

1. **A.3 - Payment of security deposits**

Before the commencement of any works on the site, or the issue of a construction certificate, the applicant must make the following payments to Council and provide written evidence of these payments to the Certifier:

Security deposit	Amount
Infrastructure damage bond	\$49,500.00
Kerb and Gutter reconstruction	\$48,500.00
Footpath (2.4 wide reconstruction	\$112,500.00
Road resealing on Mars Road	\$293,000.00
Drainage pipe relation (40m) on Mars Road	\$26,000.00
Pits (3)	\$13,500.00
Turfing	\$7,500.00
Positive Covenant Bond for OSD system	\$1,000.00
Council owned trees	\$75,000.00

To make this payment please contact Lane Cove Customer Service team.

The mode of payment shall be **Non-cash payments only (Credit card, Bank cheque, EFT) or Bank Guarantee** lodged with Council.

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates, and,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent.

Note: An inspection fee is required to be paid which is included in Council's fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the *Roads Act 1993*). Council inspection fees are calculated in accordance with Council's fees and charges at the date of payment. The approximate total inspections by Council Engineer for the works on public land is 8. The current inspection fee is \$230.00 per visit.

Note: Required Council inspections for civil works involving Council assets which are to be carried out prior to the pouring of any concrete (formwork) and then 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.

The following items are to be inspected:

- proposed stormwater drainage improvements
- proposed stormwater connection to existing Council pit in the street;
- all footpath, kerb/gutter and landscaping works; and
- any adjustment works in Council's road reserve.

Reason: To ensure any damage to public infrastructure is rectified and public works can be completed.

2. A.5 - Payment of development contributions

Payment of section 7.11 contributions

The payment of a contribution of **\$1,365,321.32** (minus existing credit) for additional gross floor area provided, in accordance with Council's section 7.11 contributions plan. This payment being made prior to the issue of a construction certificate and is to be at the current rate at time of payment.

This contribution is for community facilities, open space/ recreation and road under the Lane Cove Section 7.11 Contributions Plan which is available for inspection at the customer service counter, Lane Cove Council, 48 Longueville Road, Lane Cove.

The Section 7.11 Contribution is calculated in the following manner:

Industrial space 20,146sqm

Office Space = 1,686sqm

	Proposed Area	Rate per sqm	Contribution payable 26/26 fees and charges
Commercial Development (Office space)	1,686sqm	\$165.39	\$278,847.54
Industrial Development	20,146sqm	\$53.93	\$1,086,473.78

A total payment of a contribution of **\$1,365,321.32 is to be paid**, minus a credit for the existing areas.

Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development.

3. A.23 – Solar Panels

Solar panels are to be provided in accordance with the yellow highlighted areas depicted on **Figure A** below. This is to be confirmed on the architectural plans prior to the issue of a construction certificate.

