing No. DA243. Rev H
Floor Plan Car Park – Level Floor 4A	15 June 2021	Drawing No. DA244. Rev G
Floor Plan Car Park – Level Floor 5	15 June 2021	Drawing No. DA245. Rev H
Floor Plan Zone F – Level 2	15 June 2021	Drawing No. DA252. Rev J
Elevation Overall – Herring Road	16 April 2021	Drawing No. DA421. Rev J
Elevation Overall – Waterloo Road	16 April 2021	Drawing No. DA422. Rev J
Elevation – Herring Road	16 April 2021	Drawing No. DA431. Rev J
Elevation – Waterloo Road	16 April 2021	Drawing No. DA432. Rev J

Document Description	Date	Plan No/Reference
Elevation East	16 April 2021	Drawing No. DA433. Rev J
Signage Strategy	16 April 2021	Drawing No. DA450. Rev J
Signage Strategy	16 April 2021	Drawing No. DA451. Rev J
Long Section - Mall	16 April 2021	Drawing No. DA520. Rev J
Long Section - CC	16 April 2021	Drawing No. DA522. Rev J
Long Section - DD	16 April 2021	Drawing No. DA523. Rev J
Long Section - AA	16 April 2021	Drawing No. DA524. Rev J
Long Section – FF – Cinema	16 April 2021	Drawing No. DA527. Rev J
Landscape Plan	16 October 2020	Drawing No. PD101-19-640, Issue E
Details (Public Domain)	16 October 2020	Drawing No. PD601-19-640, Issue E
Landscape Specifications (Public Domain)	16 October 2020	Drawing No. PD701-19-640, Issue E
Siteworks and Drainage Plan (Level 3)	17 March 2021	Drawing No. C0200. Issue B
Siteworks and Drainage Plan (Level 2)	17 March 2021	Drawing No. C0210. Issue B
Siteworks and Drainage Plan (Level 1)	17 July 2020	Drawing No. C0220. Issue A
Civil & Stormwater Tank Details	17 July 2020	Drawing No. C0281. Issue A
Erosion & Sediment Control Plan	17 July 2020	Drawing No. C0700. Issue A
Erosion & Sediment Control Details	17 July 2020	Drawing No. C0710. Issue A
Wind Microclimate and Pedestrian Comfort Report (prepared by Norman, Disney & Young)	12 August 2020	Rev. 2.1
Noise & Vibration Impact Assessment (prepared by Acoustic Logic)	17 July 2020	Rev. 3
Geotechnical Report (Prepared by Douglas Partners)	July 2020	Rev. 1
Accessibility Report (Prepared by Morris Goding Access Consulting)	19 August 2020	Rev. V3

Document Description	Date	Plan No/Reference
Detailed Limited Site Investigation Contamination Report (Prepared by Douglas Partners)	July 2020	Project No: 85160.07
CPTED Report (Prepared by Urbis)	1 September 2020	Project No: SA7169
Site Waste Minimisation and Management Plan (Prepared by MOTIS)	July 2020	-
Conservation Management Plan (Prepared by Urbis)	5 May 2021	Rev. P0023487
Energy Efficiency & Sustainability Report (Prepared by Norman, Disney & Young)	16 July 2020	Rev. 4.0

2. **Staged Construction Certificates – Enabling Works.** The enabling works may be carried out as the first stage of works with the relevant conditions being satisfied prior to the issue of a construction certificate or occupation certificate for remaining stages of works. The enabling includes:
 - The decommissioning and demolition the existing Cinema and Woolworths Supermarket roof plant;
 - Relocation of cinema plant and switch room to cinemas;
 - Modifications to the existing central roof plant to accommodate the relocated Woolworth plant and
 - Upgrade and expansion of existing cooling towers and up existing boilers at roof level.
3. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
4. **Planning Agreement.** The Planning Agreement between AMP Capital and the City of Ryde Council entered into on 2 November 2018 applies to the development. The development is to be consistent with the terms of that Planning Agreement.
5. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

6. **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.

Where the applicant is intending to operate outside of the specific hours above, the applicant is to notify Council of the nature of the proposed works and the proposed hours of operation and is to obtain permission to vary the hours from Council prior to commencing any works.

7. **Hoardings.**

- a) A hoarding or fence must be erected between the work site and any adjoining public place.
- b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

8. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.

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

10. **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.

11. **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 - 2019 and Part 8.1 of City of Ryde Development Control Plan 2014: Construction Activities.

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

13. **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.

- 14. Land Boundary/Cadastral Survey.** If any design work relies on critical setbacks from land boundaries, it is a requirement that a land boundary / cadastral survey be undertaken to define the land.

The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.

- 15. Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the site. No portion of the proposed structure shall encroach onto the adjoining properties.

- 16. Shop fit-out.** A separate development application or Complying Development Certificate for fit-out of each proposed retail premise. Such application must include detailed shop fit-out plans showing:

- a) The proposed floor layout of the premises and use of each room;
- b) The location and details of all proposed fixtures, fittings and equipment;
- c) The proposed floor, wall and ceiling finishes; and
- d) Lighting, ventilation and drainage details.

- 17. Sydney Metro – Inspections.** At any time during the construction of the development, Sydney Metro and persons authorised by those entities may give reasonable notice to the Applicant or the Applicant's principal contractor that Sydney Metro or persons authorised by that entity seek to:

- (a) inspect the development site and all works and structures that may impact on the rail corridor, including at specified "hold points" in the construction of the development; and
- (b) attend on-site meetings with the Applicant and its contractors,

to enable Sydney Metro to determine whether the development has been or is being constructed and maintained in accordance with all approved plans and this development consent.

- 18. Sydney Metro.** Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).

- 19. Sydney Metro.** Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Construction Certificates by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.

DEMOLITION CONDITIONS

The following conditions are imposed to ensure compliance with relevant legislation and Australian Standards, and to ensure that the amenity of the neighbourhood is protected.
A Construction Certificate is not required for Demolition.

- 20. Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- a) Council must be notified of the following particulars:
 - I. The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - II. The date the work is due to commence and the expected completion date
 - b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.
- 21. Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
- 22. Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic consultant/engineer and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be minimised 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 are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Transport Department for the DPTMP.

The DPTMP must include but not limited to the following:-

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include a Traffic Control Plan(s) prepared by a TfNSW/Safe Work NSW accredited person for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- viii. 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.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. 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 relevant stakeholders undertaking major development works and/or road 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.
- xi. Specify spoil management process and facilities to be used on site.
- xii. 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.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

23. 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 measures outlined in the traffic control plans must be undertaken by personnel having appropriate Transport for NSW' (TfNSW)/Safe Work New South Wales 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's Transport Department 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.

