

## GENERAL CONDITIONS

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:

Plan no.	Drawn by	Dated
<b>Architectural Plans</b>		
Site Plan Revision No.4	Hassell	21/10/2021
Demolition Level B1 Plan Project No. 011465 Dwg No. A_0350 Revision No. B	Hassell	30/08/2021
Demolition Ground Dwg No. DA_0301 Revision No. 4	Hassell	21/10/2021
Demolition Level 1 Plan Project No. 011465 Dwg No. A_0352 Revision No. B	Hassell	30/08/2021
Demolition Level 2 Plan Project No. 011465 Dwg No. A_0353 Revision No. B	Hassell	30/08/2021
Demolition Level 3 Plan Project No. 011465 Dwg No. A_0354 Revision No. B	Hassell	30/08/2021
Demolition Sections Project No. 011465 Dwg No. A_0360 Revision No. B	Hassell	30/08/2021
Proposed Level B1 Dwg No. DA_1100 Revision No. 4	Hassell	21/10/2021
Proposed Ground Dwg No. DA_1101 Revision No. 4	Hassell	21/10/2021
Proposed Level 1 Dwg No. DA_1102 Revision No. 4	Hassell	21/10/2021
Proposed Level 2 Dwg No. DA_1103 Revision No. 4	Hassell	21/10/2021
Proposed Level 3 Dwg No. DA_1104 Revision No. 5	Hassell	21/10/2021
Proposed Roof Level Dwg No. DA_1105 Revision No. 4	Hassell	21/10/2021
North Elevation Dwg No. DA_2000 Revision No. 4	Hassell	21/10/2021
East Elevation Dwg No. DA_2001 Revision No. 4	Hassell	21/10/2021
South Elevation Dwg No. DA_2002 Revision No. 4	Hassell	21/10/2021
West Elevation Dwg No. DA_2003 Revision No. 3	Hassell	20/08/2021
Section A-A Dwg No. DA_3000 Revision No. 3	Hassell	20/08/2021
Section B-B Dwg No. DA_3001 Revision No. 3	Hassell	20/08/2021
Section C-C Dwg No. DA_3002 Revision No. 4	Hassell	21/10/2021

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Section D-D Dwg No. DA_3003 Revision No. 3	Hassell	20/08/2021
Material Board Dwg No. DA_8002 Revision No. 3	Hassell	20/08/2021
Façade Response	Hassell	Received: 25/10/2021
North Façade	Hassell	Received: 25/10/2021
South Façade	Hassell	Received: 25/10/2021
West Façade	Hassell	Received: 25/10/2021
East Façade	Hassell	Received: 25/10/2021
Moot Court (NE) Entry Façade	Hassell	Received: 25/10/2021
Bulk Earthworks Plan Job No. 171234 Dwg No. SKC03 Revision No. P5	Taylor Thomson Whitting	21/10/2021
Cut/Fill Plan Job No. 171234 Dwg No. SKC04 Revision No. P1	Taylor Thomson Whitting	21/10/2021
Plans and sections (Ref no. 30431 230DT Sheet 1- Sheet 6)	LTS	16/07/2021 Received: 19/08/2021
<b>Landscape Plans</b>		
Tree Offset Planting Schedule	N/A	Received: 9/11/2021
Tree Offset Context Plan	N/A	Received: 9/11/2021
Tree Offset Plan 1	N/A	Received: 9/11/2021
Tree Offset Plan 2	N/A	Received: 9/11/2021
Section 3- Landscape Concept 3.1 Ground Floor Issue J	Aspect Studios	9/11/2021
Section 3- Landscape Concept 3.11 Building Forecourt Issue J	Aspect Studios	9/11/2021
Section 3- Landscape Concept 3.2 Level 3 Issue J	Aspect Studios	9/11/2021
Section 3- Landscape Concept 3.3 Tree Removal Plan Issue J	Aspect Studios	9/11/2021
Section 3- Landscape Concept 3.4 Landscape Elevations: East + North Issue J	Aspect Studios	9/11/2021
Section 4- Planting and Materials Intent 4.1 Planting Palette Issue J	Aspect Studios	9/11/2021
Section 4- Planting and Materials Intent 4.3 Materials Palette Issue J	Aspect Studios	9/11/2021
<b>Stormwater Management Plans</b>		

