

CONDITIONS OF CONSENT – LDA2020/0218

GENERAL

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

Document Description	Date	Plan No/Reference
Cover Sheet	12.02.2021	DA0001, Rev E
Site Analysis Plan	12.02.2021	DA0301 Rev E
Lower Ground Floor	16.04.2021	DA1000, Rev Z
Upper Ground Floor	16.04.2021	DA1001, Rev Y
South Elevation	16.04.2021	DA2003, Rev U
Basement 3	12.02.2021	DA0997, Rev V
Basement 2	12.02.2021	DA0998, Rev V
Basement 1	12.02.2021	DA0999, Rev U
Level 1	12.02.2021	DA1002, Rev T
Levels 2, 3,4 & 5	12.02.2021	DA1003, Rev Y
Level 6 - Terrace	12.02.2021	DA1004, Rev V
Level 7	12.02.2021	DA1005, Rev Y
Levels 8-14	12.02.2021	DA1006, Rev Y
Level 15	12.02.2021	DA1007, Rev S
Roof Plan	12.02.2021	DA1008, Rev K
North Elevation	12.02.2021	DA2001, Rev R
East Elevation	12.02.2021	DA2002, Rev S
West Elevation	12.02.2021	DA2004, Rev T
Section Sheet 1	12.02.2021	DA2100, Rev S
Section Sheet 2	12.02.2021	DA2101, Rev P
Frontage Sections	12.02.2021	DA2200, Rev H
Frontage Sections	12.02.2021	DA2201, Rev D
Frontage Sections	12.02.2021	DA2202, Rev D
Façade Details	12.02.2021	DA3101, Rev E
Façade Details 2	12.02.2021	DA3102, Rev G
Materials Finishes	12.02.2021	DA5100, Rev C
Landscape Plans		
Section H	16.04.2021	LD-SK-07, Rev F
Section D & E	09.02.2021	LD-SK-05, Rev E
Section I	09.02.2021	LD-SK-08, Rev E
Section J	09.02.2021	LD-SK-09, Rev E
Podium Level Plan	09.02.2021	LD-SK-02, Rev E
Sections F & G	09.02.2021	LD-SK-06, Rev E
Section K	09.02.2021	LD-SK-10, Rev E
Planting Palette	09.02.2021	LD-SK-11, Rev C
Section A	09.02.2021	LD-SK-03, Rev E
Section B & C	09.02.2021	LD-SK-04, Rev E
Civil Plans		

Road Longitudinal Sections – Sheet 02	27.04.2021	DAC05.02, Rev 3
Road Longitudinal Sections – Sheet 03	27.04.2021	DAC05.03, Rev 3
Noise Impact Assessment	06.05.2020	190436, Rev B by Acoustic Logic
Access Report	13.05.2020	Prepared by Morris Goding Access Consulting
Supplementary Accessibility Letter	15.02.2021	Prepared by Morris Goding Access Consulting
Traffic Assessment Report	14.05.2020	0P1164r01v2 prepared by Ason Group
Traffic Letter and Framework Travel Plan	17.02.2021	0872101 prepared by Ason Group
Structural Design Report	08.05.2020	MP2-ENS-REP-STR-0001, Rev D
Environmental Management Plan	04.05.2020	MP3-JHG-MPL-ENV-0000, Rev A
ESD report	06.05.2020	Rev C by JHA Engineers
BCA Report	07.05.2020	2019/2876 R1.1
Geotechnical Report	08.05.2020	Douglas Partners Project 85837.08.R.001.Rev1
Wind Assessment	15.05.2020	Vipac Engineers and Scientists 30N-19-0234-TRP-6777216-4
Public Art Plan	6.05.2020	Prepared by publicArt.works
Detailed Site Investigation	July 2017	Douglas Partners Project 85837-01
Waste Management Plan	06.05.2020	MRA Consulting Group, Version 1

(Reason: To ensure the development is carried out in accordance with the approved plans).

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.

(Reason: Statutory requirement).

3. **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.

(Reason: To ensure reasonable standards of amenity for occupants of neighbouring properties).

4. **Hoardings.**

- (a) A hoarding or fence must be erected between the work site and any adjoining public place.

- (b) An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

(Reason: To ensure public safety).

5. **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.

(Reason: To ensure public safety).

6. **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.

(Reason: To ensure work is completed to a satisfactory standard).

7. **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.

(Reason: To ensure public safety).

8. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (*Public Civil Works*) and Part 8.2 (*Stormwater and Floodplain Management*), except otherwise as amended by conditions of this consent.

(Reason: to ensure work is completed to a satisfactory standard).

9. **Public Utilities and Service Alterations** – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.

(Reason: Statutory requirement).

10. **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.

(Reason: To ensure public safety).

11. **Works on Public Roads** – Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.

(Reason: Statutory requirement).

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

(Reason: Information).

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

(Reason: To ensure the development occurs within the site boundaries).

14. **Connection by gravity flow** - All sanitary fixtures must be connected to the sewerage system by gravity flow.

(Reason: To ensure public health).

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

(Reason: Statutory requirement).

16. **Waste Storage and waste management** – All waste shall be stored and managed in accordance with waste management plan provided with the proposal entitled: "Operational Waste Management Plan – 45-61 Waterloo Road, Macquarie Park prepared by Foresight Environmental, Revision 2 issue date 15 November 2019."

(Reason: To ensure public health and ensure appropriate disposal of waste).

17. **Transport for NSW.** TfNSW has previously acquired a strip of land for road for Macquarie Park Bus Priority and Capacity Improvement Project along the Waterloo Road frontage of the subject property. All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Waterloo Road boundary.

(Reason: To ensure the development occurs on the subject site).

18. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: Public safety).

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

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

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$285,686.38
Open Space & Recreation Facilities	\$646,447.27
Roads & Traffic Management Facilities	\$335,801.21
Plan Administration	\$18,970.37
The total contribution is	\$1,286,905.22

These are contributions under the provisions of Section 7.11 of the Environmental Planning and Assessment Act, 1979 as specified in City of Ryde Section 7.11 Development Contributions Plan 2020, effective from 1 July 2020.

