

COUNCIL SUPPLEMENTARY ASSESSMENT REPORT

Panel Reference	PPSSHH-98
DA Number	LDA2020/169
LGA	City of Ryde
Proposed Development	Construction of an eleven (11) storey commercial and retail building comprising excavation for two (2) levels of basement car park for 246 car parking spaces, four (4) ground floor retail tenancies, ten (10) levels of commercial tenancies, plant areas and solar panels on the roof level, end of trip facilities including 236 bicycle spaces, lockers and amenities, landscaping and public domain upgrade works along Waterloo Road.
Street Address	45-61 Waterloo Road, Macquarie Park
Applicant/Owner	John Holland Macquarie Park Land Custodians Pty Ltd
Date of DA lodgement	20 May 2020
Date of previous SNPP Meeting	30 June 2021
Recommendation	Approval
List all documents submitted with this report for the Panel's consideration	Attachment 1: Previous report to the Sydney North Planning Panel for the meeting dated 30 June 2021 Attachment 2: Revised draft conditions of consent
Report prepared by	Sandra Bailey, Manager Development Assessment
Report date	22 July 2021

1. BACKGROUND

This matter was considered by the Sydney North Planning Panel at its meeting on 20 June 2021. The report considered by the Panel recommended approval subject to a deferred commencement condition that required the extinguishment of the easement for access variable width (K) that burdens Lot 1 DP1231416 and Lot 2 DP1255496.

At this meeting, the Panel resolved to defer the decision to allow the Applicant to submit further information, which may resolve the need for a Deferred Commencement Condition.

The Applicant was requested to urgently prepare the following additional information and submit it to Council by 15th July 2021

- Staged Construction Management Plan (SCMP)
- Construction Traffic Management Plan (CTMP)

- Reworded proposed operational condition to replace Council's Deferred Commencement Condition
- Reworded condition 1a to provide planting schedule

A supplementary report is required to be prepared by Council and sent to the Panel to allow the Panel to determine the matter electronically by 31st July.

2. ADDITIONAL INFORMATION SUBMITTED

The Applicant provided the additional information by the 15th July 2021.

The SCMP identified that the development would be constructed in two stages. Stage 1 is the early works and Stage 2 is all other building works to completion.

The early works as identified in the SCMP includes the following:

- Erect hoardings
- Establish environment controls
- Establish site offices and accommodation
- Establish temporary services
- Installation of temporary shoring wall
- Permanent piling and shoring works to the northern eastern and southern boundaries
- Bulk excavation to the underside of basement 2, excluding area that cannot be excavated due to temporary shoring
- Detailed excavation for pad footings
- Detailed excavation for in ground services
- Detailed excavation for crane base
- Detailed excavation of lift pits
- Detailed excavation for stair bases
- Installation of in ground services
- FRP of lift pits
- FRP of crane bases
- FRP of Building Footings
- FRP of stair bases
- Installation of tower cranes
- FRP on basement slab on ground (excluding area affected by temporary shoring)
- Lift and stair jump form establishment.

Figure 1 demonstrates the location of the easement and the area of work that is to be excluded from Stage 1. This is further detailed in Figure 2. It is proposed to provide temporary shoring adjacent to the area to be excluded from Stage 1. The temporary shoring would not be removed until Stage 2 of the development which will only occur once the easement has been extinguished.

