Lane Cove Council
48 Longueville Road, Lane Cove NSW 2066 Tel: 02 9911 3555 Fax: 02 9911 3600

11 December 2018
Our Ref: RS:nb DA6/18

Christie Street Development Pty Ltd
Attn: Jeremy Hung
24-25, 1 Nipper Street
HOMEBUSH NSW 2140

Dear Sir,

Notice of Determination of Development Application issued under the Environmental Planning and Assessment Act 1979, Section 4.16

Development Application No.: DA6/2018
Address: 71-79 Lithgow Street, 82-90 Christie Street, 84A Christie Street, 546-564 Pacific Highway, Christie Lane, and Lithgow Street, St Leonards
Proposed Development: Demolition of existing structures and basements, excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces, construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket), creation of a new laneway and public domain works at Christie Lane and Lithgow Street and associated works including tree removal, signage, and stratum subdivsion.

You are advised that the Sydney North Planning Panel at its meeting of 28 November 2018, considered Development Application DA6/2018 with the Panel adjourning to deliberate on the matter and formulate a resolution. The development application was granted approval subject to the conditions in Annexure A: Conditions of Consent, as amended by the Panel, and agreed by the applicant, and published on 4 December 2018.

This consent is to operate from 4 December 2018.

This consent is to lapse on 4 December 2023.

The reason for the Council's consent being subject to the aforementioned conditions is to ensure that the proposal complies with the requirements of the Environmental Planning and Assessment Act 1979 and Regulations thereunder and the Building Code of Australia and does not adversely effect the amenity of the area and/or the character of the neighbourhood.

If you are dissatisfied with this determination you may appeal to the Land and Environment Court under Section 8.7 of the Environmental Planning and

Assessment Act 1979, such appeal must be lodged within six (6) months of this notice.

Council recommends that you discuss these options with the relevant Council officer before acting.

Should you require any further information or assistance please do not hesitate to contact the undersigned by telephoning 9911-3527 Monday to Friday.

Yours faithfully,

Rajiv Shankar
MANAGER, DEVELOPMENT ASSESSMENT

ANNEXURE A: CONDITIONS OF CONSENT

Panel Reference	2018SNH007 DA
DA No:	6/2018
Property:	71-79 Lithgow Street, 82-90 Christie Street, 84A Christie Street, 546-564 Pacific Highway, Christie Lane, and Lithgow Street, St Leonards.
Proposal	Demolition of existing structures and basements, excavation to accommodate ten (10) basement levels including the provision of 316 public car parking spaces, construction of a fourteen (14) storey commercial building and two (2) mixed-use towers of twenty-six (26) storeys and forty-seven (47) storeys providing a total of 654 units and including a public library and retail space (including a supermarket), creation of a new laneway and public domain works at Christie Lane and Lithgow Street and associated works including tree removal, signage, and stratum subdivision.

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A. SPECIAL CONDITIONS

1. Critical Concrete Pours

The applicant may apply to undertake critical concrete pours outside of normal working hours provided all the following requirements are satisfied:

i) the submission, at least three (3) working days prior to the critical concrete pour, to Council of an application along with the prescribed fee, in the prescribed Council form, that includes a written statement of intention to undertake a critical concrete pour and that also contains details of the critical concrete pour, the number of such pours required, their likely time duration, impact statement and how foreseeable impacts will be addressed (i.e. light spill/ noise/ traffic etc.);
ii) adjoining and nearby affected residents being notified in writing at least two (2) working days prior to the pour, and a copy of this notice to be provided to Council for review prior to issue;
iii) no work and deliveries to be carried out before 7.00am and after 10pm; and
iv) no work occurring on a Sunday or any Public Holiday.

All other relevant requirements relating to critical concrete pours that are the subject of other conditions of this development consent remain relevant at all times.

Following any critical concrete pour, the applicant must advise Council in writing, no later than seven (7) working days after the completion of the pour, what measures were undertaken by the applicant to mitigate potential adverse impacts resulting from the pour including (but not limited to) impacts with respect to noise, light spillage, and the positioning of the required vehicle(s). The purpose of this feedback is so that all related matters can be reviewed by Council and potential adverse events and/or impacts addressed in future critical concrete pours.

NOTE:

- *There is a critical concrete pour application fee*
- *A critical concrete pour application and prior approval is required*
- *No work shall be undertaken outside standard working hours without prior written approval from Council.*
- *Council reserves the right to refuse the application with or without reason.*
- *This condition does not apply on Saturdays.*

(Reason: To enable efficient construction operations).

2. Project Architect

To ensure the design quality of the development is retained, the following requirements apply:

i) The project architect is to have direct involvement in the design documentation including Construction certificate drawings, contract documentation and construction stages of the project.
ii) The design architect shall have full access to the site and shall be authorised by the applicant to respond directly to the consent authority or Council where information or clarification is required in the resolution of design issues throughout the life of the project.

iii) Evidence of the contractual engagement of the project architect to fulfil the requirements of this condition of consent shall be provided to Council, prior to issue of the Construction Certificate.
iv) The project architect shall not be changed without providing notice to and obtaining approval from the Executive Manager, Environmental Services of Lane Cove Council.

(Reason: To ensure the design quality of the development is executed in accordance with the approved plans).

3. Community Liaison Committee

The applicant, Christie Street Development Pty Ltd, is to establish a Community Liaison Committee, consisting of the applicant's representatives as necessary, three community representatives, and an appointed Council staff representative, to facilitate information flow to the community regarding the development progress, issues and complaints and solutions initiated. A newsletter should be produced and circulated to adjoining residents and occupants on a minimum monthly basis or as agreed. Meetings are to be chaired by the applicant representatives.

(Reason: To manage community expectations).

4. Section 7.11 Contribution Payment

Payment of a contribution in accordance with Council's Section 94 Contributions Plan is required, prior to issue of the Construction Certificate for above ground works. Contributions shall be indexed at the time of payment in accordance with Council's Plan.

The total Section 7.11 contribution payable is **$13,835,256.00** at the current rate of $10,332 per person and $130 per square metre for retail/commercial based on the 2018/2019 fees and charges.

Payment shall be in the form of a bank cheque. Personal cheques will not be accepted.

This contribution is for community facilities, open space/ recreation and roads under the Lane Cove Section 94 Contributions Plan, which is available for inspection at the Customer Service Counter, Lane Cove Council, 48 Longueville Road, Lane Cove.

The contribution payable is calculated in the following manner:

Residential Contributions		
Dwelling Type	**Total number of persons per dwelling**	**Contribution payable @ $10,332/person 2018/2019 fees and charges**
2 x Studio	2 x 1.2 = 2.4	$24,796.8
197 x 1 bedroom	197 x 1.2 = 236.4	$2,442,484.80
395 x 2 bedroom	395 x 1.9 = 750.5	$7,754,166.00
56 x 3 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of Local Development Contribution* 56 x $20,000 = $1,120,000.00	$1,120,000
3 x 4 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of*	$60,000

	Local Development Contribution 3 x $20,000 = $60,000.00	
1 x 5 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of Local Development Contribution* 1 x $20,000 = $20,000.00	$20,000
Total: 654 units		**$11,421,447.6**
Credit for existing residential		
Dwelling Type	**Total number of persons per dwelling**	**Contribution payable @$10,332/person 2018/2019 fees and charges**
2 X 2 bedroom	2 x 1.9 =3.8	$39,261.60
5 X 3 bedroom	A cap of $20,000 per dwelling has been imposed under the *Reforms of Local Development Contribution* 5 x $20,000 = $100,000.00	$100,000.00
Total: 7 units		**$139,261.60**
Commercial/retail contributions		
Proposed Use	**Area**	**Contribution payable at $130 per m^2 (2018/2019 fees and charges)**
Retail	10,457.78m^2	$1,359,511.40
Commercial	19,321.55m^2	$2,511,801.50
Total	**29,779.33m^2**	**$3,871,312.90**
Credit for existing commercial buildings		
Use	**Area**	**Contribution payable @ $130 per m^2 2018/2019 fees and charges**
Site A Commercial	6,675m^2	$867,750.0
Site B Retail	1,368m^2	$177,840.0
Site C Commercial	1,978m^2	$257,140.0
Total	**10,021m^2**	**$1,302,730.0**
Total Section 7.11 Contributions Payable		
Contribution Type		**Amount 2017/2018 fees and charges**
Residential:		$11,421,447.60
Credit for existing residential buildings:		-$139,261.60 (minus)
Commercial/Retail:		$3,871,312.00
Credit for existing Commercial/Retail buildings:		-$1,302,730.00 (minus)
Total Contribution:		**$13,850,768.90**

The total Section 94 contribution for the proposal is **$13,850,768.90**

(Reason: To enable the provision of public amenities and services required/anticipated as a consequence of increased demand resulting from the development.)

5. (S1) Stormwater Requirements – Amended Stormwater Plans

The submitted stormwater design plans shall be amended to address the following:

i) The design needs to incorporate an adequate gross pollutant trap.

ii) Site stormwater discharge directly to the kerb and gutter is prohibited. The sites discharge point needs to be extended 32m downstream for direct connection into the existing Council pipeline system in Lithgow Street.

The design and construction of the drainage system is to fully comply with *AS-3500 – Plumbing and drainage set* and *Part O of Council's DCP - Stormwater Management.*

The design shall ensure that the development, either during construction or upon completion, does not impede or divert natural surface water so as to have an adverse impact upon adjoining properties.

Details demonstrating compliance, shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: Requirement by Council's Engineer to ensure appropriate provision is made for the disposal and management of stormwater generated by the development in accordance with Council's Policies and relevant standards).

6. (D2) Drainage Plan Amendments

The stormwater drainage plan numbered 17-481 Rev D, prepared by AT&L Civil Engineers dated 22/12/2017 is to be amended to reflect the above condition titled *'Stormwater Requirements – Amended Stormwater Plans'.* The amended design is to be certified by a suitably qualified practicing engineer, that it fully complies with, *AS-3500* and *Part O of Council's DCP - Stormwater Management.* The amended plan and certification shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

The Principal Certifying Authority is to be satisfied that the amendments have been made in accordance with the conditional requirements and that the amended plans are adequate for the purposes of construction. They are to determine what details, if any, are to be added to the Construction Certificate plans, prior to the issue of the relevant Construction Certificate.

(Reason: Requirement by Council's Engineer to ensure appropriate provision is made for the disposal and management of stormwater generated by the development in accordance with Council's Policies and relevant standards).

7. Maximum Building Height

(i) The height of Tower 1 including any plant and lift overruns shall not exceed RL 227.4.
(ii) The height of Tower 2 including any plant and lift overruns shall not exceed RL 166.8.
(iii) The height of the lightening rod on Tower 1 shall not exceed RL 234.3.
(iv) The height of the lightening rod on Tower 2 shall not exceed RL 173.815.
(v) The height of the main roof (L15) to Tower 3 shall not exceed RL 136.400.
(vi) The maximum height of the roof-top plant enclosure on Tower 3 shall not exceed RL 141.900

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

8. Compliance with Recommendations of *Solar Light Reflectivity Analysis* Report

The recommendations outlined in the *Solar Light Reflectivity Analysis* Report (Ref WD910-06F01(REV0) dated 12 January 2018, prepared by *Windtech Consultants Pty Ltd* shall be fully complied with, as follows:

(i) The maximum normal specular reflectance of visible light for the glazing used on the western aspect of T3 on Level 07 and above should be 11%.
(ii) The maximum normal specular reflectance of visible light for the glazing used on the northern end of the western aspect of T2 on Levels 19-21 should be 11%.
(iii) All other glazing used on the external façade should have a maximum normal specular reflectance of visible light of 20%.

Details demonstrating compliance with the above shall be submitted to the Principal Certifying Authority as part of the relevant Construction Certificate application.

(Reason: To mitigate any adverse effects of solar glare from the proposed development).

9. Crime Prevention Through Environmental Design (CPTED) Requirements

The following CPTED design measures shall be incorporated into the development:

(i) Internal walls between the internal corridor and gym are to be transparent to enable sightlines to and improve natural surveillance.
(ii) Access control is required to outdoor decks, public car parking levels and lower ground level when retail tenancies are not operating.
(iii) Access control is required between commercial and residential parking basement levels. An aluminium security mesh / heavy duty steel shutter door, or similar is recommended to control access to and between basement levels.
(iv) Clear signage at all entry points to the building to ensure clear demarcation between different building functions.
(v) CCTV cameras are to be installed in the parking area, basement entry point, pedestrian entry points, and communal open space areas.
(vi) Ceilings and walls in the basement parking area are to be painted a light colour.
(vii) Lighting is to be provided at entry points (vehicular and pedestrian) and to all communal open space and public areas. This lighting should be automatically controlled by time clocks and/or sensors where appropriate, and provide an energy efficient and controlled lighting environment, in accordance with the relevant Australian Standards.

Details demonstrating compliance with the above requirements, shall be submitted to the Principal Certifying Authority, prior to any occupation of the premises.

(Reason: Recommendations by Architectus to prevent crime and ensure that the development provides safety and security to users and the community).

10. Compliance with Recommendations of *Pedestrian Wind Environment Study*

The recommendations contained within the *Pedestrian Wind Environment Study* (revised) WD910-07F01(REV0), dated 8 May 2018, prepared by *Windtech Consultants Pty Ltd*, shall be fully complied with as follows:

Ground Level

- Retain proposed 50% porous breeze wall on the southern end of Tower 2. Note this wall will be setback 1m from the original design.
- Inclusion of a 2m high 30% porous wind screen along the north-western corner of the Tower 3 perimeter.
- Inclusion of 2m high impermeable screens between the western aspect of Tower 3 and the walkway ramp up to Civic Plaza, as well as along the western and southern edges of the Civic Plaza.
- Inclusion of a 2m high impermeable screen along the northern aspect of Tower 3 near the commercial lobby entry.
- Inclusion of a 3m high 30% porous sculpture at the north-western corner of Tower 2.
- Inclusion of densely foliating evergreen shrubs, capable of growing to a height of at least 1.5m above the slab, located along the walkway adjacent to the southern aspect of Tower 3.
- Inclusion of densely foliating evergreen shrubs, capable of growing to a height of at least 1.5-1.8m, along the perimeter of the south-eastern restaurant terrace (Recommended in-principle).
- Inclusion of densely foliating evergreen shrubs, capable of growing to a height of at least 1.8m, in the proposed planter boxes located adjacent to the western aspect of Tower 2 (Recommended in-principle).
- Inclusion of densely foliating evergreen tree planting, capable of growing to a height of 3-5m with a 3-5m wide canopy along Christie Street.
- Retention of existing street trees along Christie Street and Lithgow Street.

Level 01

- Inclusion of full height impermeable end screens along the eastern aspect of the south-east and north-east corner balconies.

Level 02

- Inclusion of a 2m high impermeable screen along the southern perimeter of the deck area.

Tower 1: Levels 02-25

- Inclusion of full height impermeable end screens along the eastern aspect of the north-east and south-east corner balconies, and along the western aspect of the south-west corner balconies.

Tower 1: Levels 26-45

- Inclusion of full height impermeable end screens along the eastern aspect of the north-east and south-east corner balconies, and along the western aspect of the north-west and south-west corner balconies.

Tower 1: Level 46

- Inclusion of a 3m high screen along the south-western section of the terrace as well as the north-western section of the terrace.

Tower 2: Level 07

- Inclusion of a 3m high impermeable screen along the southern end of the balcony of Tower 2.

Tower 2: Levels 08-16

- Inclusion of full height impermeable end screens along the eastern aspect of the south-eastern corner of the balcony area.

Tower 2: Levels 09-25

- Inclusion of full height impermeable end screens along the eastern aspect of the south-eastern corner balconies, and western aspect of the south-western corner balconies.

Tower 2: Level 26

- Inclusion of densely foliating evergreen shrubs, capable of growing to a height of at least 1.5m within the northern deck area.

(Reason: To ensure that wind conditions for all outdoor trafficable areas within and around the subject development are acceptable).

11. Compliance with Recommendations of *Acoustic Assessment Report*

The recommendations on façade upgrades contained within the *Acoustic Assessment Report* (Ref: J17297RP1), version 1 dated 18 December 2017, prepared by EMM Consulting, shall be fully complied with, as follows:

Residential construction recommendations:

- Apartments with external walls fronting Lithgow Street, require an airborne acoustic performance of no less the Rw 52 (Category 3). This can be achieved, for example, with standard high-rise concrete facades or similar. For all other walls, Category 1 building materials will be sufficient for acoustic purposes.
- Glazing requirements and mechanical requirements for residential rooms shall be in accordance with table 4.2 below:

Table 4.2 Residential glazing requirement summary

Area	Level	Internal criteria, $L_{Aeq\,[25\ min]}$ dB	Glazing requirement (minimum)				Mechanical ventilation required?	
			Category (DoP 2008)	Rw	Glass	Seal	Where windows open at external facade[1]	Where windows open to winter garden[1]
Tower 2 Living areas Fronting Lithgow Street	2-14, Block A	40	3	32	6.38 mm laminated	Full perimeter acoustic seals	Yes	No
	15-17, Block A	40	2	27	6 mm monolithic	Full perimeter acoustic seals	Yes	No
	18-25, Block A	40	1	24	Minimum 4mm monolithic	Standard weather seals	No	No
	2-14, Block B	40	2	27	6 mm monolithic	Full perimeter acoustic seals	Yes	No
	15-17, Block B	40	1	24	Minimum 4mm monolithic	Standard weather seals	No	No
	18-25, Block B	40	1	24	Minimum 4mm monolithic	Standard weather seals	No	No
Tower 2 Sleeping areas fronting Lithgow Street	2-14, Block A	35	3	32	6.38 mm laminated	Full perimeter acoustic seals	Yes	No
	15-17, Block A	35	2	27	6 mm monolithic	Full perimeter acoustic seals	Yes	No
	18-25, Block A	35	1	24	Minimum 4mm monolithic	Standard weather seals	Yes	No
	2-14, Block B	35	2	27	6 mm monolithic	Full perimeter acoustic seals	Yes	No
	15-17, Block B	35	1	24	Minimum 4mm monolithic	Standard weather seals	Yes	No
	18-21, Block B	35	1	24	Minimum 4mm monolithic	Standard weather seals	Yes	No
	22-25, Block B	35	1	24	Minimum 4mm monolithic	Standard weather seals	No	No

Notes 1. Where applicable

Commercial construction recommendations:

- Façade/glazing requirements for the Tower 3 commercial building shall be in accordance with table 4.3 below:

Table 4.3 Tower 3 commercial façade/glazing requirement summary

Area	Level	Room	AS2107 internal criteria, L_{Aeq}, dB	Nominal glazing requirement (minimum)		
				Rw	Glass	*Seal
Lobby – all areas	G	n/a	45-50	27	6 mm monolithic	Full perimeter acoustic seals
Area fronting Pacific Highway	1-11	General office areas	40-45	35	10.38 mm laminated	Full perimeter acoustic seals
		Private offices	35-40	44	10 mm mono/16 mm air gap/10.5 mm laminated[2]	Full perimeter acoustic seals
		Meeting rooms	30-40	44	10 mm mono/16 mm air gap/10.5 mm laminated[2]	Full perimeter acoustic seals
Areas fronting Christie and Lithgow Street	1-11	General office areas	40-45	27	6 mm monolithic	Full perimeter acoustic seals
		Private offices	35-40	35	10.38 mm laminated	Full perimeter acoustic seals
		Meeting rooms	30-40	35	10.38 mm laminated	Full perimeter acoustic seals
Areas fronting Pacific Highway, Christie and Lithgow Street	12-13	General office areas	40-45	27	6 mm monolithic	Full perimeter acoustic seals
		Private offices	35-40	35	10.38 mm laminated	Full perimeter acoustic seals
		Meeting rooms	30-40	35	10.38 mm laminated	Full perimeter acoustic seals

*Notes: 1. *Commercial grade aluminium window framing with appropriate caulking can also be adopted.*
2. Based on Viridian VLAM hush glazing system.