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

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

Notwithstanding the above, if a construction certificate is issued prior to the 25 September 2022, the monetary contribution need only be paid prior to the issue of an Occupation Certificate in respect of any building to which this consent relates.

If no CC has been issued on or before 25 September 2022, the monetary contribution must be paid prior to the issue of any Construction Certificate after that date for any such building.

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>.

(Reason: Statutory requirement).

20. **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**.

(Reason: Statutory requirement).

21. **Security deposit.** The Council must be provided with security for the purposes of section 4.17(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of the **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation).

(Reason: Statutory requirement).

22. **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

(Reason: Statutory requirement).

23. **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**.

(Reason: Statutory requirement).

24. **Sydney Water – Building Plan Approval.** The plans approved as part of the Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.

(Reason: Statutory requirement).

25. **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**.

(Reason: To ensure the use of appropriate materials to minimise reflectivity).

26. **Disabled Access.** Disabled access is to be provided to and within the development in accordance with the recommendations contained within the Access Report prepared by Morris Goding Access Consulting Access Review dated 13 May 2020. Details including compliance with these recommendations are to be submitted to the Principal Certifying Authority (PCA) prior to the relevant construction certificate being issued.

(Reason: To provide appropriate access to and within the development).

27. **Bicycle Parking.** A minimum of 84 bicycle parking spaces or lockers designed and installed in accordance with the Australian Standard AS2890.3 are to be provided with the development. Details are to be submitted on the relevant Construction Certificate plans.

(Reason: Statutory requirement).

28. **Service Infrastructure/Utilities.** All service infrastructure/utilities including electrical substations, fire hydrants, gas meters and the like (unless already shown on the plan) shall be located within the building envelope. Where this is not possible and subject to Council approval such infrastructure shall be located on the subject site and appropriately screened from view. Details of all service infrastructure/utilities are to be approved prior to the issue of the relevant Construction Certificate.

(Reason: To ensure the development is consistent with the approved plans).

29. **Energy Efficiency.** The development is to comply with the ESD Strategy as outlined in the DA ESD Report prepared by JHA Services Revision C dated 6 May 2020. The PCA is to be provided with a report to verify that the relevant Construction Certificate Plans comply with the recommendations of the report.

(Reason: To ensure compliance with the approved plans).

30. **Noise.** The development shall be carried out in accordance with the recommendations provided within the Noise Impact Assessment prepared by JHA Services 190436 Revision B dated 6 May 2020. The recommendations contained in the report are to be demonstrated on the relevant Construction Certificate plans. Details indicating compliance with these recommendations are to be submitted to the PCA prior to the Construction Certificate being issued.

(Reason: To ensure compliance with the approved plans).

31. **Arts and Cultural Plan.** Prior to the issue of any Construction Certificate for the public domain, a site specific Public Arts Plan is to be submitted for approval by Council. This plan is to be prepared by an arts and cultural planner and will be required to address the following:

- Details of the nature of the work and its approximate location and size;
- Details of how the proposed public art meets the following Design Selection Criteria:
 - Standards of excellence and innovation.
 - Relevance and appropriateness of the work in relation to the site.
 - Its contribution to creating sense of place, and integration into the built form.
 - Where possible, participation of local artists, local groups, youth or indigenous groups.
 - Consideration for public safety and the public's use of and access to the public space.
 - Consideration of maintenance and durability requirements of materials, including potential for vandalism and graffiti.
 - Evidence of appropriate Public Liability Insurance to cover construction and installation of work.

(Reason: To ensure compliance with Ryde DCP 2014).

32. **Safer by Design.** All recommendations contained in the Crime Prevention through Environmental Design (CPTED) Assessment Report prepared by Urbis dated 15 May 2020 are to be implemented. Details demonstrating compliance with these requirements are to be submitted to the PCA prior to the relevant Construction Certificate being issued.

(Reason: To ensure compliance with the approved documents).

33. **Wind Mitigation.** The development shall be carried out in accordance with the recommendations provided within the Wind Assessment Report titled 30N-19-0234-TRP-6777216-4 prepared by Vipac Engineers and Scientists dated 15 May 2020. These recommendations are to be demonstrated on the relevant Construction Certificate plans. The Construction Certificate plans are to demonstrate that the development complies with the walking comfort criterion.

(Reason: To ensure compliance with the approved documents).

34. **Fibre-ready facilities and telecommunications infrastructure.** Prior to the issue of the relevant Construction Certificate satisfactory evidence is to be provided to the Certifier that arrangements have been made for:

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

And

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

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

(Reason: Statutory requirement).

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

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

- a) All disabled spaces must be designed in accordance with AS 2890.6, requiring the provision of a dedicated shared area, linemarking and installation of bollard as per this Standard.
- b) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area. To demonstrate compliance with this Australian Standard, the plans to be prepared for the Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances taken along the vehicle path of

travel from the crest of the ramp to the basement. The driveway profile must be taken along the steepest grade of travel or sections having significant changes in grades, where scraping or height restrictions could potentially occur and is to demonstrate compliance with AS 2890 for the respective type of vehicle.

- c) To assure the vehicle turntable in the Loading Bay may be safely operated, the plans are to detail a minimum 500mm clearance envelope around the largest vehicle to be located on the turntable. This will require detailed section views are to be prepared demonstrating compliance with this requirement. The section views must show the rotated envelope of the largest vehicle to be accommodated and any surrounding structural elements and overhead service ducts at the worst (most imposing) sections.
- d) The western side of the vehicle entry must have clear sight through a splayed region, as defined by Figure 3.3 of AS 2890.1 (2004). To achieve this, the adjoining garden bed must either be splayed or lowered be no more than 900mm above finished ground level such that an emerging driver can view the footpath beyond to the west.
- e) The crest of all internal basement ramps are to be splayed on the inside radius so as to better accommodate a turning vehicle and facilitate access through the parking area.

