

## DRAFT CONDITIONS OF CONSENT FOR LDA2019/0028

### 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           | Plan No/Reference                           | Date       |
|--------------------------------|---------------------------------------------|------------|
| <b>Architectural Plans</b>     |                                             |            |
| Site Plan                      | A00.00 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Basement Level 01 Plan         | A03.B1 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Basement Level 02 Plan         | A03.B2 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Basement Level 03 Plan         | A03.B3 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Basement Level 04 Plan         | A03.B4 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Ground Floor Plan              | A03.00 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 01 Plan                  | A03.01 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 02 Plan                  | A03.02 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 03 Plan                  | A03.03 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 04 Plan                  | A03.04 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 05 Plan                  | A03.05 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 06 Plan                  | A03.06 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 07 Plan                  | A03.07 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 08 Plan                  | A03.08 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 09 Plan                  | A03.09 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 10 Plan                  | A03.10 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 11 Plan                  | A03.11 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 12 Plan                  | A03.12 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 13 Plan                  | A03.13 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 14 Plan                  | A03.14 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 15 Plan                  | A03.15 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 16 Plan                  | A03.16 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Level 17 Plan                  | A03.17 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Roof Plan                      | A03.18 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section AA                     | A08.01 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section BB                     | A08.02 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section CC                     | A08.03 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section DD                     | A08.04 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section EE                     | A08.05 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| North (Waterloo Rd) Elevation  | A09.01 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| West (Coolinga St) Elevation   | A09.02 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| South (Giffnock Ave) Elevation | A09.03 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| East (Lane Cove Rd) Elevation  | A09.04 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| South (Giffnock Ave) Elevation | A09.05 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Façade Type 01 - Lowrise       | A12.01 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Façade Type 02 - Lowrise       | A12.02 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Façade Type 03 – Winter Garden | A12.03 (Revision 2) prepared by Bates Smart | 05/06/2019 |

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| Document Description                                                | Plan No/Reference                            | Date       |
|---------------------------------------------------------------------|----------------------------------------------|------------|
| <b>Architectural Plans</b>                                          |                                              |            |
| Façade Type 04 – Lowrise Terrace                                    | A12.04 (Revision 2) prepared by Bates Smart  | 05/06/2019 |
| Façade Type 05 - Highrise                                           | A12.05 (Revision 2) prepared by Bates Smart  | 05/06/2019 |
| Façade Type 06 – Highrise Terrace                                   | A12.06 (Revision 2) prepared by Bates Smart  |            |
| Section Condition at Ground Level Park Frontage                     | A12.101 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Building B-C Laneway              | A12.102 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Building A-B Laneway              | A12.103 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Coolinga St Building C            | A12.104 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Coolinga St Building D            | A12.105 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Station Plaza Building A          | A12.106 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Section Condition at Ground Level Double Storey Lobby Entry Lowrise | A12.107 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Coolinga St Driveway Section Building D                             | A12.108 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Giffnock Ave Driveway Section Building D                            | A12.109 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Staging Plan 00                                                     | A013.00 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Staging Plan 01                                                     | A013.01 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Staging Plan 02                                                     | A013.02 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Staging Plan 03                                                     | A013.03 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Staging Plan 04                                                     | A013.04 (Revision 2) prepared by Bates Smart | 05/06/2019 |
| Public Domain Plan Ground Floor                                     | A15.00 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Waterloo Rd 01                   | A15.01 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Waterloo Rd 02                   | 15.02 (Revision 1) prepared by Bates Smart   | 05/06/2019 |
| Public Domain Integration Sections Coolinga St 01                   | A15.03 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Coolinga St 02                   | A15.04 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Giffnock Ave 01                  | A15.05 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Giffnock Ave 02                  | A15.06 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Public Domain Integration Sections Lane Cove Rd                     | A15.07 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| Extent of Weather Protection Ground Floor                           | A16.01 (Revision 1) prepared by Bates Smart  | 05/06/2019 |
| <b>Landscape Plans</b>                                              |                                              |            |
| Landscape Concept Master Plan Sheet 02                              | B17024-LA00 (Revision F) prepared by Aspect  | 08/10/2018 |
| Landscape Concept Master Plan Sheet 03                              | B17024-LA01 (Revision F) prepared by Aspect  | 08/10/2018 |
| Landscape Concept Hardscape                                         | B17024-LA01 (Revision F) prepared by Aspect  | 08/10/2018 |

