

Attachment 1: Conditions of Consent

PART 1 - The following are the Deferred Commencement condition(s) imposed pursuant to Section 4.16(3) of the Environmental Planning & Assessment Act 1979.

- (A) Pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent is granted to LDA2020/0433 subject to the following conditions of consent:
1. **Bus Stop and Bus Zone Modification/Relocation.** Any modification and/or relocation of the existing bus stop and bus zone along the western side of Khartoum Road along the site frontage required to facilitate vehicular access to the development site requires approval from the State Transit Authority of NSW (STA) and Council. The Applicant must submit a signage plan providing details of the proposed changes to the existing bus stop and bus zone as well as any changes to the current parking arrangements within Khartoum Road and any other public roads to STA and Council for review and approval.
 - (B) The consent or permit identified in deferred commencement condition (A) (1) above must be obtained twelve (12) months 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) above has been satisfied.

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

PART 2 - The conditions in the following sections of this consent shall apply upon satisfactory compliance with the above requirements and receipt of appropriate written confirmation from Council.

GENERAL

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

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

Document Description	Date	Plan No/Reference
Coversheet	24 June 2021	Drawing No. DA10_000. Rev B
Location Plan	30 August 2020	Drawing No. DA12_00. Rev B

Document Description	Date	Plan No/Reference
Site Plan	19 May 2021	Drawing No. DA12_01. Rev C
Site Analysis	30 August 2020	Drawing No. DA12_02. Rev A
Building Separation Plan	30 August 2020	Drawing No. DA12_03. Rev A
Demolition Plan	30 August 2020	Drawing No. DA13_00. Rev A
Lower Ground Plan	19 April 2021	Drawing No. DA20_01. Rev B
Upper Ground Plan	19 April 2021	Drawing No. DA20_02. Rev B
Level 1 Plan	19 April 2021	Drawing No. DA20_03. Rev A
Level 2-13 Typical Commercial Floor Plan	19 April 2021	Drawing No. DA20_04. Rev A
Level 6 (Set-in Floor) Plan	30 August 2020	Drawing No. DA20_05. Rev A
Level 9 (Set-in Floor) Plan	30 August 2020	Drawing No. DA20_06. Rev A
Roof Terrace & Plant	30 August 2020	Drawing No. DA20_07. Rev A
Roof Plan	30 August 2020	Drawing No. DA20_08. Rev A
Basement 1 Plan	30 August 2020	Drawing No. DA20_B1. Rev A
Basement 2 Plan	30 August 2020	Drawing No. DA20_B2. Rev A
Basement 3 Plan	30 August 2020	Drawing No. DA20_B3. Rev A
GFA Plans	30 August 2020	Drawing No. DA20_00. Rev A
GFA Plans	30 August 2020	Drawing No. DA20_01. Rev A
South Elevation	30 August 2020	Drawing No. DA30_01. Rev A
West Elevation	30 August 2020	Drawing No. DA30_02. Rev A
North Elevation	30 August 2020	Drawing No. DA30_03. Rev A
East Elevation	30 August 2020	Drawing No. DA30_04. Rev A
Longitudinal Section	30 August 2020	Drawing No. DA40_00. Rev A
Cross Section	30 August 2020	Drawing No. DA40_01. Rev A
Shadow Diagrams	30 August 2020	Drawing No. DA50_01. Rev A
Shadow Diagrams	30 August 2020	Drawing No. DA50_02. Rev A
Shadow Diagrams	30 August 2020	Drawing No. DA50_03. Rev A
Shadow Diagrams	30 August 2020	Drawing No. DA50_04. Rev A
Landscape Cover	21 June 2021	Drawing No. DA-LA-8001. Rev C
Landscape Site Plan	21 June 2021	Drawing No. DA-LA-8002. Rev C
Landscape Lower Ground Floor Plan	28 August 2020	Drawing No. DA-LA-8003. Rev A
Landscape Upper Ground Floor Plan	21 June 2021	Drawing No. DA-LA-8004. Rev C
Landscape Roof Terrace	28 August 2020	Drawing No. DA-LA-8005. Rev A
Landscape Diagrams	28 August 2020	Drawing No. DA-LA-8006. Rev A
Landscape Diagrams	21 June 2021	Drawing No. DA-LA-8007. Rev C
Landscape Sections	28 August 2020	Drawing No. DA-LA-8008. Rev A

