

Draft conditions for 40-50 Talavera Road, Macquarie Park

LDA 2020/0315

PART 1

DEFERRED COMMENCEMENT

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

(A) Pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted for combined Concept DA for demolition of existing buildings and for Staged redevelopment of the site for up to 37,542m² of floorspace for Buildings A, B and C, with a Detailed DA for Stage 1 (Building A), subject to the following conditions of consent:

1. **Voluntary Planning Agreement (VPA).** The Applicant is to enter into a Planning Agreement (as defined pursuant to Section 7.4 of the Environmental Planning and Assessment Act 1979) with City of Ryde for the delivery of public benefits as identified within the letter of offer from Holding Redlich on behalf of the Trust Company Ltd dated 16 March 2022 and in accordance with the terms identified by City of Ryde.
2. **Registration of Voluntary Planning Agreement.** Pursuant to Section 7.6 of the Environmental Planning and Assessment Act, the Voluntary Planning Agreement between the City Ryde and The Trust Company Ltd referred in in deferred commencement condition (A) (1) Part 1 must be lodged for registration on the title of the property within 1 month of signing the Voluntary Planning Agreement.

(Reason: Statutory requirement).

(B) Written evidence that the matter identified in deferred commencement condition (A) (1) above has been satisfied, must be submitted to Council within 1 year from the date of this development consent, failing which, this development consent **will lapse** pursuant to Section 4.53 (6) of the Environmental Planning and Assessment Act 1979.

(C) This Development Consent will not operate until such time that the Council notifies the Applicant in writing that that deferred commencement consent condition (A) (1) & (2) have been satisfied; and

Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1) & (2) above have been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent:

PART 2 – CONCEPT APPROVAL

GENERAL

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

1. **Concept Development Application.**

Pursuant to Clause 88 of the Environmental Planning and Assessment Regulation 2021, this Notice of Determination relates to a concept development application applying to the subject site. Subsequent development application(s) are required for any work on the site for Stage 2.

Part 3 of this Notice of Determination provides the conditions of consent for the development of the Stage 1 site.

2. **Approved Plans/Documents – Concept DA Plan.**

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

Document Description	Date	Plan No/Reference
Concept DA – Cover Sheet	19/08/21	PL-0-00-01 Revision A
Concept DA – Site Analysis	19/08/21	PL-0-00-02 Revision A
Concept DA – Content Plan	19/08/21	PL-0-00-03 Revision A
Concept DA – Existing Site Plan	19/08/21	PL-0-01-01 Revision A
Concept DA – Stage 1 Site Plan	19/08/21	PL-0-01-02 Revision A
Concept DA – Stage 2 Site Plan	19/08/21	PL-0-01-04 Revision A
Concept DA – Stage 2 Basement	19/08/21	PL-0-01-05 Revision A
Concept DA – Stage 2 Section 1	19/08/21	PL-0-03-01 Revision A
Concept DA – Stage 2 Section 2	19/08/21	PL-0-03-02 Revision A
Stage 2 – illustrative – Basement plan	21/09/2021	PL-0-10-03 Revision B
Stage 2 – illustrative – ground floor	21/09/2021	PL-0-11-00 Revision B
Stage 2 – illustrative Building B section	16/11/2021	PL-0-12-01 Revision B
Stage 2 – illustrative Building C section	16/11/2021	PL-0-12-02 Revision B
Stage 2 – illustrative Lower Ground plan	21/09/2021	PL-0-10-02 Revision B
Landscape Package – Concept Development	17/08/2021	Prepared by Arcadia: - 01 Site Appreciation/Analysis

		<ul style="list-style-type: none"> - 02 Vision - 03 Concept - 05 Appendix. Issue C
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3. **Matters Not Approved – Concept DA Plan.**

The following items are not approved and do not form part of this concept development consent for Stage 2:

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

4. **Stage 2.** A Detailed Local Development Application is to be lodged for Stage 2 of the proposal within 5 years of the date of this approval with the Stage 2 component substantially commenced within two years of Stage 2 determination.

Details of the Stage 2 application are to ensure:-

- The exposure of the basement wall to Khartoum Road is minimised.
- The stage 1 substation is to be relocated to Building B at Stage 2.
- The lower ground floor of Building B is to be designed to be generally in accordance with Illustrative Drawings PL-0-10-02 (Lower ground floor Council's Ref: D22/9707) & PL-0-12-01 (Building B Section Council's Ref: D22/9706) Revision B dated 21/09/21 in regards to the loading bay and the extension of the ground floor tenancy to allow for a better connection to the open space area.
- The existing at grade car parking spaces adjacent to Building A loading dock entrance are to be removed at Stage 2.
- Communal meetings rooms to be provided on the ground floor of the Khartoum Road facing building (Building B) for community groups use. These rooms are to be fitted out to a commercial standard as communal facilities for the tenants of the building to use, and available for community use.
- The provision of publicly accessible exercise equipment as part of the landscaping in the central open space area.
- Ensure that replacement planting for the whole development site is at ratio of 1:2.2 with replacement plantings mimic the existing vegetation composition of Coastal Shale-Sandstone Forest.

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

5. **Building envelopes.** Building envelopes, separation distances and horizontal building envelopes are to be generally consistent with the building envelopes depicted in the approved plans.

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

6. **Building Height.** The maximum height of buildings for Stage 2 must not exceed the maximum heights of the building envelopes identified in the approved plans:

Stage 2 – Building B – RL 79.45
Building C – RL 79.45

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

7. **Floor Space Ratio.** The Floor Space Ratio of the proposal must not exceed the maximum permissible, and shall be calculated in accordance with the provisions of Clauses 4.4, 4.5 and 6.9 of the Ryde Local Environmental Plan 2014. The maximum GFA for Building B is 10,919m² and Building C is 14,160m², total GFA for Stage 1 & 2 being 37,542m².

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

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

(Reason: Statutory requirement).

9. **Biodiversity Development Assessment Report (BDAR) Commitments.** The commitments detailed in the Action and Outcomes columns of Table 17 (pages 45 to 48) of the BDAR, dated 25 November 2021, prepared by Ecological Australia must be undertaken in accordance to the Action and Timing stated in the table.

(Reason: Statutory requirement).

10. **Tree Retention – Future Stages.** To ensure all trees nominated for retention are appropriately retained and protected in accordance with the Concept Masterplan, the following trees, as referenced within the Arboricultural Impact Assessment prepared by Eco Logical dated 1st September 2021, are to be

retained as part of any future Development Application associated with this Concept Masterplan: Trees 5-8, 11, 18-33, 35-65, 71, 72, 74-77, 79-83, 87-89, 125-169, 182-191, 231-233, 237, 243-255, 259, 263-268, 270-277, 288-298, 300-302 & 310.

(Reason: To ensure all trees capable of retention are appropriately retained and protected).

11. **Traffic Impact Assessment Report.** To ensure that traffic and parking implications are addressed for each building, a traffic impact assessment report shall be submitted with the Stage 2 Development Application.

(Reason: To assess traffic impacts generated by the approved development).

12. **Loading Bay.** To ensure the service requirements of the commercial floor area are satisfied at each stage of the development, a Loading Bay / Service Delivery Management Plan is to be submitted with each future Development Application. The Plan must specify the location of service bay areas / loading bay docks, analyse the number and frequency of service vehicle movements for the existing and proposed commercial floor area and demonstrate that such service requirements can be satisfied on the site.

(Reason: To ensure adequate and sufficient facilities are provided).

13. **Public Domain Works.** All works in the public domain shall be undertaken in accordance with Council's standards and specifications, and City of Ryde Development Control Plan DCP 2014 Part 4.5 Macquarie Park Corridor, and the City of Ryde Public Domain Technical Manual (PDTM) Chapter 6 – Macquarie Park Corridor.

A public domain plan must be prepared by a suitably qualified architect, urban designer, landscape architect or engineer and must be lodged with the development application relating to Stage 2. Upgrade works along the Khartoum Road frontage of the site (including providing a new right turn bay within Khartoum Road to the immediate north of Talavera Road) will be completed as part of stage 2 of the development site.

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

14. **Ausgrid.** Consultation is required with Ausgrid to ensure that technical and statutory requirements in regard to the safe and reliable operation and maintenance of the Ausgrid's network is maintained.

(Reason: Statutory requirement)

15. **Crime Prevention Through Environmental Design.** Development Applications for Stage 2 are to comply with the principles of Crime Prevention Through Environmental Design.

(Reason: DCP compliance)

16. **Framework Travel Plan.** A Framework Travel Plan is to be submitted with any future Development Application for Stage 2. The Framework Travel Plan is to be prepared in accordance with the requirements of Part 4.5 Macquarie Park Corridor DCP 2014 and include (but not be limited to):
- (a) Details of the car sharing scheme on the site (in accordance with the conditions of this consent),
 - (b) Measures/ incentives to encourage occupants to enter into the car sharing scheme to be located on the site
 - (c) Measures/ incentives for public transport usage,
 - (d) Extension of the current parking management plan in effect at the centre, addressing the resident parking component.
 - (e) Measures / incentives to encourage cycling, including detailing end of trip facilities, bicycle parking facilities, signage and notification to residents and patrons to the centre.

(Reason: DCP compliance).

17. **Bicycle Parking.** Bicycle parking is to be provided for any development involving an increase in the floor space for retail, commercial or residential land uses.

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

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

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

(Reason: DCP compliance).