24. Excavation.

- a) All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
- b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with Safework NSW in accordance with AS 2601-2001: The Demolition of Structures, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.

25. Asbestos. Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.

26. Asbestos – disposal. All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.

27. Waste management plan. Demolition material must be managed in accordance with the approved waste management plan.

28. Disposal of demolition waste. All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.

29. Identification and removal of hazardous materials. Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner in accordance with the Site Waste Minimisation and Management Plan prepared by MOTIS - Report no: 7 August 2020.

30. 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 Part 1: Classifying Waste (EPA, 2014) before being transported from the site.

- 31. Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
- 32. 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.

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.

- 33. Heritage Interpretation Strategy.** Prior to the issue of the relevant Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2), a Heritage Interpretation Strategy shall be submitted to the satisfaction of Council's Heritage Advisor.
- The Heritage Interpretation Strategy shall:
- Be prepared by a suitably qualified heritage consultant, with input from a suitably qualified and experienced social historian and interpretation specialist.
 - Be prepared in accordance with the relevant guidelines of the Heritage Council of NSW and Interpretation Australia.
 - Identify the key messages and themes of the cultural significance of the Ice Rink that require conveying through interpretation.
 - Canvass existing patrons of the Ice Rink for participation in the preparation of a social history of the facility to record memories, anecdotes, stories, experiences, feelings, attitudes and sentiments in connection with the Macquarie Ice Rink. This should utilise a variety of engagement platforms and techniques, including visitation at the Ice Rink and social media.
 - Record written, oral and video interviews with patrons, staff and other key stakeholders.
 - Identify the target audience(s) for conveying interpretive media.

- g) Provide a strategy and framework for the collection, storage, display and interpretation of the historical and social values of the Macquarie Ice Rink.
 - h) Provide specific recommendations for interpretation mediums, devices, installation locations etc.
 - i) Include a Heritage Interpretation Plan that provides specific artwork designs, website content, mediums, artwork installations and locations.
- 34. Wind.** The development is to comply with all recommendations of the Qualitive Wind Microclimate and Pedestrian Comfort Report prepared by Norman, Disney & Young (dated 12 August 2020). Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
- 35. Acoustic Requirements.** The development is to comply with all recommendations of the Noise and Vibration Impact Assessment prepared by Acoustic Logic (dated 17 July 2020, Rev 3). Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
- 36. Accessibility Report.** The development is to comply with the requirements contained in the Accessibility Report prepared by Morris Goding Access Consulting, dated 19 August 2020 (Rev. V3) and all other relevant BCA access requirements. Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
- 37. CPTED Report.** The development is to comply with the requirements contained in the CPTED prepared by Urbis, dated 1 September 2020 (Rev. SA7169). Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
- 38. 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 each of the relevant **Construction Certificate**.
- 39. 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 each relevant **Construction Certificate**.
- 40. Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of any **Construction Certificate**. (category: other 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 any **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 any **Construction Certificate**.
- 43. Sydney Water – Building Plan Approval.** The plans approved as part of the relevant Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.
- 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 relevant **Construction Certificate**.
- 45. 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 the relevant 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 occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.

New Parking Level 5 (Sheet DA245)

- b) The new bridge link located on the northeastern corner of the platform will require signage and line marking to enforce a left hand turn only when entering the new parking area from the bridge, complying with the nominated circulation path.

Zone G Level 2a (Sheet DA222)

- c) The crest of the new ramp up from the Silver Level (Grid P1.2 – nE) depicts a column and wall extension which will intrude into the path of vehicles

emerging from the ramp. The wall and columns must be relocated so as to provide the minimum swept path clearances. Demarcation (line marking or raised pavement markers) of the swept path is also required.

Zone G Level 1a (Sheet DA221)

- d) The base of the access ramp at the northern entry (grid n15-na) intersects with the parking access aisle with no internal radius. The swept path must be delineated with linemarking and raised markers so as to direct vehicles to be as perpendicular as possible when entering the parking level from the ramp.
- e) Giveaway linemarking, a left turn arrow and "Left Turn Only" signage must be installed in the central parking aisle.
- f) Parking spaces 24 and 25 are to be deleted and utilised for other purposes.

Zone B Level 0a (Sheet DA230)

- g) Traffic control (STOP sign and linemarking) must be implemented at the intersection at the base of the ramp (ripple strips) descending from Level 1.
- h) Where the new 4 spaces to be linemarked have column locations which are not compliant with AS 2890.1 are located, the columns must be coated with a luminous marking up vehicle height, so drivers are aware of their presence particularly when reversing out of the space.

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

46. Stormwater Management. Stormwater runoff from the development shall be collected and piped by gravity flow to inground drainage infrastructure in Waterloo Road or Link Road, generally in accordance with the plans by BG&E Engineering (Refer to Project No S19409 Dwgs C-0000, C-0210 & C-0281 Rev A dated 17 July 2020 and C-0200 Rev B dated 17 March 2021) subject to any variations marked in red on the approved plans or noted following;

- The proposed rainwater tank does not provide an exposed failure mode which would direct any surcharge safely to road and public drainage infrastructure. To compensate for this, the system must be provided with dual overflow lines emanating from the tank to the WSUD chamber. Each line must have sufficient capacity to accommodate the unrestricted runoff from the upstream drainage network.
- All new roof drainage is to be designed in accordance with AS3500.3 and must accommodate a safe failure mode which will diverting runoff to public drainage infrastructure or public roadway, clear of habitable or enclosed areas on the development site.
- 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 the relevant 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.
- 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.

- 47. 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 the relevant Construction Certificate for construction of the basement level.

- 48. Stormwater Management – Connection to Public Drainage System.** The connection to the public inground stormwater drainage infrastructure located in Eden Drive 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 relevant Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

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

- 49. Stormwater - Council Drainage - Reflux Valve.** A design 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 relevant 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 1% AEP (100 year ARI).
- 50. Stormwater - Council Drainage – Trunk Connection Details.** The proposed site drainage connection to the existing Council stormwater trunk shall be made as per the standard detail in Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual.

Amended stormwater plans complying with this condition shall be submitted to and approved by the Principal Certifying Authority prior to the issue of the relevant Construction Certificate. The plans shall be prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

- 51. Stormwater - Drainage Design Submission - Assessment Fee.** The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, 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 prior to the issue of the relevant Construction Certificate.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the Council drainage works and any additional reviews required.

- 52. Stormwater - Drainage Design Submission - 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 for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the relevant Construction Certificate.**

The design submission shall address the following:

- a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the

underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).