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| Document Description                                                                      | Plan No/Reference                           | Date       |
|-------------------------------------------------------------------------------------------|---------------------------------------------|------------|
| <b>Architectural Plans</b>                                                                |                                             |            |
| Palette                                                                                   |                                             |            |
| Landscape Concept Bicycle Parking Locations                                               | B17024-LA01 (Revision F) prepared by Aspect | 08/10/2018 |
| Civic Frontage Concept Plan                                                               | B17024-LA02 (Revision F) prepared by Aspect | 08/10/2018 |
| Civic Frontage Hardscape Palette                                                          | B17024-LA02 (Revision F) prepared by Aspect | 08/10/2018 |
| Civic Frontage Section AA                                                                 | B17024-LA02 (Revision F) prepared by Aspect | 08/10/2018 |
| Civic Frontage Section BB                                                                 | B17024-LA02 (Revision F) prepared by Aspect | 08/10/2018 |
| Civic Frontage Softscape Palette                                                          | B17024-LA02 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Concept Plan                                                           | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Hardscape Palette                                                      | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Hardscape Palette                                                      | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Hardscape Palette                                                      | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Pedestrian Connection Section CC                                       | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Pedestrian Connection Section CC                                       | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Courtyard Linkages Softscape Palette                                                      | B17024-LA03 (Revision F) prepared by Aspect | 08/10/2018 |
| Central Park Concept Plan                                                                 | B17024-LA04 (Revision F) prepared by Aspect | 08/10/2018 |
| Central Park Hardscape Palette                                                            | B17024-LA04 (Revision F) prepared by Aspect | 08/10/2018 |
| Central Park Section DD                                                                   | B17024-LA04 (Revision F) prepared by Aspect | 08/10/2018 |
| Central Park Section DD                                                                   | B17024-LA04 (Revision F) prepared by Aspect | 08/10/2018 |
| Central Park Softscape Palette                                                            | B17024-LA04 (Revision F) prepared by Aspect | 08/10/2018 |
| Streetscapes Coolinga Street                                                              | B17024-LA05 (Revision F) prepared by Aspect | 08/10/2018 |
| Streetscapes Giffnock Avenue                                                              | B17024-LA05 (Revision F) prepared by Aspect | 08/10/2018 |
| Streetscapes Lane Cove Road                                                               | B17024-LA05 (Revision F) prepared by Aspect | 08/10/2018 |
| Streetscapes Softscape Palette                                                            | B17024-LA05 (Revision F) prepared by Aspect | 08/10/2018 |
| Typical Boundary Planting                                                                 | B17024-LA06 (Revision F) prepared by Aspect | 08/10/2018 |
| <b>Supporting Documents</b>                                                               |                                             |            |
| Traffic Impact Assessment, Construction Traffic Management Plan and Workplace Travel Plan | 0505r02v2 (Revision 4)                      | 20.12.2018 |
| Loading Dock Management Plan                                                              | 0505r04                                     | 14.06.2019 |
| Stormwater and Flooding Report                                                            | 10006858 (Revision 7)                       | 21.06.2019 |
| Operational Waste Management Plan                                                         | 10006858 (Revision 3)                       | 11.09.2018 |
| Construction Waste Management Plan                                                        | 10006858 (Revision 4)                       | 12.09.2018 |
| Building Services Report                                                                  | PS105860 (Revision 2)                       | 22.10.2018 |
| Electrolysis and Stray Current Report                                                     | A715-403-160                                | 16.04.2018 |
| Solar Light Reflectivity Analysis                                                         | WD738-01F03 (Revision 2)                    | 16.07.2018 |
| Pedestrian Wind Environment Study                                                         | WD738-01F04 (Revision 1)                    | 16.07.2018 |
| Crime Prevention Through                                                                  | 17164 (Version 2)                           | 13.12.2018 |

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| Document Description                                      | Plan No/Reference               | Date       |
|-----------------------------------------------------------|---------------------------------|------------|
| <b>Architectural Plans</b>                                |                                 |            |
| Environmental Design Assessment                           |                                 |            |
| BCA Assessment                                            | 2017/1859 (Revision 5)          | 29.10.2018 |
| Noise Impact Assessment                                   | 20171110.1 (Revision 1)         | 12.04.2018 |
| Access Review                                             | Final (Version 2)               | 16.10.2018 |
| Fire Safety Statement                                     | 172050 (Revision 4)             | 01.11.2018 |
| Pedestrian Analysis                                       | PS105860 (Revision B)           | 20.05.2019 |
| Sustainability Strategy                                   | PS105951, PS105860 (Revision 4) | 10.10.2018 |
| Preliminary Geotechnical and Structural Impact Assessment | PS105852 (Revision C)           | 19.04.2018 |
| Geotechnical Report                                       | PS105852 (Revision B)           | 07.11.2018 |
| Structural Statement                                      | 2108235A/lij/0640               | 24.05.2018 |
| Site Retention Plan                                       | ST-002-00 (Revision 6)          | 19.06.2019 |
| Site Retention Sections Details                           | ST-002-31 (Revision 7)          | 19.06.2019 |
| Stage 1 and Stage 2 Environmental Assessment              | S4062801_RPT02                  | 22.06.2006 |
| Draft Subdivision Plans                                   | 10575-003 (Revision B)          | 30.11.2018 |

Prior to the issue of a Construction Certificate, the following amendment shall be Made:

- (a) **Helipad.** The Helipad indicated on the roof of Building A does not form part of this approval and is to be deleted from the plans.

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

2. **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.
3. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) Protect and support the adjoining premises from possible damage from the excavation, and
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
4. **Signage – not approved** - Despite any notation on the plans, this consent does not authorise the erection of any signs or advertising structures. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.
5. **Security Grilles** - This consent does not authorise the erection of any security grilles or barriers on any shopfront. Separate approval must be obtained for any such works.