18. **Waste Collection.** The Stage 2 Development Application shall demonstrate compliance with Council's requirements for waste collection and Part 7.2 of DCP 2014 Waste Minimisation and Management. This is to include the submission of a Waste Management Plan and detailed architectural plans which address Council's requirements.

(Reason: DCP compliance).

19. **Noise impact assessment report** - A noise impact assessment report is to be submitted with any relevant Stage 2 Development Application. The report must be prepared by a suitably qualified acoustical consultant and demonstrate that

the noise levels emitted from the premises will comply with the noise criteria specified in the *New South Wales Industrial Noise Policy* (EPA, 2000).

The report must include the following information:

- a. details of the site and the surrounding locality;
- b. a description of the proposed use;
- c. the proposed times of operation;
- d. the existing background noise and ambient industrial noise levels;
- e. the project-specific noise levels for the proposed use;
- f. details of all potential noise sources associated with the proposed use;
- g. details of any measures proposed to control or mitigate noise;
- h. sound pressure levels at a preferred measurement distance or sound power levels, in dBA, for all major noise sources;
- i. the predicted cumulative noise levels at all nearby affected residential premises; and
- j. an assessment of the noise impact.

(Reason: Ensure noise impact are taken into consideration).

20. **Construction Noise Management Plan.** A Construction Noise Management Plan must be prepared and submitted with any Stage 2 Development Application. This Plan must be prepared by a suitably qualified acoustic consultant and must detail, but not be limited to, the following:

- a. The equipment to be used during the construction on site, the quantity of all equipment and a plan of how equipment will be operated on site cumulatively;
- b. The type of work that will be conducted during the construction process;
- c. Details of any respite periods and any noise mitigation measures required;
- d. Details of any work proposed to occur outside of Council's standard construction hours;
- e. Details of any community consultation to be undertaken.

21. **Wind.** Prior to the lodgement of a Stage 2 Development Application, the detailed design shall be subject to wind assessment to ascertain the impacts of the development on the wind environment and conditions within the publicly accessible space, the surrounding streets, communal external areas and bus interchange area. Any recommendations of this wind tunnel testing and wind assessment report shall be incorporated into the final detailed design lodged as a Stage 2 Development Application.

(Reason: DCP compliance)

22. **Draft Construction Pedestrian and Traffic Management Plan.** As part of a Stage 2 development application, the proponent shall prepare a draft Construction Pedestrian and Traffic Management Plan (CPTMP). The CPTMP needs to specify, but not be limited to , the following:

- Location of all proposed work zones.
- Proposed crane locations and methods of erection and dismantling.
- Haulage routes.
- Construction vehicle access arrangements.
- Proposed construction hours.
- Details of any required hoardings.
- Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements.
- Construction program highlighting details of peak construction activities and proposed construction 'staging'.
- Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works.
- Cumulative construction impacts of projects. Should any impacts be identified, details are to be provided in respect to the duration of the impacts.
- Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.

(Reason: Ensure safe and efficient traffic and pedestrian management).

23. **Talavera Road/Khartoum Road Intersection Upgrades.** The applicant must deliver the following works to mitigate the traffic impacts associated with the development:

- (a) The extension of the existing right turn bay within Talavera Road (east of Khartoum Road) to provide a storage capacity length (not including taper) of 90m and a width of 3m, as part of Stage 1 works.
- (b) The provision of a new right turn bay within Khartoum Road (to the north of Talavera Road) which provides a storage capacity length (not including taper) of 45m and a width of 3m, as part of Stage 2 works.
- (c) All costs associated with the design and delivery of the intersection upgrades outlined in (a) and (b) above are to be borne by the Applicant.

(Reason: This condition is to reduce the traffic impacts generated by the approved development).

24. **Public Art.** A detailed public art strategy is to be developed for the site/development (for both Stage 1 & Stage 2) in accordance with Part 4.5 Macquarie Park Corridor DCP 2014 and the following:

- a. Public art concept/s illustrated in such a way that the form, dimensions, materials and locations of the proposed artwork/s are developed and clearly communicated.
- b. Brief statement explaining how the artwork themes developed for each of the four sites/interventions identified in the preliminary public art strategy.

- c. Site plans (ie architectural and landscape drawings) that show how the artwork is integrated with the site. The plans must clearly present a public art space (eg the surface or 3D envelope that will contain the artwork/s).
- d. Program for detailed design documentation, fabrication and installation; and
- e. Details of the artist/s developing the documentation and artwork.

The requirement to accommodate public art as part of the redevelopment of the site must be included as part of a Stage 2 Development Application.

(Reason: DCP compliance)

25. **Public Access to the Stage 2 Central Open Space.** A public Right-of-Way is to be provided over the central open space area (including the use of the exercise equipment), as well as the pedestrian pathways to the central open space. Stage 2 DA is to show the location of the ROW. The Terms of Agreement are to be agree to at the time of the subsequent DA.

(Reason: To ensure public access to the central open space is provided)

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

The WSUDSP must be prepared by a suitably qualified drainage engineer, in collaboration with a landscape architect, to implement WSUD components in the stormwater management system for the development. The plan must generally be in accordance with Council's DCP Part 8.2 (Stormwater and Floodplain Management) and comply with the following;

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

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

(Reason: DCP compliance)

27. **Landscaping.** A detailed landscape plan is to be submitted with Stage 2 DA. The landscaping plan is to comply with the numerical site coverage, deep soil areas, open space requirements and the concept landscaping package, in addition to the design requirements under Section 8.0 of Part 4.2 of Ryde DCP 2014. The landscaping plan should also include rainwater capture and include details on where/how and for what purpose the water will be used and demonstrate water efficiency and effective stormwater management.

(Reason: DCP compliance and ensure landscaping in accordance with the concept approval).

28. **An Environmental Sustainability Design Report.** An Environmental Sustainability Design Report must be submitted with any Stage 2 Development Application. The report is to verify that the subsequent buildings are capable of achieving a base building of:
- 4- Star Green Star Design and As-Built v1.2 rating
 - 4.5- Star NABERS Energy base building rating.

(Reason: DCP compliance)

29. **Voluntary Planning Agreement (VPA).** The applicant is to comply with the VPA obligations for Stage 2, entered into between Council City of Ryde (Council) and The Trust Company Ltd, as referred to in the deferred commencement condition (A) (1).

(Reason: Statutory requirement).

30. **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) and Council's DCP sections relevant to vehicle access. To ensure this, the following documentation must be provided with any future development application for works on the site;

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

- b) To ensure that there are no scraping issues and sufficient headroom clearance is provided for service vehicles when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.
- c) A vehicle swept path analysis must be prepared for all forms of vehicle access (loading bay, garage, etc) demonstrating safe and clear vehicle access may be attained in crucial areas of the proposed development parking areas.
- d) As noted in (a) above, basement parking entries (vehicle and pedestrian) must be elevated above the estimated PMF flood event approved by Council, as per the development controls contained in Council's DCP Part 8.2 (*Stormwater and Floodplain Management*).

This documentation must be submitted with any future development application for the proposed works encompassed under this Concept Approval, for the approval by the consent authority.

(Reason: To ensure that the configuration of future vehicle access and parking is compliant with the relevant Standards and Council's DCP)

31. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the public drainage service in the lot, in accordance with Council's 2014 DCP Part 8.2 (*Stormwater and Floodplain Management*) and associated documentation.

The detailed plans and documentation of the drainage system for each subsequent development application must be prepared by a suitably qualified Civil Engineer and is to be submitted to the consent authority for approval. The stormwater management system must comply with the following;

- Incorporate onsite detention having design parameters compliant with detailed design methodology in Council's Development Controls. *NOTE:* As per the DCP, the development sites elected PSD (Permissible Site Discharge) must be based on the maximum level of stormwater discharge from the post-development impervious area, arising from the 20% AEP storm event.
- The submitted design is consistent with the submitted architectural and landscape plan.
- The stormwater system must incorporate WSUD (water sustainable urban design) components as per the "*Civil Engineering DA Report – 40 Talavera Road, Macquarie Park*" by TTW Consulting Engineers dated 20 August 2021. This is to ensure such features are easily maintained and not reliant on a manufactured, proprietary product.

- 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. Any pump-sump systems provided must discharge directly to the inground public drainage network so as to avoid the nuisance discharge of stormwater runoff on road surfaces.

(Reason: To ensure that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

32. **Parking Capacity and Allocation.** Each development must comply with the following parking allocation requirements, as specified in accordance with the Council 2014 DCP Part 9.3 (*Parking Controls*), approved Traffic Report and any other associated conditions in this consent, listed as follows;

- Each building must provide no less than 2 loading bays capable of accommodating at least an MRV vehicle (as per AS 2890.2). Any variation seeking less than this will need to demonstrate that such services do not rely on the Public Domain for standing or access to service vehicles.
- The development site must not provide more than the parking rate applicable at the time of lodgement of the DA.
- The provision of carparking must be staged relative to the level of development being undertaken such to ensure there will never be an oversupply of parking on the development site.

The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted with the relevant development applications for Buildings B & C.

(Reason: To ensure that the provision of parking on the site are aligned with the LEP and DCP objectives for the Macquarie Park Corridor)

End of Part 2.