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

(Reason: Statutory requirement).

36. Vehicle Turntable. To ensure safe and efficient operation of the vehicle turntable unit to be located in the loading bay, the following measures must be implemented in the completed development;

- a) The turntable must have line marking depicting the centre of the turn table, maximum radius in which a vehicle is to be contained upon the turn table itself and the maximum swept path radius and associated "Keep Clear" marking, as a result of the swept path of a vehicle overhanging the turntable.
- b) The turntable controls / control pad must be located in close proximity to the turntable and are to be clearly marked and visible from the turntable. Controls are to include an emergency stop button, rotation control and preferably having a programmed/ defined turning movement to ensure the efficient operation of the facility.
- c) A maintenance number is to be listed on the control panel area so as to minimise the downtime should the device breakdown.

Plans, documentation and certification demonstrating compliance with these requirements must be submitted for the approval of the Accredited Certifier, prior to the release of the Construction Certificate.

(Reason: To ensure manoeuvrability within the development).

37. Stormwater Management. Stormwater runoff from the development shall be collected and piped by gravity flow to the public inground drainage infrastructure in Harvest Street, generally in accordance with the plans by Northrop Consulting Engineers Pty Ltd (Refer to Job No. 192548 Dwgs DAC01.01, DAC02.01, DAC04.01 & DAC09.01 Rev 1 dated 7 May 2020) subject to any variations marked in red on the approved plans or noted following;

- The nominated orifice diameter for the onsite detention system (110mm) does not correlate with that specified in the accompanying DRAINS analysis (188mm). The plans must therefore be amended to note the orifice diameter (188mm) to achieve the required 87 L/s.

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

- The certification must state that the submitted design (including any associated components such as WSUD measures, pump/ sump, absorption, onsite dispersal, charged system) are in accordance with the requirements of AS 3500.3 (2003) and any further detail or variations to the design are in accordance with the requirements of Council's DCP 2014 Part 8.2 (*Stormwater and Floodplain Management*) and associated annexures.
- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent.
- 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.

(Reason To ensure appropriate stormwater management).

38. 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.

(Reason: To ensure appropriate stormwater management).

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

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

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

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

(Reason: Public safety).

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

This engineer is to prepare the following documentation;

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

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

(Reason: Public safety).

41. **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) Incorporate water treatment measures to prevent the discharge of sediment laden water to the public drainage system. These must 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.

(Reason: Stormwater management).

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

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

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

(Reason: Protection of the environment).

43. Construction Pedestrian and Traffic Management Plan. A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate.

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

All fees and charges associated with the review of this plan are to be paid in accordance with Council's Schedule of Fees and Charges with payment to be made prior to receipt of approval from Council's Transport Department for the CPTMP.

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

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include a Traffic Control Plan(s) prepared by a TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.

- viii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- ix. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with 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.
- x. Specify spoil management process and facilities to be used on site.
- xi. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

(Reason: Protection of the environment).

- 44. Waste and Service Vehicle Access.** Access to the site including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of an 8.8m long Medium Rigid Vehicle (MRV), as a minimum requirement. The minimum height clearance required is 4.5m, measured from the floor level to the lowest point of any overhead structures/service provisions such as pipes.

Plans showing the ramp grades, transitions and height clearance and swept path diagrams of 8.8m long MRV shall be submitted to and approved by Council's Transport Department prior to the issue of the Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

(Reason: To ensure adequate waste management).

- 45. Ground Anchors** - The installation of permanent ground anchors into Council owned land 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 approval of temporary installation of ground anchors 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 is certified by Structural or Geotechnical Engineer and accepted by Council.

(Reason: Protection of Council's infrastructure).

46. Public domain improvements - The public domain is to be upgraded in accordance with the City of Ryde Public Domain Technical Manual PDTM Chapter 6 – Macquarie Park Corridor. The work is to include footpath paving, construction of part of new **Road 1 – Area 3A** according to the Deed of Variation of the VPA, **Pedestrian Link 2**, multifunction light poles, street furniture and plantings, and must be completed, prior to the issue of any Occupation Certificate, to Council's satisfaction at no cost to Council.

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

- (a) Footpath paving and construction of new road, including reconstruction of existing infrastructure is required as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with the Macquarie Park Street Tree Master Plan.

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 new **Road 1 (Area 3A)** and within the proposed **Pedestrian Link 2**. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans with required design are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network. The plans shall be submitted to Council with the Public Domain set of drawings and approved by Council's City Works Directorate and relevant utility authorities, prior to any Construction Certificate.

- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158:2010 *Lighting for Roads and Public Spaces*, including Council's MFP schema plan, with a minimum vehicular luminance category **V5** and pedestrian luminance category **PR2** along new access **Road 1(Area 3A)** and within the proposed **Pedestrian Link 2**.

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

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

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

(Reason: To ensure the public domain is constructed to appropriate standards).

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

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

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

Pavement testing and design shall be carried out in accordance with Council's Road Pavement Guidelines, specifically conforming to the following;

- i. Sampling, testing and evaluation of pavement materials;
- ii. Pavement design and performance requirements; and
- iii. Placing and compaction of the materials in the construction of the pavement.

The development is also governed by the Planning Agreement between John Holland Macquarie Park Land Custodian Pty Ltd and The Council of City of Ryde, executed on 31st August 2018 and the Deed of Variation to Planning Agreement, executed on 13th February 2020.