Retail construction recommendations:

- Façade/glazing requirements for certain retail rooms shall be in accordance with table 4.4 below:

Table 4.4 Tower 3 retail façade/glazing requirement summary

Area	Level	AS2107 internal criteria, $L_{Aeq\ (15\ min)}$ dB	Glazing requirement		
			Rw	Glass	*Seal
			27	6 mm monolithic	Full perimeter acoustic seals
Rooms fronting Christie Street	G	45-50	32	6.38 mm laminated	Full perimeter acoustic seals
Rooms fronting Pacific Highway	G	45-50	27	6 mm monolithic	Full perimeter acoustic seals
Rooms fronting Lithgow Street	G	45-50	27	6 mm monolithic	Full perimeter acoustic seals
Rooms fronting Lithgow Street	G	45-50	27	6 mm monolithic	Full perimeter acoustic seals
Area fronting Lithgow Street	1	45-50			

*Notes: 1. *Commercial grade aluminium window framing with appropriate caulking can also be adopted.*

Details demonstrating compliance shall be detailed on the construction certificate drawings, prior to the issue of the relevant Construction Certificate.

(Reason: To provide the appropriate internal noise levels in accordance with AS/NZS 2107-2000 and SEPP (Infrastructure) 2007 requirements).

12. Any First Use of the Specialty Retail Premises to be the Subject of a Separate Application

Any first use of the specialty retail premises shall be the subject of a separate development application.

(Reason: To determine appropriate conditions of consent for the proposed use.)

13. Supermarket Hours of Operation

The approved hours of operation for the supermarket are as follows:

(i) Monday to Sunday: 6am to 12am.

(Reason: To ensure that the supermarket operates in accordance with the approved hours of operation.)

14. Access to the Rooftop Terrace of T2

Swipe access is to be provided from T1 to the T2 rooftop communal open space area at the Level 02 direct connection. Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to any occupation of the premises.

(Reason: To ensure equitable access to open space.)

15. Building Management Statement

Mixed-use developments are made up of shared facilities including car parking, loading docks, fire stairs, facades, entrances and exits, plazas, lifts, electrical plant and infrastructure, air conditioning plant and infrastructure, water, fire safety systems, and landscaping.

Division 3B of Part 23 of the *Conveyancing Act 1919* allows a *Building Management Statement* to be registered on the titles for different parts of the building.

A Building Management Statement (BMS) is to be registered with the plan(s) of subdivision under Section 196D of the *Conveyancing Act 1919*. The statement is to be prepared in accordance with *Schedule 8A* of the *Conveyancing Act 1919*.
The Building Management Statement is to set out the method for managing the building as a whole entity including the public plaza, and shall bind any subsequent owner of a part of the building.

(Reason: To establish a clear management strategy for managing shared facilities within the mixed-use development.)

16. Compliance with Tree Protection Measures in *Arboricultural Impact Report*

The following trees are to be retained and protected in accordance with the Tree Protection Plan prepared by Landscape Matrix dated 14/11/2017 and general tree protection measures outlined below:

Tree # 1 *Platanus x hybrida* (London Plane Tree)
Tree # 2 *Lophostemon confertus* (Brushbox)
Tree # 3 *Platanus x hybrida* (London Plane Tree)
Tree # 25 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 26 *Eucalyptus microcorys* (Tallowwood)
Tree # 27 *Eucalyptus spp. (Gum tree)*
Tree # 33 *Casuarina glauca* (Swamp Oak)
Tree # 34 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 36 *Melaleuca styphelioides* (Prickly Paperbark)
Tree # 37 *Melaleuca styphelioides* (Prickly Paperbark)
Tree # 38 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 39 *Melaleuca quinquenervia (Broad Leaved Paperbark)*
Tree # 40 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 41 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 42 *Melaleuca quinquenervia* (Broad Leaved Paperbark)

Tree # 43 *Melaleuca quinquenervia* (Broad Leaved Paperbark)
Tree # 44 *Eucalyptus saligna* (Sydney Blue Gum)
Tree # 45 *Eucalyptus capitellata (Brown Stringybark)*
Tree # 46 *Harpephyllum caffrum* (Kaffir Plum)
Tree # 47 *Harpephyllum caffrum* (Kaffir Plum)
Tree # 48 *Harpephyllum caffrum* (Kaffir Plum)

A. Measures to be implemented prior to the commencement of any works on the Site:

- All trees identified for retention/protection are to be clearly identified by signage as protected trees.
- The TPZ of trees identified for protection are to be protected by fencing during the entire construction period except for specific areas directly required to achieve construction works.
- The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacing and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres and shall be installed prior to work commencing.

B. Measures to be implemented and maintained during the life of construction works on the site:

- Construction works, development (including utilities) or soil level changes within the TPZ of trees identified for protection shall be avoided or, if unavoidable, shall be restricted to pier and beam style or suspended slab construction (including driveway construction).
- Any excavation (e.g. for piers/posts) within the primary root zones of trees identified for protection shall be carried out by hand to minimize disturbance to tree roots. Roots greater than 25mm are not to be damaged or severed without prior assessment by an arborist to determine likely level of impact and the restorative actions required to minimise the impacts of root damage.
- Tree roots between 10mm and 25mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
- To prevent soil compaction or contamination no storage or mixing of construction materials shall be allowed within the TPZ of trees identified for protection.

Canopy pruning of trees identified for protection which is necessary to accommodate approved building works shall be undertaken in accordance with Australian Standard

4373-2007 'Pruning of Amenity Trees'*(Reason: To ensure the protection of trees to be retained on the site).*

17. Street Trees / Christie Street

The seven (7) *Platanus x acerifolia* (London Plane) street trees proposed along Christie Street are to be a minimum of 4m above the surrounding finished footpath level at the time of planting. The trees shall be installed into a structural root cell system such as *Stratacell / Stratavault* by *Citygreen* or approved equal. Detailed construction drawings shall form part of the relevant Construction Certificate application and the installation of the 7 x proposed trees shall take priority over the location of any underground services.

An establishment regime of minimum twelve (12) months shall form part of the relevant Construction Certificate documentation and be employed as outlined. Council reserves the right to extend the establishment period for any reason to ensure the survival of the trees.

The 7 x *Platanus x acerifolia* trees are to be maintained in a healthy and vibrant condition for the life of the development. The replacement of trees as required shall become the responsibility of the Body Corporate for the life of the development.

The approved Landscape Plans shall be amended accordingly, prior to the issue of the relevant Construction Certificate.

18. Street Trees / Pacific Highway

Street trees shall be provided along the Pacific Highway frontage in accordance with RMS requirements for landscaping in *Clear Zones* and *Austroads Guide to Road Design – Part 6: Roadside Design, Safety and Barriers - Section 5.4.1*, and shall be approved by Council.

The approved Landscape Plans are to be amended accordingly, prior to the issue of the relevant Construction Certificate.

Note: A structural root cell system is encouraged to work in conjunction with existing underground services. Raised planter boxes will not provide trees with enough growing media to reach a size and shape that will benefit the streetscape.

(Reason: To enhance streetscape amenity and be consistent with recently approved developments.)

19. Planter Boxes

The planter boxes to T2 shall be constructed in accordance with the approved drawings including:

- random planter boxes to the western elevation of T2;
- planter boxes to the roof terrace at Level 26 of T2;
- planter boxes to the east facing balconies at Level 07 of T2.

In addition, planter boxes shall be installed to the Level 06 non-trafficable roof area of T3 along the western side of the front northern, western and rear southern elevations, and to the rear non-trafficable roof area at Level 03 of T3, as depicted in the submitted perspective drawings. These shall be contained wholly within the subject site (unlimited in depth and height).

Landscape plans shall be amended accordingly to include softworks plans for all planter boxes including details of soil depths, irrigation, plant species etc.

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

20. Landscaping Management Plan

A Landscape Management Plan shall be prepared by a suitably qualified Landscape Professional, for the proposed landscaping across the site. The report shall include as a minimum the necessary prescriptions for management of existing and new plantings associated with the mixed-use development.

The report shall cover the first five (5) years of maintenance commencing from any occupation of the premises, and shall be the subject of an annual review succeeding this.

This plan should be read in conjunction with the approved Landscape Plans (as amended by any conditions of consent).

The Plan shall be provided to the Principal Certifying Authority and Council, prior to any occupation of the premises.

(Reason: To ensure that landscaping across the site is managed appropriately and is maintained as part of on-going use of the site.)

21. Landscaping Executed in Accordance with Softworks Plans

Landscaping works are to be executed in accordance with the Landscape Softworks Plans, prepared by Arcadia Landscape Architecture dated 10 May 2018 Issue E, as amended by any conditions of consent.

(Reason: To ensure that landscaping works are executed in accordance with the approved development.)

22. Planting on Structures

Planting on structures must provide for adequate soil depth, volume and a suitable soil profile to support the number of trees and shrubs indicated on the approved plans in accordance with the table provided in *Lane Cove DCP Part J Landscaping cl.1.10 – Planting on Structures.*

Landscape Plans shall be revised to show detailed construction methods for all proposed planter boxes. The revised plans shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate. The Landscape Plans shall include the following details as a minimum:

- *Type of wall*
- *Dimensions of wall*
- *Levels for both top of wall and bottom of wall*
- *Materials used for the wall*
- *Drainage information*
- *Waterproofing information*

- *Soil profile and depth for each plant type*
- *Proposed soil volume*
- *Sections and elevations clearly illustrating the design intent and how it pertains to the human scale*
- *Plant materials specified for each of the planter boxes*
- *Certification from a practicing Structural Engineer*

(Reason: To ensure adequate conditions to promote and sustain plant growth.)

23. Rooftop Communal Open Space

The proposed roof top communal open space area at Level 26 of Tower 2 shall be equipped with the following:

- Natural shade from trees in raised planter boxes
- Toilet facilities
- Barbecue facilities
- Power points
- Water and sink
- Direct lift access to the area

Plans shall be amended accordingly and details documented on the relevant Construction Certificate drawings.

(Reason: To provide amenity for the residents and to encourage a functional and useable communal open space area).

24. Revised Landscape Plans

A revised set of Landscape Plans shall be prepared that are compliant with Council's *Development Application Landscape Plan Checklist.*

A revised plant schedule shall be submitted for assessment by Council with the following plants substituted for better suited plants from Council's recommended tree list with similar characteristics:

- *Archontophoenix cunninghamiana*
- *Pennisetum 'Purple Lea'*
- *Epipremnum aureum*
- *Schefflera arboricola 'Madam De Smet'*

A certificate demonstrating compliance with Council's *DCP 2010 Part J Landscaping* 2009 shall be issued by a suitably qualified landscaping professional and submitted to the *Principal Certifying Authority* and Council, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that landscaping documentation is compliant with Council's requirements.)

25. Civic Plaza Design

(i) The ground level of the development will serve as a public open space which requires a broader scale approach to the design than if it were for exclusive use of the residents. Therefore, the elements of both communal open space and public domain design shall be incorporated.

(ii) Due to its juxtaposition with the railway interchange, a larger than normal number of expected pedestrians must be catered for in the design and the spaces need to reflect the larger scale gatherings of crowds especially at lunch time and on Saturdays.

(iii) Ample seating in a variety of arrangements catering for varying numbers of diners along with well-located and easily recognisable amenity blocks shall be key elements of the design.

(iv) A flexible design that allows for multiple configurations to accommodate a variety of events such as open-air markets, live performances and larger group gatherings should be considered.

(v) Materials, plants, park furniture and other elements of the civic plaza design shall be in accordance with Council's selected palette in order to integrate with the future extension of the plaza the existing streetscape language of Lane Cove. This information is available from Council's Landscape Division.

Detailed plans and specifications for the design of the civic plaza, incorporating the requirements above, shall be submitted to Council's Landscape Division for approval, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that the design of the civic plaza integrates with any future expansion of the plaza, and is consistent with Council's requirements.)

26. Library Signage

Internal signage for the 'library' shall be constructed as per Drawing No. DA-50-1730 Revision A dated 14 September 2018, prepared by PTW Architects. The 'library' signage shall be illuminated.

(Reason: To highlight the public benefit of the development, which includes the dedication of a public library.)

27. Roof Top Signage to Commercial Building

The 2 x roof top signs (Type 1) to the commercial building (T3) shall not be illuminated. Drawing No. DA-40-0010, Rev C, dated 15.10.2018 shall be amended accordingly.

The approved roof top signage is approved only for the purposes of business identification signage. No advertising signage is permitted without obtaining approval from Council.

(Reason: To mitigate glare nuisance to surrounding residents and to minimise adverse visual impacts of the development when viewed from the surrounding public domain.)

28. 'Shopping Mall' Signage – New Christie Lane

The external 'Shopping Mall' signage on the southern side of the building fronting New Christie Lane, shown on Drawing No. DA-50-1710 Revision C dated 15 October 2018, prepared by PTW Architects, shall be deleted. Plans are to be amended accordingly, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure a positive contribution to the surrounding area.)

29. Waste Collection / Deed of Indemnity

Prior to the issue of any Occupation Certificate, the applicant is to complete Council's *Deed of Indemnity* for its waste contractor to enter the premises to collect waste and recycling.

This is to be submitted to Council at least forty (40) days, prior to any occupation of the building.

(Reason: To manage risk to any Council infrastructure, as recommended by Council's Waste Officer).

30. Contamination Reports

In accordance with the *NSW Office of Environment & Heritage 'Guidelines for Consultants Reporting on Contaminated Sites' (2011)*, the following reports are required to be prepared:

- *Stage 2 – Detailed site investigation;*
- *Stage 3 – Site remedial action plan (RAP);* and
- *Stage 4 – Validation and site monitoring reports.*

All reports are to be reviewed by a *NSW EPA Accredited Site Auditor* and a written report submitted to Council validating that the site is suitable for the proposed development.

Ongoing site monitoring shall be in accordance with the recommendations of the Stage 4 Report and carried out by a *NSW EPA Accredited Site Auditor.*

(Reason: To ensure that the site is suitable for the proposed development.)

31. (467) Assessment of Potentially Contaminated Soils

All stockpiles of potentially contaminated soil must be assessed in accordance with relevant *NSW Environment Protection Authority* guidelines.

(Reason: Health and safety.)

32. (468) Offsite Disposal of Contaminated Soil

All contaminated soil removed from the site must be disposed at a waste facility that can lawfully receive that waste.

Copies of all test results and disposal dockets must be retained for at least three (3) years and be made available to authorised Council Officers on request.

(Reason: Health and safety.)

33. Natural Ventilation

Each habitable room shall have an unobstructed opening size of at least 5% of the floor area served by the opening. Details demonstrating compliance shall be shown on the relevant construction drawings, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure compliance with Objective 4B-1 of the Apartment Design Guide to ensure adequate natural ventilation.)

34. Livable Units

The developments shall meet the benchmark of 20% of the total apartments incorporating the Liveable Housing Guidelines silver level universal design feature. Details demonstrating compliance shall be shown on the relevant construction drawings, prior to the issue of the relevant Construction Certificate.

(Reason: To comply with Objective 4Q-1 of the ADG to ensure flexible housing for all community members.)

35. Security Grilles

No security grilles are permitted to ground floor shops/retail premises at ground floor level. All street frontage windows at ground floor level are to comprise clear glazing.

(Reason: To promote activation of the adjoining public domain and safety).

36. Outdoor lighting

External lighting shall operate from dusk until dawn on Thursday, Friday, and Saturday nights, and from dusk until midnight on other nights. The control to operate lighting from dusk shall be initiated by a suitably adjusted / calibrated photo-electric switch. A

Outdoor lighting shall comply with Australian Standard *AS 4282-1997: Control of the obtrusive effects of outdoor lighting*. Where a variation exists between this condition and AS 4282-19987, the Australian Standard shall prevail.

(Reason: To achieve compliance with Clause 5.3 of Part D of Lane Cove DCP 2010, to protect the amenity of neighbouring residences and limit the obtrusive effects of outdoor lighting in public places).

37. Accessibility

The proposed development shall comply with the relevant accessibility requirements of the Building Code of Australia and relevant Australian Standards including *AS 1428 Design for Access and Mobility, AS 4299 Adaptable Housing, AS 2890 Parking Facilities, AS 1735 Lifts, Escalators and Moving Walks,* and with the *Part F of this Lane Cove DCP 2010 – Access and Mobility.*

The recommendations contained within the Accessibility Assessment Report prepared by BCA Logic dated 8 January 2018 shall be fully complied with, as follows

Adaptable bathrooms:

- Fixtures shall be arranged in post-adaptation location from the beginning where possible.
- An accessible path of travel is to be provided to the visitable toilet from the unit entry. The wardrobes of nominated adaptable units pre-adaptable may need to be relocated to comply.

Turning spaces within internal corridors:

- Turning spaces are to be no less than 1540mm x 2070mm and must be provided clear of fixtures and skirtings.

Accessible toilets:

- The number of left and right hand unisex accessible toilets within Tower 3 are to be provided as evenly as possible. Currently all are right hand transfer facilities.