PART 3 – STAGE 1 (BUILDING A) APPROVAL

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

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

Document Description	Date	Plan No/Reference
Stage 1 – Cover Sheet	19/08/2021	PL-1-00-01 Revision A
Stage 1 – Site Plan – Stage 1	19/08/2021	PL-0-01-02 Revision A
Stage 1 – Site Plan: Upper Grd	19/08/2021	PL-1-00-02 Revision A

Stage 1 – Site Plan: Lower Grd	19/08/2021	PL-1-00-03 Revision A
Stage 1- Basement Floor Plan	19/08/2021	PL-1-10-02 Revision A
Stage 1- Lower Grd Floor	27/07/2022	PL-1-11-01 Revision B
Stage 1- Upper Grd Floor	19/08/2021	PL-1-11-02 Revision A
Stage 1- Commercial Floor Plans	19/08/2021	PL-1-11-03 Revision A
Stage 1 – Roof Plans	19/08/2021	PL-1-11-07 Revision A
Stage 1 – Elevations 1	19/08/2021	PL-1-20-01 Revision A
Stage 1 – Elevations 2	19/08/2021	PL-1-20-02 Revision A
Stage 1 – Elevations 3	19/08/2021	PL-1-20-03 Revision A
Stage 1 – Section AA	19/08/2021	PL-1-30-01 Revision A
Stage 1 – Section BB	19/08/2021	PL-1-30-02 Revision A
Stage 1 – Driveway Sections	19/08/2021	PL-1-30-03 Revision A
Stage 1 – Internal ramp sections	19/08/2021	PL-1-30-04 Revision A
Stage 1 - GFA	19/08/2021	PL-1-60-01 Revision A
Stage 1 - Landscape Plan – Lower grd & Upper grd.	August 2021	Arcadia - Landscape Masterplan Stage 1 – Lower Ground L-110 Rev B Arcadia - Landscape Masterplan Stage 1 – Upper Ground L-110 Rev B Planting Schedule.

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

2. **Biodiversity Development Assessment Report (BDAR) offsets.** The offset liability detailed in Table 21 and Table 22 (page 50) of the BDAR, dated 25 November 2021, prepared by Ecological Australia must be “retired” before any clearing of the trees for Stage 1. A copy of the Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation must be provided to Council prior to any tree clearing.

(Reason: Statutory requirement).

3. **WaterNSW.** Compliance with the General Terms of Approval and approval letter issue by Water NSW. A copy of WaterNSW letter and GTA is attached - **ATTACHMENT 3.**

The attached GTA issued by WaterNSW do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to WaterNSW for a Water Supply Work approval after consent has been issued by Council and before the commencement of any work or activity.

A completed application form must be submitted to WaterNSW together with any required plans, documents, application fee, and proof of Council's development consent.

(Reason: Statutory requirement).

4. **Transport for New South Wales (TfNSW).** The proposed modification of the existing traffic control site (TCS) at the intersection of Talavera Road / Khartoum Road shall be designed to meet TfNSW requirements. The TCS plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner.

The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant TfNSW supplements (available on www.tfnsw.nsw.gov.au). The certified copies of the TCS design and civil design plans shall be submitted to TfNSW for consideration and approval prior to the release of a Construction Certificate and commencement of road works. Please send all documentation to development.sydney@transport.nsw.gov.au. TfNSW fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works. The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works.

(Reason: Statutory requirement).

5. **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).

6. **Tenancies.** Separate applications being submitted for the 1st use of each of the tenancies in the building.

(Reason: Statutory requirement).

7. **Tree Retention – Stage 1.** To ensure all trees capable of retention as part of the Stage 1 development works are appropriately retained and protected, the following trees, as referenced within the Arboricultural Impact Assessment prepared by Eco Logical dated 1st September 2021, must be retained and protected as part of the Stage 1 development works: Trees 1-16, 18-33, 35-72, 74-89, 91-110, 112, 125-138, 140-152, 154-168, 182-191, 231-233, 237, 243-246, 248, 250, 252-255, 263-277, 285, 288-302 & 310.

(Reason: To ensure all trees capable of retention are appropriately retained and protected).

8. **Tree Planting - Selection & Establishment.** To ensure the establishment of viable canopy tree planting in the medium-long term, tree specimens chosen for planting within the proposed development are to align with the requirements for stock selection as stipulated by AS2303-2015 - Tree stock for landscape use. Further, the trees shall be planted in accordance with the specifications as prescribed within Section 6 of the City of Ryde Tree Management Technical Manual and maintained until they reach a height of five (5) metres or have a stem circumference of 450mm at a height of 1.4m above ground level, at which time they shall become protected by Part 9.5 (Tree Preservation) of the City of Ryde Development Control Plan 2014. If either of these trees die before reaching this size, they are to be replaced in accordance with the replanting conditions.

(Reason: To ensure the establishment of viable canopy tree planting in the medium-long term).

9. **Talavera Road Upgrades.** The applicant must deliver the following works to mitigate the traffic impacts associated with the development:
- (a) The extension of the existing right turn bay within Talavera Road (east of Khartoum Road) to provide a storage capacity length (not including taper) of 90m and a width of 3m, as part of Stage 1 works.
 - (b) All costs associated with the design and delivery of the upgrades outlined in (a) above are to be borne by the Applicant.

(Reason: This condition is to reduce the traffic impacts generated by the approved development).

10. **Stormwater Trench/Pit Locations – General.** To ensure excavation works associated with storm water infrastructure do not result in damage to existing tree roots. The alignment of storm water infrastructure is to be located as far away from existing trees to be retained as practical. Should the excavation for the storm water pits and trenches conflict with any major structural roots (greater than >25 mm diameter) of existing trees, their location and alignment is to be modified in consultation with the Project Arborist to avoid impact. Under no circumstances should roots be severed or cut without prior approval from the Project Arborist.

(Reason: To ensure excavation works associated with stormwater infrastructure do not result in damage to existing tree roots).

11. **Underground Utilities.** To ensure excavation works associated with services installation do not result in damage to existing tree roots. Any utility services to be located underground within the TPZ are to be undertaken utilising excavation techniques that prevent or minimise damage to structural roots (roots greater than >25 mm diameter). To prevent soil compaction and root damage these works should be conducted with non- motorised hand tools or directional drilling.

(Reason: To ensure excavation works associated with services installation do not result in damage to existing tree roots).

12. **Design and Construction Standards** - All engineering detailed design plans and associated drainage works shall be carried out in accordance with the requirements of the relevant Australian Standards and Council's DCP Part 8.2 & Part 8.5 *Public Civil Works* and relevant Development Control Plans except as amended by the conditions herein.

Detailed design of all proposed Council Infrastructure works or proposed modification to Council infrastructure which may be located inside the property boundary, must be approved by Council City Works Directorate and undertaken in accordance with Council's 2014 DCP Part 8.2 and relevant Australian Standards, except otherwise as amended by conditions of this consent.

(Reason: To ensure that all works are undertaken in accordance with any relevant standard and DCP requirements.)

13. **Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.

(Reason: To ensure the public areas are restored upon completion of construction works.)

14. **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: This condition is intended to ensure that appropriate measures/controls are in place to assist with the safety of all affected road users within the public domain when construction works are being undertaken).

15. **Vehicle Movement Restrictions (on Talavera Road).** All vehicle movements to and from the site via Talavera Road via existing and/or new driveway(s) are to be restricted to left in/left out only (i.e. No right turning movements into and out of the site via Talavera Road is permitted). These vehicle movement restrictions are to be enforced through installing the following regulatory signage at vehicular access location(s) off Talavera Road:

- 1) "ALL TRAFFIC (LEFT SYMBOLIC) ONLY" (r2-14) sign facing drivers exiting the site; and
- 2) "NO RIGHT TURN" (r2-6n) sign facing drivers approaching the site from Talavera Road.

(Reason: This condition is to reduce the traffic impacts generated by the approved development).

- 16. Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (Road opening Permit) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.

(Reason: To ensure the amenity and state of the public domain is maintained.)

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

(Reason: To ensure public services are maintained.)

- 18. Land Boundary / Cadastral Survey.** As the 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.

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

(Reason: No encroachment of private works on public land).

- 19. Access Report.** The recommendations contained in the Access Report prepared by BCA Logic dated 7 August 2020 are to be complied with.

(Reason: Statutory requirement).

- 20. Ecologically Sustainability Design Report.** The Ecologically sustainable Design provisions contained in the ESD Report prepared by IGS dated 30 July 2020 are to be adhered to. The building is to be capable of achieving a base building of:

- 4- Star Green Star Design and As-Built v1.2 rating
- 4.5- Star NABERS Energy base building rating.

(Reason: DCP compliance)

- 21. Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the

person having the benefit of the development consent must, at the person's own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation, and
- (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.

(Reason: Statutory requirement).

22. **Signage – not approved unless shown on plans.** This consent does not authorise the erection of any signs or advertising structures not indicated on the approved plans. Separate approval must be obtained from Council for any additional signs, unless such signage is “exempt development”.

(Reason: To ensure signage is not erected without prior development approval).

23. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

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

24. **Hoardings.**

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

(Reason: To ensure public safety).

25. **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).

26. **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 that development occurs within the site boundaries).

27. **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).

28. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development. All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. All correspondence and approvals between the Applicant and utility authorities shall be provided to the Council in conjunction with engineering documentation for the stormwater drainage works prior to commencement of construction.

(Reason: Access to public utilities).

29. **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).