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6. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Saturday (other than public holidays). No building activities are to be carried out at any time on a Sunday or a public holiday.
7. **Works outside standard hours of construction.** Internal work may be undertaken outside of the approved hours of work outlined in Condition 6 only after the completion of the external shell and the sealing of the entire floor during the hours between 7.00pm and 7.00am, Mondays to Saturdays subject to:
  - i. No works are to be undertaken externally;
  - ii. No material delivery or removal of waste must take place during the extended hours;
  - iii. Approval is not given for the use of any high noise intrusive plant and equipment other than hand operated power tools; and
  - iv. The works should not be heard at the boundary of any adjoining property.
8. **Hoardings.**
  - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
  - (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
  - (c) Any hoarding, fence or awning erected pursuant to this consent is to be removed when the work has been completed.
9. **Illumination of public place** - Any public place affected by works must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
10. **Development to be within site boundaries** - The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties. Gates must be installed so they do not open onto any footpath.
11. **Public space** - The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances, without prior approval from Council.
12. **Drainage** - Any boundary fencing shall be erected in such a manner as not to interfere with the natural flow of ground and surface water to the detriment of any other party.
13. **Roads Act** - Any works performed in, on or over a public road pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under section 139 of the Roads Act 1993.
14. **Design and Construction Standards** - All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's 2014 DCP 2014 Part 8.5 (*Public Domain Works*), except otherwise as amended by conditions of this consent.

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15. **Service Alterations** - All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.
16. **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.
17. **Construction Staging (Public Domain Works)** - For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
18. **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.
19. **Separate development application** - Separate development applications must be submitted to Council for any future use of the retail tenancies.
20. **Provision for installation of kitchen exhaust systems** - Adequate provision must be made for the installation of kitchen exhaust systems to any proposed future food premises.
21. **Kitchen exhaust vent** - Kitchen exhaust vents must be located above roof level:
  - (a) at least 6 metres from any fresh air intake vent or natural ventilation opening;
  - (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary; and
  - (c) at least 8 metres from any cooling tower.
22. **Grease trap Installation** - Grease traps must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or food contact equipment or packaging materials are handled or stored is not permitted.
23. **Carpark exhaust vents** - Carpark exhaust vents must be located at least 3 metres above ground level or any pedestrian thoroughfare and:
  - (a) at least 6 metres from any fresh air intake vent or natural ventilation opening; and

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- (b) at least 6 metres or, where the dimensions of the allotment make this impossible, the greatest possible distance from any neighbouring property boundary.
- 24. **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*
- 25. **Connection by gravity flow** - All sanitary fixtures must be connected to the sewerage system by gravity flow.
- 26. **Construction of garbage rooms** - All garbage rooms must be constructed in accordance with the following requirements:
  - (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
  - (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
  - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
  - (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
  - (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
  - (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
  - (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
  - (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
  - (i) The room must be provided with adequate artificial lighting; and
  - (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.
- 27. **Paving to collection point** - The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point.
- 28. **Access for waste collection vehicles** - Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.

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

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29. **Storage and removal of wastes** - All construction waste must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
30. **Staging plans.** Construction of the approved development is to be staged in accordance with the approved staging plans or as otherwise approved in writing from Council.
31. **Sydney Metro.** A Monitoring System is to be developed which meets Sydney Metro's minimum monitoring requirements, to measure the potential impact of the proposed development on the Sydney Metro Northwest infrastructure including tunnel movements and tunnel deformation, unless written confirmation has been received from Sydney Metro confirming that this is not required. If requested by Sydney Metro, provide Sydney Metro with all relevant data and information generated by the monitoring devices. This system is to be in place prior to any works occurring on the site.
32. **Sydney Metro.** Sydney Metro and persons authorised by Sydney Metro for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
33. **Transport Infrastructure Contribution Deed.** The applicant is to enter into a Transport Infrastructure Contribution Deed with the NSW Roads and Maritime Service (RMS), prior to the issue of any Construction Certificate for the delivery of road improvements works at the following intersections comprising a monetary contribution amount not exceeding:
- Lane Cove Road & Waterloo Road: \$900,000.
  - Waterloo Road & Khartoum Road: \$660,000.
  - Waterloo Road & Byfield Road: \$660,000.
34. **NSW Roads & Maritime Service.** A strip of land has previously been dedicated as Public Road by private subdivision (DP 576296 & DP 575223), along the Lane Cove Road and Waterloo Road frontage of the subject property, as shown by yellow colour on the attached Aerial –“X”

The subject property is also affected by a road proposal for the Macquarie Park Bus Priority Stage 1 as shown by pink colour on the attached Aerial— "X" and Sketch SR4834.



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Therefore, any new building or structure (including signage) together with any improvements integral to the future use of the site are to be erected clear of the land required for road and the Lane Cove Road boundary (unlimited in height or depth). The area required for road should be identified on any plan of development.

35. **NSW Roads & Maritime Service.** Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system in Lane Cove Road are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Documents should be submitted to [Development.Sydney@rms.nsw.gov.au](mailto:Development.Sydney@rms.nsw.gov.au).

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued.

36. **NSW Roads & Maritime Service.** All vehicles are to enter and leave the site in a forward direction, and vehicle turn around facility must be provided within the site boundary.
37. **NSW Roads & Maritime Service.** All vehicles are to be wholly contained on site before being required to stop.
38. **NSW Roads & Maritime Service.** All demolition and construction vehicles are to be contained wholly within the site and a construction zone will not be permitted on Lane Cove Road and Waterloo Road.
39. **NSW Roads & Maritime Service.** A Road Occupancy Licence should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Lane Cove Road & Waterloo Road during construction activities.

## PRIOR TO CONSTRUCTION CERTIFICATE

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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 the relevant 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.