Design certification:
The following items are to form part of a design statement of specification, prior to the issue of the relevant Construction Certificate:

General

- Tactile ground surface indicators shall be installed at the top and bottom of stairways / ramps (other than fire isolated stairways / ramps); and where an overhead obstruction is less than 2 metres above the floor level. Tactile ground surface indicators shall comply with Sections 1 and 2 of AS1428.4.1.
- On an accessway where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights or glazing capable of being mistaken for a doorway or opening shall be clearly marked and comply with Clause 6.6 of AS1428.1-2009. A solid non-transparent contrasting line not less than 75mm wide is to extend across the full width of the glazing panel. The lower edge of the contrasting line is to be located between 900-1000mm above the plane of the finished floor level. The contrasting line is to provide a minimum of 30% luminance contrast when viewed against the floor surface or surfaces within 2 metres of the glazing on the opposite side.
- All doorways shall have a minimum luminance contrast of 30% in accordance with Clause 13.1 of AS1428.1-2009.
- Fixtures and fittings in accessible sanitary facilities shall be provided and installed in accordance Clause 15 of AS1428.1-2009.
- Fixtures and fittings in ambulant facilities shall be provided and installed in accordance Clause 16 of AS1428.1-2009.
- Walkways shall comply with Clause 10 of AS1428.1-2009.
- For the walkways, the floor or ground surface abutting the sides of the walkway are to be firm and level of a different material to that of the walkway at the same level and follow the grade of the walkway and extend horizontally for a minimum of 600mm, or be provided with a kerb or kerb rail in accordance with Clause 10.2 of AS1428.1-2009.
- Stairways are to comply with Clause 11 of AS1428.1-2009.
- The fire isolated stairs shall comply with Clause 11.1(f) and (g) of AS1428.1-2009.
- Handrails shall comply with Clause 12 of AS1428.1-2009.
- Grabrails shall comply with Clause 17 of AS1428.1-2009.
- Accessible car spaces must achieve compliant headroom clearances in accordance with Clause 2.4 of AS2890.6-2009.
- Demarcation is to be provided in the accessible car space and adjacent shared zone in accordance with Clause 3.1 and 3.2 of AS2890.6. Refer to Annexure B1 for a diagrammatic explanation.
- Bollards are to be provided in the shared disabled car space area in accordance with Clause 2.2.1(e) of AS2890.6-2009.
- Switches and power points are to comply with Clause 7 and Clause 14 of AS1428.1-2009. Any level difference over 3mm must be ramped in accordance with AS1428.1.
- Braille and tactile signage shall comply with BCA 2016 and Clause 8 of AS1428.1-2009.
- The passenger lifts are to comply with BCA 2016 Table E3.6b and AS1735.12.
- The unobstructed height of a continuous accessible path of travel is to be a minimum of 2000mm and 1980mm at doorways.

- Door handles and the like, are to be in accordance with Clause 13.5 of AS1428.1-2009.

Adaptable Housing Units

- All ground surfaces are to be slip resistant to comply with HB197/AS4856.
- Letterboxes shall be on a hard stand area connected to an accessible pathway in accordance with Clause 3.8 of AS4299.
- The unit entry doors to the adaptable units shall comply with the circulation spaces required under AS1428.2 in accordance with Clause 4.3.1 of AS4299.
- Door hardware is to be compliant with AS1428.1-2009 and all external doors shall be keyed alike in accordance with Clause 4.3.4 of AS4299.
- Internal door openings within the adaptable units shall have a clear opening of 820mm with door circulation spaces complying with AS1428.1 in accordance with Clauses 4.3.3 and 4.3.7 respectively of AS4299.
- A telephone outlet is to be provided adjacent to GPO in living/dining areas in accordance with Clause 4.7.4 of AS4299.
- The kitchen cabinet design shall allow for the removal of cabinets under the sink and
- adjacent work surface in accordance with Clause 4.5.6 of AS4299.
- Cook tops are to be provisioned with isolating switches or gas stop valves that can be easily and safely operated while the cook top is in use in accordance with Clause 4.5.7 of AS4299.
- GPO's shall comply with AS 1428.1 with at least one double GPO provided within 300mm of front of a work surface. A GPO for refrigerator shall be easily reachable when the refrigerator is in its operating position in accordance with Clause 4.5.11 of AS4299.
- The adaptable bathroom is to be provisioned for the fit-out to comply with AS1428.1 in accordance with 4.4.1 of AS4299.
- The shower of the adaptable bathroom is to be hob-less in accordance with Clause 4.4.4(f) of AS4299.
- The bathrooms are to be waterproofed to comply with AS3740.
- The soap holder is to be recessed in accordance with Clause 4.4.4(f) of AS4299.
- Shower heads and taps are to be located at a height and clearance compliant with AS1428.1 in accordance with Clause 4.4.4(f) of AS4299.
- Provision for the installation of all grabrails, shower hardware, and folding seat are to be provided in the adaptable bathroom in accordance with Clause 4.4.4(h) of AS4299.
- Provision for the installation of a washbasin with clearances as required by AS1428.1 are to be provided in accordance with Clause 4.4.4(g) of AS4299.
- A double GPO is to be provided beside the mirror in the adaptable bathroom in accordance with Clause 4.4.4(d) of AS4299.
- Provision for the toilet to comply with AS1428.1, is to be provided, including locating the pan in the correct position, and the provision for the installation of all grabrails in accordance with Clauses 4.4.1, 4.4.3 and 4.4.4(h) of AS4299.
- Where a clothes line is provided an accessible path of travel is be provided to this in accordance with Clause 4.8(a) of AS4299.
- A double GPO is to be provided in the laundry, as will a shelf at a height of 1200mm maximum in accordance with Clause 4.8 of AS4299.
- Lighting is to be provided to the adaptable units in accordance with Clause 4.10 of AS4299.

SEPP 65 – Livable Housing Design Guidelines (LHDG)

- Entrance doors to have 820mm minimum clear door width opening, level transition (5mm max. vertical tolerance) and reasonable shelter from the weather.
- Entrance doors to have 1200x1200mm level landings.
- "Ramped threshold" allowed between 5-56mm height change.
- Level & "step-free" entrance connected to the "safe and continuous pathway".
- Waterproofing and termite management at entry door (as per NCC).
- Garages to be a minimum 3200x5400mm, an even, firm and slip resistant surface with
- 1:40 max. level surface (1:33 max. asphalt).
- All internal doors to have 820mm min. clear door opening at entry level rooms, 5mm max.
- Vertical tolerance surface, and 1000mm minimum internal corridors at entry level rooms.
- Toilet to be on entry level (ground floor).
- If WC is located in a separate room. WC pan circulation space to be 900x1200mm front WC (door not to encroach).
- If WC is located within a bathroom, WC pan circulation space to be in the corner of the room to enable installation of grabrails (door not to encroach).
- Bathrooms to have slip resistant and hobless shower recess (portable shower screens allowed).
- Shower recess to be located in a room corner to enable the installation of grabrails.
- Walls to be constructed of solid masonry or concrete, otherwise to be reinforced (1100N minimum).
- For WC, the reinforcement is to be 25mm thick noggings, or 12mm thick sheeting.
- For baths, reinforcement to be 25mm thick noggings, or 12mm thick sheeting.
- For showers, reinforcement to be 25mm thick noggings, or 12mm thick sheeting
- A continuous stairway handrail is to be provided where there is a rise of more than 1m.

Details demonstrating compliance shall be shown on the Construction Certificate drawings, prior to the issue of the relevant Construction Certificate.

(Reason: To achieve access for people for with a disability).

38. Public Art

The provision of public art shall be proposed to Council for approval in accordance with *Part L: Public Art* of Lane Cove DCP 2010, prior to occupation of Tower 1 and Tower 2.

Public Art shall be proposed in at least two (2) of the locations identified in the *Public Art Framework Plan* prepared by Vertebrae:

- Tower 2 western canopy and ground plane;
- Civic plaza walk;
- Central retail and sunken garden; and
- Christie Lane

Artwork shall have regard to wind impacts.

(Reason: To enhance the amenity of the site, provide a landmark entry statement to the development, and draw people through the space.)

39. Response to RMS requirements

The proposed development shall be amended to comply with the following:

(i) The canopy to the commercial building at Level 02 shall be deleted where it encroaches RMS dedicated land along the Pacific Highway Frontage (Condition (i) of RMS concurrence) and land required to be dedicated to RMS on the southern side of the Pacific Highway between Lithgow Street and the subject site (Condition (x) of RMS concurrence).
(ii) The 'Y' supported colonnade along the Pacific Highway frontage shall be contained wholly within the freehold property (unlimited in height or depth).
(iii) No portion of the public plaza shall encroach land to be dedicated to RMS on the southern side of the Pacific Highway between Lithgow Street and the subject site (Condition (x) of RMS concurrence).
(iv) The upper level awnings to the commercial building shall be contained wholly within the freehold property (unlimited in height or depth).
(v) Plantings shall be incorporated along the Pacific Highway frontage that comply with RMS requirements for '*Clear Zones*', with details submitted to Lane Cove Council for Approval.

40. Timing for delivery of works under the executed VPA

The public plaza and all works-in-kind contributions under the executed VPA, dated 6 October 2017, between Lane Cove Council and JQZ Fifteen Pty Ltd and Christie Street Development Pty Ltd, shall be completed in accordance with the timeframe specified under the executed VPA.

(Reason: To ensure coordinated site development).

41. Complaint Management Plan

The Complaint Management Plan, prepared by Concourse Constructions Pty Ltd (Amended April 2018) shall be executed and fully complied throughout the duration of the works.

(Reason: To ensure that complaints are managed effectively).

42. Traffic and Transport Contribution

Due to additional vehicular traffic resulting from this development, the intersection of Pacific Highway and Oxley Street is to be upgraded to a Critical Site in the Sydney Coordinated Adaptive Traffic System (SCATS). This involves the installation of pavement loop detectors in the Pacific Highway and associated intersection upgrade works. The developer is required to:

(i) Undertake the necessary upgrade works to the intersection of the Pacific Highway and Oxley Street in consultation with the NSW Roads and Maritime Services (RMS). The works must be completed to the satisfaction of the NSW RMS and be endorsed by the NSW RMS prior to the issue of any occupation certificate; or

(ii) Fund fifty percent (50%) of the cost (estimated $250,000) for the intersection upgrade of Pacific Highway and Oxley Street. Payment is to be made to Council and shall be paid prior to the issue of the first Construction Certificate.

(Reason: Shared responsibility between Council and the developer to upgrade the intersection of Pacific Highway and Oxley Street, and to ensure consistency with Council requirements for the 'New Hope' and 'Mirvac' developments).

43. Environmental Protection Measures for adjoining Child Care Centre

A detailed Construction Environmental Management Plan shall be prepared by a suitably qualified professional outlining the proposed measures to ensure safety to the adjoining Child Care Centre during the entirety of the construction period.

The Plan shall address such matters as dust control, debris from construction works, noise mitigation measures, and details of the proposed hoarding between the child care centre and subject site. Details of dust suppression measures shall also be provided.

The Plan shall comply with any requirements under the BCA, relevant Australian Standards, and PEOA Act 1997 for sensitive land uses.

The Plan shall be developed in consultation with and approved by the Director of the Child Care Centre, prior to the issue of the first Construction Certificate.

(Reason: To protect the safety of children, parents, staff and visitors of the adjoining child care centre).

44. Civil Aviation Authority Conditions

In accordance with regulation 14(1)(b) of the *Airports (Protection of Airspace) Regulations 1996*, the following conditions are imposed:

(i) The building must not exceed a maximum height of 234.3 metres AHD, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, any roof top garden plantings, exhaust flues etc.

(ii) The building must be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360-degree radius as per subsection 9.4.3 of the *Manual of Standards Part 139 - Aerodromes* (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of the MOS.

(iii) The proponent must ensure obstacle lighting arrangements have a remote monitoring capability, in lieu of observation every 24 hours, to alert SACL reporting staff of any outage. For detailed requirements for obstacle lighting monitoring within the OLS of an aerodrome, refer to subsection 9.4.10 of the MOS.

(iv) The obstacle lighting must have a built-in alarm system that will provide remote monitoring to notify the person responsible for the maintenance of the obstacle lighting. The designated person must be available 24 hours per day, 7 days per week. Immediate action must be taken to repair the obstacle lighting and notify Sydney Airport of any outage. The contact details of the person responsible for the maintenance of the obstacle lighting must be sent to Sydney Airport prior to the development being erected above 156 metres AHD and must be kept up to date. In the event of the obstacle lighting being inoperable, the person responsible for the maintenance of the obstacle lighting is to immediately

contact the Sydney Airport Airfield Operations Supervisor on 0419 278 208 or 9667 9824.

(v) Following completion of the building, the Proponent must advise SACL, in writing, that the future owner(s)/manager(s) have been informed of their obligation to maintain the obstacle lighting in accordance with conditions of this approval.

(vi) The Proponent must ensure obstacle lighting is maintained in serviceable condition and any outage immediately reported to SACL.

(vii) The Proponent must advise Airservices Australia at least three business days prior to the controlled activity commencing by emailing <ifp@airservicesaustralia.com> and quoting SY-CA-574.

(viii) Separate approval must be sought under the Regulations for any construction equipment (i.e. cranes) required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations. Therefore, it is advisable that approval to operate construction equipment (i.e. cranes) be obtained prior to any commitment to construct.

(ix) On completion of construction of the building, the Proponent must provide (in writing) a report from a certified surveyor on the finished height of the building to SACL's Airfield Design Manager.

(x) Note: Breaches of approval conditions are subject to significant penalties under Sections 185 and 187 of the Airports Act 1996.

45. WaterNSW General Terms of Approval

(i) A Water Supply Work Approval from WaterNSW must be obtained prior to commencing dewatering activity on the proposed site. Please complete an Application for approval for water supply works, and/or water use.

(ii) An application for a Water Supply Works Approval will only be accepted upon receipt of supporting documentation, and payment of the applicable fee (see Application fees for New or amended Works and/or Use Approvals). The information required for the processing of the water supply work application may include preparation of a dewatering management plan. Please refer to checklist attached.

(iii) If approved, the Approval will be issued for a period of up to 24 months to cover the dewatering requirements during the construction phase. It will include conditions to ensure that impacts are acceptable, and that adequate monitoring and reporting procedures are carried out. The Approval will be issued subject to the proponent meeting requirements of other agencies and consent authorities. For example, an authorisation by either Sydney Water or the local Council, depending where the water will be discharged. If contaminants are likely, or are found to be present in groundwater, and are being discharged to stormwater, including high salinities, a discharge licence under the *Protection of the Environment Operations Act 1997 (NSW)* may also be required.

(iv) WaterNSW prefers "tanking" (i.e. total water proofing below the seasonal high water table) of basement excavations, and avoids the ongoing extraction of

groundwater after the initial construction phase. It is also advised to adopt measures to facilitate movement of groundwater post construction (e.g. a drainage blanket behind the water-proof membrane).

(v) If the basement is not "tanked", the proponent will require a Water Access Licence (WAL) and need to acquire groundwater entitlements equivalent to the yearly ongoing take of groundwater. Please note: Acquiring groundwater entitlements could be difficult, and may cause delay in project completion. If a WAL is required, please complete an Application for a new water access licence with a zero-share component.

46. Ausgrid Conditions

(i) **Supply of Electricity**
It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

- the existing network can support the expected electrical load of the development;
- a substation may be required on-site, either a pad mount kiosk or chamber style; and
- site conditions or other issues that may impact on the method of supply.

Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

It is noted that chamber substation spaces are proposed in the architectural drawings.

(ii) **Conduit Installation**

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

(iii) **Streetlighting**

The developer is to consider the impact that existing streetlighting and any future replacement streetlighting and maintenance may have on the development. Should the developer determine that any existing streetlighting may impact the development, the developer should either review the development design, particularly the placement of windows, or discuss with Ausgrid the options for relocating the streetlighting. The relocating of any streetlighting will generally be at the developers' cost. In many cases it is not possible to relocate streetlighting due to its strategic positioning.

(iv) **Proximity to Existing Network Assets**

Overhead Powerlines

There are existing overhead electricity network assets in Lithgow St, Christie St, Christie Ln and the Pacific Hwy. Safework NSW Document – *Work Near Overhead Powerlines: Code of Practice*, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding. The "as constructed" minimum clearances to the mains should also be considered. These distances are outlin ed in the *Ausgrid Network Standard, NS220 Overhead Design Manual*. This document can be sourced from Ausgrid's website, www.ausgrid.com.au.

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Underground Cables

There are existing underground electricity network assets in Lithgow St, Christie St, and Christie Lane. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. Safework Australia – *Excavation Code of Practice*, and *Ausgrid's Network Standard NS156* outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There are existing electricity substation assets at 84A Christie St (S3805) and on the West side of Lithgow St (S3505). These are kiosk style electricity substations which may be impacted by the proposed construction. Whilst it appears that the developer may be proposing to remove/replace the existing substations, until such time that suitable arrangements have been made with Ausgrid for their removal/replacement, and the substations have been consequently be decommissioned and removed, the substations and associated electrical infrastructure must be adequately protected from the construction works and fire segregation requirements must be considered. Subsidence and vibration must minimised at the substation site. The use of ground anchors under a substation is generally not permitted due to the presence of underground cabling and earthing conductors which may be more than 10m deep. A further area of exclusion may be required in some circumstances.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust

openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non- combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the *Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (ARPANSA, 2006*). For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143. Please do not hesitate to contact Adam Bradford on Ph: (02) 93946627 (please quote our ref: Trim 2017/25/5) should you require any further information.

47. RMS Conditions

a) Proposed shoring design adjacent to Pacific Highway

(i) It should be noted that our review aims for protection of the RMS assets and it does not necessarily represent a comprehensive review of the whole design. Responsibility of the proposed design resides entirely with the designer.

(ii) The results of the monitoring data must be submitted to RMS in regular interval.

(iii) The RMS shall be indemnified by the proponent from and against all actions, suits, proceedings, losses, costs, damages, charges, claims and demands in any way arising from the proposed work.

(iv) It is recommended that the Proponent contact Dial Before You Dig (telephone 1100) prior to the commencement of work to ascertain whether other utility services may be involved.

(v) If this work involves excavation of RMS road or modification to RMS assets, details of the works are to be approved by the RMS Sydney Asset

Management. In this regard, specific locations and dimensions are to be forwarded to this office to assess the impact of the proposed work on RMS assets.

(vi) Should you have any further enquiries regarding the DA conditions of the proposed development, please contact at Email: development.sydney@rms.nsw.gov.au.