30. **Construction of waste room.** The waste room must be constructed in accordance with the Operational Waste Management Plan, Revision C, dated 3/8/2020 and inclusive of the following:
- (a) The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - (b) The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
 - (c) The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - (d) The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
 - (e) The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
 - (f) The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
 - (g) Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;

- (h) The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
- (i) The room must be provided with adequate artificial lighting; and
- (j) A hose cock must be provided in or adjacent to the room to facilitate cleaning.

(Reason: Ensure waste facilities are well provided).

31. **Paving to collection point.** The paving from the garbage room or waste storage area must be moderately graded so that the waste containers can be safely and easily manoeuvred to the collection point, alternative waste management system put in place.

(Reason: Ensure Waste facilities are adequately provided).

32. **Access for waste collection vehicles.** Safe easy access must be provided for waste collection vehicles to service the waste containers. The driveways and manoeuvring areas must be designed for maximum legal dimensions and weights and allow collection vehicles to enter and leave the premises in a forward direction.

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

(Reason: Ensure Waste facilities are adequately provided).

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

33. **Section 7.11.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council as follows:

A – Contribution Type

B – Contribution Amount

Community & Cultural Facilities	\$181,336.65
Open Space & Recreation Facilities	\$410,531.22
Roads & Traffic Management Facilities	\$213,241.93
Plan Administration	\$12,089.11
The total contribution is	\$817,198.91

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.

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).

34. **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 Certifying Authority prior to the issue of the **Construction Certificate**.

(Reason: Statutory requirement).

35. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the **Construction Certificate** for works which include structural certification.

(Reason: Statutory requirement).

36. **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).

37. **Infrastructure Restoration and Administration Fee** must be paid to Council in accordance with Council's Management Plan prior to the release of the **Construction Certificate**.

(Reason: Statutory requirement).

38. **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 Certifying Authority prior to the issuing of the **Construction Certificate**.

(Reason: Statutory requirement).

39. **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).

40. **Tree Planting - Location**. To reduce conflicts with tree roots and services infrastructure, tree specimens chosen for planting are to be excluded from the identified drainage easement which traverses the site and for a distance of two (2) metres to either side of such easement. In this regard, amended landscape documentation reflecting this change is to be submitted to Council's Landscape Team for review and approval prior to issue of Construction Certificate.

(Reason: To provide a guidance for tree schedule).

41. **Landscape Maintenance Plan**. To ensure the establishment of the overall landscape scheme, a plan relating to the establishment and ongoing management of proposed landscape areas is to be prepared as part of the plans and information for Construction Certificate. The plan is to provide detailed information as to how landscape areas are to be successfully established, stipulate an ongoing maintenance schedule for a specified time period of no less than twenty-four (24) months, provide details on the minimum standards to which these areas are to be maintained and describe actions to be undertaken if the landscape areas do not function as intended, including provisions for replacement planting should plant specimens fail within the identified maintenance period.

(Reason: To ensure the establishment and ongoing quality of the overall landscape scheme).

42. **Detailed site investigation report.** The proponent must submit a detailed site investigation report for Council's consideration. The detailed site investigation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use.

If remediation is required, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation work.

(Reason: Statutory requirement).

43. **Remediation of land.** The land must be remediated to the extent necessary for the proposed use and a copy of the site validation report must be submitted to Council for consideration. The site validation report must comply with the *Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997) and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work on the land until Council has confirmed in writing that it is satisfied that the land is suitable for the proposed use, without the need for further remediation.

(Reason: Statutory requirement).

44. **Notice of remediation work.** Before commencing remediation work written notice must be submitted to Council in accordance with clause 16 of *State Environmental Planning Policy No. 55 - Remediation of Land*.

(Reason: Statutory requirement).

45. **Remediation work.** All remediation work must be carried out in accordance with the requirements of:

- a) State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land
- b) any relevant guidelines published by the NSW Environment Protection Authority; and
- c) any council policy or development control plan relating to the remediation of land.

(Reason: Statutory requirement).

46. **Council may require site audit of validation report.** If requested by Council, a site audit statement and a site audit summary report from an accredited site

auditor under the *Contaminated Land Management Act 1997* must be submitted to Council verifying the information contained in the site validation report.

(Reason: Statutory requirement).

47. **Detailed Internal Layout Plan Required (Café – Building A).** The design and construction of all food / beverage preparation and storage areas associated with this proposal shall satisfy the requirements of the food safety standards prescribed under the *Food Act 2003 NSW*, as well as Australian Standard AS 4674 - 2004: 'Design, Construction and Fit-out of Food Premises'.

An internal floor plan / layout plan of the premises prepared by a draftsman/architect is required to be submitted and approved by Council's Environmental Health. This plan should be to a scale of 1:100, demonstrating the location of food preparation, storage (including cool room/s, freezer/s, dry and waste storage), dining and service area/s and details the construction materials to be used in the finishes of the premises and the location of specific fixtures, fittings and equipment, including:

- (a) surface finishes (walls, floors, ceilings) within the food preparation and storage areas
- (b) the proposed location of all cooking fixtures and equipment
- (c) the proposed location of food preparation benches;
- (d) the proposed location of any hot and cold storage
- (e) the location of all hand wash basin/s within all areas where food is handled and/or prepared. Hand wash basins are to be within 5m of where food handlers handle and prepare food
- (f) the location of wash up area/s, including the location and number of sink/s and/or commercial dishwasher to facilitate the washing and sanitising of food contact surfaces and equipment
- (g) the location of mechanical ventilation systems that complies with the requirements of AS1668
- (h) Illustrates the connection of floor waste to Sydney Water sewer.
- (i) The installation of a grease trap.

(Reason: Ensure the use comply with Health requirements).

48. **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 Certifying Authority prior to the release of the **Construction Certificate**.

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

49. **Stormwater Design Changes.** To ensure the level of impact to Trees 30, 191 & 277 is reduced to a sustainable level design changes to Storm water Plans are to be undertaken in consultation with a suitably qualified AQF Level 5 Arborist to reduce the level of impact that proposed large diameter piping and drainage swales are to impose upon the Tree Protection Zones (TPZs) and

Structural Root Zones (SRZs) of Trees 30, 191 & 277. Revised documentation is to be submitted to Council's Landscape Team and Stormwater Engineer for review and approval prior to issuance of Construction Certificate.

(Reason: To ensure the protection of trees).

50. **Flooding - Flood and Overland Flow Protection.** The property has been identified as being susceptible to flooding and overland flow during large storm events. In accordance with the floodplain management controls started within Council's DCP Part 8.2 (Stormwater and Floodplain Management), the following measures must be implemented in the development.

A certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- a) The applicant shall comply with the flood recommendations provided in the Flood Impact Statement (Revision 4) prepared by Cardno P/L dated 21/08/2021.

- b) The habitable floor levels of all dwellings encompassed under this approval must not be constructed less than the approved Flood Impact Statement (Revision 4) prepared by Cardno P/L dated 21/08/2021, except the commercial level freeboard requirement for development exposed to Medium Risk flood category, in which a freeboard of no less than 500mm is to be applied. Refer to the condition "Flooding – Freeboard Requirements.

- c) All electrical connections and flood sensitive equipment shall be located above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard.

Where it is not practical and feasible to install the equipment above the 1% AEP (100 year ARI) flood level plus 500 mm freeboard, the installations shall generally be in accordance with the recommendations in ABCB Construction of Buildings in Flood Hazard Areas (2012) Section C2.9 - Requirements for Utilities.

- d) All fencing shall be constructed in a manner that does not affect the flow of flood waters so as to detrimentally change flood behaviour or increase flood levels on adjacent properties.

To this end, any fencing angled to the anticipated overland flowpath must incorporate either louvres, open type pool fencing, frangible screen, battens or floodgate system, at the base of the fence, extending from the finished surface level up to the 1% AEP (100 year ARI) flood level plus 300 mm freeboard (minimum 300 mm from the ground).

- e) All basement carpark areas shall be designed to resist floodwater ingress for up to the Probable Maximum Flood (PMF) event. This includes protection of lifts, stairwells, ventilation shafts and other components which may otherwise create a water ingress risk.

A certificate from a suitably qualified Chartered Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority stating compliance with this condition prior to the issue of the Construction Certificate for the following items:

- a) All structures subject to flooding and overland flows must be constructed of flood compatible building components below the 1% AEP (100 year ARI) flood plus 500 mm freeboard.
- b) All structures subject to flooding and overland flows must be structurally designed to withstand the forces of floodwaters having regard to hydrostatic pressure, hydrodynamic pressure, the impact of debris and buoyancy forces up to the Probable Maximum Flood (PMF) event
- c) Any portion of the development which is to be suspended above the estimated flooding and overland flow must be designed and constructed to allow for the free passage of flood waters. To ensure that a clear flowpath is maintained for the life of the dwelling, the ground surface in the region of the undercroft must be stripped of vegetation, levelled and coated with blue metal (or similar aggregate) to prevent the growth of vegetation under the structure.

To ensure the area is maintained and kept clear, a placard is to be installed on the underside of the structure advising the undercroft is to be kept clear at all times to allow for the conveyance of overland flow during extreme storm events.

(Reason: to ensure flood protection measures are as per approved flood report).

51. **Stormwater - Council Easements – Building Foundation Clearances Detailed Design.** The footings and foundations of all proposed structures adjacent to the existing Council pipeline must extend a minimum depth to the angle of repose to the invert level of the existing stormwater pipe, to ensure that no additional load will be placed on the existing 1675 mm diameter Council stormwater pipe.