40. **Voluntary Planning Agreement.** Prior to the issue of any Construction Certificate, evidence is to be provided by the applicant to the Private Certifier of an endorsed Voluntary Planning Agreement between Australand Industrial No. 122 Pty Ltd (or any subsequent owner) and the City of Ryde Council. If Council does not agree to enter into a Voluntary Planning Agreement, written evidence is to be provided to the Private Certifier outlining this.
41. **Section 7.11.** Unless otherwise modified by the terms of any endorsed Voluntary Planning Agreement in accordance with Condition 40, a monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

| A Contribution Type                   | B Contribution Amount  |
|---------------------------------------|------------------------|
| Community & Cultural Facilities       | \$3,400,024.32         |
| Open Space & Recreation Facilities    | -                      |
| Civic & Urban Improvements            | \$3,331,634.02         |
| Roads & Traffic Management facilities | \$3,628,175.36         |
| Cycleways                             | \$461,196.14           |
| Stormwater Management Facilities      | \$422,675.76           |
| Plan Administration                   | \$123,959.22           |
| <b>Total Contribution</b>             | <b>\$11,367,664.82</b> |

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

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

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

A copy of the Section 7.11 Development Contributions Plan may be inspected at the Ryde Customer Service Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

42. **Approval of Section Plans** - Detailed cross sections of key façade and fenestration types are to be submitted with the application for the relevant Construction Certificate/s.
43. **Sydney Water Requirements** - Evidence of compliance with the following requirements, to the satisfaction of the Sydney Water are to be provided to the certifying authority, prior to the issue of the Construction Certificate:
  - (a) The required extension to the 200mm water main on the western side of Lane Cove Road. The extension will need to be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002); and
  - (b) The required extension to the existing 225mm wastewater main. The extension will need to be sized and configured according to the Sewerage Code of Australia (Sydney Water Edition WSA 02-2002).
  - (c) Management of any impacts on any Sydney Water sewer or water main, stormwater drains and/or easement, including whether further requirements need to be met.

Alternatively, written confirmation may be provided from Sydney Water indicating that any/all of the above requirements are no longer required to be met.

44. **Compliance with Australian Standards** - The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of the **Construction Certificate**.
45. **Structural Certification** - The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate**.
46. **Security deposit** - The Council must be provided with security for the purposes of section 4.17 of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category buildings with delivery of bricks or concrete or machine excavation)
47. **Fees** - The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**:
  - (a) Infrastructure Restoration and Administration Fee.
  - (b) Enforcement Levy.

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48. **Long Service Levy** - Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of the **Construction Certificate**.
49. **Sydney Water Tap in™** - The approved plans must be submitted to the Sydney Water Tap in™ on-line service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

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

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

Sydney Water's [Tap in™](https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm) online service is available at:

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

50. **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**.
51. **Energy Efficiency** - The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of the approved Sustainability Strategy, including measures sufficient to achieve:
- (a) Green Building Council of Australia 5 Star Green Star rating under the Design As Built tool v1.2.
  - (b) NABERS Office Base Building Energy rating of 5 stars for Office Base Building tool.

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

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

With respect to this, the following revision(s) / documentation must be provided with

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the plans submitted with the application for the relevant Construction Certificates;

- a) To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles, for each development stage. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- b) A turning bay must be provided adjacent to the two spaces at the end of the parking aisle located in the south east corner of basement level 3. This is to ensure that vehicles exiting the two spaces will do so in a forward manner.

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

53. **Construction Pedestrian and Traffic Management Plan.** A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be prepared in consultation with Sydney Coordination Office (SCO) of the Transport for NSW and submitted to Council for approval prior to the issue any Construction Certificate. In this regards any further enquiry related with the CTMP should be directed to Joel Azzopardi on 0466 427 016 or e-mail at Joel.Azzopardi@transport.nsw.gov.au or David Collaguazo on 0435 658 792 or e-mail at David.Collaguazo@transport.nsw.gov.au for their attention.

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

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

The CPTMP must:

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be distributed over the surrounding road network where possible.
- iii. Make provision for parking onsite once basement level is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Provide for the movement of trucks to and from the site, and deliveries to the site. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include a Traffic Control Plan prepared by an RMS accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic.
- vi. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.

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- vii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- viii. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- ix. Specify spoil management process and facilities to be used on site.
- x. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xi. Comply with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”, Council’s DCP 2014 Part 8.1 (Construction Activities) and Council’s CTMP checklist. A copy of Council’s CPTMP checklist shall be obtained from Council prior to submission of CPTMP.

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

54. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of a 12.5m Heavy Rigid Vehicle (HRV), as a minimum requirement. The height clearance required is 4.5m. Plans showing the ramp grades, transitions and height clearance and swept path diagrams of HRV shall be submitted to and approved by Council’s Traffic Engineer prior to the issue of the relevant Construction Certificates. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.
55. **Stormwater Management** - Stormwater runoff from the development shall be collected and piped by gravity flow to Lane Cove Road and Coolinga Street, generally in accordance with the plans by Arcadis Design & Consultancy (Refer to Stormwater and Flood Report Rev 7 dated 21 June 2019) subject to any variations marked in red on the approved plans or noted following;
- The proprietary stormwater filter system must be located in regions allowing for clear access and maintenance. Applicant is to note the requirements of the condition “*Drainage System Maintenance Plan*”.

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

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- 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.

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

As a minimum, the OSD system must;

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

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

57. **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.

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

58. **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 394 Lane Cove Road (Hyundai Building). A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.
59. **Site Dewatering Plan** - To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

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



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

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

61. **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.
62. **Public domain improvements** - The public domain is to be upgraded along Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Avenue frontages of the development site in accordance with the City of Ryde *Public Domain Technical Manual Chapter 6 - Macquarie Park Corridor*. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.
- A public domain plan for the following works shall be submitted to, and approved by Council's City Works Directorate, prior to the issue of the relevant Construction Certificates. Any retaining wall (including the footing) that is required along the property boundary shall not encroach onto the public domain.
- (a) Footpath paving as specified in the condition of consent for public infrastructure works.