Document Description	Date	Plan No/Reference
Landscape Sections	28 August 2020	Drawing No. DA-LA-8009. Rev A
Landscape Details	28 August 2020	Drawing No. DA-LA-80010. Rev A
Public Domain Plan	7 October 2020	Drawing No. DA-LA-8101. Rev A
Public Domain Details	7 October 2020	Drawing No. DA-LA-8102. Rev A
Public Domain Details	7 October 2020	Drawing No. DA-LA-8103. Rev A
Environmental Wind Tunnel Study (prepared by SLR)	August 2020	Rev. 1.0
Acoustic Report (prepared by Wilkinson Murray)	24 August 2020	Project No. 16315
Geotechnical Report (Prepared by PSM)	6 April 2020	Project No. PSM3411-104L
Accessibility Report (Prepared by Morris Goding Access Consultants)	25 August 2020	Rev. Final
Environmental Site Assessment (Prepared by JBS & G)	15 October 2020	Project No: 59763/133,102
Remedial Action Plan (Prepared by JBS & G)	16 October 2020	Project No: 59763/133,139
CPTED Report (Prepared by Urbis)	August 2020	Project No: P0024020
Site Waste Minimisation and Management Plan (Prepared by SLR)	August 2020	-
Sustainability Report (Prepared by RENYi)	12 June 2020	Rev. 1
Green Star Specification Report (Prepared by RENYi)	12 June 2020	Rev.1

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **Planning Agreement.** The Planning Agreement between The Trust Company Limited and the City of Ryde Council entered into on 27 March 2019 applies to the development. The development is to be consistent with the terms of that Planning Agreement.

4. **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”.
5. **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.
6. **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.
7. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council’s 2014 DCP Part 8.5 (Public Domain Works), except otherwise as amended by conditions of this consent.
8. **Public Utilities and Service Alterations.** All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant’s expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Ausgrid, Sydney Water, Telstra, TfNSW, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.
9. **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.
10. **Road Opening Permit.** In accordance with the requirements of the Roads Act, the applicant must obtain consent (*Road opening Permit*) from Council prior to any excavation being undertaken in the road reserve (this includes verge and public footpath areas). No works shall be carried out in the road reserve without this permit being paid and a copy kept on the site.
11. **Traffic Management.** Traffic management procedures and systems must be in place and practised during the construction period to ensure safety and minimise the effect on adjoining pedestrian and vehicular traffic systems. These procedures and systems must be in accordance with AS 1742.3 - 2019 and Part 8.1 of City of Ryde Development Control Plan 2014: Construction Activities.

- 12. Construction Staging.** For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.
- 13. Public areas and restoration works.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.
- 14. Land Boundary/Cadastral Survey.** If any design work relies on critical setbacks from land boundaries, it is a requirement that a land boundary/cadastral survey be undertaken to define the land.
- The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.
- 15. Development to be within site boundaries.** The development must be constructed wholly within the boundaries of the premises. No portion of the proposed structure shall encroach onto the adjoining properties.
- 16. Remediation work.** All remediation work must be carried out in accordance with the requirements of:
- a) State Environmental Planning Policy No. 55 - 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.

DEMOLITION CONDITIONS

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

A Construction Certificate is not required for Demolition.

- 17. Provision of contact details/neighbour notification.** At least 7 days before any demolition work commences:
- a) Council must be notified of the following particulars:
 - I. The name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - II. The date the work is due to commence and the expected completion date

- b) A written notice must be placed in the letter box of each property identified in the attached locality plan advising of the date the work is due to commence.

- 18. Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
- 19. Demolition Pedestrian and Traffic Management Plan.** A Demolition Pedestrian and Traffic Management Plan (DPTMP) shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to the commencement of any demolition work.

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

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

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

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. The DPTMP is to be adhered to at all times during the project.
- iii. Specify that all demolition vehicles are to enter & exit the site and/or work zone in a forward direction.
- iv. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- v. Specify the number of truck movements to and from the site during the demolition phase of the works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site is not permitted unless approved by City Works Directorate.
- vi. Include a Traffic Control Plan(s) prepared by a TfNSW/SafeWork NSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vii. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.

- viii. Specify that a minimum fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measures.
- ix. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes, structures proposed on the footpath areas (hoardings, scaffolding or temporary shoring) and extent of tree protection zones around Council street trees.
- x. Take into consideration the combined construction activities of other developments/projects in the surrounding area. To this end, the consultant preparing the DPTMP must consult with relevant stakeholders undertaking major construction works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities. These communications must be documented and submitted to Council prior to work commencing on site.
- xi. Specify spoil management process and facilities to be used on site.
- xii. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xiii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of City of Ryde *Development Control Plan 2014: Construction Activities*.