The applicant shall submit detailed design drawings and certificates to Council for written acceptance, prior to the issue of a Construction Certificate. The Principal Certifying Authority shall be notified of Council's written acceptance.

The submission shall address the following:

- a) Council's existing 1675 mm diameter pipeline through the development site must be physically located, at key points, via non-destructive method, surveyed by a registered surveyor and shown on the final construction drawings (including amended survey, architectural and civil design plans).
- b) A minimum horizontal clearance of 1.0 m is to be provided from the outside edges of the existing stormwater pipe to the proposed structures. All setbacks of the proposed structures including eaves of roof from Council's drainage lines shall be shown on the plans submitted.

- c) Detailed design drawings of the footings and foundations of the proposed structures shall be prepared by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent.
- d) A Structural Engineer's design certificate shall be prepared confirming the building structure and its foundations are designed in such a way that no building loads are transmitted to the stormwater conduit and that the conduit can be repaired at any time without affecting the stability of the building structure or its foundations.

(Reason: to ensure Council's stormwater assets are protected).

52. **Stormwater - Council Drainage - Reflux Valve.** A design certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, confirming that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 1% AEP (100 year ARI).

(Reason: To ensure no water from Council's Stormwater Drainage Network enters the site).

53. **Stormwater - Drainage Design Submission - Assessment Fee.** The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council prior to the issue of the Construction Certificate.

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

(Reason: to ensure relevant Council assessment fees are paid).

54. **Stormwater, Removable Pedestrian Bridge and Landscaping Plans - Drainage Design Submission.** Engineering drawings prepared by a Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) are to be submitted to, and approved by Council's City Works Directorate for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the Construction Certificate.

The design submission shall address the following:

- a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits

and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).

- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- c) The location and as-built information (including dimensions and invert levels) of the existing Council stormwater infrastructure shown on Civil Report prepared by TTW date 20/08/2021 is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
- f) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- g) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.
- h) Connection to existing 1675 diameter Council stormwater pipe to be done as per Council DCP Stormwater Technical Manual.
- i) Note: As part of Stage 2: Plans including details and removal process of the elevated pedestrian bridge over the existing easement shall be provided to Council City Works for review and approval. The pedestrian bridge shall have a removable section at least 2 meters wider than the easement (1 meter each side). The removable section shall be centered over the existing 1675mm diameter council pipe.
- j) Note: As part of Stage 2: Landscaping detailed plans shall be submitted demonstrating that no trees, or wooden roots planting is proposed over the stormwater easement.

(Reason: to ensure the Stormwater Civil Design complies with Council's and Australian Standards and has sufficient details to obtain construction certificate).

55. **Construction Pedestrian and Traffic Management Plan.** A Construction Pedestrian and Traffic Management Plan (CPTMP) 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 Traffic Control Plan(s) prepared by a SafeWork NSW accredited designer 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(s) and/or roadworks in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with relevant stakeholders undertaking such works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- 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: This condition is to ensure that a plan is prepared to address traffic impacts during construction to minimise any inconvenience and safety risks to the general public).

56. **Waste and Service Vehicle Access.** Access to the on-site loading bay area including ramp grades, transitions and height clearance shall be designed for safe forward in and forward out access of 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: This condition is intended to assist with the safety and efficiency of heavy vehicles entering and exiting the site).

57. **Ground Anchors.** The installation of permanent ground anchors into public roadway is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for consent must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
- a. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
 - b. the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval, and
 - c. the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors.

(Reason: To minimise the imposition of soil / rock anchors on the public domain.)

58. **Public domain improvements.** The public domain is to be upgraded along both Talavera Road and Khartoum frontages of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park. Public domain works to be delivered as part of stage 1 include works on the Talavera Road frontage (including extension of the existing right turn bay within Talavera Road to the immediate east of Khartoum Road). Public domain works shall include (but not limited to), traffic lane widths & lengths, paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

Public domain upgrade works along the Khartoum Road frontage of the development site are to be delivered as part of Stage 2, however, provisions must be made for adequate transition and coordination between new Stage 1 infrastructure and existing adjacent Council infrastructure.

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

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Layout of the intersection of Talavera Road and Khartoum Road showing the required civil upgrades for Stage 1 and Stage 2.
- (c) Street trees to be provided in accordance with the Macquarie Park Public Domain Technical Manual. The designated species are to be determined by Council's Landscape Architect.

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.

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

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

- (e) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category V3 and pedestrian luminance category PR2 along the Talavera Road frontage and intersection with Khartoum Road.

Subject to design, it is expected that seven (7) new street lights on multi-function poles (MFP) will be required along the Talavera Road frontage and intersection of Talavera Road and Khartoum Road. Lighting upgrades shall be in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

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

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

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments).

59. **Public Infrastructure Works – (Stage 1).** Public infrastructure works shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate prior to the issue of the Construction Certificate. The public domain design plans detailing the Stage 1 works must demonstrate compliance with the requirements of the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, DCP 2014 Part 8.2 - Stormwater Management and other relevant technical design standards (e.g. Austroads Guide to Road Design), where applicable.

The drawings shall include plans, sections, existing and finished surface levels, drainage pit configurations, kerb returns, existing and proposed signage and linemarking, and other relevant details for works along Talavera Road and its intersection at Khartoum Road to be delivered as part of Stage 1.

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

- (a) The road pavement works along the Talavera Road frontage of the development site in accordance with the City of Ryde DCP 2014 *Part 8.5 - Public Civil Works*. Works included within Stage 1 shall include any road pavement works required at the intersection of Talavera Road and Khartoum Road (See point g).

The final scope of road pavement works to be completed will be determined at the completion of the of the public domain works and subject to:

- (i.) Visual inspection of the road pavement surface to identify surface defects.
- (ii.) Review of condition of the sub surface road pavement layers. Non-destructive deflection testing of the existing road pavement should be carried out by a NATA accredited service provider with results demonstrating that the existing road pavement sub-grade meets the standards set out in the Austroads Pavement Design Guide.

The developer will be responsible for undertaking works required to rectify any surface defects or subgrade deficiencies identified.

- (b) The construction of new kerb and gutter along the Talavera Road frontage of the development site, In the case that new traffic management arrangements require the including any realignment of the kerb along the development frontage (as required). These works must reflected within the public domain works plans.
- (c) Construction of full width granite footway along the Talavera Road frontage and at the intersection of Talavera Road and Khartoum Road. Works must be completed in accordance with the City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park and the relevant Council standard drawings.
- (d) Upgrading of Council parking metres along the Talavera Road frontage in accordance with Council requirements.
- (e) Stormwater drainage installations in the public domain in accordance with the DA approved plans.

- (f) Signage and linemarking details.
- (g) Provide details of all design civil works specified within Condition - **Talavera Road Upgrades**, associated with extending the existing right turn bay along Talavera road to the immediate east of Khartoum Road to be delivered at Stage 1 to mitigate traffic impacts generated by the development. Full details of the works must be reflected within the public domain works plans.
- (h) Provide tree pits along the Talavera Road frontage to accommodate the required tree plantings in accordance the with City of Ryde Public Domain Technical Manual Chapter 6 – Macquarie Park and the relevant Council standard drawings.
- (i) The existing bus stop on the Talavera Road frontage of the site must be upgraded in accordance with Council requirements and the Disability Discrimination Act. Full details of the upgrade works are to be provided with the plans as well as a proposed arrangements for temporary relocation of the bus stop during the course of public domain works. Approval of any temporary relocation of the bus stop must be obtained by Sydney Buses.
- (j) Staging of the public civil works, if any, and transitions between the stages.
- (k) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.
- (l) Provide details of all proposed vehicular access points along the Talavera Road frontage as specified within Condition 61 titled 'Vehicle Footpath Crossing and Gutter Crossover'.

Notes:

1. The Applicant is advised to consider the finished levels of the public domain, including new or existing footpaths, prior to setting the floor levels for the proposed building.
2. Depending on the complexity of the proposed public domain works, the Council's review of each submission of the plans may take a minimum of six (6) weeks.
3. Prior to submission to Council, the Applicant is advised to ensure that the drawings are prepared in accordance with the standards listed in the City of Ryde DCP 2014 Part 8.5 - *Public Civil Works*, Section 5 "*Standards Enforcement*". A checklist has also been prepared to provide guidance, and is available upon request to Council's City Works Directorate.

4. City of Ryde standard drawings for public domain infrastructure assets are available on the Council website. Details that are relevant may be replicated in the public domain design submissions; however Council's title block shall not be replicated.
5. The above condition refers to public domain works to be delivered as part of Stage 1 of the development. Additional public domain works are to be delivered along the Khartoum Road frontage as part of Stage 2, to be specified under a future LDA.

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments and standards).

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

(Reason: Provision and upgrade of public assets and to ensure compliance with Council's relevant Planning Instruments and standards).

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

Prior to the issue of any Construction Certificate impacting the public domain works along the Stage 1 frontage of the site, an application shall be made to Council for approval under Section 138 of the Roads Act, 1993, for the construction of the vehicle footpath crossing and gutter crossover. The application shall include engineering design drawings of the proposed vehicle footpath crossing and gutter crossover.

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

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

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

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

(Reason: Improved access and public amenity).