- c) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit as shown on Civil Engineering Plans prepared by BG & E P/L Drawing No. C_0000 to C0710 (Project No. S19409, Revision A, 17 July 2020) is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
- f) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- g) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

53. Stormwater - Roof Drainage System. A design 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 relevant Construction Certificate, certifying that the proposed roof drainage system for "Building Plaza" has been designed for the 1% AEP (100 year ARI) event so as to capture all runoff generated at the 1% AEP (100 year ARI) storm event in the proposed on-site detention basin for "Building Plaza".

54. Stormwater - Council Drainage Works – Bond. To ensure satisfactory performance of the excavation, laying of pipes, back filling, disposal of excess soil and restoration including new kerb and gutter works, a maintenance period of twelve (12) months shall apply to the trunk drainage works following completion of the development.

The maintenance period shall commence from the date of issue by Council, of the Compliance Certificate for the Council Drainage 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' maintenance period. Any defects identified during the maintenance period shall be rectified at their cost within a period of thirty (30) days after notification from Council. The details of the defects and repairs shall be documented and certified by a suitably qualified Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

A bond in the form of a cash deposit or Bank Guarantee of \$50,000 shall be lodged with the City of Ryde prior to the issue of the relevant Construction Certificate to guarantee this requirement will be met.

Council engineers from the City Works Directorate shall be notified in writing three (3) months prior to the expiry of the maintenance period for the inspection of the trunk drainage works and restored areas. Details and certifications of the defects and repairs shall be provided to Council's City Works Directorate at this notification. The inspection shall be jointly conducted between Council engineers and the applicant's site engineers.

Notifications and inspections may be arranged by telephoning Council's Customer Service Section on 9952 8222 during office hours. A minimum of five (5) working days' notice shall be given to Council to inspect the works.

The bond will only be refunded when the works are determined to be satisfactory to Council, in writing, after the expiry of the twelve (12) months maintenance period.

- 55. 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 Douglas Partners Pty Ltd, reference 73096.03, revision 1, dated 31st January 2020.

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

- 56. Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include;
- The metro entry on the southwestern corner of the development site.

A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of any Construction Certificate but excluding the enabling works Construction Certificate (detailed in Condition 2).

- 57. 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, Site Dewatering Plan (SDP) must be prepared and submitted with the application for the relevant Construction Certificate.

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;

- a) 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.
- b) Pumps used for dewatering operations are not to be fuel based so as to minimise noise disturbance and are to be electrically operated.
- c) 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.
- d) The maximum rate of discharge is to be limited to the sites determined PSD rate or 30L/s if discharging to the kerb.
- e) 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.
- f) Be in accordance with the recommendations of approved documents which concern the treatment and monitoring of groundwater.
- g) Any details, approval or conditions concerning dewatering (eg Dewatering License) as required by the Water Act 1912 and any other relevant NSW legislation.

- h) Approval and conditions as required for connection of the dewatering system to the public drainage infrastructure as per Section 138 of the Roads Act.

58. Construction Pedestrian and Traffic Management Plan. A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a suitably qualified traffic consultant/engineer person and submitted to and approved by Council's Transport Department prior to issue of the relevant Construction Certificate.

Due to heavy traffic congestion throughout Macquarie Park, truck movements will be minimised 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 are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Transport Department for the CPTMP.

The CPTMP must include but not limited to the following:-

- 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 restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing 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(s) prepared by a TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. 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.
- viii. 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.
- ix. 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 relevant stakeholders undertaking major development works and/or road works

within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.

- x. Specify spoil management process and facilities to be used on site.
- xi. 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.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of *City of Ryde Development Control Plan 2014: Construction Activities*.

- 59. 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.

- 60. Public domain improvements.** The public domain is to be upgraded along Waterloo Road and Herring Road frontages of the development site to the extent shown on the Public Domain Drawings listed in Condition 1 (DA127, DA123, DA124, DA125 & DA126) in accordance with the City of Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

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

- a) Footpath paving as specified in the condition of consent for public infrastructure works.
- b) Street trees to be provided in accordance with the Macquarie Park Street Tree Master Plan. Table 3.4.1 on page 21 & 22 specifies Large Smooth-

barked Native Trees for the two frontages: Waterloo Road and Herring Road.

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

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

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

- d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category V3 and pedestrian luminance category PP2 along Waterloo Road, Herring Road and Talavera Road frontages.

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

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

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

- 61. 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. Should works relating to the Herring Road Bus Interchange be completed by TfNSW, no further public infrastructure works associated with the Bus Interchange will be required by the developer.

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 relevant Construction Certificate. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, 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 road works into the remaining street scape.

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

- a) The resurfacing of one road lane along Waterloo Road and Herring Road frontages of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works only to the extent identified in DA127. Should works relating to the Herring Road Bus Interchange be completed by TfNSW, no further works in relation to one road lane along Herring Road will be required by the developer.
- b) Reconstruction of full width full depth road pavement at the existing Bus Interchange. Concurrence to be sought from TfNSW and Sydney Buses. Should works relating to the Herring Road Bus Interchange be completed by TfNSW, no further works in relation to the road pavement along Herring Road will be required by the developer.
- c) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- d) The construction of new kerb and gutter along the Waterloo Road and Herring Road frontages of the development site to the extent identified in DA127. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter. Should works relating to the Herring Road Bus Interchange be completed by TfNSW, no further works in relation to the kerb and guttering along Herring Road will be required by the developer.
- e) Construction of granite footway along the extent of Waterloo Road and Herring Road frontages of the development site as identified in DA127 and in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park Corridor.
- f) Construction of new illuminated bus shelters at the new or relocated bus stops along the Herring Road frontage. Compliance with the Disability Discrimination Act and the Disability Standards for Accessible Public

Transport 2002 to be provided. Concurrence from TfNSW & Sydney Buses is required. Should works relating to the Herring Road Bus Interchange be completed by TfNSW, no further works in relation to the bus shelters on Herring Road will be required by the developer.

- g) The existing Bus Shelter in Waterloo Road is also to be upgraded to the latest model used by Council.
- h) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- i) Signage and line-marking details.
- j) Staging of the public civil works, if any, and transitions between the stages.
- k) 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.

The Construction Certificate drawings for the public domain works for this project must comply with the design requirements of the Transport for New South Wales Macquarie Park Bus Interchange.

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.

62. Reinstatement of Bus Stops. The existing bus stops along the Herring Road and Waterloo Road frontages of the development site shall be relocated to Council approved temporary locations prior to commencement of the public domain improvement works. The bus stops shall be reinstated in their final locations in accordance with the requirements of the Disability Standards for Accessible Public Transport 2002.

63. 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 in the amount of **\$300,000** shall be lodged with the City of Ryde prior to the issue of the relevant 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.