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- (b) Street trees to be provided in accordance with the Public Domain Technical Manual (PDTM), Chapter 6 – Macquarie Park Corridor. – Refer to Landscape Architect – Development Assessment for exact wording.

**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 Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Ave frontages. The extent of works required in order to achieve this outcome may involve works beyond the frontages 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.

- 63. **Street lighting.** New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, along the Waterloo Road, Coolinga Street and Giffnock Avenue frontages.

A minimum vehicular luminance category V3 and pedestrian luminance category P2 shall be provided along the Waterloo Road frontage, while a minimum vehicular luminance category V5 and pedestrian luminance category P3 shall be provided along the Coolinga Street and Giffnock Avenue frontages.

The Street 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.

- 64. **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.

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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 Certificates. 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 and any endorsed Voluntary Planning Agreement.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and line-marking, and other relevant details for the new works. The drawings shall also demonstrate the smooth connection of the proposed road pavement widening in Lane Cove Road and Waterloo Road and roadworks in general, 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 removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction where needed. Along Lane Cove Road and Waterloo Road the RMS's standards and specifications shall apply.
- (b) The replacement of all damaged kerb and gutter with new kerb and gutter along the Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Avenue frontages of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Lane Cove Road, Waterloo Road, Coolinga Street and Giffnock Avenue.
- (c) Construction of full width granite footway along the Lane Cove Road, Waterloo Road and Giffnock Avenue frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park Corridor.
- (d) Construction of 2.4m wide granite paving footway with nature strip along the Coolinga Street frontage of the development site in accordance with the City of Ryde *Public Domain Technical Manual Chapter 6: Macquarie Park Corridor*.
- (e) Reconstruction of the existing bus stop along Waterloo Road and reinstatement of the existing bus shelter.
- (f) Removal and re-instatement of the existing parking meters along Coolinga Street and Giffnock Ave.
- (g) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (h) Signage and line-marking details.
- (i) Staging of the public civil works, if any, and transitions between the stages.
- (j) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

### Notes:

- 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.

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- 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.
- 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.
- 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.

65. **Reinstatement of Bus Stop** - The existing bus stop and shelter along the Waterloo Road frontage of the development site shall be relocated to a Council approved temporary location prior to commencement of the public domain improvement works. The bus shelter shall be reinstated in its final location in accordance with the requirements of the Disability Standards for Accessible Public Transport 2002.

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

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

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

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Off-street Parking* and Council's specifications. The new crossing shall be 10 m wide (*Development Assessment Engineer to confirm width*), without the splays, and shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

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

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

67. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$100,000 shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.
68. **Engineering plans assessment and works inspection fees** - The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

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

69. **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.

**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

70. **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 Council drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the 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).

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- (c) The location and as-built information (including dimensions and invert levels) of the existing Council kerb inlet pit on Coolinga Street as generally shown on Site Stormwater Drawing Series SKC, Project No. AA003465, Issue 05, prepared by Arcadis dated 21 June 2019 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 longitudinal stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

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

Such details must include:

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

72. **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.

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

74. **External Lighting Design** - A detailed lighting scheme is to be prepared by a suitably qualified lighting consultant which considers all open space areas within the site including interface of the ground commercial spaces with the adjoining public domain. All lighting is to comply with the relevant Australian Standards. Details of compliance are to be submitted with the relevant plans for Construction Certificates.

75. **Automated Irrigation** - An automatic watering system is to be supplied to all landscape areas including communal open spaces to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of

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seasonal adjustments. Details of compliance are to be submitted with the relevant plans for Construction Certificates.

76. **Tree Vaults/Strata Cells** - All trees located within paved surrounds including those located on the Waterloo Road frontage, Giffnock Avenue frontage and plaza areas must be provided an underground tree vault/strata cell system of sufficient area and volume to enable trees to reach full maturity and dimensions typical of the species. Details of the proposed vault system to be utilised are to be provided to Council for review and approval with the relevant plans for Construction Certificates.
77. **Species Substitution** - The proposed plantings of *Eucalyptus saligna* (Sydney Blue Gum) are to be substituted for either *Corymbia maculata* (Spotted Gum) or *Eucalyptus tereticornis* (Tallowwood). Details of compliance are to be shown on the relevant plans for Construction Certificates.
78. **Green Walls** - A maintenance management plan relating to the green wall systems must be prepared. The maintenance management plan must provide detailed information on how these vegetative systems will be safely accessed for maintenance, stipulate a maintenance schedule, provide details on the minimum standards to which these systems must be maintained and describe actions to be taken if the system does not function as intended. The management plan is to be provided with the plans for relevant Construction Certificates.
79. **Pedestrian Wind Environment Study.** The recommended measures outlined within the approved Pedestrian Wind Environment Study must be incorporated into the relevant Construction Certificate plans. The seven (7) trees shown within the Study, located adjacent to the north-eastern boundary of 394 Lane Cove Road, may be omitted if the certifying authority is satisfied that this area is required to be free of plantings to enable emergency vehicle access.
80. **Public Arts Plan** - A site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be prepared by an arts and cultural planner and will be required to address the following:
  - (a) Details of the nature of the work and its approximate location and size;
  - (b) Details of how the proposed public art meets the following Design Selection Criteria:
  - (c) Standards of excellence and innovation.
  - (d) Relevance and appropriateness of the work in relation to the site.
  - (e) Its contribution to creating sense of place, and integration into the built form.
  - (f) Where possible, participation of local artists, local groups, youth or indigenous groups.
  - (g) Consideration for public safety and the public's use of and access to the public space.
  - (h) Consideration of maintenance and durability requirements of materials, including potential for vandalism and graffiti.
  - (i) Evidence of appropriate Public Liability Insurance to cover construction and installation of work.
81. **Sydney Metro.** Prior to the issue of the relevant Construction Certificate the Applicant is to prepare, in consultation with Sydney Metro, a detailed public domain

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plan addressing site levels and interface/boundary treatment between the station precinct and public plaza.