(vii) Road Occupancy Licence - Traffic Management

To submit Road Occupancy Licence Applications the proponent must first register online. The proponent must use Google Chrome as your web browser (there is a map function that only work in Chrome). Please access the following link and proceed to register https://myrta.com/oplinc2

Any clarification on the above matter, please contact the Road Occupancy Unit on 02 8396 1513 during normal business hours.

(viii) Other Matters

Please use the Reference: DR 1787 Geotech for any correspondence relating to this work.

Please contact Suppiah Thillai on E: suppiah.thillai@rms.nsw.gov.au or T: 02 8849 2114 if you require any further information regarding this correspondence

b) Traffic related conditions of consent

(i) Roads and Maritime has previously resumed and dedicated a strip of land as road along Pacific Highway frontage of the subject property, as shown by grey colour on Aerial plan "X" annexed to correspondence from RMS, dated 24 October 2018. Therefore, all buildings and structures together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth) along Pacific Highway boundary.

Any authority issued by Council for temporary occupation of the road reserve in the form of a Hoarding must require Roads and Maritime and Council to be suitably indemnified against any claim as a result of such occupation.

Roads and Maritime draws Council's attention that identifies existing structures and/or proposed structures (pedestrian link to the Station) appear to be below the Pacific Highway corridor.

(ii) The redundant driveway on Pacific Highway boundary shall be removed and replaced with kerb & gutter to match existing. The design and construction of the kerb and gutter on Pacific Highway shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works Unit at:developerworks.sydney@rms.nsw.gov.au

A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved

road design plans by Roads and Maritime, prior to the issue of the relevant Construction Certificate involving works to RMS owned land

(iii) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system in Pacific Highway are to be submitted to Roads and Maritime for review & approval, prior to the issue of the relevant Construction Certificate involving works to RMS owned land

Details should be forwarded to: developerworks.sydney@rms.nsw.gov.au.

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Developer's Works Unit Ph: 9598 7798.

(iv) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001.

The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime.

Details and any enquiries should be forwarded to Mr Suppiah Thillai at Suppiah.Thillai@rms.nsw.gov.au or Phone at 8849 2114.

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

(v) The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works (which include but not limited to removal of existing driveway, construction of kerb & gutter and drainage connections). Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.

Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.

(vi) A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Pacific Highway during construction activities.

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

658 792 or e-mail at <David.Collaguazo@transport.nsw.gov.au> for their attention.

(viii) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Pacific Highway.

(ix) The closure of part of Lithgow Street and Christie Lane is subject to the preparation of Traffic Management Plan (TMP) and approval by the Lane Cove Local Traffic Committee, prior to the issue of the relevant Construction Certificate.

(x) The land on the southern side of Pacific Highway between Lithgow Street and the subject site, as shown by green colour in Aerial Plan "X" annexed to correspondence from RMS dated 24 October 2018, should be dedicated to Roads and Maritime at no cost to Roads and Maritime. The area required for road should be identified as a separate lot/ part of the common property in any proposed plan of subdivision. Therefore, any future development (including Public Domain works) along the subject section of Pacific Highway should be set back from this new boundary.

(xi) Upgrade existing intersection of Nicholson Street & Oxley Street by providing two left turn lanes into Oxley Street. To achieve this, the developer should construct intended parking bays along Nicholson Street frontage and Council to extend this configuration to Oxley Street. This would provide two eastbound lanes and one westbound lane in Nicholson Street leading to the intersection of Oxley Street.

(xii) Existing on-street parking on Oxley Street between Pacific Highway and Nicholson Street to be removed and replaced with full time 'No Stopping' restrictions.

(xiii) Existing Traffic Signal at the intersection of Oxley Street & Pacific Highway to be upgraded including all detector loops on Pacific Highway and missing pedestrian leg on Pacific Highway to be installed.

(xiv) The existing parking in Pacific Highway between Lithgow Street and Christie Street should be removed and replaced with full time No Stopping restrictions.

(xv) The existing parking in Christie Street between Pacific Highway and Christie Lane should be removed and replaced with full time 'No Stopping' restrictions.

(xvi) The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity. In this regard the existing pedestrian crossing at Pacific Highway & Christie Street should be upgraded.

Upgrades required under Points (xi) to (xvi) inclusive, shall be completed prior to occupation of Tower 1 and Tower 2.

Note: Conditions pertaining to road works and upgrades shall be the shared responsibility of Lane Cove Council and the applicant/developer (JQZ).

48. Sydney Trains Conditions

A1. Unless amendments are required in order to obtain approval/certification/ compliance from Sydney Trains in relation to any of the Sydney Trains related conditions of consent, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations as detailed in the following documents:

- *Geotechnical Report - Revision E, prepared by WSP dated 16/01/2018 – Ref PS106114-GEO-REP-608A Rev E*
- *Geotechnical Assessment of Impact of Proposed Development on Adjacent Infrastructure report - Revision D, prepared by WSP dated 01/05/2018 – Ref PS106114-GEO-REP-607A RevE.docx*
- *Roclab data to verify Mohr Coulomb parameters provided 12/09/2018*
- *Impact Assessment on Sydney Trains Infrastructure – Railway Overbridge Correspondence (including 3D Monitoring) prepared by WSP dated 26/04/2018 – Ref PS106114A-GEO-LTR-629A RevC.docx*
- *Structural Shoring Report (and included drawings) by ABC Consultants dated 27/07/2018 – Ref 17091-rc*
- *Boundary Section showing approximate location of piling rig – Drawing No.- S01.035 – Revision C dated 12/06/2018*

The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with the Sydney Trains related conditions of consent. The measures detailed in the documents approved/ certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the relevant Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

A2. Prior to the issuing of the relevant Construction Certificate, the Applicant is to submit to Sydney Trains for endorsement the following items:

i) Final anchor design and locations, and anchoring specifications fully documented in the shoring drawings.
ii) Topographical survey results and site inspection of OHW infrastructure and retaining wall and certification that works will not impact on tolerances for the infrastructure.
iii) Final Construction Management Plan (including signage and restriction to ensure actual surcharge does not exceed design assumptions).
iv) Final Structural report and drawings (also incorporating detailed survey information).
v) Documentation detailing compliance with Australian Standard AS5100.
vi) Vibration and ground movement monitoring plan
vii) Machinery to be used during excavation/construction.
viii) Detailed construction and maintenance plan to prove that the setback shown on Drawing No. DA-50-1721 Revision B, dated 30/07/2018 is adequate to enable the construction and

maintenance works can be undertaken without accessing the rail corridor land or airspace. If this requirement cannot be met then the Applicant will be required to setback the proposed works in order to achieve compliance with this requirement.

ix) Design details of the louvres facing the rail corridor as shown on Drawing No. DA-50-1720 Revision D, dated 30/07/2018.

x) Details of the structural design of the crash barrier to prevent vehicles utilising truck access below the Plaza deck.

The Principal Certifying Authority is not to issue the relevant Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

A3. *Prior to the commencement of excavation or any other ground penetration deeper* than 2m in depth the Applicant shall request the undertaking of a track condition assessment by the Sydney Trains District Maintenance Engineer (DME). The Applicant's geotechnical and structural engineers shall provide to Sydney Trains for endorsement certification that the track condition identified by the DME does not trigger any amendments to the documentation endorsed by Sydney Trains for this development application. In the event that amended documentation is required then this documentation shall be Sydney Trains for endorsement prior to the issuing of the relevant Construction Certificate. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.

A4. Prior to the issuing of the relevant Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains and the light rail operator for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

A5. If required by Sydney Trains, a services search is to be undertaken prior to commencement of works. The Applicant is to contact the Sydney Trains Engineering Management Interfaces Group (EMI) to confirm the need for this search to be undertaken.

A6. All excavation works within 25m of the rail corridor are to be supervised by a geotechnical engineer experience with such excavation projects.

A7. Sydney Trains and Transport for NSW, and persons authorised by them for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

A8. Copies of any certificates, drawings or approvals given to or issued by Sydney Trains or Transport for NSW must be submitted to Council for its records.

A9. Prior to the commencement of works, and prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period

deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure, road bridge and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

A10. The Applicant's geotechnical and structural engineers shall provide to Sydney Trains for endorsement certification that the design, condition and load capacity of the road bridge does not trigger any amendments to the documentation endorsed by Sydney Trains for this development application. In the event that amended documentation is required then this documentation shall be Sydney Trains for endorsement prior to the issuing of the relevant Construction Certificate. The assessment by the engineers shall satisfactorily demonstrate that there is no impact to Sydney Trains infrastructure for all relevant potential design loading scenarios for ultimate and serviceability limit state for both the substructure and the superstructure. Consideration shall be given to thermal affects. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains that this condition has been satisfied.

A11. A final acoustic assessment based on the final approved development is to be prepared in compliance with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines" and submitted to Council.

A12. Prior to the issue of the first Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for the relevant Construction Certificate.

A13. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from the elevated plaza adjoining the rail corridor the Applicant is required to install measures that prevent the throwing of objects onto the rail corridor. These measures are to be developed with Sydney Trains and comply with Sydney Trains requirements. The Principal Certifying Authority is not to issue an Occupation Certificate for Tower 1 and Tower 2 until it has confirmed that these measures have been installed and are endorsed by Sydney Trains.

A14. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the light rail operator. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from the light rail operator confirming that this condition has been satisfied.

B15. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

B16. Prior to the issue of any Construction Certificate, the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations (e.g. concrete pumps) for the development and must comply with all Sydney Trains and light rail operator requirements. The Principal Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from the Sydney Trains and the light rail operator confirming that this condition has been satisfied.

B17. Rainwater from the roof and the plaza deck must not be projected and/or falling into the rail corridor and must be piped down the face of the building.

B18. Prior to the commencement of works appropriate fencing/hoarding is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing/hoarding work being undertaken.

B19. The development shall have appropriate fencing installed for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development, prior to the issue of an Occupation Certificate for Tower 1 and Tower 2. The Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

B20. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from the light rail operator. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.

B21. Prior to the issue of the relevant Construction Certificate the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

B22. Prior to the commencement of works or the issuing of the relevant Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure. The Applicant is to contact Sydney Trains Engineering Management Interfaces Group (EMI) to obtain the level of insurance required for this particular proposal. Prior to issuing the relevant Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains and light rail operator written advice to the Applicant on the level of insurance required.

B23. Prior to the commencement of works or the issuing of the relevant

Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Engineering Management Interfaces Group (EMI) to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains and the light rail operator. Prior to the issuing of the relevant Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains and the light rail operator confirming the lodgement of this Bond/Bank Guarantee.

B24. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.

B25. Prior to the issuing of any Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Council. The as-built drawings shall indicate that there has been no encroachment into Sydney Trains land or easements. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

B26. No work is permitted within the Sydney Trains land, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains and/or Transport for NSW. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue the relevant Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted. Prior to the issuing of the relevant Construction Certificate the Applicant shall liaise and enter into agreement with Sydney Trains regarding the future of the adjoining former Café Wasabi structure.

B27. Prior to the issuing of any Construction Certificate the Applicant shall liaise with Sydney Trains determine the need for an Agreement to enable the works to be constructed in a safe manner. Prior to the issuing of the relevant Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the need or otherwise for such an Agreement.

B28. Documentation (prepared in consultation with Lane Cove Council, Sydney Trains and Transport for NSW) advising public transport users of the changes associated with Lithgow St closure and access to the rail underpass during construction works. This documentation is to be completed and available for release prior to works commencing.

B29. The rail underpass shall remain open and unobstructed at all times. Prior to the undertaking of public domain works adjoining the underpass the Applicant shall liaise with and obtain endorsement from Sydney Trains for the undertaking of those works.

B30. Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue any Construction Certificate or Occupancy Certificate, 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 a staged Construction Certificate dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies. Documentation required to be submitted for review by

Sydney Trains Engineering Management Interfaces Group (EMI) are to be forwarded to the email address North_Interface@transport.nsw.gov.au.

B. GENERAL CONDITIONS

49. (20) Approved Plans and Supplementary Documents

a) Approved Plans

That the development, except as amended by the following conditions, be carried out in accordance with the following drawings:

Architectural Drawings		
All prepared by: PTW Architects		
Drawing No.	**Title/Description**	**Revision / Date**
DA-00-0001	Location and Site Plan	C / 15.10.2018
DA-00-0010	Demolition Plan	D / 15.10.2018
DA-10-0900	Basement 10 Plan	G / 15.10.2018
DA-10-1000	Basement 09 Plan	G / 15.10.2018
DA-10-1100	Basement 08 Plan	G / 15.10.2018
DA-10-1200	Basement 07 Plan	H / 15.10.2018
DA-10-1300	Basement 06 Plan	H / 15.10.2018
DA-10-1400	Basement 05 Plan	H / 15.10.2018
DA-10-1500	Basement 04 Plan	H / 15.10.2018
DA-10-1600	Basement 03 Plan	H / 15.10.2018
DA-10-1700	Basement 02 Plan	H / 15.10.2018
DA-10-1800	Basement 01 Plan	I / 15.10.2018
DA-10-1900	Lower Ground Plan	J / 15.10.2018
DA-10-2000	Ground Floor Plan	I / 15.10.2018
DA-10-2100	Level 01 Plan	G / 15.10.2018
DA-10-2200	Level 02 Plan	H / 15.10.2018
DA-10-2300	Level 03 Plan	H / 15.10.2018
DA-10-2400	Level 04 Plan	G / 15.10.2018
DA-10-2500	Level 05 Plan	G / 15.10.2018
DA-10-2600	Level 06 Plan	G / 15.10.2018
DA-10-2700	Level 07 Plan	G / 15.10.2018
DA-10-2800	Level 08 Plan	F / 15.10.2018
DA-10-2900	Level 09 Plan	F / 15.10.2018
DA-10-3000	Level 10 Plan	F / 15.10.2018
DA-10-3100	Level 11 Plan	G / 15.10.2018
DA-10-3200	Level 12 Plan	G / 15.10.2018
DA-10-3300	Level 13 Plan	G / 15.10.2018
DA-10-3400	Level 14 Plan	G / 15.10.2018
DA-10-3500	Level 15 Plan	G / 15.10.2018
DA-10-3600	Level 16 Plan	G / 15.10.2018
DA-10-3700	Level 17 Plan	G / 15.10.2018
DA-10-3800	Level 18 Plan	G / 15.10.2018
DA-10-3900	Level 19 Plan	G / 15.10.2018
DA-10-4000	Level 20 Plan	G / 15.10.2018
DA-10-4100	Level 21 Plan	G / 15.10.2018
DA-10-4200	Level 22 Plan	G / 15.10.2018
DA-10-4300	Level 23 Plan	G / 15.10.2018
DA-10-4400	Level 24 Plan	G / 15.10.2018
DA-10-4500	Level 25 Plan	G / 15.10.2018
DA-10-4600	Level 26 Plan	G / 15.10.2018
DA-10-4700	Level 27 Plan	G / 15.10.2018
DA-10-4800	Level 28 – Level 31 Plan	D / 15.10.2018

DA-10-5200	Level 32 Plan	G / 15.10.2018
DA-10-5300	Level 33 – Level 42 Plan	D / 15.10.2018
DA-10-6300	Level 43 – Level 45 Plan	D / 15.10.2018
DA-10-6600	Level 46 Plan	F / 15.10.2018
DA-10-6700	Level 47 Plan	F / 15.10.2018
DA-10-6800	Roof Top Plan	D / 15.10.2018
DA-20-0100	North Elevations	E / 15.10.2018
DA-20-0200	South Elevations	E / 15.10.2018
DA-20-0300	East Elevations	D / 15.10.2018
DA-20-0400	West Elevations	D / 15.10.2018
DA-30-0100	Sections	G / 15.10.2018
DA-30-0200	Sections	H / 15.10.2018
DA-40-0001	Tower 01 Façade Concept	B / 15.10.2018
DA-40-0002	Tower 02 Façade Concept	B / 15.10.2018
DA-40-0003	Tower 03 Façade Concept	B / 15.10.2018
DA-40-0004	External Façade Finishes – Material Sample Board	A / 17.11.2017
DA-40-0010	External Façade Finishes – Signage Zone	C / 15.10.2018
DA-50-1100	Liveable Units	B / 15.10.2018
DA-50-1200	Adaptable Units	B / 15.10.2018
DA-50-1500	Civic Plaza Awning	C / 15.10.2018
DA-50-1600	Ground Floor Plan (Interim) at Stage 1 Construction Completion	B / 15.10.2018
DA-50-1701	Civic Plaza Detail – Northern Entry	F / 15.10.2018
DA-50-1702	Civic Plaza Perspectives – Northern Entry	C / 15.10.2018
DA-50-1710	New Christie Lane Elevation	C / 15.10.2018
DA-50-1730	Library Signage	A / 14.09.2018
Concept Stratum Plans, all prepared by Land Partners		
SY074271.000.7.5 Sheet 1	Level B10 & Under	10/012018
SY074271.000.7.5 Sheet 2	Level B9	10/012018
SY074271.000.7.5 Sheet 3	Level B8	10/012018
SY074271.000.7.5 Sheet 4	Level B7	10/012018
SY074271.000.7.5 Sheet 5	Level B6	10/012018
SY074271.000.7.5 Sheet 6	Level B5	10/012018
SY074271.000.7.5 Sheet 7	Level B4	10/012018
SY074271.000.7.5 Sheet 8	Level B3	10/012018
SY074271.000.7.5 Sheet 9	Level B2	10/012018
SY074271.000.7.5 Sheet 10	Level B1	10/012018
SY074271.000.7.5 Sheet 11	Lower Ground	10/012018
SY074271.000.7.5 Sheet 12	Ground	10/012018
SY074271.000.7.5 Sheet 13	Level 01	10/012018
SY074271.000.7.5 Sheet 14	Level 02 and Over	10/012018

b) Supplementary documents:

Document	Prepared by	Date / Revision No.
Statement of Environmental Effects	Urbis	Jan 2018 / Final
Clause 4.6 Variation – Height	Urbis	14/12/2017 / Revised
Clause 4.6 Variation – FSR	Urbis	14/05/2018
SEPP 65 Assessment / Design Verification Report	Architectus	Dec 2017 / Rev A
Safer by Design Report	Urbis	12/01/2018

Executed VPA	JQZ / Lane Cove Council	6/10/2017
Traffic Impact Assessment	TTPP	10/01/2018
Addendum Traffic Report	TTPP	11/04/2018
Construction Traffic Management Plan	TTPP	10/01/2018
Acoustic Report	EMM Consulting	18/12/2017 / Version 1
Geotechnical Assessment	WSP	16/01/2018 / Rev E
Arboricultural Report	Landscape Matrix	10/01/2017
Preliminary Contamination Assessment	WSP	10/01/2018 / Rev D
BCA Assessment	BCA Logic	08/01/2018 / Rev 9
Solar Light Reflectivity Assessment	Windtech	12/01/2018 / Rev 0
Fire Engineering Assessment	Holmes Fire	07/12/2017 / Version B
Accessibility Assessment	BCA Logic	08/01/2018 / Rev 9
Civil Plans (revised)	AT&L Civil Engineers	
Sustainability Report	Northrop Consulting Engineers	12/12/2017 / Rev 2
Waste Management Plan (revised)	Elephant's Foot Recycling Solutions	29/08/2018 / Rev B
Construction Waste Management Plan	Urbis	Undated
Construction Noise and Vibration Management Plan	EMM Consulting	10/1/2018 / V1
Natural Ventilation Statement	Windtech	30/11/2018 / Issue 0
Structural Assessment	ABC Consultants Structural Engineers	
Public Art Plan	Vertebrae	Undated
Pedestrian Wind Assessment (revised)	Windtech	08/05/2018 / Rev WD910-07
Vertical Transportation Report	Schindler	07/12/2017
View Impact Analysis (Revised)	PTW Architects	09/07/2018 / Rev B
BASIX Certificate 877037M_02	Northrop Consulting Engineers Pty Ltd	10/01/2018
ABSA Stamped Plans – Validation No. 1011750302	Amir Girgis (Assessor No 20579)	18/12/2017
ABSA Certificate	Amir Girgis (Assessor No 20579)	18/12/2017
Environmental Management Plan	Concourse Constructions Pty Ltd	March 2018 / Rev 1
Complaint Management Plan	Southpac Constructions Pty Ltd	August 2018 / Rev 2
Proposed Civil Works	AT&L Civil Engineers and Project Managers	23/08/2018

50. (2) Compliance with the BCA

All building works are required to be carried out in accordance with the provisions of the *Building Code of Australia*.