- 64. 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.

- 65. Anticipated Assets Register - Changes to Council Assets.** In the case when public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works prior to commencement of Public Domain works. The new elements may include but are not limited to new road pavements, new Multi-Function Poles (MFPs), new concrete or granite footways, new street trees and tree pits, street furniture, bus shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

The Anticipated Asset Register is to assist with Council's future resourcing to maintain new assets. There is potential for the as-built assets to deviate from the anticipated asset listing, as issues are resolved throughout the public domain assessment and Roads Act Approval process. Following completion of the public infrastructure works associated with the development, a Final Asset Register is to be submitted to Council, based upon the Public Domain Works-As-Executed plans.

- 66. Loading Docks.** All loading docks located more than 10 metres from the external entrance opening must be provided with a system of mechanical ventilation complying with clause 4.5.2 of Australian Standard AS 1668.2-2012: *The use of mechanical ventilation and air-conditioning in buildings – Mechanical ventilation in buildings*. Details are to be submitted to and approved by the Principal Certifying Authority prior to the issue of the relevant **Construction Certificate**.

- 67. Mechanical Ventilation.**

- a) All loading docks located more than 10 metres from the external entrance opening must be provided with a system of mechanical ventilation complying with clause 4.5.2 of Australian Standard AS 1668.2-2012: *The*

use of mechanical ventilation and air-conditioning in buildings – Mechanical ventilation in buildings.

- b) 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.
- c) All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.
- d) The carpark exhaust vent must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
 - I. at least 6 metres from any fresh air intake vent or natural ventilation opening; and
 - II. at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.

Details are to be submitted to and approved by the Principal Certifying Authority prior to the issue of the relevant **Construction Certificate**.

68. Waste Storage and Handling Facilities.

- a) A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recyclable materials.
- b) A separate garbage room must be provided in a convenient location on the premises for the storage of retail wastes.
- c) All garbage rooms must be constructed in accordance with the following requirements:
 - I. 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;
 - II. 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;
 - III. The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - IV. 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;
 - V. The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
 - VI. 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;
 - VII. 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;
 - VIII. The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
 - IX. The room must be provided with adequate artificial lighting; and

- X. A hose cock must be provided in or adjacent to the room to facilitate cleaning.
 - d) The retail waste must be collected from the loading dock located inside the building.
 - e) The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.
 - f) Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.
- Additional clearances must be provided for overhead and side loading where appropriate.

Details are to be submitted to and approved by the Principal Certifying Authority prior to the issue of the relevant **Construction Certificate**.

69. Sydney Metro - Engineering. All excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings, measures and recommendations detailed in the following documents:

- (a) Additional DP Plots for Sydney Metro:
 - (i) Plot no. 12 - Dwg title: Section 2 – Through Rock Pillar Plan and Perspective View Macquarie Town Centre Redevelopment prepared by Douglas Partners and dated 2 August 2021.
 - (ii) Plot no. 13 - Dwg title: Maximum Principal, Minimum Principal, Shear and Liner Normal Stress (Pa) Case 2a - Stage 0 – Section Through Rock Pillar Macquarie Town Centre Redevelopment prepared by Douglas Partners and dated 2 August 2021.
 - (iii) Plot no. 14 - Dwg title: Maximum Principal, Minimum Principal, Shear and Liner Normal Stress (Pa) Case 2a - Stage 1 – Section Through Rock Pillar Macquarie Town Centre Redevelopment prepared by Douglas Partners and dated 2 August 2021.
 - (iv) Plot no. 15 - Dwg title: Maximum Principal, Minimum Principal, Shear and Liner Normal Stress (Pa) Case 2a - Stage 2 – Section Through Rock Pillar Macquarie Town Centre Redevelopment prepared by Douglas Partners and dated 2 August 2021.
- (b) Report on Numerical Analysis Macquarie Town Centre Redevelopment [Doc no. R.001.Rev3] Revision 3 prepared by Douglas Partners and dated 22 July 2021.
- (c) High Level Analysis of Macquarie University Station East Service Building [Doc no. S19409-RPT-ST-0001] Revision A prepared by BG&E and dated 9 September 2021.

subject to any amendments to those documents required by Sydney Metro in accordance with this consent.

The Certifier must not issue a Construction Certificate for the development until the Certifier has confirmed which documents (including the versions of those

documents) apply to the development and the Certifier has confirmed in writing to Sydney Metro that the construction drawings and specifications comply with those documents. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Prior to the commencement of works the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

- 70. Sydney Metro.** The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro and Sydney Metro has provided written approval of the following item:

- a) The Applicant is required propose a safe working methodology to assess the stability of the rock pillar during excavation. The Applicant must also provide stabilisation methods to be implemented should any potential instability be identified.

Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

- 71. Sydney Metro - Rail Corridor.** All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Metro North West Line rail corridor or rail operations. Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Metro North West Line rail corridor or rail operations, that part of the development must have a minimum design life of 100 years.

- 72. Sydney Metro - Survey and Services.** Prior to the issue of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in condition 2):

- a) The Applicant must provide Sydney Metro with an accurate survey of the development and its location relative to the rail corridor boundary and any rail infrastructure. The survey is to be undertaken by a registered surveyor, to the satisfaction of Sydney Metro; and
- b) A registered surveyor shall peg-out the common property boundary between the development site and the rail corridor and any Sydney Metro easements to ensure that there is no encroachment by the development. A copy of the

survey report indicating the location of pegs must be provided to Sydney Metro prior to the commencement of works.

- 73. Sydney Metro.** Prior to the issue of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's consent), the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.
- 74. Sydney Metro – Noise and Vibration.** The development must:
- (a) comply with State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines (available from www.sydneymetro.info);
 - (b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and
 - (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.
- 75. Sydney Metro.** The Applicant must:
- (a) prepare an acoustic assessment report which confirms compliance with each of the matters outlined in condition 1.6; and
 - (b) incorporate as part of the development all the measures recommended in the acoustic assessment report; and
- A copy of the acoustic assessment report is to be provided to the Certifier and Council prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), by the Certifier. The Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), for the development.
- 76. Sydney Metro – Electrolysis.** Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Applicant is to engage an electrolysis expert to prepare a report on the electrolysis risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the electrolysis report to control that risk. A copy of the

electrolysis report is to be provided to the Certifier with the application for a Construction Certificate. Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Certifier must ensure that the recommendations of the electrolysis report are incorporated in the construction drawings and documentation.