62. **Public Domain Works – Defects Security Bond.** To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following completion of the development. The defects liability period shall commence from the date of issue by Council, of the Compliance Certificate for the External Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$150,000 shall be lodged with the City of Ryde prior to the issue of a Construction Certificate to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

(Reason: Ensure compliance with specifications)

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

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

(Reason: Ensure compliance with Council's requirements)

64. **Anticipated Assets Register - Changes to Council Assets.** In the case that public infrastructure improvements are required, the developer is to submit a listing of anticipated infrastructure assets to be constructed on Council land as part of the development works. The new elements may include but are not limited to new road pavements, new Multi-Function Poles (MFPs), new concrete or granite footways, new street trees and tree pits, street furniture, bus

shelters, kerb and gutter and driveways. This information should be presented via the Anticipated Asset Register file available from Council's Assets and Infrastructure Department. The listings should also include any assets removed as part of the works.

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

(Reason: Record of civil works)

65. **Electric vehicle charging.** At least 10% of the parking spaces at the basement level shall be provided with a minimum 'Level 2' charging point consisting of single or three-phase point with a power range of 7kW-22kW, as defined by NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019).

(Reason: Ensure transition to sustainable transport).

66. **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).

The main vehicle entry ramp into the basement of Building A must attain a crest threshold of RL45.50m (PMF level) prior to descent, so as to comply with the flood requirements in Council's DCP controls and the approved flood study. Accordingly the ramp grades, levels and driveway profile for this access must be amended to achieve this crest level.

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.

To ensure that service vehicles have sufficient headroom clearance when accessing loading bay areas, an accessway / ramp profile must be produced along the vehicle path of travel for all service vehicles. The plan must detail all levels and overhead clearances (allowing for services) along the vehicle path of

travel from the vehicle entry at the boundary to the loading bay area and must demonstrate that the required overhead clearance (SRV – 3.5m / MRV & HRV – 4.5m) is achieved along this path.

These amendment(s) must be clearly marked on the plans submitted to the Accredited Certifier prior to the issue of a Construction Certificate for Stage 1.

(Reason: To ensure the vehicle access and parking area is in accordance with the require standards and safe for all users.)

67. **Stormwater Management.** Stormwater runoff from Stage 1 of the development shall be collected and piped by gravity flow to the existing drainage service in the site, generally in accordance with the plans by TTW CONSULTING ENGINEERS (REFER TO JOB NO. 201142 DWGS C07 REV P4, C30 REV P4, C31 REV P1, C40 REV P5, C81 REV P4, C82 REV P3 AND C85 REV P3) subject to any variations marked in red on the approved plans or noted following;
The alteration or connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for a Construction Certificate for Stage 1 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 that the developments stormwater management system is aligned with the controls and objectives of the City of Ryde DCP 2014 Part 8.2)

68. **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 that the design of the OSD is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2)

69. **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: To ensure that the design of the pump system is compliant with the requirements of the City of Ryde DCP 2014 Part 8.2 and relevant Australian Standards.)

70. **Stormwater Management – Connection to Public Drainage System.**

Engineering plans detailing the connection of the developments stormwater management system to the public drainage service must be forwarded to Council and an inspection fee (as per Council's schedule of fees and charges current at the time of payment) must be paid to Council prior to the issue of the Construction Certificate.

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

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

(Reason: To ensure that the connection is in accordance with the City of Ryde 2014 DCP Part 8.2 and to Council's satisfaction.)

71. **Flooding – Freeboard Requirements.** The Stage 1 development works and future documentation required for the Stage 2 detailed Development Application must implement a freeboard of 500mm above floodwaters categorised as “Medium Risk”. This is warranted to correct an error in Council's 2014 DCP Part 8.2 (*Stormwater and Floodplain Management*) Technical Manual (Table 2.1) which appears to depict nil freeboard is required for such situations. Accordingly the following measures must be implemented in the development for Stage 1 to ensure that the lower ground floor tenancy is compliant with the freeboard requirements (note: despite the above, the immediate adjoining flooding is categorised as low risk and therefore the 300mm freeboard would apply);
- a) The southern most window panel fronting the terrace must incorporate a dwarf, impermeable wall no less than RL44.90m (300mm in height above floor level) so as to provide a crest threshold equivalent to the minimum freeboard requirements.
 - b) To prevent floodwater entering through the loading bay area south of the terrace, the accessway at the rear of the loading bay must attain a crest threshold of RL44.90m.

These requirements must be implemented on the plans submitted with the application for a Construction Certificate for Stage 1 works. All flood documentation for the detailed Development Application for Stage 2 must implement this freeboard requirement.

(Reason: To correct an error concerning freeboard requirements noted in Table 2.1 of the City of Ryde DCP 2014 Part 8.2 – Technical Manual.)

72. **Construction near Pipeline in Drainage Easement.** All footings for structures adjacent public drainage easement(s) shall be extended below the zone of influence of the foundation of services in the easement. The zone of influence is to extend from a point offset from the edge of the pipe by half the pipe diameter, at the depth of the pipe invert and extending upwards at the angle of repose for the given subsurface conditions. To demonstrate compliance with this requirement, cross section details prepared by a suitably qualified engineer, showing the new footing, the exact location and depth of the stormwater pipe in the easement and the resulting zone of influence are to be submitted with the application for a Construction Certificate.

(Reason: To ensure the development is not jeopardised by any potential maintenance works in the adjacent public drainage easement and that the services in the easement are not impacted by the development.)

73. **Geotechnical Design, Certification and Monitoring Program.** 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: To ensure there are no adverse impacts arising from excavation works.)

74. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction works for Stage 1. As a minimum, the scope of the report is to include;
- a) 12-38 Talavera Road (property to the east).

A copy of the dilapidation survey is to be submitted to the Accredited Certifier and Council prior to the release of the Construction Certificate.

(Reason: To clarify any claims of damage made by adjoining property owners.)

75. **Site Dewatering Plan.** 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: 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.)

76. **Services and Fire Hydrant Enclosure**
Prior to the issue of a Construction Certificate for works above Ground/Podium slab level, the Certifying Authority is to be provided with plans indicating that all Services (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like are enclosed in a manner that compliments the building and in accordance with the requirements of EP1.3 & EP1.4 of the BCA.

(Reason: To ensure essential services are appropriately screened)

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.

Prior to the commencement for the civil works and modification to the existing the signalised intersection Talavera Road / Khartoum Road, TfNSW Conditions 76 & 77 are to be complied with.

77. **TfNSW** .The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au.

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

(Reason: Statutory requirement).

78. **TfNSW**. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au.

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

(Reason: Statutory requirement).

79. **TfNSW** A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) for any works that may impact on traffic flows on Lane Cove Road and M2 Motorway during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

(Reason: Statutory requirement).

80. 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).

81. Excavation adjacent to adjoining land

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

(Reason: Statutory requirement).

82. Safety fencing. The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.

(Reason: Statutory requirement).

83. Tree Protection. To ensure suitable tree protection is in place prior to the commencement of any demolition/clearing works, all tree protection works including installation of any fencing is to be undertaken prior to any demolition or site clearing works on site.

(Reason: To ensure suitable tree protection is in place prior to the commencement of any demolition works).

84. Tree Protection Plan and Specification. So as to provide a suitable framework and guidance for tree protection prepared by a qualified professional, a dedicated and detailed Tree Protection Plan & Specification is to be prepared by a minimum AQF Level 5 consulting Arborist which provides

details and guidance as to how existing trees to be retained are to be protected during the demolition, excavation and construction works. This document is to be prepared prior to the commencement of any works and is to take into consideration all trees on site, on neighbouring property allotments and within the public domain which may be affected by the proposal.

(Reason: To provide a suitable framework and guidance for tree protection prepared by a qualified professional).

85. **Project Arborist.** A To ensure a suitably qualified Arborist is appointed and made responsible for the protection of trees, a Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on the subject site and neighbouring allotments in accordance with AS4970-2009 Protection of trees on development sites and the Arboricultural Impact Assessment prepared by Eco Logical dated 1st September 2021. All trees are to be monitored to ensure adequate health throughout the construction period is maintained. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction. Details of the Project Arborist are to be submitted to Council prior to the commencement of construction.

(Reason: To ensure a suitably qualified Arborist is appointed and made responsible for the protection of trees).

86. **Excavation within TPZ .** To ensure all excavation works do not result in damage to existing tree roots Any excavation or grading/re-grading within the identified TPZs of trees to be retained shall be carried out by hand using manual, non-motorised hand tools. Roots greater than 25mm are not to be damaged or severed without the prior written approval of the Project Arborist.

(Reason: To ensure excavation works associated with services installation do not result in damage to existing tree roots).

87. **Fill Requirements. To ensure any fill to be placed within root zones is of a suitable type to minimise impacts to existing trees.** All fill to be placed within the Tree Protection Zones of neighbouring trees is to be gap graded structural soils which allows for gaseous exchange and future root growth. The Project Arborist is to confirm suitability of the proposed material prior to installation.

(Reason: To ensure any fill to be placed within root zones is of a suitable type to minimise impacts to existing trees).

88. **Root Pruning.** Where root pruning is required, roots shall be severed with clean sharp pruning implements and retained in a moist condition during the construction phase using hessian material or mulch where practical. Severed roots shall be treated with a suitable root growth hormone.

(Reason: To minimise impacts to existing trees).

89. **Construction Management Sub-Plans.** Prior to the commencement of construction, the applicant must develop and submit the following Construction Management Sub-Plans to Council Environmental Health in accordance with the Construction Management Plan dated 30 July 2020:

- (a) Construction Noise and Vibration Management Plan prepared by a suitably qualified and experienced acoustical expert describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) and measures to be implemented to manage high noise generating works detailed in section 4.2 of the Construction Management Plan;
- (b) Air Quality Management Plan
- (c) Waste Management Plan
- (d) Stormwater & Sediment Control Plan

(Reason: To ensure amenity for future user of the buildings).