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Notes and Legend Sheet Job No. 171234 Dwg No. SKC01 Revision No. P2	Taylor Thomson Whitting	7/03/2018
Erosion and Sediment Control Plan Job No. 171234 Dwg No. SKC02 Revision No. P3	Taylor Thomson Whitting	2/02/2021
Overall Siteworks Plan Job No. 171234 Dwg No. SKC05 Revision No. P4	Taylor Thomson Whitting	2/02/2021
Stormwater Plan Job No. 171234 Dwg No. SKC10 Revision No. P3	Taylor Thomson Whitting	2/02/2021
Details Sheet 1 Job No. 171234 Dwg No. SKC50 Revision No. P2	Taylor Thomson Whitting	7/03/2018
Details Sheet 2 Job No. 171234 Dwg No. SKC51 Revision No. P2	Taylor Thomson Whitting	7/03/2018

<b>Document(s)</b>	<b>Dated</b>
Civil Report prepared by Taylor Thomson Whitting Job No. 171234	4 February 2021
Site Waste Minimisation and Management Plan prepared by Mario Pellicane	16 April 2021
Detailed Site Investigation Report prepared by Geo-Logix	13 April 2021
Rail Corridor Engineering Statement prepared by Taylor Thomson Whitting	9 September 2021
Safe Work Method Statement (Ref no. 34308B SWMS) prepared by JK Geotechnics	19 August 2021
Letter re: geotechnical investigation drilling within Sydney Metro North West Reserve (Ref no. Ref: 34308Blet) prepared by JK Geotechnics	19 August 2021
Arboricultural Impact Assessment prepared by Truth about Trees Pty Ltd Version 2	20 August 2021
Ecological Review prepared by John Macris	23 August 2021
Access Review prepared by Morris Goding Accessibility Consulting Final v2	12 February 2021
BCA Assessment Report prepared by Blackett Maguire + Goldsmith Project No. 170410 Revision 4	13/04/2021
ESD DA Report prepared by ARUP Job No. 258830-00	16 December 2020
Structural Report for DA prepared by Taylor Thomson Whitting	22 October 2021
Aboriginal Cultural Heritage Assessment prepared by Extent Heritage Advisors Version 2	January 2020
Preliminary Construction Management Plan V2.0	April 2021
Building Services Letter prepared by ARUP	18 December 2020

Prior to the issue of a **Crown Certificate**, the following amendments shall be made (as marked in red on the approved plans):

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- (a) The architectural plans shall be updated to be consistent with the stormwater plans in relation to the modifications to the turning circle in the private road.
- (b) The existing tree removal shown on the Demolition Ground Dwg No. DA\_0301 Revision No. 4 prepared by Hassell dated 21/10/2021 shall be updated to be consistent with the trees identified for removal in the Arboricultural Impact Assessment dated 20 August 2021.
- (c) The Tree Offset Plan 1 received on 9/11/2021 shall be updated to include a notation that a *Eucalyptus paniculata* Grey Ironbank is proposed in the north eastern cluster to be consistent with the Tree Offset Planting Schedule

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

- 2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
- 3. **Support for neighbouring buildings.** If the development involves excavation that extends below the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) Protect and support the adjoining premises from possible damage from the excavation, and
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage, in accordance with relevant Australian Standards.
- 4. **Signage – not approved 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. **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.
- 8. **Public Utilities.** Compliance with the requirements (including financial costs) of any relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council

## **Conditions of Consent for LDA2021/0169 :-**

etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.

9. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard. All Public Domain works or modification to Council infrastructure which may be located inside the property boundary, must be undertaken in accordance with Council's DCP Part 8.5 (*Public Civil Works*) and Part 8.2 (*Stormwater and Floodplain Management*), except otherwise as amended by conditions of this consent.
10. **Service Alterations.** All services or utilities required to be altered in order to complete the development works are to be undertaken in accordance with the requirements of the relevant service provider (eg Telstra, Jemena, Ausgrid, etc), with all costs associated with this alteration to be borne by the applicant.
11. **Sydney Metro – Inspections.** At any time during the construction of the development, Sydney Metro and persons authorised by those entities may give reasonable notice to the Applicant or the Applicant's principal contractor that Sydney Metro or persons authorised by that entity seek to:
  - (a) inspect the development site and all works and structures that may impact on the rail corridor, including at specified "hold points" in the construction of the development; and
  - (b) attend on-site meetings with the Applicant and its contractors, to enable Sydney Metro to determine whether the development has been or is being constructed and maintained in accordance with all approved plans and this development consent.
12. **Sydney Metro – Other.** Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).
13. **Sydney Metro – Other.** Where a condition of consent requires Sydney Metro endorsement or approval, the Crown Certifier must not to issue a Crown Certificate or the building shall not be occupied, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of staged Crown Works Certificates by the Crown Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.
14. **Lighting.** The areas around the entrances and communal areas should be well lit and sensor lighting should be installed into these areas. All lighting should be designed to Australian and New Zealand Lighting standards and particular attention should be paid to the lighting placed along pedestrian pathways as well as communal open space.

## **DEMOLITION CONDITIONS**

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15. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
16. **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
17. **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.
18. **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.
19. **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.
20. **Waste management plan.** Demolition material must be managed in accordance with the approved waste management plan.
21. **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.
22. **Imported fill – type.** All imported fill must be Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*.
23. **Asbestos–records of disposal & licensed waste facility** - Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Crown Certifier , copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

## **PRIOR TO ANY CONSTRUCTION WORKS COMMENCING**

24. **Compliance with Australian Standards.** The development is required to be carried out in accordance with all relevant Australian Standards.
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25. **Structural Certification.** The applicant must engage a qualified practising structural engineer to provide structural certification in accordance with relevant BCA requirements prior to the release of the Crown Certificate.
26. **Energy Efficiency.** The fittings, fixtures and materials installed in association with the development (including but not limited to hot water systems, ceiling/roof insulation, shower heads, toilet cisterns and the like) shall comply with the requirements of Council's DCP. Details are to be noted on the plans submitted with the Crown Certificate.
27. **Dilapidation Survey.** A dilapidation survey is to be undertaken that addresses all properties (including any public place) that may be affected by the construction work namely LotA19 and Lot A23. A copy of the survey is to be submitted to the Crown Certifier and Council prior to the release of the Crown Certificate.
28. **Pre-commencement dilapidation report.** The submission of a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public and private properties namely LotA19 and LotA23, and public infrastructure (including roads, gutters, footpaths, etc). A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining private properties, prior to the commencement of construction.
29. **Security deposit.** Prior to commencement 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 (category: other buildings with delivery of bricks or concrete or machine excavation)
30. **Fees.** Prior to commencement the following fees must be paid to Council in accordance with Council's Management Plan:
  - (a) Infrastructure Restoration and Administration Fee
  - (b) Enforcement Levy
31. **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 Council prior to the certification of Crown Building works.
32. **Sydney Water – Building Plan Approval.** The approved plans 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](http://www.sydneywater.com.au/tapin) to apply.
33. **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 Crown Certifier prior to any works commencing. .