- 77. Sydney Metro – Design.** The roots and foliage of trees planted beside the rail corridor as part of the development must not impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Metro. The Certifier must not issue a Construction Certificate (excluding the enabling works Construction Certificate as detailed in condition 2) until written confirmation has been received from Sydney Metro that this condition has been satisfied.
- 78. Sydney Metro – Construction.** No work is permitted within the rail corridor, or any easements which benefit Sydney Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

- 79. Sydney Metro.** No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed in the rail corridor, Sydney Metro property or easements. The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

- 80. Sydney Metro.** Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the following information must be submitted to Sydney Metro for review and endorsement:

- (a) Machinery to be used during excavation/construction; and
- (b) Demolition, excavation and construction methodology and staging.

The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.

81. **Sydney Metro.** Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
82. **Sydney Metro.** If required by Sydney Metro, a monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Metro for review and endorsement prior to the issuing of a Construction Certificate. The Certifier must not issue a Construction Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

83. **Sydney Metro.** Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Applicant must submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements. If required by Sydney Metro, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Metro requirements. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied.
84. **Sydney Metro.** If required by Sydney Metro, prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Applicant is to contact Sydney Metro's Corridor Protection Team to determine the need for public liability insurance cover and the level of insurance required. If insurance cover is deemed necessary, the Applicant must obtain insurance for the sum determined by Sydney Metro and such insurance shall not contain any exclusion in relation to works on or near the rail corridor or rail infrastructure and must be maintained for the period specified by Sydney Metro. Prior to issuing a Construction Certificate, excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Certifier must witness written proof of any insurance required by Sydney Metro in accordance with this condition, including the written advice of Sydney Metro to the Applicant regarding the level of insurance required.

Reason: construction of the proposed development presents a risk of potential damage to the Metro North West Line rail corridor which is not in the public interest. This risk of damage to public infrastructure must be appropriately managed and mitigated.

- 85. Sydney Metro.** If required by Sydney Metro, prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Applicant must contact the Sydney Metro Corridor Protection Team to determine the need for the lodgement of a bond or bank guarantee for the duration of the works and the sum of any required bond or bank guarantee. Prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in Condition 2 of Council's Consent), the Certifier must witness written confirmation from Sydney Metro that the Applicant has lodged any bond or bank guarantee required by this condition.

Reason: construction of the proposed development presents a risk of potential damage to the Metro North West Line rail corridor which is not in the public interest. This risk of damage to public infrastructure must be appropriately managed and mitigated.

- 86. Sydney Metro - Drainage.** The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the railway corridor unless prior written approval has been obtained from Sydney Metro. The Certifier must not issue a Construction Certificate or Occupation Certificate for the development unless this condition has been satisfied.

Note – This condition is to be satisfied prior to the issuing of a Construction Certificate, but excluding the enabling works Construction Certificate as detailed in condition 2.

- 87. Sydney Metro – Documentation.** Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of a Construction Certificate, but excluding the enabling works Construction Certificate (detailed in condition 2).

- 88. Planter Definition.** Amended landscape documentation reflecting the below changes is to be prepared and submitted to Council's Landscape Team for review and approval prior to issue of the relevant Construction Certificate.

- a) The 'Meeting Tree' planter within the south-western corner of the plaza is to be enlarged so that it provides a minimum internal dimension of three (3) metres and achieves a minimal internal surface area of ten (10) square metres;
- b) The Finished Ground Level (FGL) for soil within the planter is to be reduced in height so as meet the level of the adjacent paving on the south western side (RL 55.50 - RL 55.60).

- c) The curved wall which defines the southern, western and northern edges of the planter is to be constructed via a method which does not involve a continuous strip footing so as to enable the future establishment of roots in a lateral plane beneath the wall.

- 89. Tree Planting – Species Substitution.** The *Eucalyptus saligna* (Sydney Blue Gum) 'Meeting Tree' planting within the south-western corner of the plaza is to be substituted for a *Ficus rubiginosa* (Port Jackson Fig) of a commensurate pot size of 400L. Amended landscape documentation reflecting these changes is to be prepared and submitted to Council's Landscape Team for review and approval prior to issue of any relevant Construction Certificate.
- 90. Structural Soil Vault System.** An underground structural soil vault system is to be provided beneath paving areas within the specified deep soil zone to minimum distance of five (5) metres from the proposed 'Meeting Tree' planter. Amended landscape documentation reflecting these changes is to be prepared and submitted to Council's Landscape Team for review and approval prior to issue of the relevant Construction Certificate.
- 91. Tree Planting – Selection & Establishment.** Tree specimens chosen for planting are to align with the requirements for stock selection as stipulated by AS2303-2015 – Tree stock for landscape use. Further, the trees shall be planted in accordance with the specifications as prescribed within Section 6 of the City of Ryde Tree Management Technical Manual and maintained until they reach a height of five (5) metres or have a stem circumference of 450mm at a height of 1.4m above ground level, at which time they shall become protected by Part 9.5 (Tree Preservation) of the City of Ryde Development Control Plan 2014. If any tree dies before reaching this size, it is to be replaced with a specimen of the same species and pot size and maintained accordingly.

Amended landscape documentation reflecting these changes is to be prepared and submitted to Council's Landscape Team for review and approval prior to issue of the relevant Construction Certificate.

- 92. Green Wall Documentation.** Detailed green wall documentation prepared by a suitably qualified green wall specialist is to be prepared as part of the plans and information for the relevant Construction Certificate. The documentation is to clearly specify a proposed planting system, relevant plant species specification, plant layout and maintenance schedule for each of the proposed green walls.
- 93. Automated Irrigation.** An automatic watering system is to be supplied to all planted areas. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details of compliance are to be submitted with the plans for the relevant Construction Certificate.
- 94. 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 Ryde Development Control Plan

2014. Information verifying that the development complies with these requirements to be provided on the relevant Construction Certificate plans.

- 95. Transport for New South Wales.** The applicant/owner is to enter into a Transport Infrastructure Contribution Deed with Transport for NSW prior to the issue of the relevant Construction Certificate for retail floorspace, comprising a monetary contribution of \$2,814,092 towards signalised intersection improvements within Macquarie Park. The monetary contribution of \$2,814,092 is to be paid by the applicant prior to the issue of the relevant Occupation Certificate for retail floorspace approved under this consent. Verification is to be provided to the Private Certifier of the Deed being entered into prior to the issue of the relevant Construction Certificate for retail floorspace and the monetary payment being made prior to the issue of the relevant Occupation Certificate for retail floorspace approved under this consent.

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.

96. 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.

97. 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.

- 98. Work Zones and Permits.** Prior to commencement of the relevant works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.
- 99. Road Occupancy Licence.** Prior to commencement of the relevant works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows on State Roads (e.g. lane closures, etc.) and/or within 100m of traffic signals.
- 100. Notice of Intention to Commence Work.** Prior to commencement of the public domain works, a Notice of Intention to Commence Public Domain Works shall be submitted to Council's City Works and Infrastructure Directorate. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.