A Completion Certificate is to be issued by either the Principal Certifying Authority or a qualified accredited Fire Safety Engineer, confirming that all identified Performance Solutions have been completed for the building, prior to the issue of a final occupation certificate.

(Reason: This is a 'prescribed' condition under clause 98(1) of the Environmental Planning and Assessment Regulation 2000.)

51. (35) Construction Hours

All demolition, building construction work, including earthworks, deliveries of building materials to and from the site is to be restricted as follows:

Days	Construction Hours	Activities
Monday to Friday:	7am to 5:30pm 12:30-2pm (respite from any noise generating activities audible from the adjoining child care centre)	No high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving are to be carried out prior to 7:30am or after 5pm. No such activities are to be carried out continuously for no longer than 3 hours without a one (1) hour break. A respite from any high noise generating activities audible from the adjoining child care centre shall take place between 12:30pm – 2pm. Failure to fully comply will result in the issue of a breach of consent PIN.
Saturday:	8am – 3pm	No high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving are to be carried out continuously for longer than 3 hours without a one (1) hour break. Failure to fully comply will result in the issue of a breach of consent PIN.
Sunday or public holiday:	No work	No work

A Notice/Sign showing permitted working hours and types of work permitted during those hours, including the applicant's phone number, project manager or site foreman, shall be displayed at the front of the site at all times.

(Reason: To maintain amenity to adjoining land owners.)

52. (36) Stockpiling

Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by water is to be stored clear of any drainage line, easement, natural watercourse, footpath, kerb or roadside.

(Reason: To avoid pollutants entering waterways or Council's stormwater drainage system.)

53. (48) Storage of Materials

The depositing or storage of builder's materials on the footpath or roadways within the Municipality without first obtaining approval of Council is prohibited.

Separate approval must be obtained from Council's *Works and Urban Services Department*, prior to the placement of any building waste container ("Skip") in a public place.

(Reason: Asset management.)

54. (56) Critical Inspections

Where Lane Cove Council is appointed as the Principal Certifying Authority, an inspection is to be booked for each of the following stages during the construction process. Forty-eight (48) hours' notice must be given prior to the inspection being required:

i) All reinforcement prior to filling with concrete.
ii) Framework including roof and floor members when completed and prior to covering.
iii) Installation of steel beams and columns prior to covering
iv) Waterproofing of wet areas
v) Stormwater drainage lines prior to backfilling
vi) Completion.

(Requirement under s135A of the EP&A Regulation 2000.)

55. (78) Site Fencing

The site shall be properly fenced to prevent access of unauthorised persons outside of working hours.

(Reason: Statutory requirement and health and safety.)

56. (135) Loading and Unloading

All loading and unloading shall be carried out from within the premises. No loading or unloading of goods, materials, equipment or the like associated with the development is to take place on Council's road or footpaths, without the prior approval of Council.

(Reason: Safety, amenity and protection of public infrastructure and the environment.)

57. (141) Long Service Levy

Pursuant to Section 6.8 of the *Environmental Planning and Assessment Act 1979*, the relevant Construction Certificate must not be issued unless any long service levy payable under Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* (or, where such a levy is payable by instalments, the first instalment of the levy) has been paid. All building works in excess of $25,000 are subject to the payment of a Long Service Levy at the rate of 0.35%.

Compliance with the requirements of this condition must be satisfied, prior to the issue of the relevant Construction Certificate.

(Reason: Statutory requirement.)

58. (A1) Design and Construction Standards

All engineering plans and work shall be carried out in accordance with Council's requirements, standards and any relevant development control plans, except as amended by any condition(s) of consent.

(Reason: Structural safety.)

59. (A2) Materials on Roads and Footpaths

Where the applicant requires the use of Council land for placement of building waste, skips or storing materials a "*Building waste containers or materials in a public place*" application form is to be lodged. Council land is not to be occupied or used for storage until such application is approved.

(Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner, which will be non-disruptive to the local area.)

60. (A3) Works on Council Property

Separate application shall be made to Council's Urban Services Division for approval to complete, any associated works on Council property. This shall include the new Christie Lane, vehicular crossings, footpaths, drainage works, kerb and guttering, brick paving, restorations and any miscellaneous works. Applications shall be submitted, prior to the start of any works on Council property.

(Reason: Asset management.)

61. (A4) Permit to Stand Plant

Where the applicant requires the use of construction plant on the public road reservation, an "*Application for Standing Plant Permit*" shall be made to Council. Applications shall be submitted and approved, prior to the start of any related works. Note: Allow two (2) working days for approval.

(Reason: Asset management and to minimise impacts to the local area.)

62. (A5) Restoration of Public Land

Public areas must be maintained in a safe condition at all times. Restoration of disturbed Council land is the responsibility of the applicant. All costs associated with restoration of public land will be borne by the applicant.

(Reason: Asset management and to minimise impacts to the local area.)

63. (A6) Public Utility Relocation

If any public services are to be adjusted, as a result of the development, the applicant is to arrange with the relevant public utility authority the alteration or removal of those affected services. All costs associated with the relocation or removal of services shall be borne by the applicant.

(Reason: Asset management of utility providers.)

64. (A7) Pedestrian Access Maintained

Pedestrian access, including disabled and pram access, is to be maintained throughout the course of the construction as per AS-1742.3, *'Part 3 - Traffic control devices for works on roads'.*

(Reason: To mitigate impacts and maintain safety to pedestrians during construction.)

65. (A8) Council Drainage Infrastructure

The proposed construction shall not encroach onto any existing Council stormwater line or drainage easement. If a Council stormwater line is located on the property during construction, Council is to be immediately notified. Where necessary the stormwater line is to be relocated to be clear of the proposed building works. All costs associated with the relocation of the stormwater line are to be borne by the applicant.

(Reason: Asset management.)

66. (A9) Services

Prior to any excavation works, the location and depth of all services must be ascertained. All costs associated with adjustment of the public utility will be borne by the applicant.

(Reason: To mitigate any adverse impacts to public utility assets.)

67. (A12) Ground Anchors

The applicant is required to apply to Council for a Ground Anchor application approval, prior to the commencement of any bulk excavation on the site.

The use of permanent ground anchors under Council land is not permitted.

(Reason: Council requirement.)

68. (B1) Council Infrastructure Damage Bond

The applicant shall lodge with Council a $250,000 cash bond or bank guarantee. The bond is to cover the repair of damage or outstanding works to Council's roads, footpaths, kerb and gutter, drainage or other assets as a result of the development. The bond will be released upon issuing of the Occupation Certificate. If Council determines that damage has occurred as a result of the development, the applicant will be required to repair the damage. Repairs are to be carried out within 14 days from the notice. All repairs are to be carried in accordance with Council's requirements. The full bond will be retained if Council's requirements are not satisfied. Lodgement of this bond is required, prior to the commencement of any demolition works.

(Reason: Council requirement to cover the repair of damage or outstanding works to Council's assets.)

69. (H3) Heavy Vehicle Duty Employee and Truck Cleanliness

The applicant shall:

i) Inform in writing all contractors of Council's requirements relating to truck cleanliness leaving the site.

ii) Keep a register of all contactors that have been notified, the register is to be signed by each contractor. The register must be available for access by Council officers at all times.
iii) Place an employee within close proximity of the site exit during site operation hours to ensure that all outgoing heavy vehicles comply with Council's requirements. This employee shall liaise with heavy vehicle drivers and provide regular written updates to drivers on the conditions of entry to the subject site.

Those drivers who have been determined to continually not comply with Council's requirements, either by the developer or authorised Council officers, shall not be permitted re-entry into the site for the duration of the project.

(Reason: To ensure compliance with Council's requirements regarding truck cleanliness.)

70. (H4) Truck Shaker

A truck shaker ramp must be provided at the construction exit point. Fences are to be erected to ensure vehicles cannot bypass the truck shaker. Sediment tracked onto the public roadway by vehicles leaving the subject site is to be swept up immediately.

(Reason: Council requirement to reduce sediment tracked onto the public roadway by trucks.)

71. (H5) Covering Heavy Vehicle Loads

All vehicles transporting soil material to or from the subject site shall ensure that the entire load is covered by means of a tarpaulin or similar material. The vehicle driver shall be responsible for ensuring that dust or dirt particles are not deposited onto the roadway during transit. It is a requirement under the *Protection of the Environment Operations (Waste) Regulation, 2014* to ensure that all loads are adequately covered, and this shall be strictly enforced by Council's ordinance inspectors. Any breach of this legislation is subject to a *"Penalty Infringement Notice"* being issued to the drivers of those vehicles not in compliance with the regulations.

(Reason: Requirement under the Protection of the Environment Operations [Waste] Regulation, 2014.)

72. (O3) On-Site Stormwater Detention System - Marker Plate

The on-site detention system shall be indicated on the site by fixing a marker plate. This plate is to be a minimum size of 100mm x 75mm and is to be made from non-corrosive metal or 4mm thick laminated plastic. The plate is to be fixed in a prominent position to the nearest concrete or permanent surface or access grate. The wording on the marker plate is described in *Part O of Council's DCP - Stormwater Management* and shall be in accordance with this. An approved plate may be purchased from Council's customer service desk.

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

73. (K2) Cast in Situ Drainage Pits

Any drainage pit within a road reserve, a Council easement, or that may be placed under Council's control in the future, shall be constructed of cast in situ concrete and in accordance with *Part O of Council's DCP - Stormwater Management.*

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

74. (O4) On-Site Stormwater Detention Tank

All access grates to the on-site stormwater detention tank are to be hinged and fitted with a locking bolt. Any tank greater than 1.2 m in depth must be fitted with step irons.

(Reason: Council requirement as per Part O of Council's DCP – Stormwater Management.)

75. Maintenance of Environmental Controls

The *principal contractor* must ensure that the following monitoring, measures and controls are maintained:

i) erosion and sediment controls,
ii) dust controls,
iii) dewatering discharges,
iv) noise controls;
v) vibration monitoring and controls; and
vi) ablutions.

(Reason: Environmental protection.)

76. Site Cranes

Site Crane(s) and hoist(s) may be erected within the boundary of the land being developed subject to compliance with Australian Standards *AS 1418, AS 2549,* and *AS 2550,* and all relevant parts to these standards.

Cranes must not swing or hoist over any public place unless the *principal contractor* or *owner builder* have the relevant approval under the *Local Government Act 1993, Crown Lands Act 1989,* or *Roads Act 1993.*

The crane must not be illuminated outside approved working hours other than in relation to safety beacons required by the Civil Aviation Safety Authority under the *Civil Aviation Act 1988.*

No illuminated sign(s) must be erected upon or displayed upon any site crane.

(Reason: To ensure public safety.)

77. (300) Preservation and Trees and Vegetation

Lane Cove Council regulates the Preservation of Trees and Vegetation in the Lane Cove Local Government Area. Section 2.2 of Lane Cove Development Control Plan 2010 states that a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by development consent or a permit granted by the Council. Removal and/or pruning of trees or vegetation protected by the

regulation is an offence against the *Environmental Planning and Assessment Act 1979* (NSW). The maximum penalty that may be imposed in respect to any such offence is $1,100,000. The co-operation of all residents is sought in the preservation of trees in the urban environment and protection of the bushland character of the Municipality. All enquiries concerning the Preservation of Trees and Vegetation must be made at the Council Chambers, Lane Cove.

(Reason: To preserve the landscape character of Lane Cove.)

78. Project Arborist and Protection of Trees

A Project Arborist of minimal AQF Level 5 qualification is to be appointed to oversee/monitor trees condition during construction and sign off on tree protection measures, prior to any works commencing (including excavation and demolition). Details of the appointed project arborist shall be submitted to Council's Landscaping Division.

Tree protection measures shall be in accordance with *Section 1.9 Tree protection measures* of Part J of Lane Cove DCP 2010 and *Australian Standard AS 4970-2009 Protection of trees on development sites*. The project Arborist is to mark all trees proposed for removal with a coloured dot using the Arborist report and recommendations. Tree removal may only be carried out upon issue of the relevant Construction Certificate.

Trees removed as part of the DA process must be replaced at a ratio of 1:1. All plantings/landscaping must comply with *Part J Landscaping* of the *Lane Cove Development Control Plan 2010* and be installed, prior to the issue of any Occupation Certificate.

Trees are to be monitored throughout construction and a certificate produced upon completion of Stage 1 and Stage 2 of the works demonstrating that the trees have been maintained in adequate condition.

All certificates are to be submitted to the Certifier and Council within five days of site attendance.

A Final certificate is to be submitted to the Certifying Authority and Council for each of the development stages, prior to the issue of any occupation certificate.

(Reason: To ensure the protection of trees to be retained in accordance with relevant standards and policies.)

79. (384) Replacement Trees

Replacement trees must be planted in a suitable location and arranged in conjunction with the Landscape Plans provided. Trees are to be no less than 4 metres high from ground level at the time of installation. Trees are to be maintained with irrigation and high-quality leaf mulch for at least twelve (12) months post construction to ensure establishment.

(Reason: To promote tree canopy planting on the site.)

80. (52) Swimming Pool

The swimming pool shall be surrounded by a fence that is designed, constructed and installed in accordance with the standards as prescribed by the *Regulations* under the *Swimming Pool Act, 1992* (as amended), and *Australian Standard AS1926.1-2012 – Safety Barriers for Swimming Pools.*

Such fencing is to be completed before the filling of the swimming pool.

Advice: In accordance with the Swimming Pools Amendment Act 2012, the swimming pool or spa is required to be registered on the NSW Government State wide Swimming Pool Register when completed. The register can be found at www.swimmingpoolregister.nsw.gov.au.

(Reason: Statutory requirement.)

81. (53) Swimming Pool Pump and Filter

The filter and pump shall be located in a position where it will create no noise nuisance at any time or, alternatively, being enclosed in an approved soundproof enclosure. If noise generated as a result of the development results in an offensive noise Council, may prohibit the use of the unit, under the provisions of *the Protection of the Environment Operations Act 1997.*

(Reason: To mitigate acoustic impacts.)

82. (54) Swimming Pool Warning Notice

In accordance with the requirements of the *Swimming Pools Act 1992* and *Regulations* thereunder, a warning notice is to be displayed in a prominent position in the immediate vicinity of the swimming pool at all times.

The notice must be in accordance with the standards of the *Australian Resuscitation Council* for instructional posters and resuscitation techniques and must contain a warning *"YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS POOL".*

(Reason: Statutory requirement.)

83. (441) Operation of Plant or Equipment

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and or refrigeration systems, shall be designed and or located so that the noise emitted does not exceed 5db(A) above the ambient background level when measured from the boundary of any affected premises between the hours of 8am to 10pm. Between the hours of 10pm and 8am, noise shall not exceed the ambient background level when measured at the boundary of an affected premises.

All sound producing equipment shall comply with the *Protection of the Environmental Operations Act 1997.*

(Reason: To minimise noise impacts from the development.)

84. (444) Noise Control – Car Park Security Grills

To minimise the impact on the amenity of surrounding residents, all sound producing plant, equipment, machinery or fittings within or forming part of the proposed security door fitted to the car parking area entrance shall be acoustically attenuated so that the noise emitted does not exceed 5db(A). Notwithstanding the above, any noise that is emitted shall not be audible within any premises and comply with the *Protection of the Environmental Operations Act 1997*.

(Reason: To ensure noise impacts from car park security grills comply with relevant requirements and standards.)

85. (447) Noise Monitoring

Noise monitoring is to be carried out by a qualified acoustical consultant if complaints are received, or if directed by Council, and any control measures recommended by the acoustical consultant or Council must be implemented during works (including demolition).

(Reason: To mitigate noise impacts during construction.)

86. (144) Excavation in Accordance with Approved Plans

No excavation, other than that indicated in the approved plans, shall be carried out without receiving Council approval.

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

87. Parking and Servicing

(i) The new Christie Lane is to be one-way westbound subject to RMS approval.
(ii) The merging arrangements must be pushed back further to the north of the site to provide some added queue length before vehicles enter the public road.
(iii) The use of an automatic retractable bollard is proposed to direct traffic in and out of the express lane. A more solid structure that is used to open and close access to the express ramp is required. E.g. a roller door.
(iv) A Loading Management Plan is to be submitted to Council prior to Occupational Certificate.
(v) Line markings should be provided to guide pedestrians to the lift in public car parking areas.
(vi) The proposed car park design shall comply with Australian Standard AS 2890.1-2004: Off-street car parking facilities. This includes all parking spaces, ramps, aisles, disabled parking and loading areas. All other aspects of the car parking areas are required to comply with Australian Standard AS 2890.2-2002: Parking facilities for off-street commercial vehicle facilities including requirements for loading facilities and services vehicles.
(vii) Access to the car park shall comply with Australian Standards. AS 2890.1-2004.
(viii) Visibility requirements of the proposed access must comply with AS 2890.1-2004.
(ix) All accessible car spaces in the car park are to be adequately signposted and linemarked, and provided in accordance with AS2890.6: 2009: Off-street parking for people with disabilities including the adjacent shared space and the height clearance.