20. Implementation of Demolition Pedestrian and Traffic Management Plan. All works and demolition activities are to be undertaken in accordance with the approved Demolition Pedestrian and Traffic Management Plan (DPTMP). All controls in the DPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW' (TfNSW) accreditation. Should the implementation or effectiveness of the DPTMP be impacted by surrounding major development not encompassed in the approved DPTMP, the DPTMP measures and controls are to be revised accordingly and submitted to Council's Transport Department for approval. A copy of the approved DPTMP is to be kept onsite at all times and made available to the accredited certifier or Council on request.

21. Excavation.

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

- b) A Demolition Work Method Statement must be prepared by a licensed demolisher who is registered with Safework NSW in accordance with AS 2601-2001: The Demolition of Structures, or its latest version. The applicant must provide a copy of the Statement to Council prior to commencement of demolition work.
- 22. Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
- 23. Disposal of demolition waste.** All demolition waste must be transported to a facility or place that can lawfully be used as a waste facility for those wastes.
- 24. Identification and removal of hazardous materials.** Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner in accordance with the Site Waste Minimisation and Management Plan prepared by SLR, dated August 2020.
- 25. Asbestos.** Where asbestos is present during demolition work, the work must be carried out in accordance with the guidelines for asbestos work published by Safework NSW.
- 26. Asbestos – disposal.** All asbestos wastes must be disposed of at a landfill facility licensed by the New South Wales Environmental Protection Authority to receive that waste. Copies of the disposal dockets must be retained by the person performing the work for at least 3 years and be submitted to Council on request.
- 27. Contaminated soil.** All potentially contaminated soil excavated during demolition or construction work must be stockpiled in a secure area and be assessed and classified in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) before being transported from the site.
- 28. Surplus excavated material.** All surplus excavated material must be disposed of at a licensed landfill facility, unless Council approves an alternative disposal site.
- 29. Imported fill.** All imported fill must be validated in accordance with the Contaminated Sites Sampling Design Guidelines (EPA, 1995) by an experienced environmental consultant, and a copy of the validation report must be submitted to the Principal Certifying Authority (and Council, if Council is not the PCA) before the fill is used.

PRIOR TO CONSTRUCTION CERTIFICATE

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

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

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

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

- 30. Planning Agreement.** The applicant is to provide the public benefits and securities as outlined in the terms and conditions of the Planning Agreement entered into on 27 March 2019 relating to the land the subject of this consent.

Note: No Construction Certificate is to be issued until Council has verified the payment of monetary contributions as required by Clause 3.2 of the Planning Agreement dated 27 March 2019 has been made.

- 31. Wind.** The development is to comply with all recommendations of the Environmental Wind Tunnel Study prepared by SLR (dated August 2020). Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
- 32. Acoustic Requirements.** The development is to comply with all recommendations of the Acoustic Assessment prepared by Wilkinson Murray (dated 24 August 2020). Details are to be noted on the plans submitted with the relevant **Construction Certificate**.
- 33. Accessibility Report.** The development is to comply with the requirements contained in the Accessibility Report prepared by Morris Goding Access Consulting, dated 25 August 2020 (Rev. Final) and all other relevant BCA access requirements. Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
- 34. CPTED Report.** The development is to comply with the requirements contained in the CPTED prepared by Urbis, dated August 2020 (Rev. P0024020). Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
- 35. Sustainability Report.** The development is to comply with the requirements contained in the Sustainability report prepared by RENYi, dated 12 June 2020 (Rev. 1). Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
- 36. Green Star Specification Report.** The development is to achieve 5 star Greenstar Design and As-built as noted in the Sustainability report prepared by RENYi, dated 12 June 2020 (Rev. 1). Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.

37. **Environmental Site Assessment Report.** The development is to comply with the requirements contained in the Environmental Site Assessment Report prepared by JBS & G, dated 16 October 2020 (Rev. 59763/133,102). Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
38. **Waste Management Plan.** The development is to comply with the requirements contained in the Waste Management Plan prepared by SLR, dated August 2020. Details demonstrating compliance are to be submitted on the relevant **Construction Certificate** plans.
39. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards. Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Principal Certifying Authority prior to the issue of each of the relevant **Construction Certificate**.
40. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of each relevant **Construction Certificate**.
41. **Security deposit.** The Council must be provided with security for the purposes of section 80A(6) of the *Environmental Planning and Assessment Act 1979* in a sum determined by reference to Council's Management Plan prior to the release of any **Construction Certificate**. (category: other buildings with delivery of bricks or concrete or machine excavation)
42. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the release of any **Construction Certificate**:
 - a) Infrastructure Restoration and Administration Fee
 - b) Enforcement Levy
43. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the issuing of any **Construction Certificate**.
44. **Sydney Water – Building Plan Approval.** The plans approved as part of the relevant Construction Certificate must also be approved by Sydney Water prior to excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Please go to www.sydneywater.com.au/tapin to apply.
45. **Reflectivity of materials.** Roofing and other external materials must be of low glare and reflectivity. Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the relevant **Construction Certificate**.