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

- (a) Part of new Council **Road 1 (Area 3A)** and proposed **Pedestrian Link 2** in accordance with the City of Ryde DCP 2014 Part 4.5 Macquarie Park Corridor, *Part 8.5 - Public Civil Works*, Austroads and the City of Ryde Public Domain Technical Manual Chapter 6: *Macquarie Park Corridor*. The detailed design shall follow the preliminary design from AECOM – civil plans Revision D, dated 18/11/2021(Council record D21/163746).
- (b) The design for the new Council **Road 1 (Area 3A)** shall comply with the requirements for road reserve width of 20.00 m in accordance with Figure 4.1.2 on page 17 of the Council DCP 2014 and Figure 6.1.1 on page 37 of the Public Domain Technical Manual (PDTM), Chapter 6: Macquarie Park Corridor. The longitudinal section shall show that the design levels are matching with the existing levels of the already built part of **Road 1 (Area 2B)** and the future part of **Road 1 (Area 3B)**.
- (c) The design for the proposed **Pedestrian Link 2** shall comply with the requirements for Pedestrian Connections in accordance with Figure 4.2.1 of the Council DCP 2014 and Figure 6.5.1 on page 45 in the Public Domain Technical Manual (PDTM), Chapter 6: Macquarie Park Corridor. The longitudinal section shall show design levels that are matching with the existing levels of Road 14 and the levels of the future Road 16 (Area 4B). The cross sections will need to show the integration of the surfaces with the Catherine Hamlin Park, south of Building D.
- (d) Part of the new **Road 1** – namely **Area 3A**, is to be fully constructed and dedicated to Council. The required infrastructure within the new Road 1 shall include: lighting, paving, street furniture, landscaping and tree planting.
- (e) Part of the new **Road 1 (Area 3A)** is to be maintained by the landowner until dedicated to Council.
- (f) Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along the already built Road 1 and Road 14.
- (g) Stormwater drainage installations in the public domain shall be designed and constructed in accordance with the DA approved plans and DCP 2014 Part 8.2 - Stormwater Management.
- (h) Signage and line marking details are required to be provided on a separate plan and submitted with the set of plans for public domain. Proposed signage and line marking shall include traffic requirements, cycleway and waste collection requirements, if applicable.

- (i) Staging of the public civil works, if any, and transitions between the stages shall be clearly indicated on proposed design, including applicable specification for proposed transition work.
- (j) The relocation/adjustment of all public utility services affected by the proposed works shall be clearly indicated in proposed design. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

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

(Reason: To ensure the public domain is constructed to appropriate standards).

- 48. **Pedestrian Link** – A new pedestrian paved footpath – **Pedestrian Link 2**, shall be designed and constructed along the southern side of the proposed building D – between Building D and Catherine Hamlin Park, providing connectivity between the already constructed Road 14 and the future Road 16 as well as Building D and the park. See Consent Conditions 9 & 10 of the **Concept LDA2018/0172**.

The **Pedestrian Link 2** is to have a minimum width of 6m incorporating a 4m wide accessible paved footpath, with the layout to be generally in accordance with the Ryde Development Control Plan 2014 Part 4.5 - Macquarie Park Corridor.

The **Pedestrian Link 2** shall be constructed by the Developer and an easement for public pedestrian access granted at no cost to Council prior to the issue of the Occupation Certificate for Building D.

The paving of the pedestrian link is to be in accordance with Council's Public Domain Technical Manual Chapter 6 – *Macquarie Park Corridor*. Full construction details demonstrating compliance with Council's standards and specifications, shall be submitted to, and approved by Council prior to the issue of the relevant Construction Certificate. The submission shall include the following details:

- (a) Fully dimensioned plans showing the width of the pedestrian link, footpath, transitions and landscaping areas along the footpath;
- (b) Selection of paving type, colour and dimensions in accordance with Council's requirements;
- (c) Provision of adequate lighting (category PR2 according to Australian Standards AS/NZS 1158 Set: 2010 *Lighting for Roads and Public Spaces* for illumination of the footpath to ensure safety and security of the users during night time;
- (d) The pedestrian link shall be accessible for people with disabilities. Adequate details and certification demonstrating compliance with the Disability Discrimination Act and applicable accessibility legislation is to be submitted for approval by Council.

(Reason: To ensure compliance with the DCP and VPA requirements).

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

Prior to the issue of the Construction Certificate, 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 B99 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 *Offstreet Parking* and Council's specifications. The new crossing/s 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.

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

(Reason: To ensure the public domain is constructed to appropriate standards).

50. **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 dedication of the roads as public roads. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the Public Infrastructure 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 **\$1,000,000** shall be lodged with the City of Ryde prior to the issue of any Construction Certificate for each stage of the development site, 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.

(Reason: To ensure the public domain is constructed to appropriate standards).

51. **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 for each stage, 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.

(Reason: To ensure the public domain is constructed to appropriate standards).

52. **Unexpected Finds Protocol** - The Unexpected Finds Protocol is to be prepared before the issue of a construction certificate and must outline the process for identification, assessing and investigating any unexpected finds of potential contamination within the site.

(Reason: Statutory requirement).

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.

53. 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.

(Reason: Statutory requirement).

54. **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.

(Reason: Statutory requirement).

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

(Reason: Protection of existing trees).

56. **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.

(Reason: Protection of the public domain).

57. **Ground Anchors.** The installation of permanent ground anchors into future public roadway is not permitted. The installation of temporary ground anchors may be considered subject to application for approval from Council's Public Works department. The application for consent must include detailed structural plans prepared by a chartered structural engineer, clearly nominating the number of proposed anchors, depth below existing ground level at the boundary alignment and the angle of installation. Approval is subject to the applicant paying all applicable fees in accordance with Council's Management Plan.

(Reason: Protection of the environment).

58. **Asbestos removal.** Asbestos has been identified in previous investigations of the site. Prior to any works being undertaken on site, the entire site should be

cleared of asbestos by a qualified occupational hygienist. A copy of this report is to be provided to the PCA and Council if Council is not the PCA.

(Reason: Public health).

59. **Stormwater - 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 (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. 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.

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.

(Reason: Protection of the stormwater infrastructure).

60. **Notice of Intention to Commence {Council Drainage Works}** – Prior to commencement of the {Council drainage works}, Council's City Works Directorate shall be notified for written acceptance.

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.

(Reason: Protection of the stormwater infrastructure).

61. **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.

(Reason: To ensure minimal impact on the public domain).