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

- 101. 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.

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

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

- 103. 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.

104. 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.

105. Pre-Construction Dilapidation Report. To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (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 the relevant work commencing. the commencement of any work other than enabling works (detailed in Condition 2).

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.

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

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**

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

107. 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.

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

109. Photographic Archival Recording. Prior the dismantling of fabric or demolition of the ice rink, a Photographic Archival Recording shall be undertaken and submitted to Council.

Written confirmation must also be obtained from Council's Heritage Advisor, confirming that the Photographic Archival Recording is of an acceptable quality that satisfies the requirements of this condition.

The Photographic Archival Recording shall be prepared in accordance with the guidelines "*Archival Recording of Heritage Items Using Film or Digital Capture*" published by the Heritage Division of the Office of Environment and Heritage.

One complete copy of the Photographic Archival Recording shall be submitted to Council and shall contain (for digital projects):

- A brief report or introduction which explains the purposes of the Photographic Archival Recording and gives a brief description of the subject site, as well as details of the sequence in which images were taken. The report may also address the limitations of the photographic record and may make recommendations for future work;
- Plans of the building marked up to indicate where the photographs were taken and the direction of the photograph;
- The report should include all technical details including camera and lenses, image file size and format, technical metadata associated with the images, and colour information;
- Catalogue sheets, photographic plan, supplementary maps;
- Colour thumbnail image sheets (e.g. A4 page with six images by six images) showing images and reference numbers. The thumbnail sheets should be processed with archivally stable inks on archivally acceptable photographic paper and cross referenced to catalogue sheets;
- One full set of 10.5x14.8cm (A6) colour prints OR, if a large project, a representative set of selected images processed with archivally stable inks on archivally acceptable photographic paper. Photographic images are to include:
 - View to and from the site (possible from four compass points);
 - Views showing relationships to other relevant structures, landscape features and moveable items;
 - All external elevations;
 - Views of all external and internal spaces (e.g. courtyards, rooms, roof spaces, etc);
 - External and internal detail (e.g. joinery, construction joints, decorative features, paving types, etc);
 - A CD or DVD containing electronic image files saved as TIFF and RAW files with associated metadata and cross-referenced to catalogue sheets.

The report should be presented on archival quality paper in a suitable archival binder and slipcase, and all storage of individual components must be in archival quality packaging suitable for long term storage.

110. Tree Protection. All tree protection works including installation of any fencing is to be undertaken prior to the commencement of the relevant works on site.

111. Tree Protection Fencing. The Tree Protection Zones (TPZ) of all retained trees must be protected by way of fencing and signage designed and located in accordance with AS4970: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.

112. Project Arborist. A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 6th February 2021. All trees are to be monitored to ensure adequate health throughout the works period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist. Details of the Project Arborist are to be submitted to Council prior to the commencement of the the relevant works.

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.

113. Tree Retention. The following trees, as referenced within the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 6th February 2021, must be retained and protected: Trees 78, 79, 80, 81, 82, 83, 87, 88, 89, 90, 91 & 92.

114. Tree Removal. The following trees, as referenced within the Arboricultural Impact Assessment prepared by Birds Tree Consultancy dated 6th February 2021, are approved for removal: Trees 1-77, 84, 85 & 86.

All tree removal work is to be carried out in accordance *Safe Work Australia Guide for Managing Risks of Tree Trimming and Removal (2016)* and undertaken by an Arborist with minimum AQF Level 3 qualifications.

115. 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, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

116. 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.

117. Tree works – Relevant Standards.

- a) Any works approved by this consent to trees must be carried out in accordance with all relevant Australian Standards.
- b) Trees permitted to be removed must be removed in accordance with NSW Workcover Code of Practice (2007) and undertaken by an Arborist with minimum AQF Level 3 qualifications.

118. Plumbing and drainage work - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.

119. 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.

120. 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.

121. Excavation. All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.

122. 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*.

123. Noise from construction work. All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.

124. Dust Control. A dust control plan must be prepared in accordance with relevant legislation and guidelines and submitted to the Principal Certifying Authority before any works on site commence to prevent the escape of dust from the site during construction and include:

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

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

- 125. Construction materials.** All materials associated with construction must be retained within the site.
- 126. Site Facilities.** The following facilities must be provided on the site:
- a) Toilet facilities in accordance with Safework NSW requirements, at a ratio of one toilet per every 20 employees; and
 - b) A garbage receptacle for food scraps and papers, with a tight fitting lid.
- 127. Site maintenance.** The applicant must ensure that:
- a) approved sediment and erosion control measures are installed and maintained during the construction period;
 - b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
 - c) the site is clear of waste and debris at the completion of the works.
- 128. 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.
- 129. 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.
- 130. Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the relevant Construction Certificate version of the Stormwater Management Plan by BG&E Engineering (Refer to Project No S19409 Dwgs C-0000, C-0210 & C-0281 Rev A dated 17 July 2020 and C-0200 Rev B dated 17 March 2021) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
- 131. Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the relevant 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.
- 132. 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 relevant Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to

be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

133. Site Dewatering Plan – Implementation. The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the relevant 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.

134. 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 a suitably qualified traffic consultant/engineer personnel having appropriate Transport for NSW’ (TfNSW)/Safe Work NSW 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’s Traffic, Transport and Development Department 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.

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

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

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

- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.
- 136. Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
- 137. 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.
- 138. Recyclable wastes.** All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
- 139. 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.
- 140. Implementation of Contamination Report.** At all times during construction the recommendations outlined in the Detailed Site Investigation Contamination Report prepared by Douglas Partners - Project 85160.07 dated June 2020 shall be implemented.
- 141. Vibration.** All reasonable efforts are to be undertaken to ensure that the demolition and construction work will not cause unreasonable interference to the existing amenity of the area and the occupants of surrounding buildings. This includes noise, vibration and dust. If requested by Council or the Private Certifier, details of the construction methodology is to be provided and adjustments made to reduce the impact.
- 142. Sydney Metro – Supervision.** Unless advised by Sydney Metro in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.
- 143. Sydney Metro – Consultation.** The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro in writing), who:
- (a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Metro;
 - (b) acts as the authorised representative of the Applicant; and
 - (c) is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.