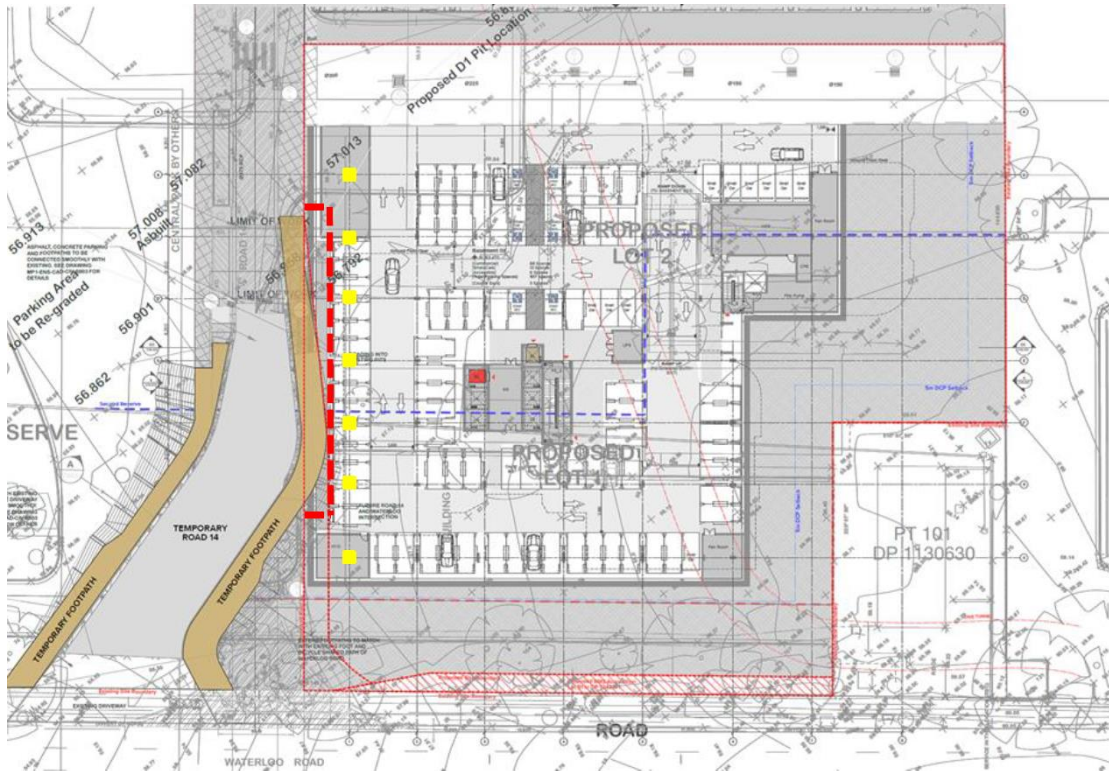


Figure 1. Overlay of the temporary road over the basement plan. Red dashed line indicates temporary sheet pile shoring wall. Yellow squares indicate main building. Source: Staged Construction Management Report prepared by EI Australia dated 15th July 2021.

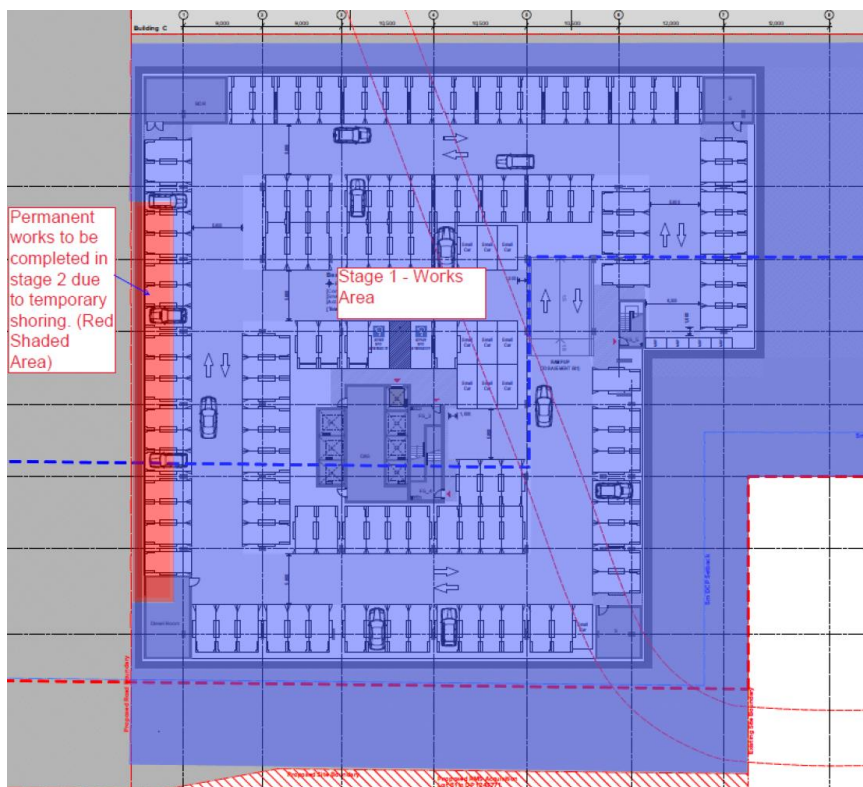


Figure 2. Area of basement shoring Stage 1 and Stage 2 works. Source: Staged Construction Management Report prepared by EI Australia dated 15th July 2021.

The applicant also provided a CTMP to demonstrate how the development could occur to reflect the above staging.

The wording of the condition of consent as suggested by the applicant to replace the deferred commencement condition is as follows:

Construction of the development is to be staged in accordance with the Staged Construction Management Plan (SCMP) prepared by EIAustralia, dated 15 July 2021 and the Construction Traffic Management Plan (CTMP) prepared by Ason, dated 15 July 2021. Prior to the issue of a construction certificate for the works within Stage 2 as described in the SCMP, evidence must be provided to Council that easement (k) that benefits Lot 4 DP1255496 and burdens Lot 1 DP1231416 and Lot 2 DP1255496 has been extinguished. For clarity purposes it is noted that works within Stage 1 can occur whilst easement (k) is in place.