(x) Small car spaces must form no more than 10% of the overall parking provision in public car parks.
(xi) Small car parking, Car Share, car wash bay, motorcycle parking, retail parking, tenant parking, and resident parking to be sign posted and adequately line marked.
(xii) All residential and commercial waste must be collected on the loading dock.
(xiii) A cul-de-sac and truck waiting bay must be constructed on Lithgow Street as per the plan dated 25 July 2018, subject to Traffic Committee approval.
(xiv) Separate application shall be made to Council's Urban Services Division for approval to complete, any associated works on Council property. Applications shall be submitted prior to the start of any works on Council property.

(Reason: Recommended conditions of consent from Council's Traffic Engineer to ensure parking and servicing complies with relevant standards.)

88. Pedestrians / Cycling

(i) A Shared User Path, pedestrian path and wombat crossing is to be constructed on new Christie Lane as per the plan dated 25 July 2018 prepared by Transport Planning Partnership.
(ii) A 3 metre Shared User Path and 2 metre planting area is to be constructed along the Christie Street frontage of the site.
(iii) A wombat crossing is to be constructed on Christie Street linking the pedestrian connections from 88 Christie Street to the existing AMA building as per the St Leonards Cumulative Transport and Accessibility Study dated September 2017.
(iv) All cycling racks and secure bike parking provided on-site must meet the minimum standards as outlined in Section 4.3 in Part R: Traffic Transport and Parking of Lane Cove DCP 2010 and designed in accordance with AS 2890.3: 2015. Alternative designs that exceed the Australian Standards will also be considered appropriate.
(v) Resident cycle parking in the basement car park should be as close to the car park entrance as possible so as to be both convenient and safe for cyclists to use. Secure bike lockers or a bike cage should be provided for residents' bikes.
(vi) The bicycle facilities are to be clearly labelled, and advisory/directional signage is to be provided at appropriate locations.

(Reason: To ensure on-site bicycle storage and facilities in accordance with Council's requirements.)

C. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORKS

89. Construction Traffic Management Plan (CTMP)

A Construction Traffic Management Plan (CTMP) is to be prepared by an appropriately qualified Traffic Management Consultant and submitted to and approved by Council's Engineering Section, prior to the commencement of any works including demolition.

The following matters should be addressed in the CTMP (where applicable):

(i) ways to manage impacts to the adjoining child care centre during peak drop off and pick up periods, including the provision of a designated 'drop off/pick up area' at the front of the centre;

(ii) measures to ensure car parking areas of surrounding properties are not used by trade vehicles;
(iii) description of the demolition, excavation and construction works;
(iv) site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
(v) size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
(vi) proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
(vii) impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
(viii) any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.);
(ix) proposed hours of construction related activities and vehicular movements to and from the site;
(x) current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
(xi) any activities proposed to be located or impact upon Council's road, footways or any public place;
(xii) measures to maintain public safety and convenience;
(xiii) any proposed road and/or footpath closures;
(xiv) turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
(xv) locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
(xvi) location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
(xvii) a dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
(xviii) material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
(xix) on-site parking area for employees, tradespersons and construction vehicles as far as possible;
(xx) proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
(xxi) how it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.

The applicant shall liaise directly with the Director of the adjoining Child Care Centre in the development phase of the CTMP to ensure that the needs of the Centre and safety of the children are met.

(Reason: To mitigate traffic impacts on the surrounding road network during construction.)

90. Identification of Hazardous Material

In accordance with *Australian Standard AS2601- The Demolition of Structures*, the owner shall identify all hazardous substances located on the site including asbestos, Polychlorinated biphenyls (PCBs), lead paint, underground storage tanks, chemicals,

etc. as per Clause 1.6.1 of the Standard. In this regard, prior to the commencement of any work, the Principal Certifying Authority and Council shall be provided with a written report prepared by a suitably qualified person detailing;

i) all hazardous materials identified on the site;
ii) the specific location of all hazardous materials identified;
iii) whether the hazardous materials are to be removed from the site as part of the works to be undertaken; and
iv) safety measures to be put in place.

(Reason: Health and Safety.)

91. Asbestos Removal

Where hazardous material, including bonded or friable asbestos has been identified such material must be demolished, disturbed and subsequently removed, prior to commencing any demolition or building works. All such works must comply with the following criteria:

i) Be undertaken by contractors who hold a current WorkCover Asbestos or Demolition Licence and a current WorkCover Class A Asbestos License.
ii) Be carried out in accordance with National Occupational Health and Safety Commission (NOHSC): "*Code of Practice for the Safe Removal of Asbestos*".
iii) No asbestos products may be reused on the site.
iv) No asbestos laden skip or bins shall be left in any public place.

(Reason: To ensure asbestos is removed in accordance with statutory requirements.)

92. Classification of Hazardous Waste

Prior to the exportation of hazardous waste (including hazardous fill or soil) from the site, the waste materials must be classified in accordance with the provision of the *Protection of the Environment Operations Act 1997* and the NSW DECC *Waste Classification Guidelines, Part1: Classifying Waste* (April 2008).

(Reason: Health and safety.)

93. Disposal of Asbestos and Hazardous Waste

Asbestos and hazardous waste, once classified must only be transported to waste facilities licensed to accept asbestos and appropriate classifications of hazardous waste.

(Reason: Health and safety.)

94. Asbestos Removal Signage

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site when asbestos is being removed.

(Reason: Health and safety.)

95. Notification of Asbestos Removal

In addition to the requirements for licensed asbestos removalists to give written notice to WorkCover all adjoining properties and those opposite the development site must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone and facsimile numbers and email addresses.

(Reason: Health and safety.)

96. (C1) Erosion and Sediment Control Plan

An *Erosion and Sediment Control Plan* (ESCP) shall be prepared by a suitably qualified consultant in accordance with the guidelines set out in the manual *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* prepared by Landcom. The ESCP is to be submitted to the principal certifying authority to, prior to the issue of the relevant Construction Certificate.

The following details are to be included in drawings accompanying the *Erosion and Sediment Control Plan*:

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

(Reason: Environmental protection.)

97. (406) Stabilised Access Point

A stabilised all-weather access point is to be provided prior to the commencement of site works, and maintained throughout construction activities until the site is stabilised. These requirements shall be in accordance with *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* produced by Landcom.

(Reason: Environmental protection.)

98. (407) Site Water Management Plan

A Site Water Management Plan is to be submitted to Council for approval, prior to the commencement of any works (including excavation and demolition). The plan is required to be site specific and be in accordance with *"Managing Urban Stormwater, Soils and Construction" Fourth Edition 2004 Volume 1"* produced by Landcom.

(Reason: Environmental protection.)

99. (C2) Erosion and Sediment Control

The applicant shall install appropriate sediment control devices, prior to the start of any works on the site. The devices are to be installed in accordance with the approved plan satisfying condition *'(C1) Erosion and sediment control Plan'.* The devices shall be maintained during the construction period and replaced when necessary.

(Reason: To prevent water pollution.)

100. (402) Dust Control

The following measures must be undertaken to control the emission of dust:

(a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the works.
(b) Any existing accumulations of dust (e.g. in ceiling voids and wall cavities) must be removed using an industrial vacuum cleaner fitted with a high efficiency particulate air (HEPA) filter.
(c) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be allowed to enter the street or stormwater system.
(d) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
(e) Demolition work must not be carried out during high winds, which may cause dust to spread beyond the boundaries of the site.

(Reason: To reduce or prevent the surface and air transport of dust during construction.)

D. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE ISSUE OF THE RELEVANT CONSTRUCTION CERTIFICATE

101. (1) Construction Certificate

The submission of the relevant Construction Certificate and its issue by Council or Private Certifier, prior to any construction works commencing.

(Reason: Statutory requirement.)

102. (11) Sydney Water

The approved plans must be submitted to Sydney Water online approval portal "Sydney Water Tap In", please refer to web site www.sydneywater.com.au. This is to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. An approval receipt with conditions shall be issued by Sydney Water (if determined to be satisfactory) and is to be submitted to the accredited certifier, prior to the issue of the relevant Construction Certificate.

(Reason: Sydney Water requirements.)

103. (45) Fire Safety Schedule

A Fire Safety Schedule specifying the fire safety measures that are proposed or required to be implemented in the building premises as required by Clause 168 – Environmental Planning & Assessment Regulation 2000 are to be submitted and approved, prior to the issue of the relevant Construction Certificate.

(Reason: Statutory requirement.)

104. (57) Professional Engineering Details

Detailed professional engineering plans and/or specifications (prepared by a certified practicing engineer) shall be provided for all structural, electrical, hydraulic, hydrogeological, geotechnical, mechanical and civil work complying with this consent and approved plans, and submitted to the Certifying Authority with the application for the relevant Construction Certificate.

Structural engineering details and/or specifications shall be certified by a practicing structural engineer) and accompany any application for the relevant Construction Certificate, including details of the following:

i) underpinning;
ii) retaining walls;
iii) footings;
iv) reinforced concrete work;
v) structural steelwork; and
vi) upper level floor framing.

(Reason: To ensure the structural integrity of the development.)

105. (67) Use of Rock Pick Machines

The use of mechanical rock pick machines on building sites is prohibited due to the potential for damage to adjoining properties. Albeit, the principal certifying authority may approve the use of rock pick machines providing that:

a) A Geotechnical Engineer's Report that indicates that the rock pick machine can be used without causing damage to the adjoining properties.
b) The report details the procedure to be followed in the use of the rock pick machine and all precautions to be taken to ensure damage does not occur to adjoining properties.
c) With the permission of the adjoining owners and occupiers comprehensive internal and external photographs are to be taken of the adjoining premises for evidence of any cracking and the general state of the premises, prior to any work commencing. Where approval of the owners/occupiers is refused they be advised of their possible diminished ability to seek damages (if any) from the developers and where such permission is still refused Council may exercise its discretion to grant approval.
d) The Geotechnical Engineer supervises the work and the work has been carried out in terms of the procedure laid down.

Compliance with the requirements of this condition must be satisfied, prior to the issue of the relevant Construction Certificate.

(Reason: To minimise adverse impacts to adjoining properties.)

106. (139) Sydney Water Requirements to PCA

A copy of Sydney Water's Notice of Requirements must be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure compliance with Sydney Water requirements.)

107. (142) BASIX

All commitments under BASIX Certificate No. 877037M_02 dated 10 January 2018 must be shown on the Construction Certificate plans and specifications, prior to the issue of the relevant Construction Certificate.

(Reason: Statutory compliance.)

108. (O1) Positive Covenant Bond

The applicant shall lodge with Council a **$2000** cash bond to cover the registration of the required positive covenants. Lodgment of this bond is required, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure any required positive covenants are lodged.)

109. (T1) Design of Retaining Structures

All retaining structures greater than 1m in height are to be designed and certified for construction by a suitably qualified engineer. The structural design is to comply with, all relevant design codes and Australian Standards. The design and certification shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure the structural integrity of all retaining walls.)

110. Compliance with Recommendations of Geotechnical Report

The following recommendations contained within the Geotechnical Report, Revision E dated 16/01/2018, prepared by WSP shall be fully complied with as follows:

Site retention

- Excavations along the critical Sydney Trains and Pacific Highway boundaries shall proceed sequentially so that the adjacent unexcavated sections form a buttress, and site retention and excavation sequence matched to the observed excavation behaviour. The upper 8m to 9m (comprising fill, residual soil, and Class V and IV shale) is to be continuously supported and geotechnical instrumentation installed, prior to the commencement of bulk excavation.
- Suitable site retention systems include:
  - *Soldier piles with walers and timber lagging/ shotcrete infill panels.* The advantage of this method is low cost and its ability to support building loads. However, the limitations include (but are not limited to) poor seal against groundwater, and may require temporary rock anchors to provide lateral support to the soldier piles.
  - *Contiguous or secant bored piles.* The advantages of this method are that they can form part of the permanent structure and support building loads, produce minimal noise and vibration during installation, maximise building space (as no temporary wall is required), and can incorporate permanent waterproofing.

- All unsupported rock is to be geologically mapped and assessed (at regular depth intervals) to determine the presence of adverse jointing within the rock mass. To assess

the rock mass characteristics, potential variability of rock defects and support requirements, inspection of excavations is to be made by an experienced engineering geologist or geotechnical engineer during the bulk excavation work at 1.5m-2m depth intervals.

Retaining wall design

- Where a cantilevered wall, or an anchored wall with only one row of anchors and up to about 6m in height is adopted, a triangular earth pressure distribution may be used for the assessment of the earth pressures.
- Where a wall up to 6m in height with more than one row of anchors, or an anchored wall greater than 6m height is adopted, a trapezoidal earth pressure distribution should be used for the assessment of earth pressures.
- Where an anchored wall up to 6m in height with more than one row of anchors, or an anchored wall greater than 6m height is adopted, a trapezoidal earth pressure distribution should be used for the assessment of earth pressures.

- The earth pressure distribution shall be in accordance with Figure 5.2 below:

  where:
  p(z) = earth pressure at distance z below top of wall (kPa)
  K = earth pressure coefficient (0.5 for soil and class V/IV sandstone/shale)
  g' = effective unit weight of soil
  z = distance below ground surface
  ps = vertical surcharge pressure behind wall

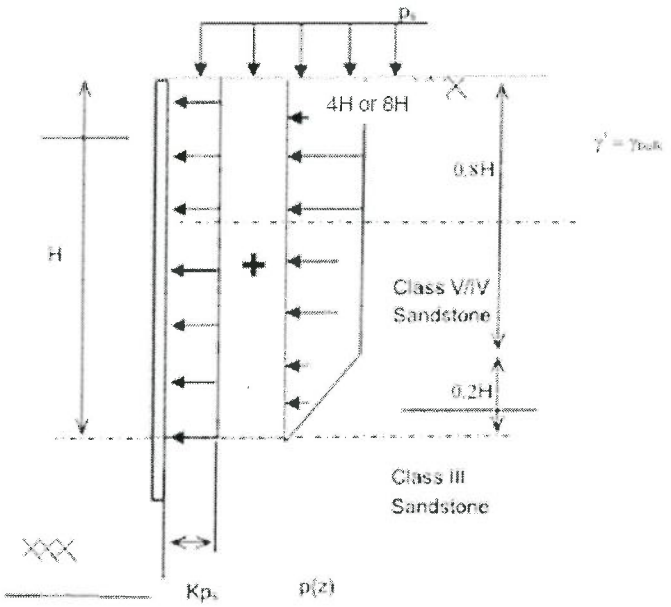

Figure 5.2 Recommended earth pressure distribution

  - use 4H for design of anchored walls where some displacement acceptable
  - use 8H for design of anchored walls where minimal wall movement is required (adjacent Pacific Highway, SydneyTrains and buildings to the south).

- Surcharge and groundwater pressures shall be added to the above pressure envelope as applicable. Where walls are adjacent to existing buildings or settlement sensitive

structures, propped or anchored walls with continuous retention to the level of Class III sandstone are likely to be required.
- For rigid walls propped by anchors, internal bracing or floor slabs, the pressure distribution shown in Figure 5.2 could be adopted.
- The design pressure shall generally be between 4H or 8H (kPa), depending on the amount of movement that can be tolerated. 'H' is the effective vertical height of the wall in metres.
- If cantilever or gravity retaining walls are proposed a triangular earth pressure distribution and earth pressure coefficient (K) of 0.35 shall be adopted for soil and Class V or IV sandstone.

Rock Support

- Allowance is to be made for the support requirements in Table 5.1 below:

Table 5.1 Assessment of support requirements (for estimating purposes only)

SANDSTONE CLASS	SUPPORT
Class V, Class IV, and Laminite (if encountered below retention system)	— Mesh supported by 0.5m long dowels and Shotcrete (min 75mm thick) or fibre reinforced shotcrete. — Pattern bolting of fractured zones.
Class III	— Localised pattern bolting. — Mesh and shotcrete of fractured zones.
Class II or Class I	— Isolated bolting of potential wedges.

- An experienced geotechnical engineer/engineering geologist shall carry out regular inspections as excavation progresses. Rock bolts should generally be specified in terms of performance requirements and constructed by contractors experienced in ground anchor technology.
- During construction, excavations in shale must proceed down from the top of the excavation as a series of staged excavations (say 1.5m deep) or preferably stepped benches to allow for geotechnical mapping of the excavation and possible reassessment of retaining wall design assumptions and calculations.

Laminate Feature

- Given the extent and large capacity of ground anchors required for the possible stabilisation work, further geotechnical investigations are required to delineate the feature location and confirm the day lighting points in elevation along the face of the excavation, and allowances for additional rock bolts and/or ground anchors/ cable bolts, prior to the issue of the relevant Construction Certificate.

Footings

- Design parameters for footings and piled foundations shall be carried out in accordance with Table 5.2 below:

Table 5.2 Preliminary design parameters for footings and piled foundations

GEOTECHNICAL UNIT	ROCK CLASS	WORKING STRESS DESIGN VALUES [1,2]		LIMIT STATE DESIGN VALUES [5]		
		ALLOWABLE END BEARING PRESSURE [1] (MPa)	ALLOWABLE SHAFT ADHESION [2] (kPa)	ULTIMATE END BEARING [3,4] (MPa)	ULTIMATE SHAFT ADHESION (kPa) [2]	ELASTIC MODULUS (MPa)
Residual soil	-	-	Nil	-	60	40
Mittagong / Hawksbury Sandstone	Class V & IV	2.5	250	3 to 10	150 to 250	125
	Class III	5	500	20 to 40	800 to 1000	1000
	Class II or better	8	800	60 to 120	1500 to 2000	1500

1. Structure specific assessments should be carried out to assess design values, particularly if the values at the upper end of the ranges provided are to be adopted.
2. These values are based on Pells et al. (1998), for presumptive settlement limits of up to 1% footing width or pile diameter. Higher design values may be possible based on first principle engineering design (refer to limit state design values) and appropriate settlement and differential settlement assessment.
3. Design values for specific structures should be selected from within the ranges provided in the table depending on such factors as rock quality, particularly rock strength. Lower values than the ranges provided in the table may apply for shear/fracture affected zones adjacent to laminate. Appropriate values should be confirmed by additional investigation and construction stage verification by a geotechnical engineer.
4. Shaft adhesion should be ignored for pad or strip footings.
5. Assumes a clean socket roughness category R2 or better. Shaft adhesion should only be assigned where the socket length is at least 3 pile diameters. The socket should be cleaned and roughened by a suitable scraper such as a tooth, orientated perpendicular to the auger shaft. In shorter sockets most the load will be carried in the pile base.