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

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

- a) The pickup-dropoff area caters for a single lane of traffic only. To ensure there are no vehicles reversing into Khartoum Road at the entry or vehicle queues extending over the public footpath/ roadway, the driveway must be clearly demarcated as a No Parking zone by way of signs and linemarking.
- b) All internal driveways and vehicle access ramps must have ramp grades, transitions and height clearances complying with AS 2890 for all types of vehicles accessing the parking area, particularly MRV service vehicles. To demonstrate compliance with this Australian Standard, the structural plans and details prepared for the relevant Construction Certificate must include a driveway profile, showing ramp lengths, grades, surface RL's and overhead clearances (including overhead service envelopes) 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.

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

- 47. Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to public drainage infrastructure in Waterloo Road, generally in accordance with the plans by SWP_REF subject to any variations marked in red on the approved plans or noted following;

- Amendment 1
- Connection to the public drainage infrastructure will require the approval of Council's City Works (Stormwater) Department. Any conditions associated with this approval must be noted on the plans.

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

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

- The submitted design is consistent with the approved architectural and landscape plan and any revisions to these plans required by conditions of this consent
- The subsurface drainage system must be designed to preserve the pre-developed groundwater table so as to prevent constant, ongoing discharge of groundwater to the public drainage network, as well as avoid long term impacts related to the support of structures on neighbouring properties.

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

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

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

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

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

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

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

- 50. Stormwater Management – Connection to Public Drainage System.** The connection to the public inground stormwater drainage infrastructure located in Waterloo Street will require the assessment, approval and inspection by Council's Public Works section to ensure the integrity of this asset is maintained. Engineering plans detailing the method of connection complying with Council's DCP and Technical Standards and an inspection fee in accordance with Council's current fees and charges must be paid to Council prior to the issue of the relevant Construction Certificate. Council must be notified when the connection has been made to the pit / pipe and an inspection must be made by a Council officer prior to restoration/ backfill at the point of connection for approval.

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

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

This engineer is to prepare the following documentation;

- a) Certification that the civil and structural details of all subsurface structures are designed to;
 - provide appropriate support and retention to neighbouring property,
 - ensure there will be no ground settlement or movement during excavation or after construction (whether by the act of excavation or dewatering of the excavation) sufficient to cause an adverse impact to adjoining property or public infrastructure, and,
 - ensure that the treatment and drainage of groundwater will be undertaken in a manner which maintains the pre-developed groundwater regime, so as to avoid constant or ongoing seepage to the public drainage network and structural impacts that may arise from alteration of the pre-developed groundwater table.
- b) A Geotechnical Monitoring Program (GMP) to be implemented during construction that;
 - is based on a geotechnical investigation of the site and subsurface conditions, including groundwater,
 - details the location and type of monitoring systems to be utilised, including those that will detect the deflection of all shoring structures,

settlement and excavation induced ground vibrations to the relevant Australian Standard;

- details recommended hold points and trigger levels of any monitoring systems, to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
- details action plan and contingency for the principal building contractor in the event these trigger levels are exceeded.
- Is in accordance with the recommendations of the 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 relevant Construction Certificate.

52. Dilapidation Survey. A dilapidation survey is to be undertaken that addresses all properties that may be affected by the construction work. As a minimum, the scope of the report is to include;

- 4 Khartoum Road

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

53. Site Dewatering Plan. To ensure that stormwater runoff and the disposal of groundwater from the excavation is drained in an appropriate manner and without detrimental impacts to neighbouring properties and downstream water systems, a Site Dewatering Plan (SDP) must be prepared and submitted with the application for a Construction Certificate.

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.

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

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

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

55. Construction Pedestrian and Traffic Management Plan. A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a Transport for NSW' (TfNSW) accredited person and submitted to and approved by Council's Transport Department prior to issue of any relevant Construction Certificate.

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

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

made prior to receipt of approval from Council's Transport Department for the CPTMP.

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

- i. Make provision for all construction materials to be stored on site, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.
- v. Include a Traffic Control Plan(s) prepared by a TfNSW accredited traffic controller for any activities involving the management of vehicle and pedestrian traffic and results in alterations to the existing traffic conditions in the vicinity of the site.
- vi. Specify appropriate parking measures for construction staff and sub-contractors to minimise the impact to the surrounding public parking facilities.
- vii. Specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- viii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- ix. Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CPTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- x. Specify spoil management process and facilities to be used on site.
- xi. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- xii. Comply with relevant sections of the following documents:
 - The Australian Standard *Manual of Uniform Traffic Control Devices* (AS1742.3-2019),
 - TfNSW' *Traffic Control at Work Sites* technical manual; and
 - Part 8.1 of *City of Ryde Development Control Plan 2014: Construction Activities*.