82. **Sydney Metro.** Prior to the issuing of the relevant Construction Certificate the Applicant is to submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements in accordance with "Sydney Metro at Grade and Elevated Sections, Corridor Protection Guidelines" and "Sydney Metro Underground Corridor Protection Guidelines" (available from [www.sydneymetro.info](http://www.sydneymetro.info)). 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 submission of a craneage plan will be required unless otherwise notified by Sydney Metro. The Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Metro confirming that this condition has been satisfied.

### 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.

83. **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.

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

85. **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.



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86. **Safety fencing** - The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.
87. **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.
88. **Work Zones and Permits** - Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Work Zone Permit shall be obtained for State Roads.
89. **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.
90. **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.
91. **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.
92. **Pre-Construction Dilapidation Report** - To ensure Council's infrastructure is adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, **up to 100m either side of the development site**, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

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

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

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

93. **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

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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. If the skip bin is to be located within the nature reserve, it is to be placed so that will not affect any pedestrian movements.

94. **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.

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

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

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

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

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

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All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the report is submitted. The applicable fee is for 1.0 hour of Staff Time.

### 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.

97. **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*.
98. **Survey of footings/walls** - All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
99. **Use of fill/excavated material** - Excavated material must not be reused on the property except as follows:
- (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
100. **Construction materials** - All materials associated with construction must be retained within the site.
101. **Site Facilities**  
The following facilities must be provided on the site:
- (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
  - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
102. **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.
103. **Work within public road** - At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards

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outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

104. **Tree protection – no unauthorised removal** - This consent does not authorise the removal of trees unless specifically permitted by a condition of this consent or identified as approved for removal on the stamped plans.
105. **Tree protection – during construction** - Trees that are shown on the approved plans as being retained must be protected against damage during construction.
106. **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.
107. **Construction requirements** - All acoustical treatments nominated in the acoustical assessment report (Acoustic Logic Pty Ltd–(Report No.20171110.1, dated: 19.1.2018 and 12.04.2019) and any related project documentation must be implemented during construction.
108. **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.
109. **Stormwater Management – Construction** - The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Arcadis Design & Consultancy (Refer to Stormwater and Flood Report Rev 7 dated 21 June 2019) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
110. **Erosion and Sediment Control Plan – Implementation** - The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
111. **Site Dewatering Plan – Implementation** - The Site Dewatering Plan (SDP) on the site must be constructed in accordance with the Construction Certificate version of the SDP submitted in compliance to the condition labelled "Site Dewatering Plan.", the requirements of Council in regards to disposal of water to the public drainage infrastructure and the requirements of any Dewatering License issued under NSW Water Act 1912 in association with the works. A copy of the SDP is to be kept on site at all times whilst dewatering operations are carried out.
112. **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

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and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

113. **Hold Points during construction** - Council requires inspections to be undertaken by a Chartered Civil Engineer (registered on the NER of Engineers Australia), for the public domain, at the hold points shown in the next condition.

114. **Engineer Certification** - 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.

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

The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- (a) Upon excavation of trenches shown on the approved drainage drawings.
- (b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- (c) Upon installation of pipes and other drainage structures prior to backfilling.
- (d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

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- (e) Upon connection to Council's existing kerb inlet pit.
- (f) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

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

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

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

Inspections shall typically occur at the following hold points:

- (a) Upon installation of pipeline in the trench and installation of other drainage structures, prior to backfilling.
- (b) Upon connection to Council's existing kerb inlet pit.
- (c) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

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

**Note:** An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

117. **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.

118. **Contaminated soil** - All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the *Waste Classification Guidelines* (DECCW, 2009) before being transported from the site.

119. **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.

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

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

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

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

### 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.

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

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

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



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

124. **Road opening permit – compliance document** - The submission of documentary evidence to Council of compliance with all matters that are required by the Road Opening Permit issued by Council under Section 139 of the *Roads Act 1993* in relation to works approved by this consent, prior to the issue of any **Occupation Certificate**.
125. **Sydney Water – Section 73** - A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application, a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

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

126. **Stormwater Management - Work-as-Executed Plan** - A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted with the application for an Occupation Certificate. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
127. **Stormwater Management – Positive Covenant(s)** - A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard terms for such systems, as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7 and to the satisfaction of Council. The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.
128. **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;

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- (a) All matters listed in Section 1.4.9 of the DCP Part 8.2 (Stormwater and Floodplain Management – Technical Manual).
- (b) The DSMP is to incorporate a master schedule and plan identifying the location of all stormwater components crucial to the efficient operation of the trunk drainage system on the development lot. This is to include (but not be limited to) pump/sump systems, WSUD components and all onsite detention systems. The master plan is also to contain the maintenance schedule for each component.
- (c) The DSMP is also to include safe work method statements relating to access and maintenance of each component in the maintenance schedule.
- (d) Signage is to be placed in vicinity of each component, identifying the component to as it is referred in the DSMP (eg. OSD – 1), the reference to the maintenance work method statement and maintenance routine schedule.
- (e) Designate areas inside the property in which the maintenance operation is to be undertaken for each component. Maintenance from the road reserve is unacceptable. Any locations in Public Access areas are to be demarcated and safe pedestrian travel paths must be provided.
- (f) Locate a storage area for maintenance components / tools to be stored on site. The location is to be recorded in the DSMP.