- 144. Sydney Metro.** Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Metro in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Metro in relation to the works.
- 145. Sydney Metro.** Where a condition of consent requires consultation with Sydney Metro, the Applicant shall forward all requests and/or documentation to the relevant Sydney Metro interface team.
- 146. Sydney Metro - Drainage.** The Applicant must ensure that all existing and future drainage works on the development site will be directed into the appropriate local council or approved drainage system.
- 147. Sydney Metro.** The Applicant must ensure that during works no water collects on or near the railway corridor. Should water be allowed to pond adjacent to rail infrastructure facilities and service is interrupted, the Applicant shall be liable for any Sydney Metro expenditure involved with restoring or maintaining alternative services.
- 148. Sydney Metro – Inspections.** If required by Sydney Metro, the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:
- (a) site investigations;
 - (b) foundation, pile and anchor set out;
 - (c) set out of any other structures below ground surface level or structures which will transfer any load or bearing;
 - (d) foundation, pile and anchor excavation;
 - (e) other excavation;
 - (f) surveying of foundation, pile and anchor excavation and surveying of as built excavations;
 - (g) other concreting; or
 - (h) any other event that Sydney Metro has notified to the Applicant in writing
- so that Sydney Metro may inspect the carrying out or completion of those works on the development site.
- 149. Sydney Metro.** If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following

the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.

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.

- 150. Wind.** The development is to comply with all recommendations of the Qualitative Wind Microclimate and Pedestrian Comfort Report prepared by Norman, Disney & Young (dated 12 August 200). A suitably qualified consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to Council prior to the issue of the relevant Occupation Certificate.
- 151. Acoustic Requirements.** The development is to comply with all recommendations of the Noise and Vibration Impact Assessment prepared by Acoustic Logic (dated 17 July 2020, Rev 3). A suitably qualified acoustic consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to Council prior to the issue of the relevant Occupation Certificate.
- 152. Accessibility Report.** The development is to comply with the requirements contained in the Accessibility Report prepared by Morris Goding Access Consulting, dated 19 August 2020 (Rev. V3) and all other relevant BCA access requirements. A suitably qualified accessibility consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to Council prior to the issue of the relevant Occupation Certificate.
- 153. CPTED Report.** The development is to comply with the requirements contained in the CPTED prepared by Urbis, dated 1 September 2020 (Rev. SA7169). A suitably qualified consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to Council prior to the issue of the relevant Occupation Certificate.
- 154. Public Access.** All public spaces within the site (generally in accordance with the area marked 'Station Plaza' on Plan No DA123) are to be publicly accessible

at all times (subject to reasonable restrictions for safety and security) and maintained in private ownership. Prior to the issue of the relevant Occupation Certificate for the building, a public access easement permitting access at all times to all members of the public is to be created over the public space. Terms regarding the creation of the easement are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office with evidence regarding effective registration being submitted to Council and the PCA prior to the issue of the relevant Occupation Certificate for the building.

Terms of the easement are to include:

- a) The public space will be adequately maintained and repairs at all times, including the provision of lighting and power supply, by the occupier/ owner of the site at all times;
- b) The public space is accessible to the Public at all times
- c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.
- d) Maintains at all times, public liability insurance for at least \$20 million, with Council identified as an interested party in that insurance policy.

155. Implementation of Heritage Interpretation Strategy and Plan. The recommendations of the Heritage Interpretation Strategy and Heritage Interpretation Plan shall be fully implemented. Evidence demonstrating compliance with this condition shall be submitted to the satisfaction of Council's Heritage Advisor.

Verification details are to be submitted to Council prior to the issue of the relevant Occupation Certificate.

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

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

157. Stormwater Management - Work-as-Executed Plan. A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for the relevant 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.

158. 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 any pump/sump or WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed *“Application Form for Endorsement of Title Encumbrances”* (available from Council's website). The positive covenant must be endorsed and lodged with LRS prior to the release of any Occupation Certificate for development works for which the system(s) serve.

159. 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 or public domain is not accepted. Areas are to be demarcated if required.
- f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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

160. 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 the relevant 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 the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
- g) 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).
- h) 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.
- i) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.

- j) 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.

161. 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 endorsed by Council and lodged with LRS prior to the issue of the relevant Occupation Certificate/use of the building.

162. Stormwater - Council Drainage Works - Post Construction Certifications - Following completion of the final stage of the drainage and associated works and prior to the issue of the relevant 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 "Stormwater - Hold Points during construction – Council Drainage Works", to Council's City Works Directorate for written acceptance.

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

163. Stormwater – Council Drainage Works - Works-as-Executed Plans. To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of the relevant Occupation Certificate.

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

164. Stormwater - 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 Council's stormwater pipeline through the proposed development site and the existing kerb inlet pit in front of the property 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 relevant 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 relevant 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.

- 165. Compliance Certificate – Council Drainage Works.** Prior to the issue of the relevant Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all Council drainage and associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings.

Note: 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.

- 166. Restoration – Supervising Engineer's Certificate.** Prior to the issue of the relevant 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 DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

- 167. 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 Council for endorsement by Ryde

Traffic Committee and subsequent approval by Council, prior to the issue of the relevant 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.

168. Signage and Linemarking (External) – Implementation. The applicant is to install all signage and linemarking, as per the plan approved by Council. These works are to be undertaken prior to the issue of the relevant Occupation Certificate.

169. Framework Travel Plan. A finalised Framework Travel Plan (FTP) is to be submitted and approved by Council's Environment Team prior to the issue of the relevant Occupation Certificate. The FTP must be prepared in accordance with Council's RDCP 2014 and Travel Plan Guidelines and include the following:

- (i) Adopt strategies and procedures to meet a 60% public transport/40% private transport target for the development for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor.
- (ii) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the 60% public transport/40% private transport target for the development for the journey-to-work.
- (iii) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-site-links where required.
- (iv) Provide, to Council satisfaction, supportive infrastructure for:
 - Public transport passengers (bus shelters and passenger waiting areas) to be provided where a new public bus stop or service is required to service the additional demand from the development or meet relevant mode share targets for the development.
 - Taxi drop-off areas or parking (as appropriate) and carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development.
- (v) Walking and cycling (lockers and end-of-trip facilities).

170. Vehicle Footpath Crossing and Gutter Crossover – Construction. The proposed vehicle footpath crossing, and gutter crossover shall be constructed prior to the issue of the relevant 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.

- 171. 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 the relevant 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.
- 172. 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 the relevant Occupation Certificate.
- 173. Restoration – Supervising Engineer's Certificate.** Prior to the issue of the relevant 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.
- 174. Electricity accounts for new street lighting.** Prior to the issue of the relevant 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.
- 175. Compliance Certificates – Street Lighting.** Prior to the issue of the relevant 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.
- 176. Compliance Certificate – External Landscaping Works.** Prior to the issue of the relevant 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.
- 177. 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 the relevant 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.