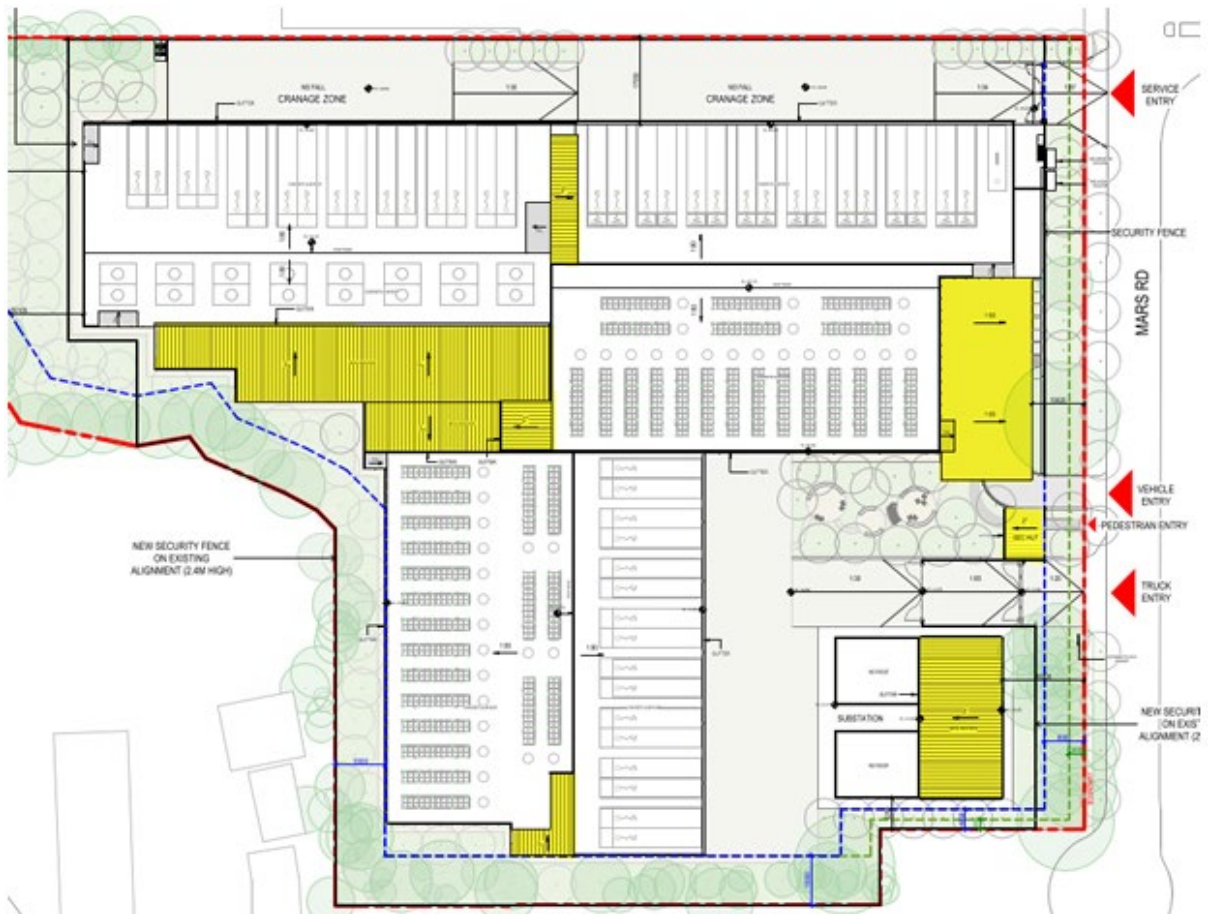


Figure A: Vacant roof areas (3,023sqm) depicted in yellow are to be used to occupy solar panels.

Reason: To ensure the sustainable use of electricity which complies with Council's requirements and reduce environmental impacts.

4. A.27 – Dust Monitoring Plan

A Dust Monitoring Plan is to be provided to Council's Manager of Development Assessment Approval Prior to the commencement of any demolition works or the issue of the Construction Certificate. This is to include, but not be limited to, the locations of dust monitoring devices on all boundaries or at appropriate location of the site so as to record, at half an hour intervals, level and composition of dust during the course of construction. Regard is to be given to the C2 Bushland area at the rear of the development and the residential dwellings in proximity to the subject site.

Reason: Protection of environment and amenity of the neighbouring residents

5. E.24 – Dust Monitoring Plan

Dust monitoring devices shall be installed on all boundaries or at appropriate locations of the construction site in accordance with the approved Dust Monitoring Plan. The level and composition of dust during the course of construction shall be recorded within the intervals of half an hour. The data recorded shall be provided to Council.

The dust levels should meet the requirements of "Dust from construction sites visual guide" link to which is:

<https://www.epa.nsw.gov.au/sites/default/files/240186-local-government-air-quality-toolkit-dust-from-construction-sites-visual-guide.pdf>

Reason: Protection of environment and amenity of the neighbouring residents.

6. A.28 – Noise Monitoring Plan

A Noise Monitoring Plan is to be provided to Council's Manager of Development Assessment Approval Prior to the commencement of any demolition works or the issue of the Construction Certificate. This is to include, but not be limited to, the locations of noise monitoring devices on all boundaries or at appropriate locations of the site so as to record, at half an hour intervals, noise levels during the course of construction.

Reason: Protection of environment and amenity of the neighbouring residents

7. E.25 – Noise Monitoring Plan

Noise monitoring devices shall be installed on all boundaries or at appropriate locations of the construction site in accordance with the approved Noise Monitoring Plan. The noise levels during the course of construction shall be recorded within the intervals of half an hour. The data recorded shall be provided to Council.

The noise levels should meet the requirements of "Draft Construction Noise Guidelines" link to which is:

<https://www.epa.nsw.gov.au/sites/default/files/09265cng.pdf>

Reason: Protection of environment and amenity of the neighbouring residents.

8. A.29 – Trades Personal Parking and logistics plan

A Trades Personal Parking and logistics plan is to be provided to Council's Manager Development Assessment for Approval, Prior to the commencement of any demolition works or the issue of the Construction Certificate. This plan shall detail the provisions of parking on site for workers and the existing basement should be utilised for trades personal parking to reduce the strain on local kerb side parking.

This plan is to confirm that no parking is to occur at the Blackman Park Car Park or any of the following streets:

Alder Avenue, Henley Street, Moore Street, Hallam Avenue, Yethonga Avenue, Currawong Avenue, Eloora Lane, Boyle Lane, Johnston Lane, Beatrice Street, Banksia Close, Avalon Avenue, Wood Street, Cullen Street, Penrose Street, Myee Crescent and Lihon Street.