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 / line-markings are to be implemented prior to the issue of any Occupation Certificate.

**129. Engineering Compliance Certificates** - To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.

- (a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
- (b) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of the condition "*Flood and Overland Flow Protection*" have been satisfied.
- (c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- (d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.

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

130. **On-Site Stormwater Detention System - Marker Plate** - To ensure the constructed On-site detention will not be modified, a marker plate is to be fixed to each on-site detention system constructed on the site. The plate construction, wordings and installation shall be in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures. The plate may be purchased from Council's Customer Service Centre at Ryde Civic Centre (Devlin Street, Ryde).

131. **Parking Area Line-marking and Signage** - To ensure the safe and efficient circulation of traffic and access to parking, directional signage, traffic control line-marking and signs must be installed in the developments parking area. The location and specifications of these measures must be in accordance with AS 2890.1, must be based on Traffic Engineering principals and must be located under the guidance of a suitably qualified Traffic Engineer experienced in traffic safety. Certification that these measures have been implemented must be provided to the Accredited Certifier prior to the issue of an Occupation Certificate for any part of the development requiring use of the parking area

132. **Signage and Line-marking – External** - A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to and approved by the Ryde Traffic Committee prior to the issue of any Occupation Certificate.

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

133. **Signage and Line-marking – Implementation** - The applicant is to install all signage and line-marking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of any Occupation Certificate.

134. **Loading Dock Management Plan** - A Loading Dock Management Plan (LDMP) shall be prepared by the applicant and submitted to and approved by Council prior to the issue of Occupation Certificate(s) for each stage. The Plan will need to demonstrate how safe servicing arrangements including waste collection will be

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undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.

The LDMP must include:

- (a) Number and maximum size of vehicles permitted on-site.
- (b) Loading dock hours of operation.
- (c) Management procedures to be implemented to ensure safe and efficient operation.
- (d) Responsibilities of the loading dock manager and truck drivers.
- (e) Driver code of conduct.

135. **Public Access and Right of Way** - Prior to the issue of any Occupation Certificate, a Right of Way (ROW) shall be created over the station plaza and boulevard in favour of Council for public access. Terms regarding the creation and use of the ROW are to be submitted to and approved by Council prior to the lodgement at the Lands and Property Information Office. Evidence regarding effective registration of the ROW shall be submitted to Council and the PCA prior to the issue of the Occupation Certificate.

The terms of the Right of Way must ensure that:

- (a) The spaces are accessible at all times to the Public;
- (b) The spaces will be adequately maintained by the occupier/ owner of the site at all times;
- (c) The Council is the only authority empowered to release, vary or modify the terms of the Public Access.

136. **Public Positive Covenant** - Prior to the issue of any Occupation Certificate for the development, a public positive covenant, pursuant to Section 88E of the Conveyancing Act 1919, is to be created over the subject land in order to ensure that the registered owner of the land, at his / her / its own cost and risk:

- (a) maintains and repairs at all times that area of the subject land that has been designated as the privately owned, publicly accessible spaces as identified in the prior condition, to a standard commensurate with Council's standards for the maintenance of such facility;
- (b) maintains at all times, public liability insurance for at least \$20 million, with Council identified as an interested party in that insurance policy.

The Instrument that is to create the public positive covenant referred to in this condition is to be submitted to and approved by Council prior to lodgement for registration at the Land & Property Information Office.

Prior to the issue of any Occupation Certificate the applicant is to submit to Council a certificate of currency for the above-mentioned public liability insurance.

137. **Public Domain Improvements and Infrastructure Works – Completion** - All public domain improvements and infrastructure works shall be completed to Council's satisfaction, in accordance with the approved public domain plans and at no cost to the Council, prior to the issue of any Occupation Certificate.

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138. **Restoration – Supervising Engineer’s Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council’s standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services’ standards and specifications, where applicable.
139. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council’s Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.
140. **Compliance Certificates – Street Lighting** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of Compliance - Electrical Work (CCEW)* from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
141. **Compliance Certificate – External Landscaping Works** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
142. **Public Domain Works-as-Executed Plans** - To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.
- In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council’s Asset Registers.
143. **Supervising Engineer Final Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
144. **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

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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, and shall be used by Council to compare with the pre-construction dilapidation report, in order to assess whether restoration works will be required prior to 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.

145. **Decommissioning of Ground Anchors** - Prior to the issue of any Occupation Certificate, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that all temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
146. **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.

147. **Compliance Certificate – External Works and Public Infrastructure Restoration** - Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
148. **Final Inspection – Drainage Assets Handover** - For the purpose of the handover of the drainage assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the

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trunk drainage works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the trunk drainage Works.

**Note:** Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

149. **Drainage Works – Post Construction Certifications** - Following completion of the final stage of the drainage and associated works and prior to the issue of the Occupation Certificate, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for "Hold Points during construction – Drainage Works", to Council's City Works Directorate for 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.
150. **Post-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected and there is no damages and no protruding pipe inside Council's pipeline due to the proposed construction activities and property drainage connection, a post-construction CCTV report on the existing and new stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council.