90. **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 Assets and Integration 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: to verify the pre-construction condition of Council's asset/s.).

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

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

(Reason: to verify the structural integrity of the pit.).

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

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

(Reason: Ensure compliance and record of works)

93. **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: Ensure compliance and record of works)

94. **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: Ensure compliance and communicate Council's requirements)

95. **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 Council's infrastructure)

96. **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: Legal requirement)

97. **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: Ensure public amenity and safety)

98. **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: Ensure compliance)

99. **Hold Points and Certification.** The Tree Protection Schedule provides a logical sequence of hold points for the various development stages including pre-construction, construction and post construction. It also provides a checklist of various hold points that are to be signed and dated by the Project Arborist. This is to be completed progressively and included as part of the final certification. A copy of the final certification is to be made available to Ryde City Council on completion of the project.

Hold Point	Task	Responsibility	Certification	Timing of inspection
1	Indicate clearly (with	Principal Contractor	Project Arborist	Prior to demolition and site establishment

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

(Reason: To ensure suitable tree protection is in place prior to the commencement of any demolition works).

DURING CONSTRUCTION

Unless otherwise specified, the following conditions in this Part of the consent must be complied with at all times during the construction period. Where applicable, the requirements under previous Parts of the consent must be implemented and maintained at all times during the construction period.

100. **Critical stage inspections.** The person having the benefit of this consent is required to notify the Principal Certifying Authority during construction to ensure that the critical stage inspections are undertaken, as required under clause 162A(4) of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: Statutory requirement).

101. **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: To protect the amenity of the neighbourhood).

102. Implementation of Construction Pedestrian and Traffic Management Plan.

All construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP). All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate 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: This condition is to ensure that the measures/protocols stated in the approved CPTMP are carried out by the builder during construction).

103. Survey of footings/walls. All footings and walls within 1 metre of a boundary must be set out by a registered surveyor. On commencement of brickwork or wall construction a survey and report must be prepared indicating the position of external walls in relation to the boundaries of the allotment.

(Reason: To ensure that the development is in accordance with the determination).

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

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

- a) Prior to the commencement of construction and following the set-out on site of the position of the civil works to the levels shown on the approved civil drawings.
- b) Upon excavation, trimming and compaction to the subgrade level - to the line, grade, widths and depths, shown on the approved civil engineering drawings.
- c) Upon compaction of the applicable sub-base course.

- d) Upon compaction or construction of any base layers of pavement, prior to the construction of the final pavement surface (e.g. prior to laying any pavers or asphalt wearing course).
- e) Upon installation of any formwork and reinforcement for footpath concrete works.
- f) Final inspection - upon the practical completion of all civil works with all disturbed areas satisfactorily restored.

(Reason: Ensure compliance with relevant standards)

105. **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: To ensure fill is consistent with the consent).

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

(Reason: To ensure the public domain is not affected during construction).

107. **Site Facilities**

The following facilities must be provided on the site:

- (a) toilet facilities in accordance with Safework NSW requirements, at a ratio of one toilet per every 20 employees, and
- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

(Reason: Statutory requirement).

108. **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: To ensure the site is appropriately maintained during construction).

109. **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).

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

(Reason: To facilitate the proposed construction works).

111. **Traffic Management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities.

(Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.)

112. **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: To prevent soil and sediment spill in the public domain.)

113. **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 TTW CONSULTING ENGINEERS (REFER TO JOB NO. 201142 DWGS C07 REV P4, C30 REV P4, C31 REV P1, C40 REV P5, C81 REV P4, C82 REV P3 AND C85 REV P3) 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: To ensure the stormwater system is constructed as approved)

114. **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 by TTW CONSULTING ENGINEERS (REFER TO JOB NO. 201142 DWGS C11 REV P4 & C12 REV P4) 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: To prevent soil erosion and the discharge of sediment over the land.)

115. **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: To ensure that the excavation works are undertaken appropriately throughout the period of construction.)

116. **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: To ensure that site dewatering is undertaken appropriately throughout the period of construction.)

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.

117. **Voluntary Planning Agreement (VPA).** The applicant is to comply with the VPA obligations for Stage 1, entered into between Council City of Ryde (Council) and The Trust Company Ltd, as referred to in the deferred commencement condition (A) (1).

(Reason: Statutory requirement).

118. **Landscaping.** All landscaping works approved by Condition 1 for Stage 1 are to be completed prior to the issue of the **Occupation Certificate** for Stage 1.

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

119. **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: Statutory requirement).

120. **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 any 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: Statutory requirement).

121. **Electric vehicle charging.** The certifier shall ensure that 10% of the basement parking spaces have been provided with electric vehicle charging points.

(Reason: Ensure transition to sustainable transport).

122. **Car Parking and Servicing Management Plan.** A Car Parking and Servicing Management Plan is to be submitted detailing the servicing/delivery area for the Building A with regards to safety for vehicles and trucks using the area. The plan should include appropriate signage and timing for delivering by larger trucks.

(Reason: This condition to assist with minimising the impact of site servicing activities primarily associated with deliveries on the surrounding public roads).

123. **Loading Dock Management Plan.** A Loading Dock Management Plan shall be prepared by a suitably qualified traffic engineering consultant and submitted to Council's Transport Department for review, prior to the issue of any Occupation Certificate.

The Plan will need to demonstrate how the internal loading dock will be managed to ensure servicing arrangements including waste collection will be wholly accommodated within the site without interfering with the safety of all road users and the efficiency of traffic movements on the public road (including verge). Vehicle queuing on any public road is not permitted.

All fees and charges associated with the review of this plan are to be paid in accordance with Council's latest Schedule of Fees and Charges.

(Reason: This condition is intended to assist with minimising the impact of site servicing activities primarily associated with deliveries and refuse collection on the surrounding public roads).

124. **Vehicle Footpath Crossing and Gutter Crossover – Construction.** The proposed vehicle footpath crossing and gutter crossover shall be constructed prior to the issue of any Occupation Certificate at no cost to Council. Works may include the removal of any redundant vehicle footpath crossing and gutter crossover and reinstatement of kerb and gutter and restoration of road pavement.

Any adjustment or relocation of underground utilities as a result of the driveway construction must be carried out in accordance with the requirements of the utility authority. Minimum cover requirements of utility authorities must be maintained.

(Reason: Improved access and public amenity).

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

(Reason: Ensure Compliance)

126. **Restoration – Supervising Engineer's Certificate.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 *Public Civil Works*, or the Roads and Maritime Services' standards and specifications, where applicable.

(Reason: Ensure public safety and protection of infrastructure)

127. **Electricity accounts for new street lighting.** Prior to the issue of any Occupation Certificate, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.

(Reason: Public amenity and safety)

128. **Compliance Certificates – Street Lighting.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a *Certificate of*

Compliance - Electrical Work (CCEW) from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: Ensure Compliance)

129. **Compliance Certificate – External Landscaping Works.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.

(Reason: Ensure Compliance)

130. **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. In the case that there are any significant deviations from the approved plans, which Council has been consulted upon and agreed to in writing, these deviations will still need to be captured by the plans, however will not be categorised as defects. Any deviations or defects highlighted by the plans, other than those previously reviewed by and accepted by Council must be addressed and rectified by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.

In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.

(Reason: Record of Completed Works)

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

(Reason: Ensure Compliance and no encroachments)

132. **Supervising Engineer Final Certificate.** Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of

Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.

(Reason: Ensure Compliance)

133. **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 External Works and Public Infrastructure Restoration.

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

(Reason: Protection of public assets)

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

(Reason: Ensure compliance for protection of public assets)

135. **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: Ensure Compliance)

136. **Compliance Certificate – External Works and Public Infrastructure Restoration.** Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

(Reason: Ensure Compliance)

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

(Reason: Public amenity and safety)

138. **Framework Travel Plan (FTP).** A final FTP is to be submitted and approved by Council for each of Stage 1 of the development. The FTP is to include site-specific measures to promote and maximise the use of sustainable travel modes, including walking, cycling, public transport and car sharing. The Final Travel Plan for Stage 1 is to be submitted to Council for review prior to the issue of any Occupation Certificate for Stage 1.

The FTP is to include:

- (i) Strategies and procedures aiming for a 60% public transport/40% private transport target for the development for journey-to-work trips, to minimise

drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor.

- (ii) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the 60% public transport/40% private transport target for the development for the journey-to-work.
- (iii) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-site-links where required.
- (iv) Supportive infrastructure for:
 - Public transport passengers (bus shelter and passenger waiting areas) to be provided to service the additional demand from the development or meet relevant mode share targets for the development.
 - Carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development.
- (v) Walking and cycling (lockers and end-of-trip facilities).

(Reason: DCP compliance)

139. **Certification of fit-out work.** Where Council is not the Principal Certifying Authority, the PCA must inspect the completed fit-out and issue a compliance certificate certifying that the fit-out complies with Food Safety Standard 3.2.3: *Food Premises and Equipment* and Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*, and a copy of the compliance certificate must be submitted to Council, before the issue of an Occupation Certificate.

(Reason: To ensure construction and fit-out of the premises meets relevant public health standards.)