- Prior to concreting, all footings are to be inspected by a geotechnical engineer or engineering geologist to assess the exposed rock. Where the required allowable bearing pressure is greater than 1,000kPa, footing assessment is also to include spoon testing (or cored boreholes) to assess whether defects below the base of the footing are within tolerable limits for the respective rock class. An initial allowance is to be made for spoon testing or coring in every footing, until footing loads and performance requirements are known. It may be possible to reduce the amount of spoon testing if consistent conditions are exposed in early testing or if rock below founding levels can be inspected in excavations such as for lift shafts.
- Where there are localised excavations close to a major footing, the entire base of the footing should lie outside a line projected upwards at 45° from the toe of the base of the excavation or the allowable bearing pressure should be re-assessed and downgraded, if necessary.

Ground slabs

- The floors at basement level can be designed as slabs on ground where they are bearing on low strength or better sandstone. Should material of poorer quality be exposed, where trafficking has reduced the quality of the subgrade or over-breaking has occurred, proper compaction is to be given to the subgrade on which the slabs are cast.
- Only suitable material is to be used to backfill over-excavated areas, compacted to a minimum 98% standard maximum density prior to the casting of the slabs. Alternatively, slabs can be suspended.
- Under-floor drainage to safeguard against uplift pressures shall be provided if the basement is designed as drained. This can comprise a 100mm thick durable open graded crushed rock with subsoil drains and sumps.

Contingency Planning

- Contingency planning to allow for the expected variable nature of subsurface conditions, is to include allowance for items such as additional site retention if movements exceed predicted values, delamination/ floor heave if the laminite zone is encountered below bulk excavation level, and redesign of foundations to accommodate variable ground conditions associated with features such as the laminate zone between RL 41.2m and 43.9m AHD.
- Predrilling of selected footing locations is to be carried out to manage the risk associated with variable geotechnical conditions, which may result in foundation redesigns.

Changes to groundwater regime

- Where excavations extend below the toe of any retaining walls, appropriate treatment of joints or other defects is required to reduce the hydraulic connection to groundwater within the ground. Groundwater inflows through the bedrock are not expected to be significant as the rock is relatively free of defects and there is not a strong hydraulic connection to the overlying soils. Minor groundwater inflows during excavation from the bedrock should be able to be managed by a sump and pump drainage system. Should unacceptably high groundwater inflows occur during excavation, targeted grouting could then be used to reduce inflows.
- Groundwater seepage into the proposed basement could be collected from the perimeter walls and floor and directed to an internally located holding tank or sump.
- Relevant Licencing and approvals shall be obtained from authorities such as Council and NSW Office of Water to collect and release groundwater inflows into the sewer system.

Instrumentation and Monitoring

- Adjacent structures shall be monitored at intervals determined by the rate of deepening of the excavation. A survey should be carried out after every 1.5m to 2m depth of excavation, with results reviewed by a geotechnical engineer as excavation proceeds, to assess whether progressive movement will result in cumulative displacement as predicted.
- Instrumentation is to be installed and baseline data collected well in advance of the works and monitoring is to be continued until works have been substantially completed and all movements associated with construction activity have effectively ceased.
- The monitoring systems should measure internal ground movements including lateral bedding plane shear and bedding plane dilation, and tunnel sidewall convergence. Use of telemetry and in-place instruments should be considered to minimise impacts on construction operations and infield labour for data collection.
- Monitoring points are to be adopted as part of the excavation protection strategy. These include:
    - two inclinometers on the northern (Pacific Highway) boundary to address Roads and Maritime requirements
    - one inclinometer on the western (Sydney Trains) boundary within the site retention system
    - survey targets along the perimeter of the excavation and neighbouring building walls:
    - external walls and columns to assess face movement
    - internal basement columns to assess extent of movement away from the face.
    - survey targets on Pacific Highway rail overbridge to northwest of site.
- Visual inspection shall be undertaken on a regular basis as a component of the monitoring program.

- The instrumentation schedule for surface and retention wall monitoring, crack gauge monitoring, rail bridge monitoring and vibration monitoring shall be in accordance with Table 7.1 below.

Table 7.1 Instrumentation schedule

INSTRUMENT	NUMBER	DETAILS	TYPE	PURPOSE
Surface and retention wall monitoring				
Inclinometers	3	Locations selected based on the position of the Sydney Trains infrastructure and excavation face.	TBA	To monitor lateral ground movement adjacent to the Sydney Trains and Roads and Maritime infrastructure.
Displacement points	24	Displacement points are to monitor movement of surrounding buildings, inclinometers, excavation faces, streets and footpaths during demolition, excavation and construction. Monitoring shall be carried out along the retention walls to check lateral movement as follows: — Adjacent south and east boundaries. Top of the retention wall shall be surveyed to check lateral movement at approximately 6m centres along the capping beam. Monitoring to take place every 3 weeks/ 2m excavation depth. — Adjacent Sydney Trains and Pacific Highway. Top of the retention wall shall be surveyed to check lateral movement at approximately 6m centres along the capping beam and approximately 4m centres down the retention wall. Monitoring to take place weekly.	Survey nails or reflectors	Located on the adjacent footpaths and streets and on all four sides of the excavation boundaries to monitor movement of adjacent buildings. At multiple levels along site retention elevation. For walls greater than 8 metres in height, two intermediate levels of survey marks shall be provided, equally spaced between top and bottom marks.
Laser scan		Preliminary Measurements - Initial High Definition Scan to be carried out and points extracted from the point cloud to form the baseline results. Data to be presented in numerical and graphical formats detailing lateral movements. The data report and graph will compare the latest results against the results of the previous epoch and the baseline conditions. Individual point accuracy of 2mm and measures 1 million points per second to produce an accurate point cloud over the entire retention wall.	Leica HDS P30, or equivalent	To provide accurate and easy to understand results, a spreadsheet will be prepared and an offset to the design face of the capping beam observed and recorded for lateral movement interpretation.

INSTRUMENT	NUMBER	DETAILS	TYPE	PURPOSE
Other				
Crack gauge monitoring	30 (p)	Dependent on outcome of the condition survey. 30 cracks greater than 0.5mm width at locations nominated by the Designer to have crack gauges. In the event cracks larger than 3mm begin to form, additional crack gauges to be installed to monitor further movement.		Crack gauges to be installed in the nominal 30 cracks greater than 0.5mm identified in the condition survey, in the areas of expected greatest stress change/ displacement.
Rail bridge		Pacific Highway overbridge over North Shore line 8.321km.	TBA	As per Sydney Trains requirements.
Vibration	1	If required as part of DA conditions.	Alarm TBA	

Survey nails or reflectors may be installed on the building itself, if the building owner agrees.

On completion of the installations of the whole or integral parts of the equipment, tests shall be made by the Contractor in the presence of the Engineer to demonstrate satisfactory operation.

Durability is to be considered in the selection of instruments installed from the surface. Although it is not expected that the installations have the durability of the permanent works they must be sufficiently durable construction that they will remain serviceable for the duration of the construction or for six months beyond the duration of the expected ground movements, whichever is longer.

(p) provisional dependent on results of condition survey, assessment and construction induced movement.

- The location of additional instrumentation is dependent on the building condition survey and conditions revealed during demolition and construction. Additional monitoring may be required for services and utilities dependent on location and sensitivity of these services and utilities.

(Reason: To ensure site stability of the subject site and surrounding land).

111. Geotechnical and Hydrogeological Report

Prior to the issue of the relevant Construction Certificate, a Geotechnical and Hydrogeological Report is to be completed for the excavation and ground water impacts associated with this development. The report shall be prepared and certified by a suitably qualified and experienced geotechnical and/or hydrogeological engineer.

The report shall demonstrate the following:

i) There will be no ground settlement or movement, during and after construction, sufficient to cause an adverse impact on adjoining properties and infrastructure.
ii) that permanent earth or rock anchors will not be required on or below any road reserve or other Council property
iii) There will be no change to the ground water level, during and after construction, sufficient to cause an adverse impact on surrounding properties and infrastructure.
iv) Vibration during construction is minimised or eliminated to ensure no adverse impact on surrounding properties and infrastructure. As a minimum, reports must demonstrate compliance with the requirements of AS2187.2 Appendix J.
v) The risk of damage to adjacent existing property and infrastructure by the new development will be reduced to a level no greater than that from an event with an 'unlikely' likelihood of occurrence and 'minor' consequence
vi) All below ground structures are fully sealed to prevent the entry of all ground water such that they are fully tanked and no on-going dewatering of the site is required.

The report shall include recommendations on appropriate construction techniques to ameliorate any potential adverse impacts to adjoining properties and infrastructure.

(Reason: To mitigate adverse geotechnical and/or hydrogeological impacts on surrounding property and infrastructure.)

112. (D3) Geotechnical / Hydrogeological Monitoring Program

Excavation works associated with the proposed development must be overseen and monitored by a suitably qualified engineer. A Geotechnical and Hydrogeological Monitoring Program shall be submitted to the Principal Certifying Authority, prior to issue of the relevant Construction Certificate. The Geotechnical and Hydrogeological Monitoring Program is to be prepared and certified by a suitably qualified and experienced engineer in geotechnical and hydrogeological engineering, ensuring that all geotechnical and hydrogeological matters are regularly assessed during construction.

The Geotechnical and Hydrogeological Monitoring Program for the construction works must be in accordance with the recommendations of the Geotechnical / Hydrogeological Report and shall (as a minimum):

i) detect any settlement associated with temporary and permanent works and structures;
ii) detect deflection or movement of temporary and permanent retaining structures (foundation walls, shoring bracing or the like);
iii) detect vibration in accordance with *AS 2187.2-1993 Appendix j* including acceptable velocity of vibration (peak particle velocity);
iv) detect groundwater changes calibrated against natural groundwater variations;
v) provide details the location and type of monitoring systems to be utilised;
vi) provide details of the pre-set acceptable limits for peak particle velocity and ground water fluctuations;

vii) provide details of the recommended hold points to allow for the inspection and certification of geotechnical and hydro-geological measures by the professional engineer; and;
viii) provide details of a contingency plan.

(Reason: To mitigate adverse geotechnical and/or hydrogeological impacts on surrounding property and infrastructure.)

113. (D4) Construction Methodology Report

There are structures on neighbouring properties that are deemed to be in the zone of influence of the proposed excavations. A suitably qualified engineer must prepare a Construction Methodology Report demonstrating that the proposed excavation works will have no adverse impact on any surrounding property and infrastructure. The report must be submitted to Principal Certifying Authority, prior to issue of the relevant Construction Certificate.

The details must include a geotechnical report to determine the design parameters appropriate to the specific development and site.

The Report must include recommendations on appropriate construction techniques to ameliorate any potential adverse impacts.

The development works are to be undertaken in accordance with the recommendations of the Construction Methodology report.

(Reason: To mitigate structural damage to surrounding property and infrastructure.)

114. (D5) Pre-commencement Dilapidation Report

The applicant is to provide a dilapidation report of all adjoining properties and any of Councils infrastructure located within the zone of influence of the proposed excavation.

Dilapidation report must be conducted by a suitably qualified engineer prior to the commencement of any demolition, excavation or construction works. The extent of the survey must cover the zone of influence that may arise due to excavation works, including dewatering and/or construction induced vibration. The initial dilapidation report must be submitted to Principal Certifying Authority, prior to issue of the relevant Construction Certificate.

(Reason: To ensure the protection of adjoining properties, and properties deemed to be within the zone of influence of proposed excavation works.)

115. (H1) Pre-commencement Road Dilapidation Survey

The applicant shall prepare a dilapidation survey and a dilapidation report detailing the existing state of repair / condition of the road surfaces along the Pacific Highway, Christie Street and Lithgow Street adjacent the site.

The dilapidation survey and report must be prepared by an engineer registered with the Institute of Engineers.

The survey and report are to be submitted to the Council, prior to the issue of the relevant Construction Certificate.

(Reason: Asset management.)

116. (V1) Proposed Vehicular Crossing

The proposed vehicular crossing shall be constructed to the specifications and levels issued by Council. A *'Construction of a Multi-Unit Footpath Crossing'* application shall be submitted to Council and their approval obtained, prior to the issue of the relevant Construction Certificate.

All works associated with the construction of the crossing shall be completed, prior to the issue of any Occupation Certificate.

(Reason: Council requirement.)

117. (A10) Boundary Levels

The levels of the street alignment shall be obtained from Council. These levels are to be incorporated into the design of the internal pavements, car parking, landscaping and stormwater drainage plans and shall be obtained, prior to the issue of the relevant Construction Certificate.

Note: The finished floor level of the proposed basement shall be determined by Council if required.

(Reason: Pedestrian safety.)

118. (A11) Work Zone Permit

A Construction Traffic Management Plan and an application for a Work Zone Permit adjacent the development site shall be submitted to Lane Cove Council for determination, prior to the commencement of any demolition works or works that require construction vehicle and machinery movements to and from the site.

Evidence of approval of the Traffic Construction Management Plan and Work Zone Permit application by Council's Traffic Section must be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

If the development has access to a State Road, the Construction Management Plan and Work Zone need to be referred to RMS for approval.

The CTMP shall include the following information as a minimum:

i) Detail the scope of the works to be completed including details of the various stages, e.g. Demolition, excavation, construction etc. and the duration of each stage.
ii) Identify local traffic routes to be used by construction vehicles.
iii) Identify ways to manage construction works to address impacts on local traffic routes.
iv) Detail how construction workers will travel to and from the site and parking arrangements for those that drive.
v) Identify any proposed road closures, temporary traffic routes, loss of pedestrian or cyclist access or reversing manoeuvres onto a public road and provide Traffic Control Plans (TCPs) prepared by an accredited RMS Red or Orange card holder to manage these temporary changes.

vi) Detail the size (including dimensions), numbers and frequency of arrival of the construction vehicles that will service the site for each stage of works.
vii) Provide for the standing of vehicles during construction.
viii) If construction vehicles are to be accommodated on the site, provide a scaled drawing showing where these vehicles will stand and the vehicle swept path to show that these vehicles can access and egress the site in a forward direction (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).
ix) If trucks are to be accommodated on Council property, provide a scaled drawing showing the location of any proposed Works Zone (including dimensions and all adjacent traffic control devices, such as parking restrictions, pedestrian facilities, kerb extensions, etc.).
x) Show the location of any site sheds and any anticipated use of cranes and concrete pumps and identify the relevant permits that will be required.
xi) If a crane/s are to be accommodated on site, detail how the crane/s will be erected and removed, including the location, number and size of vehicles involved in the erection/removal of the crane/s, the duration of the operation and the proposed day and times, any full or partial road closures required to erect or remove the crane/s and appropriate Traffic Control Plans (TCPs) prepared by an approved RMS Red or Orange Card holder.
xii) Make provision for all materials, plant, etc. to be stored within the development site at all times during construction.
xiii) State that any oversized vehicles proposed to operate on Council property (including Council approved Works Zones) will attain a Permit to Stand Plant on each occasion.
xiv) Show the location of any proposed excavation and estimated volumes.

(Reason: To ensure appropriate traffic management of construction vehicles and machinery movements to and from the site.)

119. (K1) Council Construction Requirements

The applicant shall construct / reconstruct the following:
i) new footpath adjacent the entire frontage of the development to Council's satisfaction;
ii) new kerb and gutter along the entire frontage of the development to Council's satisfaction;
iii) delivery of works in kind in accordance with the executed Voluntary Planning Agreement dated 06 October 2017 and the agreed deed of amendment;
iv) reinstate all adjustments to the road surfaces to Council's satisfaction; and
v) reinstate all existing nature-strips with turf and soil to Council's satisfaction.

A **$50,000** cash bond or bank guarantee shall be lodged with Council to cover the satisfactory construction of the above requirements. Lodgement of this bond is required, prior to the issue of the relevant Construction Certificate.

The Bond will be held for a period of six (6) months after satisfactory completion of the works. All works shall be carried out, prior to the issue of any Occupation Certificate. All costs associated with the construction of the above works are to be borne by the applicant.

(Reason: Asset management and to ensure the delivery of public works in accordance with the executed VPA.)

120. (K4) Council Inspection Requirements

The following items require Council inspections:

i) all new footpaths on Council property;
ii) new kerb and gutters on Council property;
iii) all asphalt adjustments to the roadway; and
iv) all the approved stormwater drainage works on Council property.

Each item is to be inspected prior to the pouring of any concrete (formwork) and on completion of the construction.

An initial site meeting is to be conducted with Council and the contractor prior to the commencement of any of the above works to allow for discussion of Council construction / set out requirements.

An Inspection fee of **$2,320.00** is to be paid, prior to the issue of the Construction Certificate.

(Reason: Council requirement.)

121. (432) Garbage Storage Area

All garbage shall be stored in a designated garbage area, which includes provision for the storage of all putrescible waste and recyclable material emanating from the premises. The area is to be constructed with a smooth impervious floor graded to a floor waste and connected to the sewer. The garbage area/room is to be well ventilated and fitted with fire sprinklers and meet fire safety standards in accordance with the *Building Code of Australia*.

Detailed plans and specifications for the construction of the designated garbage area are to be submitted with the relevant Construction Certificate application.

(Reason: To ensure appropriate storage of waste.)

122. (440) Acoustic Consultant

A qualified acoustic consultant shall be engaged to certify that the design and construction of the traffic noise affected portions of the building comply with the EPA's – '*Environmental criteria for road traffic noise'*.

The submitted *Acoustic Assessment Report* shall be updated accordingly and submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure acoustic amenity to residents.)

123. (481) Carwash Bay – Connection to Sewer (residential users)

A designated car wash area shall be provided. All waste water from such an area is to be disposed of to Sydney Water sewerage system. The developer shall contact the Trade Waste Office of Sydney Water so as to ensure that the sewerage pre–treatment

system installed is appropriate for the proposed use of the car wash area. Appropriate signage must be erected and maintained at all times by the Body Corporate.

Details demonstrating compliance shall be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate.

(Reason: To ensure that the development provides a car wash facility for residents, and that its operation is in accordance with Sydney Water requirements.)

124. Compliance with *Building Code of Australia* – Prescribed Condition of Development Consent (CC)

All architectural drawings, specifications and related documentation shall be carried out in accordance with the requirements of the *Building Code of Australia* (BCA). All work must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

(Reason: This is a 'prescribed' condition under clause 98(1)(a) of the Environmental Planning and Assessment Regulation 2000.)