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

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

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

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the report is submitted. The applicable fee is for 2.0 hour of Staff Time.

151. **Flooding - Flood Impact Statement** - The applicant shall comply with the recommendations provided in the Stormwater & Flooding Report – Macquarie Park Commerce Centre - 396 Lane Cove Road, Macquarie Park, Revision 7 prepared by Arcadis dated 21 June 2019.

A certificate from a suitably qualified Drainage Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with these recommendations prior to the issue of the Occupation Certificate.

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152. **Flooding – Building Components - Basement Carpark** - A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming that all basement carpark areas have been designed and construct to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.
153. **Flooding – Building Components – Structural Design** - A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming the building structure is able to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event.
154. **Flooding – Building Components** - A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming that all new building components below the 1% AEP (100 year ARI) flood plus 500 mm freeboard have been designed to be flood compatible.
155. **Flooding - Electrical Components** - All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100-year ARI) flood level plus 500 mm freeboard. Where it is not practical and feasible to install the equipment above the 1% AEP (100-year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities.
- A certificate from a suitably qualified Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Occupation Certificate.
156. **Certification of Mechanical Ventilation Work** - Where any mechanical ventilation systems have been installed or altered, a certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to the Principal Certifying Authority before the issue of an **Occupation Certificate**.
157. **Tree Stock** - All plants, materials, hardscape and watering systems identified on the approved drawings are to be grown and installed in a manner consistent with Australian Standard AS2303 - 2015 – Tree Stock for Landscape Use and AS4419 - 2003 – Soils for Landscaping and Garden Use. Evidence of tree and landscape materials conforming with the relevant standards must be provided prior to Occupation Certificate.
158. **Sydney Metro**. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as built drawings to Sydney Metro and Council. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Metro confirming that this condition has been satisfied.



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### 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.

159. **Parking Allocation** - Both the owner and occupier of the development must provide and maintain the minimum parking allocation as follows.

The total number of spaces servicing the commercial and retail component on the site must not exceed 834 parking spaces on the site at any stage, excluding that parking allocated for waste collection, loading, courier and servicing parking spaces.

Each stage is to accommodate the required level of parking;

#### Stage 1

- A maximum of 320 commercial spaces
- A minimum of 13 retail spaces
- 10 courier spaces
- 86 bicycle spaces

#### Stage 2

- A maximum of 452 commercial spaces
- A minimum of 25 retail spaces
- 14 courier spaces
- 86 bicycle spaces

#### Stage 3

- A maximum of 590 commercial spaces
- A minimum of 42 retail spaces
- 18 courier spaces
- 408 bicycle spaces

#### Final Development

- A maximum of 776 commercial spaces
- A minimum of 58 retail spaces
- 24 courier spaces
- 469 bicycle spaces

160. **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).

161. **Implementation of Framework Travel Plan.** The actions and timeframes as identified in any adopted Green Travel Plan, with reference to the Framework Travel Plan and Workplace Travel Plan prepared by Ason Group, are to be implemented over the first 12 months of occupation of that building. At the end of this 12 months, monitoring of the actions should be undertaken to assess if the actions have been successful. The responsibility for adoption of this plan and monitoring is to be the site manager. If requested by Council, the findings of this monitoring are to be made available to Council.

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162. **Tree Establishment** - All tree plantings must be maintained in good health and condition until they reach a height of at least 5 metres. Any tree failures must be replaced and maintained as per the above.
163. **Implementation of Loading Dock Management Plan** - All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) is not permitted.
164. **Offensive Noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.
165. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
166. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
167. **Waste containers** - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
168. **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.
169. **Disposal of liquid wastes** - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.
170. **Trade waste permit** - The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
171. **Maintenance of waste storage areas** - All waste storage areas must be maintained in a clean and tidy condition at all times.
172. **Delivery and loading/unloading – hours** - No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 7am on any day.
173. **Delivery and loading/unloading – location** - All loading and unloading in relation to the use of the premises shall take place wholly within the property in the approved locations.
174. **Loading areas** - Loading areas are to be used for the loading and unloading of goods, materials etc. only and no other purpose.

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175. **Plant and Equipment Noise** - The operation of any plant or machinery installed on the premises must not cause:

- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at the most affected noise sensitive location in the vicinity. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the New South Wales Industrial Noise Policy (EPA, 2000).
- (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.
- (c) The transmission of vibration to any place of different occupancy.

### PRIOR TO SUBDIVISION CERTIFICATE

The following conditions in this Part of the consent apply to the Subdivision component of the development.

All conditions in this Part of the consent must be complied with prior to the issue of a Subdivision Certificate.

176. **Final plan of subdivision** - The submission of a final plan of subdivision plus 3 copies suitable for endorsement by the Authorised Officer of Council.

177. **Final plan of subdivision – title details** - The final plan of subdivision shall contain detail all existing and/or proposed easements, positive covenants and restrictions of the use of land.

178. **Section 88B Instrument** - The submission of an Instrument under Section 88B of the Conveyancing Act 1919 plus 3 copies, creating Easements, Positive Covenants and Restrictions on Use. This Instrument shall nominate the City of Ryde as the authority empowered to release, vary or modify the terms of the Instrument.

179. **Occupation Certificate** - An occupation certificate in relation to this Development Consent must be in force.

180. **Utility provider – compliance** - Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc).

### End of Conditions