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34. **Stormwater Management.** Stormwater runoff from the development shall be collected and piped by gravity flow to the existing drainage system in the site, generally in accordance with the plans by Taylor Thomson Whitting (Refer to Project No 171234 Dwgs SKC01 to SKC51 issued on 2 February 2021) subject to any variations marked in red on the approved plans or noted following;
- The development must accommodate a rainwater tank as required by control (a) in Section 3.3.2 of Council's DCP Part 8.2 (*Stormwater and Floodplain Management*). In lieu of detailed water usage estimates, a rainwater tank volume of 20m<sup>3</sup> would suffice. Any variation to this will need to be in accordance with the aforementioned control. The rainwater tank system is to serve as a non-potable water supply for either internal or landscaping purposes.

The detailed plans, documentation and certification of the drainage system must be submitted with the application for Crown 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.
35. **Stormwater Management - Onsite Stormwater Detention.** In accordance with Council's community stormwater management policy, an onsite stormwater detention (OSD) system must be implemented in the stormwater management system of the development.

As a minimum, the OSD system must;

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

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

36. **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 Crown Certificate. The ESCP must be in
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## **Conditions of Consent for LDA2021/0169 :-**

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 Crown 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.

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

- (a) Plans and sections (Ref no. 30431 230DT) prepared by LTS dated 16 July 2021 with additional borehole information mark-ups received via email correspondence with Michael Barrett (TTW Technical Director) dated 19 August 2021.
- (b) Letter re: geotechnical investigation drilling within Sydney Metro North West Reserve (Ref no. Ref: 34308Blet) prepared by JK Geotechnics dated 19 August 2021.
- (c) Safe Work Method Statement (Ref no. 34308B SWMS) prepared by JK Geotechnics received via email correspondence with Michael Barrett (TTW Technical Director) dated 19 August 2021.
- (d) Rail Corridor Engineering Statement (Ref no. 171234, Revision 2) prepared by Taylor Thomson Whitting (NSW) Pty Ltd dated 9 September 2021.

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

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

Prior to the commencement of works, the Crown Certifier must provide written

## **Conditions of Consent for LDA2021/0169 :-**

verification to Sydney Metro that this condition has been complied with.

38. **Sydney Metro – Engineering.** The Crown Certifier must not issue a Crown Certificate for the development unless the Applicant has submitted to Sydney Metro and Sydney Metro has provided written approval of the following items:

- (a) Final construction drawings for the Crown Certificate; and
- (b) Final impact assessment for the detailed design of the development and the relevant documentation and drawings that may be updated accordingly.

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

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

40. **Sydney Metro – Survey and Services.** Prior to the issue of a Crown Certificate:

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

41. **Sydney Metro – Survey and Services.** Prior to the issue of a Crown Certificate, the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.

42. **Sydney Metro – Noise & Vibration.** The development must:

- (a) comply with State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning & Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines (available from [www.sydneymetro.info](http://www.sydneymetro.info));
- (b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and
- (c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.

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**43. Sydney Metro – Noise & Vibration.** The Applicant must:

(a) prepare an acoustic assessment report which confirms compliance with each of the matters outlined in condition 1.5; and

(b) incorporate as part of the development all the measures recommended in the acoustic assessment report; and

A copy of the acoustic assessment report is to be provided to Sydney Metro, the Crown Certifier and Council prior to a Crown Certificate being issued by the Crown Certifier. The Crown Certifier must ensure that the recommendations of the acoustic assessment report are incorporated in the construction drawings and documentation prior to issuing a Crown Certificate for the development.

**44. Sydney Metro – Electrolysis.** Prior to the issue of a Crown Certificate, the Applicant is to carry out an assessment on the electrolysis risk to the development from stray currents from the rail network. The risk assessment shall include a safety in design check to confirm no risks or hazards will be present post construction. The Applicant must demonstrate that there are no applicable risks and, if any risks are identified, submit evidence of appropriate control measures that have been incorporated to the Crown Certifier. A copy of the risk assessment is to be provided to the Crown Certifier with the application for a Crown Certificate. Prior to issuing a Crown Certificate for the development, the Crown Certifier must ensure that the recommendations of the risk assessment are incorporated in the construction drawings and documentation.