- 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 certified by a chartered civil engineer (with evidence of certification submitted to Council's Transport Department) prior to the issue of the relevant Construction Certificate. Swept path diagrams must include details of the road including, kerb line, line marking, signs, traffic devices, power poles, other structures and neighbouring driveways.

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

- 58. Public domain improvements.** The public domain is to be upgraded in Khartoum Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park. The works shall include paving, multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council.

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

- a) Footpath paving as specified in the condition of consent for public infrastructure works.
- b) Street trees to be provided in accordance with the Macquarie Park Tree Master Plan. The designated species for Khartoum Road are "Angophora Costata" (Sydney Red Gum).

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

- c) All telecommunication and utility services are to be placed underground along the Khartoum 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.

- d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to Australian Standard AS1158 *Lighting for Roads and Public Spaces*, with a minimum vehicular luminance category **V5** and pedestrian luminance category **PR2** along Khartoum Road.

Subject to design, it is expected that a minimum of one new street light on multi-function pole (MFP) will be required along the Khartoum Road frontage of the site. Lighting upgrade 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.

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

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

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

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

- a) The re-surfacing with 50mm AC14 of half road width for the Khartoum Road frontage of the development site in accordance with the City of Ryde DCP 2014 *Part 8.5 - Public Civil Works*, Clause 1.1.4 – *Constructing Half Road*.
- b) The removal of all redundant vehicular crossings and replacement with new kerb and gutter, and the adjacent road pavement reconstruction.
- c) The construction of new kerb and gutter along the Khartoum Road frontage of the development site. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along Khartoum Road.
- d) The removal of existing pedestrian safety barrier along Khartoum Road for a length advised by Council's Engineer.
- e) Construction of full width granite footway along the Khartoum Road frontage of the development site in accordance with the City of Ryde Public Domain Technical Manual Chapter 6: Macquarie Park.
- f) Re-construction of the existing kerb ramp at the Pedestrian Crossing with granite.
- g) Upgrade of the existing (to be relocated) Bus Stop to Council's standards.
- h) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- i) Signage and line-marking details. Khartoum Road is a Regional Bicycle Route, so the footpath area is actually a Shared User Path, which will need to be marked with proper signs and line-marking.
- 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.

Notes:

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

60. Reinstatement of Bus Stop. The existing bus stop along the Khartoum 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. The final location of the bus stop shall be approved by the STA and Council.

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

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

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard 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 crossings 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 relevant Construction Certificate.

- 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 in the amount of **\$20,000** 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.

- 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.

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

- 65. Mechanical Ventilation.**

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

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

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

66. Waste Storage and Handling Facilities.

- a) A separate room or area must be provided in a convenient location on the premises for the storage of garbage and recyclable materials.
- b) A separate garbage room must be provided in a convenient location on the premises for the storage of retail wastes.
- c) All garbage rooms must be constructed in accordance with the following requirements:
 - I. The room must be of adequate dimensions to accommodate all waste containers, and any compaction equipment installed, and allow easy access to the containers and equipment for users and servicing purposes;
 - II. The floor must be constructed of concrete finished to a smooth even surface, coved to a 25mm radius at the intersections with the walls and any exposed plinths, and graded to a floor waste connected to the sewerage system;
 - III. The floor waste must be provided with a fixed screen in accordance with the requirements of Sydney Water Corporation;
 - IV. The walls must be constructed of brick, concrete blocks or similar solid material cement rendered to a smooth even surface and painted with a light coloured washable paint;
 - V. The ceiling must be constructed of a rigid, smooth-faced, non-absorbent material and painted with a light coloured washable paint;
 - VI. The doors must be of adequate dimensions to allow easy access for servicing purposes and must be finished on the internal face with a smooth-faced impervious material;
 - VII. Any fixed equipment must be located clear of the walls and supported on a concrete plinth at least 75mm high or non-corrosive metal legs at least 150mm high;
 - VIII. The room must be provided with adequate natural ventilation direct to the outside air or an approved system of mechanical ventilation;
 - IX. The room must be provided with adequate artificial lighting; and
 - X. A hose cock must be provided in or adjacent to the room to facilitate cleaning.
- d) The retail waste must be collected from the loading dock located inside the building.