62. **Road Occupancy Licence.** Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows within the surrounding road network (e.g. lane closures, etc.).

(Reason: Statutory requirement).

63. **Notice of Intention to Commence Public Domain Works –** Prior to commencement of the public domain works for this development, 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.

(Reason: Protection of the public domain).

64. **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.

(Reason: to advise occupants who are likely to be impacted about the public domain works).

65. **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.

(Reason: Protection of the public domain).

66. **Pre-Construction Dilapidation Report -** To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

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

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

(Reason: Protection of the public domain).

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

- a) Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b) Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. **A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.**
- c) Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone, telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.
- d) Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of

these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.

- e) Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- f) Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g) Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

(Reason: Statutory requirement).

68. **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.

(Reason: Protection of the public domain).

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

(Reason: Statutory requirement).

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.

70. **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 61 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

(Reason: Statutory requirement).

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

(Reason: Ensure acceptable amenity).

72. **Noise management plan.** Where demolition or construction activities are likely to cause significant noise or vibration (eg. jackhammering ,rock breaking or impact piling) a noise management plan must be prepared by a suitably qualified acoustical consultant and be submitted to the Principal Certifying Authority before the work commences. The plan must be prepared in accordance with the Interim Construction Noise Guideline (DECC, 2009) and include:

- (a) Identification of nearby affected residences or other sensitive receivers.
- (b) An assessment of the expected noise impacts.
- (c) Details of the work practices required to minimise noise impacts.
- (d) Noise monitoring procedures.
- (e) Procedures for notifying nearby affected residents.
- (f) Complaints management procedures.

(Reason: Ensure acceptable amenity).

73. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.

(Reason: Protection of the environment).

74. **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.

(Reason: Protection of the environment).

75. **Construction materials.** All materials associated with construction must be retained within the site.

(Reason: Protection of the public domain and adjoining properties).

76. **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.

(Reason: Statutory requirement).

77. **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.

(Reason: Statutory requirement).

78. **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.

(Reason: Statutory requirement).

79. **Work within public road.** At all times work is being undertaken within a public road, adequate precautions shall be taken to warn, instruct and guide road users safely around the work site. Traffic control devices shall satisfy the minimum standards outlined in Australian Standard No. AS1742.3-1996 "Traffic Control Devices for Work on Roads".

(Reason: Statutory requirement).

80. **Surveillance cameras.** Surveillance cameras and recorders are to be installed and maintained to monitor and record all entrance and exit points to the building. This is to include the basement car park areas, the entry and exit points to the car park, the foyer area to the building, communal areas, lifts, public spaces and the retail areas. The cameras should also monitor the 50 metre vicinity outside the building. Recordings should be made 24 hours a day 7 days a week.

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

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

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

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

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

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

(Reason: Protection of the areas surrounding the development).

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

- Lighting is to be designed and installed in accordance with the relevant Australian and New Zealand Lighting Standards.
- Sensor lighting should be installed into areas that may be areas of concealment.
- All outdoor public spaces should be well lit to ensure safety during the hours of darkness.
- Lighting is to be provided to all common areas including all car parking levels, stairs and access corridors and communal gardens.
- To reduce power consumption and comply with the relevant Australian and New Zealand Standards for Lighting, car park lighting is to be interfaced with motion detectors.

(Reason: Protection of the amenity of the area).

82. **Street sign.** A street sign is to be prominently displayed at the front of the development to comply with Local Government Act, 1993, Section 124, Order No. 8.

(Reason: Statutory requirement).

83. **Fire Doors.** Signage is to be provided on the fire exit doors warning users that the doors are to be used for emergency purposes only. All fire doors are to be fitted with single cylinder locksets (Australian and New Zealand Standard – Lock Sets) to restrict unauthorized access to the development.

(Reason: Statutory requirement).

84. **Prevention of graffiti.** To assist in the prevention of graffiti, consideration should be given to the use of graffiti resistant materials to assist in the quick removal of any graffiti.

(Reason: Protection of the amenity of the area).

85. **Access control.** Access control should be put in place to prevent authorised access. In this respect, access should be restricted to employees only to the lifts and stairs leading to the upper levels.

(Reason: Security of the site).

86. **Locks to doors.** All locks fitted to the doors should be of high quality and meet the Australian design standard. Any glass within these doors should be laminated to enhance the physical security of the doors.

(Reason: Security of the site).

87. **Truck Shaker.** A truck shaker grid with a minimum length of 6 metres must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass them. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

(Reason: Protection of the environment).

88. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Construction Certificate version of the Stormwater Management Plan by Northrop Consulting Engineers Pty Ltd (Refer to Job No. 192548 Dwgs DAC01.01, DAC02.01, DAC04.01 & DAC09.01 Rev 1 dated 7 May 2020) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

(Reason: Protection of the environment).

89. **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.

(Reason: Protection of the environment).

90. **Geotechnical Monitoring Program - Implementation.** The construction and excavation works are to be undertaken in accordance with the Geotechnical Report and Monitoring Program (GMP) submitted with the Construction Certificate. All recommendations of the Geotechnical Engineer and GMP are to be carried out during the course of the excavation. The applicant must give at least seven (7) days notice to the owner and occupiers of the adjoining allotments before excavation works commence.

(Reason: Protection of the environment).

91. **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.

(Reason: Protection of the environment).

92. **Dust control** - Appropriate measures must be taken to control the generation of dust during demolition and excavation work:
- (a) Any materials that are likely to generate dust during demolition, excavation or removal must be wetted down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
 - (b) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
 - (c) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: Protection of the environment).

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

(Reason: Protection of the environment).

94. **Contaminated soil** - All potentially contaminated soil excavated during demolition, excavation and 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.

(Reason: Protection of the environment).

95. **Identification and removal of hazardous materials** - Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in accordance with NSW Safework policies

(Reason: Protection of the environment).

96. **Disposal of asbestos wastes** - All asbestos wastes must be disposed of at a landfill facility licensed to receive asbestos waste.

(Reason: Protection of the environment).

97. **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.