**45. Sydney Metro – Design.** The roots and foliage of trees planted beside the rail corridor as part of the development must not impact on the rail corridor or rail operations. A final landscaping and planting plan demonstrating measures to ensure compliance with this condition must be prepared to the satisfaction of Sydney Metro. The Crown Certifier must not issue a Crown Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

**46. Sydney Metro – Construction.** No work is permitted within the rail corridor, or any easements which benefit Sydney Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Crown Certifier must not issue a Crown Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.

**47. Sydney Metro – Construction.** No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed in the rail corridor, Sydney Metro property or easements, unless prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Crown Certifier must not issue a Crown Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.

**48. Sydney Metro – Construction.** Prior to the issuing of a Crown Certificate, the following information must be submitted to Sydney Metro for review and endorsement:

(a) Machinery to be used during excavation/construction; and

## **Conditions of Consent for LDA2021/0169 :-**

(b) Demolition, excavation and construction methodology and staging.

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

49. **Sydney Metro – Construction.** If required by Sydney Metro, prior to the issue of a Crown Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Crown Certifier must not issue a Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.
50. **Sydney Metro – Construction.** If required by Sydney Metro, a tunnel monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Metro for review and endorsement prior to the issuing of a Crown Certificate. The Crown Certifier must not issue a Crown Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.
51. **Sydney Metro – Construction.** If required by Sydney Metro, prior to the issuing of a Crown Certificate, the Applicant must submit to Sydney Metro a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Metro requirements. If required by Sydney Metro, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Metro requirements. The Crown Certifier must not issue a Crown Certificate for the development until written confirmation has been received from the Sydney Metro that this condition has been satisfied.
52. **Sydney Metro – Construction.** If required by Sydney Metro, prior to the issue of a Crown Certificate the Applicant is to contact Sydney Metro's Corridor Protection Team to determine the need for public liability insurance cover and the level of insurance required. If insurance cover is deemed necessary, the Applicant must obtain insurance for the sum determined by Sydney Metro and such insurance shall not contain any exclusion in relation to works on or near the rail corridor or rail infrastructure and must be maintained for the period specified by Sydney Metro. Prior to issuing a Crown Certificate for the development, the Crown Certifier must witness written proof of any insurance required by Sydney Metro in accordance with this condition, including the written advice of Sydney Metro to the Applicant regarding the level of insurance required.  
*Reason: construction of the proposed development presents a risk of potential damage to the Metro North West Line rail corridor which is not in the public interest. This risk of damage to public infrastructure must be appropriately managed and mitigated.*
53. **Sydney Metro – Construction.** If required by Sydney Metro, prior to the issue of a Crown Certificate the Applicant must contact the Sydney Metro Corridor Protection Team to determine the need for the lodgement of a bond or bank guarantee for the duration of the works and the sum of any required bond or bank guarantee. Prior to issuing a Crown Certificate for the development, the Crown Certifier must witness

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written confirmation from Sydney Metro that the Applicant has lodged any bond or bank guarantee required by this condition.

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

54. **Sydney Metro – Drainage.** The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the railway corridor unless prior written approval has been obtained from Sydney Metro. The Crown Certifier must not to issue a Crown Certificate or the building is not to be occupied unless this condition has been satisfied.
55. **Sydney Metro – Documentation.** Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Crown Certificate.
56. **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 Crown Works Certifier,
    - (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.
57. **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.
58. **Safety fencing.** The site must be fenced prior to the commencement of construction, and throughout demolition and/or excavation and must comply with Safework NSW requirements and be a minimum of 1.8m in height.
59. **Tree Retention.** As identified in the Arboricultural Impact Assessment (AIA) prepared by Truth About Trees dated 20/08/2021. The following trees on site or adjoining the site are to be retained and protected
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## **Conditions of Consent for LDA2021/0169 :-**