- 178. Registered Surveyor Final Certificate.** Upon completion of all construction works, and before the issue of the relevant Occupation Certificate, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.
- 179. Supervising Engineer Final Certificate.** Prior to the issue of the relevant 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.
- 180. Post-Construction Dilapidation Report.** To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.
- a) Road pavement;
 - b) Kerb and gutter;
 - c) Footpath;
 - d) Drainage pits;
 - e) Traffic signs; and
 - f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the relevant 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.

- 181. Decommissioning of Ground Anchors.** Prior to the issue of the relevant 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.

- 182. 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.

- 183. Compliance Certificate – External Works and Public Infrastructure Restoration.** Prior to the issue of the relevant 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.

- 184. Public Domain Design and Construction Staging.** The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for each stage. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 *Public Civil Works*, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work thought out the assessment phase of the development applications. All design and construction to public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.

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

- a) The provision of detailed design stage is to satisfy the City of Ryde that the public art is being developed according to the approved Landscape Strategy Public Art Strategy, and the public art commitments are being fulfilled.
- b) Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area;

- c) The detail design will be reflect the undertakings as documented in the Landscape Strategy Public Art Strategy.
- d) The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of the relevant Occupation Certificate;
- e) The proposal should provide engineer's drawings and demonstrate:
 - Australian building standards requirements and codes for the structural design;
 - Sound practices for fabrication and construction, and materials appropriate for application;
 - Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.

186. Public Art Plan. Prior to the issue of the relevant Occupation Certificate, the approved works contained in the Public Art Plan approved by Condition 150 shall be implemented.

187. Registration of water-cooling systems. All water-cooling systems regulated under the Public Health Act 2010 must be registered with Council's Environmental Health Unit within one (1) month of installation.

Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.

188. Tree Protection Schedule. Prior to the issue of the relevant Occupation Certificate a Tree Protection Schedule is to be submitted to Council. This is to be completed progressively and must include:

Hold Point	Task	Responsibility	Certification	Timing of Inspection
1.	Indicate clearly (with spray paint on trunks) trees approved for removal only	Principal Contractor	Project Arborist	Prior to demolition and site establishment
2.	Establishment of tree protection fencing	Principal Contractor	Project Arborist	Prior to demolition and site establishment
3.	Supervise all excavation works proposed within the TPZ	Principal Contractor	Project Arborist	As required prior to the works proceeding adjacent to the tree
4.	Inspection of trees by Project Arborist	Principal Contractor	Project Arborist	Bi-monthly during construction period
5.	Final inspection of trees by project Arborist	Principal Contractor	Project Arborist	Prior to issue of Occupation Certificate

189. Transport for New South Wales. Prior to the issue of the relevant Occupation Certificate for retail floorspace approved under this consent, condition 38 of the

concept approval (LDA2015/0655) is to be modified to include the contribution framework.

- 190. Sydney Metro – Noise and Vibration.** Prior to the issue of an Occupation Certificate, an acoustic assessment report must be prepared and submitted to the Certifying Authority, Council and Sydney Metro certifying that the completed development meets the requirements of:

- (a) State Environmental Planning Policy (Infrastructure) 2007;
- (b) the Department of Planning, Infrastructure and Environment's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines"; and
- (c) any other noise and vibration requirements imposed by this consent.

The acoustic report must demonstrate testing of external and internal noise levels for the completed development and ensure that external noise levels are representative of the typical maximum levels that may occur at the development and internal noise levels meet the required dB(A) levels. Where it is found that internal noise levels are greater than the required dB(A) level, necessary corrective measures must be carried out to ensure that internal noise levels are compliant with the requirements of this consent.

- 191. Sydney Metro – Documentation.** Prior to the issue of an Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The Certifier must not issue an Occupation Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.

- 192. Sydney Metro.** Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Occupation Certificate.

- 193. Sydney Metro – Inspections.** If required by Sydney Metro, prior to the issue of an Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey will establish the extent of any existing damage and enable any deterioration during operation of the development to be observed. The Certifier is not to issue an Occupation Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

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.

194. Use of digital displays and artworks. The digital display and artwork installations associated with the interpretation, visual aids and cues of the Ice Rink, shall be used solely for the identification, promotion and interpretation of the Ice Rink.

No part of the digital displays or artwork installations shall be used at any time for commercial advertising.

195. 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.

196. Access for maintenance purposes. Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 Air-handling and water systems of buildings - Microbial control - Operation and maintenance.

197. Storage of hazardous substances. The storage of hazardous substances must comply with the requirements of the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.

198. Waste collection point for retail waste. All waste must be collected from the loading dock located inside the building.

199. Storage and disposal of wastes. All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner

200. Waste containers. An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.

201. 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.

202. 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 residential receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *Noise Policy for Industry (EPA, 2017)*.
- 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.

- 203. 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).
- 204. Fire Safety Statement:** Pursuant to Clause 177 of the Environmental Planning and Assessment Regulation 2000, the building owner must submit the annual Fire Safety Statement to council with all the essential statutory fire safety measures installed in the building.
- 205. Hours of Operation.** Once operational the development may trade from 5.00am to 12 midnight (with the exception of the cinemas which operate until 1am), Monday to Sunday inclusive. Any extension to these trading hours must be the subject of a separate application to Council.
- 206. Station Plaza – Entertainment & Community Events.** This consent does not grant approval for entertainment or community events in the Station Plaza. This will be subject to future approvals.
- 207. Station Plaza – Amplified Music.** The use of amplified music in the Station Plaza must not cause the emission of ‘offensive noise’ as defined in the Protection of the Environment Operations Act 1997.
- 208. Station Plaza – Digital Screen.** The hours of illumination is restricted to between 7.00am to 11.00pm daily only and the screen shall be fitted with a timing device to switch off the illumination between 11.00pm and 7.00am.
- 209. Signage – English language.** All advertising signs are to be displayed in the English language but may include a translation into another language using letters or characters that are no larger than the English language letters or characters. Any translated message must be accurate and complete.
- No amendment to the size of a sign will be permitted to allow for both the English and translated language to be displayed.
- 210. Signage – Illumination.** The hours of illumination is restricted to between 7.00am to 11.00pm daily only and the sign shall be fitted with a timing device to switch off the illumination between 11.00pm and 7.00am.
- 211. Signage.** No approval is granted in this consent for general or third party advertising which is prohibited.
- 212. Lighting.** The lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads. All existing and proposed lights shall comply with the Australian Standard AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting.

ADVISORY NOTES

- **Inspections and fees** - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.

The approved fees are contained in Council's Management Plan and may be viewed or downloaded at www.ryde.nsw.gov.au.

End of consent.