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

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

67. Soil Depth over Structures. Where planting is proposed over a structure, the development is to achieve the minimum standards for soil provision suitable to the proposed planting, as contained within the Ryde Development Control Plan 2014. Information verifying that the development complies with these requirements to be provided on the relevant Construction Certificate plans.

68. 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 Reporting on Contaminated Land (EPA, 2020) the *DECCW (2010) UPSS Technical Note: Site Validation Reporting* and demonstrate that the site is suitable for the proposed use.

No Construction Certificate is to be issued for any building work (excluding excavation and demolition works) 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.

69. 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*.

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.

70. 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.

71. 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.

72. Work Zones and Permits. Prior to commencement of the associated works, the applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane.

73. Road Occupancy Licence. Prior to commencement of the associated works, the applicant shall obtain a Road Occupancy License from Transport Management Centre for any works that may impact on traffic flows on State Roads (e.g. lane closures, etc.) and/or within 100m of traffic signals.

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

75. 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.

76. 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.

77. 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.

78. 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.

79. 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.

80. 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.

81. 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.

- 82. Tree Retention.** As identified in the Arborist Assessment prepared by Sydney Arbour Trees dated 20/04/2021 the following trees on site or adjoining the site are to be retained and protected: 7, 8, 9, 10, 11, 12, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 69, 70, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 106, 107, 108.
- 83. Tree Protection** is to be installed before demolition and construction commences as indicated in the Arborist Report "Section 11 Figure 3 Tree Protection Plan" prepared by Sydney Arbour Trees dated 20/04/2021.
- 84. Tree Protection Fencing.** All trees to be retained on site and on adjoining site are to have protective fencing and signage around TPZs and must be located in accordance with AS4970-2009: Protection of trees on development sites. In this regard, any fencing required to be constructed around the TPZ is to be in accordance with AS4687 Temporary fencing and hoardings.
- 85. Project Arborist.** A Project Arborist with minimum AQF level 5 qualifications is to be engaged to ensure adequate tree protection measures are put in place for all trees to be retained on adjoining allotments in accordance with AS4970-2009 Protection of trees on development sites. All trees are to be monitored to ensure adequate health throughout the construction period. Additionally, all work within the Tree Protection Zones is to be supervised by the Project Arborist throughout construction.
- 86. Provision of Project Arborist details.** Council is to be notified, in writing, of the name, contact details and qualifications of the Project Arborist appointed to the site. Should these details change during the course of works, or the appointed Consultant Arborist alter, Council is to be notified, in writing, within seven working days.
- 87. Arborist Report.** All items in the Arborist Report outlined in: "Section 11 Recommendations" prepared by Sydney Arbour Trees dated 20/04/2021, are to be implemented.

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.

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

- 89. Tree Removal.** As identified in the Arborist Assessment prepared by Sydney Arbour Trees dated 20/04/2021. The following trees on site are to be removed: 1, 2, 3, 4, 5, 6, 13, 14, 15, 16, 17, 18, 19, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 71, 72, 73, 74, 75, 76, 77, 78, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132.
- 90. Project Arborist Inspections.** The Project Arborist is to inspect and document with Certificates of Compliance to the certifying authority as stipulated in SECTION 5 MONITORING AND CERTIFICATION of AS4970-2009.

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

		Certification of tree protection if necessary
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91. **Tree works – Australian Standards.** All tree work must be carried out by a qualified and experienced Arborist with a minimum of AQF level 3 in Arboriculture with NSW Work Cover Code of Practice for Amenity Tree Industry (1998) and AS4373 Pruning of amenity trees (2007).
92. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
93. **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.
94. **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.
95. **Excavation.** All excavations and backfilling associated with the development must be executed safely, properly guarded and protected to prevent the activities from being dangerous to life or property and, in accordance with the design of a structural engineer.
96. **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*.
97. **Noise from construction work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from construction work.
98. **Dust Control.** A dust control plan must be prepared in accordance with relevant legislation and guidelines and submitted to the Principal Certifying Authority before any works on site commence to prevent the escape of dust from the site during construction and include:
 - a) Physical barriers being placed around the site and other dust sources to prevent wind or work activities from generating dust.
 - b) Watering areas of exposed soil during dry windy weather.
 - c) Covering or watering stockpiles during dry windy weather.
 - d) Watering the work area or use of fog cannons during excavation work.
 - e) Stopping excavation work during periods of high winds if dust emissions cannot be prevented.
 - f) Watering haul roads during dry weather.
 - g) Ensuring that all excavated materials transported from the site are covered.

- h) Re-stabilisation of disturbed areas as soon practicable after work is completed.