(Reason: Protection of the environment).

98. **Surplus excavated material** - All surplus excavated material must be disposed of at a licensed landfill

(Reason: Protection of the environment).

99. **Noise control measures** - All noise and vibration control measures nominated in the acoustical consultant's report entitled "Noise Impact Assessment – 45-61 Waterloo Road Building D prepared Noise Impact Assessment prepared by JHA Engineers 190436 Revision B dated 6 May 2020 is to be implemented.

(Reason: To ensure compliance with the approved plans).

100. **Excavation for services within Tree Protection Zone (TPZ).** Any excavation for services or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

(Reason: To ensure protection of any trees on the site).

101. **Project Arborist Inspections.** The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

PROJECT PHASE	ACTIVITIES	PROJECT ARBORIST to
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Initial Site Preparation	Establish/delineate TPZ Install protective measures and undertake soil rehabilitation for all trees to be retained.	Project Arborist to mark Tree Protection Zones and install fences, mulch, irrigation and signage Issue a Certification of Compliance of tree protection measures being in place and soil rehabilitation undertaken
Construction work	Liaison with site manager, compliance and any deviation from approved plan	Maintain or amend protective measures Supervision and monitoring formal notification of any deviation from approved tree protection plan
Stormwater connection installation through TPZ, Implement hard and soft landscape works	Supervise Installation of pipes within tree TPZ	Excavate trench through TPZ under Arborist supervision, install pipework, remove selected protective measures as necessary and perform remedial tree works Issue a Certificate of Compliance
Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures Certification of tree protection and soil rehabilitation for Protected Trees
Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works Certification of tree protection if necessary

(Reason: Protection of vegetation).

102. **Tree works – Australian Standards.** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007)

(Reason: Protection of vegetation).

103. **Tree Removal.** As identified in the Arborist Assessment prepared by Naturally Trees dated 28/02/2020. The following trees on site are to be removed:

Tree No.	Species "Common name"
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88	Corymbia maculata, (Spotted Gum)
89	Corymbia maculata, (Spotted Gum)
90	Corymbia maculata, (Spotted Gum)
91	Corymbia maculata, (Spotted Gum)
92	Corymbia maculata, (Spotted Gum)
93	Corymbia maculata, (Spotted Gum)
94	Corymbia maculata, (Spotted Gum)

(Reason: To ensure only trees identified for removal occur).

104. Stormwater - Hold Points during construction – {Council 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 installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- b) Upon connection to Council's existing public drainage pipe.}
- c) 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.

(Reason: To ensure the drainage works are being constructed in accordance with the approved documents).

105. Implementation of Construction Pedestrian and Traffic Management Plan.

All works and construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP) for each stage of the development. All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW' (TfNSW)/SafeWork NSW accreditation. Should the implementation or effectiveness of the CPTMP be impacted by surrounding major development not encompassed in the approved CPTMP, the CPTMP measures and controls are to be revised accordingly and

submitted to Council's Traffic, Transport and Development Department for approval. A copy of the approved CPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

(Reason: To ensure minimal impact on the amenity of the area).

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.

106. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to the issue of the any **Occupation Certificate**.

(Reason: To ensure the development is constructed in accordance with the approved development).

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

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

(Reason: Protection of the environment).

108. **Letterboxes and street/house numbering display.** All letterboxes are to be designed and constructed in accordance with Australia Post requirements and the house/unit numbering displayed shall be in accordance with the official

property addressing allocated by Council's Land Information Section. The display of the street address shall be of a sufficient size and clarity to be easily visible from the street. Where a development contains multiple properties, signage is required to be clearly displayed on all unit door entrances. Directional signage is to be erected on site at driveway entry points and on buildings. Unit numbering signage is also required on stairway access doors and lobby entry doors. It is essential that all numbering signage throughout a development is clear to assist emergency service providers locate a destination with ease and speed, in the event of an emergency.

(Reason: Protection of the environment).

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

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

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

(Reason: Protection of the environment).

110. **Energy Efficiency.** Prior to the issue of any Occupation Certificate, the applicant is to provide a report to Council and the PCA to confirm that the development complies with the ESD report prepared by LCI Consultants (Aust) Pty Ltd Revision 4 dated 2nd April 2020.

(Reason: To ensure compliance with the approved documentation).

111. **Noise.** Prior to the issue of any Occupation Certificate, a suitably qualified acoustic consultant is to certify that the development complies with the recommendations in the report entitled Noise Impact Assessment Building AB prepared by Acoustic Logic, Revision 2 dated 29 January 2020.

(Reason: To ensure compliance with the approved documentation).

112. **Disabled Access.** Prior to occupation of the development, a suitably qualified access consultant is to certify that the development complies with Australian Standard 1428 and the Building Code of Australia.

(Reason: To ensure compliance with the approved documentation).

113. **Wind Mitigation.** Prior to the occupation of the development, a suitably qualified wind consultant is to verify that the development complies with the recommendations in the report titled 30N-19-0234-TRP-6777216-4 prepared by Vipac Engineers and Scientists dated 15 May 2020.

(Reason: To ensure compliance with the approved documentation).

114. **Safer by Design.** Prior to the issue of any Occupation Certificate, a report is to be provided by an appropriately qualified consultant verifying that all of the recommendations contained in the Crime Prevention Through Environmental Design prepared by Urbis dated 15 May 2020 have been complied with.

(Reason: To ensure compliance with the approved documentation).

115. **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.

(Reason: To ensure compliance with the approved documentation).

116. **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, WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "*Application Form for Endorsement of Title Encumbrances*" (available from Council's website). The WSUD components (rainwater tank, filter units and raingarden / bioswale) must be marked on a plan to be registered with the covenant so as to clarify the location of these items. 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.

(Reason: Ongoing maintenance of the onsite detention system).