140. **Positive Covenant - Overland Flow.** A positive covenant shall be created for the existing overland flow path through the subject site, under Section 88E of the Conveyancing Act 1919. All associated costs shall be borne by the applicant.

This is to place a restriction on the title that the overland flow path and flood storage areas are maintained and kept free of debris/weed to allow unobstructed passage of overland flow of water through the site.

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

(Reason: To ensure the overland flow and flood storage areas are maintained and unobstructed).

141. **Flooding – Engineering Compliance Certificate.** A certificate from a suitably qualified Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Occupation Certificate, confirming that all requirements of condition “*Flooding - Flood and Overland Flow Protection*” have been satisfied.

The qualified and practising Chartered Professional Civil Engineer (CPEng) or Registered Professional Civil Engineer (RPEng) shall have experience in the area respective of the certification unless stated otherwise.

(Reason: To ensure that all flood and overland flow protection requirements are satisfied).

142. **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 Assets and Integration 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: to verify the post-construction condition of Council’s drainage assets).

143. **Signage and Linemarking – External.** Any alterations to the public domain that results in a change to the parking and traffic conditions requires a signage and linemarking plan prepared by a suitably qualified traffic engineering consultant to

be submitted to Council for endorsement by Ryde Traffic Committee and subsequent approval by Council, prior to the issue of any Occupation Certificate.

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

(Reason: This condition is to ensure that changes to the traffic and parking conditions within the surrounding public road network as a consequence of the development is appropriately managed to minimise the impact to public safety and amenity).

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

(Reason: This condition is to ensure that the works outlined in the approved signage and linemarking plan are installed, prior to the development being occupied).

145. **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 clarify the configuration of the completed stormwater management system.)

146. **Stormwater Management – Positive Covenant(s).** A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. The terms of the instrument are to be in accordance with the Council's standard for the relevant systems and are to be to the satisfaction of Council. To assure Council the construction of the stormwater management system has been completed, stormwater Works-As-Executed plans and certification of the system are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The positive covenant must be registered on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

(Reason: 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).)

147. **Drainage System Maintenance Plan.** 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: To ensure the approved stormwater components such as onsite detention system , pumps and WSUD measures, function as designed for the ongoing life of the development)

148. **Restriction as to User - Floodway.** A restriction as to user is to be placed on the property title to prevent any works which would result in the alteration of the ground surface level or impose on overland flow due to stormwater runoff in the 100ARI, such to adversely impact flood protection of the approved dwelling or have an adverse impact on neighbouring properties. The terms of the restriction shall be generally in accordance with Council's current standard terms for provision for overland flow and to the satisfaction of Council. To assure Council the completed development works are consistent with the approved development and associated flood conditions, Works-As-Executed plans and/ or engineering certification related to any flood mitigation measures are to be submitted to Council with a completed "Application Form for Endorsement of Title Encumbrances" (available from Council's website). The covenant must be registered on the title prior to the release of any Occupation Certificate for the development works.

(Reason: To ensure that the site topography and any flood mitigation measures are maintained for the ongoing life of the development)

149. **Engineering Compliance Certificates.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to the Accredited Certifier prior to the release of any Occupation Certificate. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
- a) Confirming that all components of the parking areas contained inside the site comply with the relevant components of AS 2890 and Council's DCP 2014 Part 9.3 (Parking Controls).
 - b) Certification from an Engineer specialising in Flood and Overland Flow analysis that the finished surface levels and the habitable floor levels have been constructed in accordance with this development consent, that the overland flow path has been maintained as designed and that the requirements of any condition related to flooding have been satisfied.
 - c) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
 - d) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
 - e) Confirming that the connection of the site drainage system to the trunk drainage system complies with Section 4.7 of AS 3500.3 - 2003 (National Plumbing and Drainage Code), the relevant sections of the Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures and any requirements of Council pending on site conditions.
 - f) Confirming that the footings adjacent to drainage easements are founded below the zone of influence of this infrastructure, in accordance with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures.
 - g) Confirming that erosion and sediment control measures were implemented during the course of construction and were in accordance with the manual *"Managing Urban Stormwater: Soils and Construction"* by the NSW Department – Office of Environment and Heritage and Council's DCP 2014 Part 8.1 (Construction Activities).
 - h) Certification from a suitably qualified structural or geotechnical engineer confirming that any temporary soil/ rock anchors installed into public roadway, have been de-stressed and are no longer providing any structural support.
 - i) Certification from a suitably qualified geotechnical engineer confirming that the Geotechnical Monitoring Program (GMP) was implemented throughout the course of construction and that all structures supporting neighbouring property have been designed and constructed to provide appropriate support of the neighbouring property and with consideration to any temporary loading

conditions that may occur on that site, in accordance with the relevant Australian Standard and building codes.

- j) Compliance certificate from Council confirming that all external works in the public road reserve and alteration to Council assets located in the property have been completed to Council's satisfaction.

(Reason: To ensure that all engineering components are completed to the satisfaction of an appropriately qualified person, prior to occupation or use of the development.)

150. **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: To ensure that owners of the site are aware of the location of the onsite detention system and the need to maintain the system over the life of the development.)

151. **Parking Area Linemarking and Signage.** Traffic measures such as 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: To ensure the safe and efficient circulation of traffic and access to parking areas from the public road.)

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.

152. **Parking Allocation.** Both the owner and occupier of the development must provide and maintain the parking allocation for Stage 1 as follows;

- A maximum of 208 commercial parking spaces, inclusive of 5 Carshare parking spaces
- 7 Retail parking spaces, and
- 21 bicycle parking spaces.

(Reason: To ensure the development maintains the capacity and allocation of parking spaces on the site.)

153. **Stormwater Management – Implementation of maintenance program.** The stormwater management system components are to be maintained for the

ongoing life of the development by the landowner, as per the details in the approved drainage system maintenance plan (DSMP).
(Reason: To ensure the stormwater management system is appropriately maintained for the life of the development.)

154. **Car Share Parking.** The following requirements must be implemented for the ongoing serviceable life of the development;
- a) The car share vehicles are to be managed by the site manager or reputable operator.
 - b) Car share parking spaces must be clearly designated and linemarked in the development so as to prevent inadvertent use of the space by other drivers when the car share vehicle is in use.
 - c) The development must install signage to direct and guide car share users to the car share vehicle location. Where access to the location is restricted, details of the access procedure must be available to members of the car share scheme.
 - d) Car share vehicles must be parked on site when not in use.
 - e) Must be retained as Common Property by any future strata subdivision of the development lot.

(Reason: To ensure the implementation of Car Share vehicles is maintained as approved and these are retained for the serviceable life of the development.)

155. **Flood Emergency Response Matters.** The development must at all times comply with the recommendations made within the Flood Emergency Response Plan (FERP) formulated as part of the Occupation Certificate for the proposed development.

Implementation and maintenance of the FERP shall be the responsibility of building management and all owners, tenants and users of the building must be made aware of the FERP. FERP shall include details of the proposed 'on-site' refuge area. Permanent signage shall be installed in the common areas informing the future occupants of the emergency evacuation procedures and refuge areas.

(Reason: to ensure Flood Emergency Response Plan is in place during and after construction is completed)

156. **Implementation of Loading Dock Management Plan.** All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) is not permitted.

(Reason: This condition is to ensure that the measures outlined in the approved loading dock management plan is implemented).

157. **Registration of premises.** The operator of the business must register the premises with Council's Environmental Health Unit before trading commences.

(Reason: Compliance with the requirements of the Food Act)

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

(Reason: DCP compliance).

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

(Reason: DCP compliance).

160. **Recyclable wastes** - Wastes for recycling must be stored in separate bins or containers and be transported to a facility where the wastes will be recycled or re-used.

(Reason: DCP compliance).

161. **Maintenance of waste storage areas** - All waste storage areas must be maintained in a clean and tidy condition at all times.

(Reason: To ensure the Waste collection area is well maintained).

162. **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: To ensure the development does not impact on the amenity of the locality).

163. **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*.

(Reason: To protect the amenity of the neighbourhood).

164. **Wayfinding Signage.** Directional signage shall be provided throughout the development. The signage is to be clear, legible and useful, to aid way finding throughout the site and for entry to Building A. Signage shall be provided at the entry/exit points and throughout the development to assist users.

(Reason: To ensure wayfinding on site.)

165. **CCTV Cameras.** CCTV cameras will be required to be installed throughout the site. The cameras should include the foyer area to the buildings. The cameras should also monitor the immediate vicinity outside the building. CCTV cameras should also cover any communal areas, lifts, public spaces and pedestrian link. Recordings should be made twenty four (24) hours a day seven (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 police, the applicant is to archive any recording 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 premise and only accessible by authorised personnel. If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.

Details demonstrating compliance are to be submitted to the-Crown Certifier prior to occupation.

(Reason: For security and safety).

166. **Graffiti.** All surfaces on the ground level that are not glass should use graffiti resistant paints and/or other surfaces that discourage graffiti. A maintenance policy should be established for graffiti to be painted over within two a week of the graffiti.

(Reason: To ensure that the area is well maintain).

167. **Lighting.** Lighting is to be provided around the areas of the entrances, driveway, pedestrian pathways, communal areas and opens space of Building A should be well lit and sensor lighting should be installed into these areas 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: To ensure the safety of occupants and people in the general vicinity).

168. **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: To ensure appropriate security is provided within the development).

169. **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: To ensure appropriate security is provided within the building).

170. **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: BCA requirement).

End of Conditions