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

- 99. Construction materials.** All materials associated with construction must be retained within the site.
- 100. 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.
- 101. 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.
- 102. Traffic Management.** Any traffic management procedures and systems must be in accordance with AS 1742.3 1996 and City of Ryde, Development Control Plan 2014: - Part 8.1; Construction Activities. This condition is to ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.
- 103. 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.
- 104. 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 SWP_REF submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.
- 105. Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Construction Certificate approved Soil Erosion and Sediment Control (ESCP) plan at the commencement of works on the site. Erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction.
- 106. 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.

107. 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.

108. Implementation of Construction Pedestrian and Traffic Management Plan. All works and construction activities are to be undertaken in accordance with the approved Construction Pedestrian and Traffic Management Plan (CPTMP) for each stage of the development. All controls in the CPTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate Transport for NSW’ (TfNSW) 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.

109. 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.

- 110. Storage and removal of wastes.** All demolition and construction wastes must be stored in an environmentally acceptable manner and be removed from the site at frequent intervals to prevent any nuisance or danger to health, safety or the environment.
- 111. Transportation of wastes.** All wastes must be transported in an environmentally safe manner to a facility or place that can lawfully be used as a waste facility for those wastes. Copies of the disposal dockets must be kept by the applicant for at least 3 years and be submitted to Council on request.
- 112. Recyclable wastes.** All wastes intended for recycling must be transported to a facility where the wastes will be recycled or re-used.
- 113. Discovery of Additional Information.** Council and the Principal Certifying Authority (if Council is not the PCA) must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
- 114. Implementation of Contamination Report.** At all times during construction the recommendations outlined in the Detailed Site Investigation Contamination Report prepared by Douglas Partners - Project 85160.07 dated June 2020 shall be implemented.
- 115. Vibration.** All reasonable efforts are to be undertaken to ensure that the demolition and construction work will not cause unreasonable interference to the existing amenity of the area and the occupants of surrounding buildings. This includes noise, vibration and dust. If requested by Council or the Private Certifier, details of the construction methodology is to be provided and adjustments made to reduce the impact.

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.

- 116. Wind.** The development is to comply with all recommendations of the Environmental Wind Tunnel Study prepared by SLR (dated August 2020). A suitably qualified consultant is to verify that the development complies with these

recommendations in the above report. Verification details are to be submitted to the Principal Certifier prior to the issue of any Occupation Certificate.

117. Acoustic Requirements. The development is to comply with all recommendations of the Acoustic Assessment prepared by Wilkinson Murray (dated 24 August 2020). A suitably qualified acoustic consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to the Principal certifier prior to the issue of any Occupation Certificate.

118. Accessibility Report. The development is to comply with the requirements contained in the Accessibility Report prepared by Morris Goding Access Consulting, dated 25 August 2020 (Rev. Final) and all other relevant BCA access requirements. A suitably qualified accessibility consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to the Principal certifier prior to the issue of any Occupation Certificate.

119. CPTED Report. The development is to comply with the requirements contained in the CPTED prepared by Urbis, dated August 2020 (Rev. P0024020). A suitably qualified consultant is to verify that the development complies with these recommendations in the above report. Verification details are to be submitted to the Principal certifier prior to the issue of any Occupation Certificate.

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.

121. 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.

122. Stormwater Management – Positive Covenant(s). A Positive Covenant must be created on the property title(s) pursuant to the relevant section of the Conveyancing Act (1919), providing for the ongoing maintenance of the onsite detention, pump/ sump and WSUD components incorporated in the approved Stormwater Management system. This is to ensure that the drainage system will

be maintained and operate as approved throughout the life of the development, by the owner of the site(s). The terms of the instrument are to be in accordance with the Council's standard 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 approved by Council and lodged for registration on the title prior to the release of any Occupation Certificate for development works for which the system(s) serve.

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

The DSMP must contain the following;

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

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

- 124. 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) Confirming that the Stormwater Management system (including any constructed ancillary components such as onsite detention) servicing the development complies with Council's DCP 2014 Part 8.2 (Stormwater and Floodplain Management) and associated annexures, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
- c) Confirming that after completion of all construction work and landscaping, all areas adjacent the site, the site drainage system (including any on-site detention system), and the trunk drainage system immediately downstream of the subject site (next pit), have been cleaned of all sand, silt, old formwork, and other debris.
- d) Confirming that 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.
- e) 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).
- f) 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.
- g) 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.
- h) Compliance certificate from Council confirming that all external works in the public road reserve have been completed to Council's satisfaction.

125. 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).

126. Loading Dock Management Plan. A Loading Dock Management Plan shall be prepared by a suitably qualified consultant (with a copy of the plan submitted to Council) prior to the issue of any Occupation Certificate. The Plan will need to

demonstrate how the internal loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.