117. **Vehicle Turntable - Positive Covenant.** 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 vehicle turntable system. For reasons related to traffic safety and efficient vehicle access, it is crucial the

unit operate throughout the life of the development. The terms of the instrument are to be generally in accordance with the general terms as specified in City of Ryde DCP 2014 - Part 8.4 (Title Encumbrances) - Section 7, and to the satisfaction of Council, and are to be registered on the title prior to the release of any Occupation Certificate. The application to Council for endorsement of the positive covenant must be accompanied by a compliance certificate required by the condition "*Compliance Certificates – Engineering*" related to the vehicle turntable.

(Reason: Ongoing maintenance of the vehicle turntable system).

118. **Drainage System Maintenance Plan.** To ensure the approved onsite detention system and WSUD measures function as designed for the ongoing life of the development, a drainage system maintenance plan (DSMP) must be prepared for implementation for the ongoing life of the development.

The DSMP must contain the following;

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

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

(Reason: Protection of the environment).

119. **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 loading bays and parking areas contained inside the site comply with the relevant components of AS 2890, Council's DCP 2014 Part 9.3 (Parking Controls) and conditions in this consent.
 - b) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - d) Confirming that 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).
 - e) 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.
 - f) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.
 - g) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

(Reason: To ensure the development complies with the approved documentation).

120. **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 1 Pope Street – Ryde (Top Ryde City Shopping Centre).

(Reason: Statutory requirement).

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

(Reason: Statutory requirement).

122. **Framework Travel Plan.** A final Travel Plan based on the preliminary Framework Travel Plan will be submitted to and approved by Council prior to the issue of any occupation certificate for any stage of development. The Final Travel Plan will detail the promotion, development, implementation and monitoring of a coordinated transport strategy for each stage of the development, and must contain a range of site-specific measures and details on how the objectives and targets of the travel plan are to be achieved. It will include, at a minimum, the following additional information beyond the Framework Travel Plan:
- Nomination of a specific person for the role of Travel Plan Coordinator and provision of related contact details.
 - Detailed and updated information on the findings of the site audit including but not limited to pedestrian connectivity and bicycle network.
 - Specify the number of bicycle parking spaces being provided which falls under the responsibility of the developer.
 - Calculations demonstrating how the number of each type of dedicated parking spaces will support the proposed mode share targets for the development.
 - Details on the number of staff/visitors expected at the site and expected number of each trip type generated during various time periods.
 - Additional columns for each action detailing the estimated cost/source of funding/ proposed timing for all nominated actions. Where two parties are nominated against an item this should be subdivided into relevant subitems with appropriate actions relevant to each party, to ensure that only one party is clearly responsible for implementing each item.
 - A Final Travel Access Guide and details on how it will be kept updated and distributed to occupants and staff at the building.

(Reason: Statutory requirement).

123. **Travel Access Guide.** The final Travel Access Guide to be provided with the Final Framework Travel Plan will include at least the following:
- Cycling routes shown in a different colour/pattern to be clearly differentiated from bus routes.
 - Pedestrian crossing points (pedestrian refuges/pedestrian crossings/traffic lights with pedestrian phase)
 - Building D detail inset zoomed in further to show also end of trip facilities/through site pedestrian and cyclist links and connections to surrounding infrastructure/taxi drop off points/any carpooling parking locations.
 - Bicycle parking locations within cycle catchment.
 - Nearby carshare pods.
 - Details of promotional programs available to tenants/staff (e.g. discounted Opal cards/etc) and special events (e.g. Walk/Cycle to workday) (placeholder with details to be finalised by specific tenants).
 - Details regarding Connect CoHop program and other Connect programs such as personalised travel planning.
 - Details regarding available carshare pods (e.g. GoGet).
 - Details regarding telecommuting options and policies (placeholder with details to be finalised by specific tenants).
 - Details regarding NSW Transport Trip Planner and other trip planning apps as relevant from <https://transportnsw.info/apps>
 - Transport Coordinator contact details (placeholder with details to be finalised in Final Travel Plan).

(Reason: Statutory requirement).

124. **Review of Travel Plan.** A Review of the Final Travel Plan for the building shall be conducted annually and submitted to Council for a minimum of 5 years after the issue of an occupation certificate. The Travel Plan review shall demonstrate progress towards Travel Plan targets and objectives and include the following information:
- Basic information about the site, including the number of employees;
 - Details of mode-splits and progress towards targets (obtained from an annual survey);
 - Details of the initiatives implemented since the last review;
 - An assessment of whether initiatives have been successful in terms of meeting Travel Plan objectives and targets; and
 - Details of future initiatives to be undertaken or other changes required to meet targets and objectives.
 - This requirement shall be included in any contract of sale for the property.”

(Reason: Statutory requirement).

125. **Stormwater – {Council Drainage Works} - Works-as-Executed Plans.** To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-

Executed Plans (in both hard and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

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

(Reason: Protection of the stormwater infrastructure).

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

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

(Reason: Protection of the stormwater infrastructure).

127. **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 DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: Protection of the public domain).

128. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the issue of any Occupation Certificate. The Plan will need to demonstrate how traffic movements to/from and within the internal loading dock will be safely managed without disruptions to the general traffic on Harvest Street and that pedestrian safety is maintained. Vehicle queuing on public road(s) is not permitted.

(Reason: To ensure the public domain is not affected by trucks).

129. **Signage and Linemarking – External.** A plan demonstrating the proposed signage and line marking within Council's Public Domain shall be prepared by a suitably qualified person and submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

(Reason: Statutory requirement).

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.

130. **Signage and Linemarking (External) – Implementation.** The applicant is to install all signage and linemarking, as per the plan approved by the Ryde Traffic Committee. These works are to be undertaken prior to the issue of any Occupation Certificate

(Reason: Statutory requirement).

131. **Public Access and Right of Way.** Prior to the issue of any Occupation Certificate for Building D, a Right of Way (ROW) shall be created over the **Pedestrian Link 2** in favour of Council for public access. Terms regarding the creation 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 Pedestrian Link is accessible at all times to the Public;
- b. The Pedestrian Link 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.

(Reason: Compliance with the VPA).