Tree No.	Species "Common name"
820	<i>Eucalyptus microcorys</i> (Tallowwood)
873	<i>Corymbia maculata</i> , (Spotted Gum)
874	<i>Corymbia maculata</i> , (Spotted Gum)
1194	<i>Zelkova serrate</i> (Japanese Zelkova)
1195	<i>Callistemon viminalis</i> (Weeping Bottlebrush)
1196	<i>Lagerstroemia indica</i> (Crape Myrtle)
1197	<i>Zelkova serrate</i> (Japanese Zelkova)
1198	<i>Liquidambar styraciflua</i> (Liquidambar)
1199	<i>Liquidambar styraciflua</i> (Liquidambar)
1200	<i>Liquidambar styraciflua</i> (Liquidambar)
1201	<i>Liquidambar styraciflua</i> (Liquidambar)
1202	<i>Ficus benjamina</i> (Weeping Fig)
1203	<i>Acer sp.</i> (Maple)
1204	<i>Castanospermum australe</i> (Black Bean Tree)
2798	<i>Platanus x orientalis</i> (Oriental Plane)
2799	<i>Platanus x acerifolia</i> (London Plane)
2800	<i>Platanus x acerifolia</i> (London Plane)
2801	<i>Platanus x acerifolia</i> (London Plane)
2802	<i>Platanus x acerifolia</i> (London Plane)
2803	<i>Platanus x acerifolia</i> (London Plane)
2804	<i>Platanus x acerifolia</i> (London Plane)
2805	<i>Platanus x acerifolia</i> (London Plane)
2806	<i>Platanus x acerifolia</i> (London Plane)
2807	<i>Platanus x acerifolia</i>

## **Conditions of Consent for LDA2021/0169 :-**

	(London Plane)
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60. **Tree Protection** is to be installed before demolition and construction commences as indicated in the Arboricultural Impact Assessment (AIA) "Appendix 3 Tree Protection Plan" prepared by Truth About Trees dated 20/08/2021.
61. **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.
62. **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.
63. **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.
64. **Arboricultural Impact Assessment (AIA).** All items in the AIA outlined in: "Section 11 Recommendations" prepared by Truth About Trees dated 20/08/2021, are to be implemented.

### **DURING CONSTRUCTION**

65. **Noise from construction and demolition work.** All feasible and reasonable measures must be implemented to minimise the emission of noise from demolition and construction work.
66. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
67. **Use of fill/excavated material.** Excavated material must not be reused on the property except as follows:
  - (a) Fill is allowed under this consent;
  - (b) The material constitutes Virgin Excavated Natural Material as defined in the *Protection of the Environment Operations Act 1997*;
  - (c) the material is reused only to the extent that fill is allowed by the consent.
68. **Construction materials.** All materials associated with construction must be retained within the site.
69. **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

## **Conditions of Consent for LDA2021/0169 :-**

- (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

### **70. 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.

71. **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.

72. **Tree Removal.** As identified in the Arboricultural Impact Assessment (AIA) prepared by Truth About Trees dated 20/08/2021. The following trees on site are to be removed:

Tree No.	Species "Common name"
821	<i>Eucalyptus microcorys</i> (Tallowwood)
822	<i>Eucalyptus microcorys</i> (Tallowwood)
875	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
876	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
877	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
878	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
879	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
880	<i>Triadica sebiferum</i> (Chinese Tallow Tree)
881	<i>Acer negundo</i> (Box Elder Maple)
882	<i>Acer negundo</i> (Box Elder Maple)
883	<i>Acer negundo</i> (Box Elder Maple)
884	<i>Acer negundo</i> (Box Elder Maple)
2798	<i>Platanus x orientalis</i> (Oriental Plane)

73. **A Tree Protection Schedule.** A Tree Protection Schedule is to be prepared to document the activities detailed in the table below. The Tree Protection Schedule is to be signed and dated by the Project Arborist. This is to be completed progressively



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and included as part of the final Crown Certificate. A copy of the final certification is to be made available to the City of Ryde Council upon request.