125. Erection of signs – Prescribed Condition of Development Consent (CC)

A sign must be erected in a prominent position on the site on which building work, subdivision work or demolition work is being carried, in accordance with the requirements of clause 98A of the *Environmental Planning and Assessment Regulation 2000*.

(Reason: This is a 'prescribed' condition under clause 98A of the EP&A Regulation 2000.)

126. Shoring and Adequacy of Adjoining Property – Prescribed Condition of Development Consent (CC)

Any excavation that extends below the level of the base of the footings of a building structure of work (including any structure or work within a road or rail corridor) on adjoining land, requires the person(s) having the benefit of the development consent, at the person's own expense, to:

a) protect and support the building, structure or work from possible damage from excavation; and
b) where necessary, underpin the building structure, or work to prevent any such damage.

This condition does not apply if the person(s) having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to this condition not applying.

(Reason: This is a 'prescribed' condition under clause 98E of the EP&A Regulation 2000.)

E. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT WORK

127. (49) Notification of Principal Certifying Authority

Prior to the commencement of any construction works associated with the development, the Applicant shall erect signs in a prominent position at the site boundaries, which can be viewed from the nearest public place. The sign(s) shall indicate:

i) the name, address and telephone number of the Principal Certifying Authority;
ii) the name of the person in charge of the construction site and telephone number at which that person may be contacted outside working hours; and
iii) a statement that unauthorised entry to the construction site is prohibited.

The signs shall be maintained for the duration of construction works.

(Reason: Statutory requirement.)

128. (79) AS - Demolition

Any demolition works shall comply with *Australian Standard 2601 - The Demolition of Structures.*

(Reason: Statutory requirement.)

129. (86) Erection of Hoarding

An approved type of hoarding being is to be erected along the street frontage, prior to the commencement of any demolition or works.

(Reason: Council requirement during construction works.)

F. CONDITIONS WHICH MUST BE SATISFIED DURING ANY DEVELOPMENT WORK

130. (87) Pedestrian Path Kept Clear

The Pedestrians' portion of the footpath is to be kept clear and trafficable at all times.

(Reason: To ensure pedestrian safety during construction works.)

131. Compliance with Geotechnical / Hydrogeological Monitoring Program

Excavation must be undertaken in accordance with the recommendations of the *Geotechnical / Hydrogeological Monitoring Program* and any oral or written direction of the supervising *professional engineer.*

The *principal contractor* and any sub-contractor must strictly follow the *Geotechnical / Hydrogeological Monitoring Program* for the development including, but not limited to:

i) the location and type of monitoring systems to be utilised;
ii) recommended hold points to allow for inspection and certification of geotechnical and hydrogeological measures by the *professional engineer*; and
iii) the contingency plan.

(Reason: To ensure that there are no adverse geotechnical or hydrogeological impacts on any surrounding property and infrastructure.)

132. (403) Dust During Construction

Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding residences.

Extra precaution is to be taken to protect the adjoining child care centre from dust during construction.

(Reason: To protect the health, safety and amenity of surrounding residences during construction.)

133. (409) Construction and Fit out of Food Premises

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, the construction and fit-out of any food premises (including supermarket) must comply with the following:

i) *The Food Act 2003*;
ii) *Food Regulation 2015*;
iii) *Australia and New Zealand Food Standards Code*;
iv) *Australian Standard AS 4674 – 2004 (Design, construction and fit-out of a food premises);* and
v) The *Building Code of Australia.*

Details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval, prior to any occupation of the premises.

(Reason: Compliance with food premises legislation and standards.)

134. (467) Assessment of Potentially Contaminated Soils

All stockpiles of potentially contaminated soil must be assessed in accordance with relevant NSW Environment Protection Authority guidelines.
(Reason: Environmental protection.)

G. CONDITIONS WHICH MUST BE SATISFIED PRIOR TO ANY OCCUPATION OR USE OF THE BUILDING

135. (17) Occupation Certificate

An Occupation Certificate is to be obtained from the Principal Certifying Authority before any occupation of the building.

(Reason: Statutory requirement.)

136. (64) Check Survey Certificate

A check survey certificate is to be obtained from a registered surveyor and submitted to the PCA, prior to the issue of any Occupation Certificate.

Note: All levels are to relate to the reduced levels as noted on the approved architectural plans and should be cross-referenced to Australian Height Datum.

(Reason: To ensure constructed levels are consistent with the approved plans.)

137. (65) Noise Controls – Air Conditioning Plant

Noise from domestic air conditioners is not to be audible in any adjoining dwelling between the hours of 10:00pm and 7:00am on weekdays or between the hours of 10:00pm and 8:00am on weekends and public holidays.

If the noise emitted from the air conditioning unit results is offensive noise, Council may prohibit the use of the unit, under the provisions of the Protection of the Environment Operations Act 1997.

(Reason: To mitigate offensive noise to adjoining dwellings.)

138. (M1) Stormwater System Engineering Certification

On completion of the drainage system a suitably qualified engineer shall certify that the drainage system has been constructed in accordance with the approved plans, *Part O of Council's DCP - Stormwater Management* and *AS-3500.*

The certification is to include a *Work As Executed* (WAE) Plan. The work as executed plan shall:

i) be signed by a registered surveyor, and
ii) clearly show the surveyor's name and the date of signature.

All documentation is to be submitted to the Principle Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance of stormwater engineering works with Council's DCP requirements.)

139. (V3) Redundant Gutter Crossing

All redundant gutter and footpath crossings shall be removed and the kerb, gutter and footpath reinstated to the satisfaction of Council's Urban Services Division. These works shall be carried out, prior to the issue of any Occupation Certificate.

(Reason: Council requirement to minimise vehicular crossings.)

140. (D6) Certification of Retaining Structures and Excavations

A suitably qualified engineer shall provide certification to the Principal Certifying Authority that all retaining structures and excavations have been carried out in accordance with the relevant Australian Standards and Codes of Practice.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted to the Principal Certifying Authority, prior to the issue of any Occupation Certificate.

(Reason: To ensure the structural integrity of retaining structures and excavation works.)

141. (410) Food Shop Registration Requirements

Occupation of the premises shall not occur until:

a) a registration application is submitted to *Council's Health and Environment Department* for any food premises (including a supermarket); and

b) A NSW Food Authority licence is obtained (www.foodauthority.nsw.gov.au/ip/licensing).

(Reason: Food shop registration requirements.)

142. (412) Grease Trap (Food Premises)

Trade wastewater shall be disposed of in accordance with *Sydney Water* requirements and relevant approvals obtained.

(Reason: To ensure compliance with Sydney Water requirements regarding trade wastewater.)

143. (433) Garbage Collection

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environmental operations Act 1997*. Records shall be kept of all waste disposal from the site.

Waste and recycling material, generated by the premises, must not be collected between the hours of 10pm and 6am on any day.

(Reason: To ensure the appropriate management of waste in accordance with the Protection of the Environmental operations Act 1997.)

144. (434) Litter Control

A sufficient number of garbage bins are to be provided on the premises for garbage disposal in accordance with Council's requirements. Such bins shall be made of impervious material and shall have close-fitting, vermin/fly-proof lids.

All waste bins are to be stored in designated garbage/trade refuse areas which must be maintained in a satisfactory condition at all times and must not be permitted to overflow into adjoining areas.

(Reason: To ensure appropriate waste storage and management.)

145. (438) Drainage of Garbage Rooms

Garbage room floors shall be graded to an appropriate floor waste disposal system, which is to be connected to the sewer. No drainage from garbage rooms shall be connected directly or indirectly to the stormwater drainage system, Council's street gutter or Council's drainage system.

(Reason: To ensure appropriate stormwater management.)

146. (453) Ventilation – Garbage Rooms

Garbage rooms shall be ventilated by:

(a) An approved system of mechanical exhaust ventilation in accordance with the requirements of the Building Code of Australia and *Australian Standard AS 1668.*

(b) Permanent unobstructed natural ventilation openings with contact direct to the external air, having an aggregate area of not less than $1/20^{th}$ of the floor area. One half of the openings shall be situated at or near the floor level and one half at or near the ceiling level.

(c) Where permanent natural ventilation openings are provided, the openings shall be designed to prevent the entry of rainwater.

(Reason: To keep garbage rooms in a clean and sanitary condition to protect public health.)

147. (454) Car Park Ventilation

The covered car park must be provided with an adequate system of permanent natural ventilation or an approved system of mechanical ventilation in accordance with relevant standards and the *Building Code of Australia*.

(Reason: To ensure adequate ventilation to the basement car park.)

148. (457) Fresh Air Intake Vents

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

(Reason: To ensure air quality and adequate health and safety.)

149. (463) Bunding – Liquids

All liquids onsite are to be stored within a bunded area. The size of the area is to be bunded and shall be calculated as follows as a minimum:

(a) In the case of tanks, 110% of the volume of the largest size tank.
(b) In the case of small containers and drums, 25% of the total volume of liquid to be stored, with a minimum of 400L capacity.

The bund is to be constructed of a material, which is impervious to the liquid being stored. All bunded areas shall be graded to a pit/sump so as to facilitate emptying and cleaning. All pipework from the enclosed tanks and or/pumps shall be directed over the bund wall and not through it. Hose couplings for the tanks enclosed within the bund. Where possible the bunded areas should be roofed.

After completion, the bund shall be maintained in such a condition, that all spillages or leaks will be retained within the bund, until disposed of by means that do not pollute waters in accordance with the *Protection of the Environment Operations Act 1997 (NSW)*.

(Reason: To prevent water pollution.)

150. (483) Regulated Systems

Any air handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012.*

Any such premise is to be registered with Council together with payment of the approved fee, prior to the issue of any Occupation Certificate.

(Reason: Health and safety requirements.)

151. (485) Registration of water cooling and warm water systems

Any water cooling and warm water systems regulated under the *Public Health Act 2010* must be registered with *Council's Environmental Services Unit* within one (1) month of installation.

(Reason: Health and safety requirements.)

152. Fire Safety Certification

Prior to the issue of any Occupation Certificate, a *certifying authority* must be satisfied that a final fire safety certificate or an interim fire safety certificate has been issued for the relevant part of the building.

(Reason: Fire safety.)

153. Clothes Drying Facilities

Clothes drying facilities are to be provided within each unit (not on any balcony space) in accordance with the *Building Code of Australia* and shall not be visible from the public domain. Clothes drying facilities shall be installed and approved by the Principal Certifying Authority, prior to the issue of an Occupation Certificate for Tower 1 and Tower 2.

(Reason: To minimise any adverse impact on the public domain.)

154. Sustainable Transport Action Plan (STrAP)

A Sustainable Transport Action Plan (STrAP) shall be prepared by a suitably qualified professional showing the proposed mode shares, relevant bike routes, pedestrian access to the development, access to existing car-share spaces, and bus route frequencies. Recommendations to encourage greater active transport opportunities and use of public transport shall be integrated into the development.

The STrAP shall be submitted to and approved by Council's *Manager Traffic and Transport*, prior to the issue of an Occupation Certificate for Tower 1 and Tower 2.

(Reason: To encourage sustainable transport options in order to reduce greenhouse gas emissions and other environmental impacts.)

155. Fulfillment of BASIX Commitments

All BASIX commitments must be met in accordance with the BASIX Certificate No. 877037M_02 dated 10 January 2018, prior to the issue of the Occupation Certificate for Tower 1 and Tower 2.

(Reason: Statutory compliance.)

156. Landscaping

A works-as-executed landscape plan from a qualified landscape architect/designer, horticulturist and/or arborist as applicable is to be submitted to the *Principal Certifying Authority*, certifying that all landscape work including all planting has been completed

in accordance with the approved *Landscape Plans* and *Arboricultural Report* (as amended by any conditions of consent), prior to the issue of any Occupation Certificate

(Reason: To ensure landscaping is executed in accordance with the approved landscape plans and Arboricultural Report.)

157. (D5) Final Dilapidation Report

A second dilapidation report conducted by a suitably qualified engineer, recording structural conditions of all structures originally assessed prior to the commencement of works, must be carried out at the completion of all works and be submitted to the Principle Certifying Authority, prior to the issue of the relevant Occupation Certificate.

(Reason: To ensure no damage to all structures originally assessed, as determined by a suitably qualified engineer.)

158. (H1) Final Road Dilapidation Survey

Prior to the issue of the Occupation Certificate for Stage 2 works (Tower 3, remainder of basement within the north-eastern corner, remaining public domain works), the applicant is to prepare a second dilapidation survey and dilapidation report that includes details of all changes and damage caused to the road surfaces along the Pacific Highway, Christie Street and Lithgow Street adjacent the site as a consequence of truck movements associated with the construction of the development.

The Council may apply funds realised from the security deposit to meet the cost of making good any damage caused to the surface of the listed roads as a consequence of truck movements associated with the construction of the development to which the consent relates.

The dilapidation survey and report must be prepared by an engineer registered with the Institute of Engineers.

(Reason: To ensure no damage to the Pacific Highway, Christie Street and Lithgow Street.)

159. (O2) Positive Covenants OSD and Pump Out System

Documents giving effect to the creation of a Positive Covenant over the on-site detention system and over the basement pump out system shall be registered on the title of the property ensuring the ongoing retention, maintenance and operation of the stormwater facility, prior to the issue of any Occupation Certificate.

The wordings of the terms of the Positive Covenant shall be in accordance with *Part O of Council's DCP - Stormwater Management.*

(Reason: To ensure the on-site detention and/or pump system is maintained to an appropriate operational standard.)

160. Road Works (Including Footpaths)

The following works must be completed to the satisfaction of Council, prior to issue of any Occupation Certificate:

a) Stormwater pipes, pits and connections to public stormwater systems within the *road*;
b) Driveways and vehicular crossings within the *road*;
c) Removal of redundant driveways and vehicular crossings;
d) New footpaths within the *road*;
e) Relocation of existing power/light pole
f) Relocation/provision of street signs
g) New or replacement street trees;
h) New footway verges, where a grass verge exists, the balance of the area between the footpath and the kerb or site boundary over the full frontage of the proposed development must be turfed. The grass verge must be constructed to contain a uniform minimum 75mm of friable growing medium and have a total cover of turf predominant within the street.
i) New or reinstated kerb and guttering within the *road*; and
j) New or reinstated road surface pavement within the *road*.

(Reason: To ensure public amenity and management of Council assets.)

161. Engineering Works (Certification of)

Prior to any occupation of the premises, a Work-As-Executed (WAE) Plan of all engineering and/or drainage works is to be submitted to the Principal Certifying Authority. The WAE Plan is to be certified by a suitably Qualified Engineer, demonstrating that:

i) the stormwater drainage system;
ii) the car parking arrangement and area;
iii) any related footpath crossing works;
iv) the proposed basement pump and well system;
v) the proposed driveway and layback; and
vi) any other civil works

have been constructed in accordance with the approved plans and any relevant Standards and Council policies/specifications.

For major works, such as subdivisions, works within the road reserve (requiring separate S138 approval) and as where specified by Council, a Part 4A Certificate will be required. It is strongly recommended that an Engineer supervise all engineering related works.

Where Council is not the Principal Certifying Authority, an electronic copy of the above documents is to be provided to Council, prior to the issue of the Final Occupation Certificate.

(Reason: To ensure all engineering and drainage works have been constructed in accordance with Council's requirements.)

H. Conditions which must be satisfied prior to the issue of any subdivision certificate

162. (24) Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance. Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development/release of the plan of subdivision.

(Reason: To comply with the statutory requirements of Sydney Water.)

163. (X1) 88B Instrument

An instrument under 88B of the conveyancing Act 1919 plus two copies is to be submitted to Council prior to the release of subdivision certificate. The 88B instrument shall properly reflect the requirements of the conditions of the development consent, plans forming part of the consent and Council's policies.

Where Council, inter-allotment drainage lines or services are located within the development, drainage easements and easements for services shall be created in accordance with Council's minimum widths as set out in *Part O of Council's DCP - Stormwater Management.*

Part 2 of the 88B instrument shall contain a provision that any easements, rights of way, and/or covenants shall not be extinguished or altered without the written consent of Council.

(Reason: Council requirement.)

164. (X2) Linen Plan of Subdivision

Prior to release of the Subdivision Certificate, a linen plan of subdivision plus five (5) copies are to be submitted to Council for endorsement.

The following details shall also be submitted:

i) Evidence that all conditions of Development Consent No. 6/2018 have been satisfied.
ii) Evidence of payment of all relevant fees and contributions.
iii) The 88B instrument plus five (5) copies.
iv) A copy of the Occupation Certificate issued for the development.
v) All surveyor's or engineer's certification required by the Development Consent.
vi) A copy of the Section 73 Compliance Certificate issued by Sydney Water.
vii) All parking spaces and common property, including visitor car parking spaces and on-site detention facilities must
viii) be included on the final plans of subdivision and allocated in accordance with the approved plans.

(Reason: To ensure consistency with the approved development and Sydney Water requirements.)

165. (29) Release of Linen Plan / Subdivision Certificate by Council

The Linen Plan/Subdivision Certificate will only be released by Council upon satisfactory compliance with the requirements of the conditions above and subject to the Linen Plan/Subdivision Certificate being substantially in accordance with *Concept Stratum Plans No. SY074272.000.7.5, Sheets 1 to 14 inclusive, prepared by Land Partners, dated 10/01/2018.*

(Reason: To ensure consistency with the approved concept stratum plans.)

Lane Cove Council
48 Longueville Road, Lane Cove NSW 2066 Tel: 02 9911 3555 Fax: 02 9911 3600

LANE COVE COUNCIL CERTIFICATION SERVICE

Now that your development consent has been granted, I would like to take the opportunity to introduce you to the Lane Cove Council Certification Service.

We can:

- Ensure that your building work is being looked after by an independent Certifier that is based locally and provides reassurance to the property owner that the work has been completed in accordance with current building standards.
- Process your Construction Certificate at competitive rates.
- Provide timely, efficient processing and assistance through the Construction Certificate process.
- Provide expert advice and guidance if amendments are necessary.
- Assist you with liaising with other Council functions that may be involved during construction.
- Schedule inspections to fit with your needs. These could be early, late or the same day.

If you require more information, please contact Council's Senior Building Surveyor Adrian Moore, on 9911-3555 Monday to Friday.

For Council's charges on certifying your Construction Certificate please call one of our customer service officers on 9911-3614 or 99113-617.

We look forward to working with you to achieve the development outcome you want.

Rajiv Shankar
Manager, Development Assessment

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