132. **Public Positive Covenant** - Prior to the issue of any Occupation Certificate for Building D, 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:

- (i) maintains and repairs at all times that area of the subject land that has been designated as the privately owned, publicly accessible pedestrian link, to a standard commensurate with Council's standards for the maintenance of such facility;
- (ii) 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 for Building D the applicant is to submit to Council a certificate of currency for the above-mentioned public liability insurance.

(Reason: Compliance with the VPA).

133. **Corner Splays - Public Access and Right of Way**-Prior to the issue of any Occupation Certificate for Building D, the Applicant is required to create a Right of Way (ROW) at corner splays, at no cost to Council. The (ROW) shall be triangular corner splays of 3 metres each extending perpendicular to and 3 metres parallel to Road 14 and Road 16 for the purpose of Public access. The proposed splays will burden building D and shall be in favour of Council for public access. Terms regarding the creation of the ROW are to be submitted to and approved by Council City Works Directorate prior to the lodgement at the Land & Property Information Office. Documentary evidence of registration of these instruments with the Land and Property Information shall be submitted to the Principal Certifying Authority and Council prior to the issue of any Occupation Certificate for Building D.

(Reason: to ensure adequate sight distances).

134. **Dedication of Land - Road No. 1(Area 3B):** The Applicant shall without compensation dedicate to the Council, the highlighted portion of Road No.1 as per the Deed of Variation to Planning Agreement, executed on 13th February

2020 prior to issue of any Occupation Certificate for Building D. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The associated administrative and registration costs where applicable, shall be borne by the Applicant. The Plan of dedication is to be lodged and registered with the Land Registry Services prior to the issue of any Occupation Certificate for Building D.

(Reason: Ensure compliance with the VPA).

135. **Restoration – Supervising Engineer’s Certificate** - Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: Statutory requirement).

136. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: To ensure adequate street lighting is provided).

137. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: To ensure public infrastructure is completed appropriately).

138. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: To ensure public infrastructure is completed appropriately).

139. **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 Building D.

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.

(Reason: To ensure public infrastructure is completed appropriately).

140. **Registered Surveyor Final Certificate** – Upon completion of all construction works, and before the issue of any Occupation Certificate for Building D, a Certification from a Registered Surveyor must be submitted to Council, stating that all works (above and below ground) are contained within the site's land boundary.

(Reason: To ensure the development is constructed within the subject site).

141. **Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: To ensure public infrastructure is completed appropriately).

142. **Post-Construction Dilapidation Report** – To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.

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

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

(Reason: Protection of the environment).

143. **Decommissioning of Ground Anchors** – Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: Protection of the environment).

144. **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.

(Reason: To ensure public infrastructure is completed appropriately).

145. **Compliance Certificate –Public Infrastructure Works Restoration** – Prior to the issue of any Occupation Certificate for Building D, 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.

(Reason: To ensure public infrastructure is completed appropriately).

146. **Engineering Condition – Public Infrastructure Works** - All outstanding civil works and all public infrastructure works, kerb and gutter, footpath, vehicular crossings and stormwater drainage works for this development site shall be completed in accordance with Council's specifications and to the satisfaction of Council prior to the issue of any strata plans or subdivision certificate for Building D.

(Reason: To ensure public infrastructure is completed appropriately).

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

(Reason: To ensure public infrastructure is completed appropriately).

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.

148. **Hours of operation.** The hours of operation for the retail spaces on the ground floor of the building are to be restricted to:
- 6am to 12pm (Monday-Friday).
 - 6am to 12pm (Saturday)
 - 7am to 10pm (Sundays and public holidays)

(Reason: Protection of the amenity of the locality and to support the night-time economy).

149. **Limiting noise from the retail spaces.** No live or amplified music is to be played in any of the retail spaces on the ground floor.

(Reason: Protection of the amenity of the locality).

150. **Travel Plan.** The proponent shall include in any lease agreement for the building the requirement for tenants to develop and implement a Tenant Specific Travel Plan (consistent with Final Travel Plan for Building D as certified by Council) and participate in an Annual Travel Plan Review process. The nominated Travel Plan Coordinator shall be responsible for overseeing

implementation of the Final Travel Plan and overseeing the ongoing review and annual travel plan monitoring process agreed with Council.

(Reason: To reduce the reliance on cars).

151. **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).

(Reason: Ensure maintenance of the stormwater system).

152. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the following parking allocation as follows;

- A maximum of 145 commercial spaces
- 84 bicycle parking spaces
- A minimum of 33 public parking spaces are to be made available in Basement 1, between the hours of 6:30pm to the close of retail business, so as to accommodate retail parking demand after business hour periods.

In relation to the retail parking requirement, the installation of a boom gate, roller door or other secure access is permissible so as to secure and prevent unwanted access to lower parking levels during this period.

(Reason: To ensure adequate car parking is provided on site and to support the night-time economy).

153. **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*.

(Reason: Protection of the environment).

154. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:

- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *Noise Policy for Industry (EPA, 2017)*.
- (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.

(c) The transmission of vibration to any place of different occupancy.

(Reason: Protection of the environment).

155. **Clean water only to stormwater system** - Only clean unpolluted water is permitted to enter Council's stormwater drainage system.

(Reason: Protection of the environment).

156. **Clean-up materials to be kept on premises** - An adequate supply of suitable clean up materials must be kept on the premises for cleaning up accidental spills.

(Reason: Protection of the environment).

157. **Cleaning wastes and spills** - All cleaning wastes and spills must be collected and disposed of in an environmentally acceptable manner.

(Reason: Protection of the environment).

158. **Duty to notify** - Pollution incidents causing or threatening harm to the environment must be reported immediately to all relevant authorities in accordance with Section 148 of the Protection of the Environment Operations Act 1997.

(Reason: Protection of the environment).

159. **Implementation of Loading Dock Management Plan.** All vehicles entering, exiting and manoeuvring within the internal loading dock are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on Harvest Street is not permitted.

(Reason: Protection of the environment).