<b>PROJECT PHASE</b>	<b>ACTIVITIES</b>	<b>PROJECT ARBORIST to</b>
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 <b>Issue a Certification of Compliance</b> 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	<b>Supervise</b> 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 <b>Issue a Certificate of Compliance</b>
Practical Completion	Tree vigour and structure Assessment and undertake soil rehabilitation for all retained trees	Remove all remaining tree Protection measures <b>Certification of tree protection and soil rehabilitation for Protected Trees</b>
Defects liability / maintenance period	Tree vigour and structure	Undertake any required remedial tree works <b>Certification of tree protection if necessary</b>

74. **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).
75. **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.
76. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the Crown Works Certificate version of the Stormwater Management Plan by Taylor Thomson Whitting (Refer to Project No

## **Conditions of Consent for LDA2021/0169 :-**

171234 Dwgs SKC01 to SKC51 issued on 2 February 2021) submitted in compliance to the condition labelled "Stormwater Management." and the requirements of Council in relation to the connection to the public drainage system.

77. **Erosion and Sediment Control Plan - Implementation.** The applicant shall install erosion and sediment control measures in accordance with the Crown Works 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.
  78. **Asbestos-handled & disposed of by licensed facility** - All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.
  79. **Contaminated soil disposal** - 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.
  80. **Contaminated waste to licensed EPA landfill** - Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
  81. **Waste data maintained** - A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.
  82. **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.
  83. **Hazardous/intractable waste disposal** - Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the EPA, and with the provisions of:
    - (a) Work Health and Safety Act 2011
    - (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
    - (c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines
  84. **Imported fill - validated** - 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 Crown Certifier and Council before the fill is used.
  85. **Requirement to notify about new contamination evidence** - Any new information which comes to light during remediation, demolition or construction works which has
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## **Conditions of Consent for LDA2021/0169 :-**

the potential to alter previous conclusions about site contamination shall be notified to the Council and the Crown Certifier immediately.

86. **Contaminated Land: Discovery of Additional Information** - Council and the Crown Certifier 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.
87. **Soil and Water Management – Stockpiles** - Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
88. **Duty to Notify Pollution Incidents** - Council being the ‘appropriate regulatory authority’ must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.
89. **Sydney Metro – Supervision.** Unless advised by Sydney Metro in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.
90. **Sydney Metro – Consultation.** The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro in writing), who:  
(a) oversees the carrying out of the Applicant’s obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Metro;  
(b) acts as the authorised representative of the Applicant; and  
(c) is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.
91. **Sydney Metro – Consultation.** Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Metro in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Metro in relation to the works.
92. **Sydney Metro – Consultation.** Where a condition of consent requires consultation with Sydney Metro, the Applicant shall forward all requests and/or documentation to the relevant Sydney Metro interface team.
93. **Sydney Metro – Drainage.** The Applicant must ensure that all existing and future drainage works on the development site will be directed into the appropriate local council or approved drainage system.
94. **Sydney Metro – Drainage.** The Applicant must ensure that during works no water collects on or near the railway corridor. Should water be allowed to pond adjacent to rail infrastructure facilities and service is interrupted, the Applicant shall be liable for

## **Conditions of Consent for LDA2021/0169 :-**

any Sydney Metro expenditure involved with restoring or maintaining alternative services.

95. **Sydney Metro – Inspections.** If required by Sydney Metro, the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:
- (a) site investigations;
  - (b) foundation, pile and anchor set out;
  - (c) set out of any other structures below ground surface level or structures which will transfer any load or bearing;
  - (d) foundation, pile and anchor excavation;
  - (e) other excavation;
  - (f) surveying of foundation, pile and anchor excavation and surveying of as-built excavations;
  - (g) other concreting; or
  - (h) any other event that Sydney Metro has notified to the Applicant in writing so that Sydney Metro may inspect the carrying out or completion of those works on the development site.
96. **Sydney Metro – Inspections.** If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.