The applicant has also suggested the following wording of condition 1(a) to ensure the planting schedule is provided:

1a) Amended Landscape Plan. The following need to be shown on an amended Landscape plan:

- The Street Trees to Waterloo Road are to be planted in Strata Vaults. This is to contain the tree root systems to the future Public Domain area. The Vaults are to be linked together to form one continuous strip beneath the paving in the Public Domain.*
- The provision Wi-Fi and power outlets in the Linear Park*
- Details are to be provided for the landscape roof on level 1. The details are to include planting details, irrigation details, soil depth details and ongoing maintenance plans. Soil depth is to be in accordance with the requirements of the Part 4.5 of the Ryde Development Control Plan 2014.*

*The amended landscape plans are **to be accompanied by a detailed planting schedule and** are to be submitted to and approved by Council prior to the issue of a Construction Certificate.*

3. COUNCIL'S POSITION

The above information has been reviewed by Council's Officers, who agree that the development could be constructed in two stages as identified in the SCMP.

Council raises concerns that the submitted CTMP does not cover all of the issues that would be required to be addressed in a CTMP. While some of these issues can be addressed now, other issues cannot be addressed until closer to the issuing of the Construction Certificate for each stage. The draft conditions of consent already require the submission of a CTMP with the CC. It is proposed to amend the wording of this condition to require a CTMP to be provided for Stage 1 as well as Stage 2 as

identified in the SCMP. For this reason, it is not necessary to include the reference to the CTMP in the condition as suggested by the applicant.

The condition should also be amended to provide greater certainty that excavation is not to occur within the easement during Stage 1 and that prior to a CC for Stage 2, written confirmation should be provided from Council to the Certifier to confirm the easement has been extinguished.

Additional conditions should also be imposed to ensure that safe and accessible access is provided over the easement during Stage 1 and that the temporary shoring is constructed and maintained appropriately throughout its life.

The changed wording to condition 49, the condition as suggested by the applicant plus the additional 2 conditions is as follows:

49. Construction Pedestrian and Traffic Management Plan. A Construction Pedestrian and Traffic Management Plan (CPTMP) and report shall be prepared by a suitably qualified traffic engineering consultant and submitted to and approved by Council's Transport Department prior to issue of any Construction Certificate ***for Stage 1 and Stage 2 works as identified in the Staged Construction Management Plan prepared by EI Australia dated 15th July 2021.***

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

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

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

- i. Make provision for all construction materials to be stored on the site or Lot 2 in DP1255496, at all times.
- ii. Specify construction truck routes and truck rates. Nominated truck routes are to be restricted to State Roads or non-light vehicle thoroughfare routes where possible.
- iii. Make provision for parking onsite once the basement level parking is constructed. All Staff and Contractors are to use the basement parking once available.
- iv. Specify the number of truck movements to and from the site associated with the construction works. Temporary truck standing/ queuing in a public roadway/ domain in the vicinity of the site are not permitted unless approved by City Works Directorate.

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

- Construction of the development is to be staged in accordance with the Staged Construction Management Plan (SCMP) prepared by EI Australia, dated 15 July 2021. Stage 1 does not permit any construction or excavation within the area marked in red on Figure 2 of the SCMP. Prior to the issue of a Construction Certificate for the works within Stage 2 as described in the SCMP, written evidence must be provided from Council to the Certifier that easement (K) that benefits Lot 4 DP1255496 and burdens Lot 1 DP1231416 and Lot 2 DP1255496 has been extinguished. For clarity purposes it is noted that works within Stage 1 can occur whilst easement (K) is in place.
- During Stage 1 of the development, safe and accessible pedestrian access must be provided at all times over easement (K) that benefits Lot 4 DP1255496 and burdens Lot 1 DP1231416 and Lot 2 DP1255496.

- The temporary shoring required to be provided in the basement levels must be certified and maintained in accordance with the National Construction Code requirements throughout the course of its life.

Council supports the wording as suggested by the applicant in respect of condition 1a.

Condition 1 in Attachment 2 has also been amended to include the SCMP as an approved document.

Attachment 2 includes a new set of conditions that have incorporated all of the above changes.

The applicant has agreed to the amended conditions.

4. RECOMMENDATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- A. That the Sydney North Planning Panel grant consent to development application LDA2020/169 for a mixed use commercial and retail building known as Building AB at 45-61 Waterloo Road, Macquarie Park, subject to the conditions of consent in **Attachment 2** of this report.