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

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

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.

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

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

- (i) Adopt strategies and procedures to meet a 60% public transport/40% private transport target for the development for journey-to-work trips, to minimise drive-alone vehicle trips and to encourage transport choice to and within the Macquarie Park Corridor.
- (ii) Demonstrate how on-site parking provision and built form design will contribute to the FTP and assist in meeting the 60% public transport/40% private transport target for the development for the journey-to-work.
- (iii) Demonstrate infrastructure connections to the nearby footpath, bicycle and public transport networks including through-site-links where required.
- (iv) Provide, to Council satisfaction, supportive infrastructure for:
 - Public transport passengers (bus shelters and passenger waiting areas) to be provided where a new public bus stop or service is required to service the additional demand from the development or meet relevant mode share targets for the development.

- Taxi drop-off areas or parking (as appropriate) and carpooling and car share dedicated parking in publicly accessible locations, within the development site. The number of dedicated parking spaces provided must support relevant mode share targets for the development.

(v) Walking and cycling (lockers and end-of-trip facilities).

131. 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.

132. Compliance Certificate – Vehicle Footpath Crossing and Gutter Crossover. A Compliance Certificate shall be obtained from Council's City Works Directorate and a copy submitted to the Principal Certifier prior to the issue of any Occupation Certificate, confirming that the vehicle footpath crossing and gutter crossover have been constructed in accordance with the Council's standards and requirements. Fees are payable for the issue of the Compliance Certificate, in accordance with Council's Schedule of Fees and Charges.

133. 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.

134. 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.

135. 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.

136. 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.

137. 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.

138. Public Domain Works-as-Executed Plans. To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.

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

139. 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.

140. 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.

141. 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.

142. 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.

143. 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.

144. 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.

145. 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.

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

- a) The provision of detailed design stage is to satisfy the City of Ryde that the public art is being developed according to the approved Landscape Strategy Public Art Strategy, and the public art commitments are being fulfilled.
- b) Submission of the detailed proposal demonstrating that the scale of the public art is appropriate and proportionate to the development and thoughtfully sited & integrated with the building to create a point of interest and define the location of area;
- c) The detail design will be reflect the undertakings as documented in the Landscape Strategy Public Art Strategy.
- d) The proposal should provide a program for installation and integration with the construction program for the development. Construction must be completed prior to the issue of Occupation Certificate;
- e) The proposal should provide engineer's drawings and demonstrate:
 - Australian building standards requirements and codes for the structural design;
 - Sound practices for fabrication and construction, and materials appropriate for application;
 - Materials and all components have appropriate durability, and a functional life in excess of the designated life span of the work.

147. Public Art Plan. Prior to the issue of the **Occupation Certificate** the approved works contained in the Public Art Plan approved by Condition 146 shall be implemented.

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

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

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

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.

- 150. 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.
- 151. Access for maintenance purposes.** Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 Air-handling and water systems of buildings - Microbial control - Operation and maintenance.
- 152. Storage of hazardous substances.** The storage of hazardous substances must comply with the requirements of the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.
- 153. Waste collection point for waste.** All waste must be collected from the loading dock located inside the building.
- 154. Storage and disposal of wastes.** All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner
- 155. Waste containers.** An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
- 156. 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.
- 157. Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected residential receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *Noise Policy for Industry (EPA, 2017)*.
 - b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - c) The transmission of vibration to any place of different occupancy.
- 156 Parking Allocation.** Both the owner and occupier of the development must provide and maintain the following minimum (unless stated otherwise) parking allocation requirements as follows;
- A maximum of 225 commercial spaces
 - 2 courier spaces (internal)
 - 20 motorbike parking spaces and
 - 154 bicycle parking spaces.

- 158. Roof Terrace.** The roof terrace and function space located on level 14 is only to be used by employees of business occupying the building. The hours of use is restricted to between 7.00am to 11.00pm daily.
- 159. Roof Terrace – Amplifies Music.** The use of amplified music on the roof terrace must not cause the emission of ‘offensive noise’ as defined in the Protection of the Environment Operations Act 1997.
- 160. Stormwater Management – Implementation of maintenance program.** The stormwater management system components are to be maintained for the ongoing life of the development by the strata management/ owners corporation, as per the details in the approved drainage system maintenance plan (DSMP).
- 161. Fire Safety Statement:** Pursuant to Clause 177 of the Environmental Planning and Assessment Regulation 2000, the building owner must submit the annual Fire Safety Statement to council with all the essential statutory fire safety measures installed in the building.
- 162. Signage.** No approval is granted in this consent for general or third party advertising which is prohibited.

ADVISORY NOTES

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

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

End of consent.