### **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE OCCUPATION OF THE BUILDING**

97. **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 prior to occupation of the building. 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](http://www.sydneywater.com.au/section73) or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

98. **Compensatory Tree planting** – as shown on the Tree Offsets plans (received on 9/11/2021) is to be completed prior to occupation.

## **Conditions of Consent for LDA2021/0169 :-**

99. **Landscaping.** All landscaping works approved by condition 1 are to be completed prior to occupation.
100. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted prior to occupation. 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.
101. **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 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 Covenant must include a plan locating the OSD on the site given the size of the lot. The positive covenant must be registered on the title prior to occupation of the building.
102. **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.

## **Conditions of Consent for LDA2021/0169 :-**

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 person) and all signage / linemarkings are to be implemented prior to occupation.

103. **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 Crown Certifier prior to occupation. 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 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.
  - b) 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.
  - c) 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).
104. **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).
105. **Sydney Metro – Noise and Vibration.** Prior to occupation, an acoustic assessment report must be prepared and submitted to the Crown Certifier, Council and Sydney Metro certifying that the completed development meets the requirements of:
- (a) State Environmental Planning Policy (Infrastructure) 2007;
  - (b) the Department of Planning, Infrastructure and Environment's Development Assessment Guideline titled "Development Near Rail Corridors and Busy Roads - Interim Guidelines"; and
  - (c) any other noise and vibration requirements imposed by this consent.

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

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106. **Sydney Metro – Documentation.** Prior to occupation, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The building shall not be occupied until written confirmation has been received from Sydney Metro that this condition has been satisfied.
107. **Sydney Metro – Documentation.** Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to occupation.
108. **Sydney Metro – Inspections.** If required by Sydney Metro, prior to occupation, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey will establish the extent of any existing damage and enable any deterioration during operation of the development to be observed. The building shall not be occupied until written confirmation has been received from Sydney Metro that this condition has been satisfied.
109. **Post-construction dilapidation report.** The submission of a post-construction dilapidation report which clearly details the final condition of all property, infrastructure, natural and man-made features that were recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, any other owners of public infrastructure and the owners of the affected adjoining and private properties, prior to occupation.

### **CONDITIONS WHICH MUST BE COMPLIED WITH DURING THE OPERATION OF THE BUILDING**

110. **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).
111. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
  - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
  - (c) The transmission of vibration to any place of different occupancy.

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112. **Offensive Noise** - Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.
113. **Waste containers** - An adequate number of suitable waste containers must be kept on the premises for the storage of garbage and trade waste.
114. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner. All waste storage areas are to be maintained in a clean and tidy condition at all times.
115. **CCTV Cameras.** The applicant must install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras should include the foyer area to the buildings. The cameras should also monitor the 50 metre vicinity outside the building including, but not limited to, the footpath area in front of the premises. CCTV cameras should also cover any communal areas and public spaces. Recordings should be made twenty four (24) hours a day seven (7) days a week.

As a minimum, CCTV cameras at entry and exit points to the premises MUST record footage of a nature and quality in which it can be used to identify a person recorded by the camera. All other cameras MUST record footage of a nature and quality in which it can be used to recognise a person recorded by the camera. The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.

If requested by police, the applicant is to archive any recording until such time as they are no longer required. Recordings are to be made in a common media format such as Windows Media Player or similar, or should be accompanied by applicable viewing software to enable viewing on any windows computer.

The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel. If the CCTV system is not operational, immediate steps are to be taken by the applicant to ensure that it is returned to a fully operational condition as soon as possible.

116. **Wayfinding signage.** Signage needs to be provided at entry/exit points and throughout the development to assist users. Clear signage should indicate restricted areas. Signage also needs to be provided on any fire exit doors warning users that the doors are to be used for emergency purposes only. Signage is to be used to indicate entries and exits. Signs should be clear, legible and useful.