Reason: To reduce the traffic amenity impacts.

9. E.26 – Trades Personal Parking and logistics plan

Compliance with the approved parking plan for trades personal.

Reason: To ensure orderly parking for trades personal.

10. B.5 - Dilapidation report

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier.

This report is to include, but is not limited to, the following properties:

- The Lane Cove Nursery
- The Lane Cove Council Depot
- The Lane Cove Skate Park
- The Lane Cove West Tennis Club House and Tennis Courts
- The Lane Cove Scout Hall
- The Lane Cove B1 and B2 Scout Hall
- The residential properties at 2, 4, 6, 7, 8, 9, 10, 11, 13, 15 and 17 Banksia Close.
- The residential properties at 1, 2, 3, 4, 5 and 6 at Avalon Avenue.
- The residential properties at 36A, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 70 and 72 Wood Street.
- The industrial properties at 14, 16, 19 and 21 Mars Road.
- The industrial properties at 2, 4-6, 29 and 31 Chaplin Drive.

If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

A copy of this report is to be submitted to Lane Cove Council's Manager Development Assessment, **Prior to the issue of the first Construction Certificate or the Commencement of any Demolition Works.**

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed.

11. B.6 - Notice regarding dilapidation reports

Before the commencement of any demolition, the principal certifier must ensure the building owners of the properties subject of the dilapidation reports are provided with a copy of the dilapidation reports for their properties no less than 7 days prior to the commencement of any site, demolition or building work.

Reason: To advise neighbours and Council of any dilapidation report.

12. F.3 - Post-construction dilapidation report

Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

- a) after comparing the pre-construction dilapidation report to the post-construction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

Reason: To identify damage to adjoining properties resulting from building work on the development site.

13. A.8.T Traffic amendments

Before the issue of a construction certificate, the architectural plans are to be amended and submitted to the Private Certifier for approval to detail the following required amendments:

- The Applicant is to provide the 20m storage area within their site at the gate entrance so that these large trucks queues do not extend onto the public road and footpath.
- The central access' vehicle driveway shall be a maximum 5.5m width as per AS/NZS 2890.1:2004.
- 2.5m by 2.0m sight triangles shall be provided on all access driveways as per AS/NZS 2890.2:2018 to provide pedestrians on the public footpath to evade a vehicle emerging from an access driveway. Wherever practicable, larger splays should be provided.
- The subject site is located on Mars Road which is a key cycling route in the new draft Lane Cove 10 year bike plan 2026. The bike plan proposes on Mars Road a Quietway with 1.5m dedicated cycling lanes on both sides of the road. To facilitate this, Council requires road reallocation for the site frontages on-street parking to be removed.

Reason: To comply with Council's Traffic Section requirements.

14. A.12 – Restrictions on Illuminated Signage

No illuminated signage or down/up lit signage is to be provided on the eastern or southern elevations or roof areas facing in these directions. This is to protect the amenity of the residential properties and bushland areas located in proximity to the site.

Reason: To protect the residential and environmental amenity of the local area.

15. A.10.E Drainage plan amendments

The stormwater design prepared by HDR, Reference No: S24248, Revision: E and dated 26/09/25 shall be amended as detailed below and confirm compliance with *Part O - Stormwater Management* of the Lane Cove Council Development Control Plan 2009:

1. On Site Detentions is required. The calculation of OSD system shall be based on the calculation shown in Appendix 14 in *Part O - Stormwater Management* of the Lane Cove Council Development Control Plan 2009. Detailed design and cross section of OSD are required.
2. Gross Pollutant Trap (GPT) is required before connecting to existing rainwater tank and satisfy a MUSIX analysis.
3. The rainwater collected on the proposed roofs is to be connected to Council rainwater tank at the adjoining depot. Council is satisfied for rainwater tanks on the subject site to be filled first and the overflow of this system to then be connected to Council rainwater tank.
4. For properties adjacent to bushland approval is required from Council's Coordinator Bushland on the design of the dispersal system to ensure the health and vitality of trees and vegetation are retained.

Certification from a suitably qualified engineer as to the matters below is to be provided to the Principal Certifying Authority, prior to the issue of any CC:

- c) Compliance with the amendments detailed in this condition.
- d) Compliance with Part O: Stormwater Management of Council's DCP.

Where a variation is sought, written approval is to be obtained from Council's Urban Services Division.

Reason: To ensure adequate stormwater management in accordance with Council's DCP.

16. E.1.B - Hours of Work - Residential Flat Buildings

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

Monday to Friday (inclusive) 7am to 5.30pm

High noise generating activities, including rock breaking and saw cutting be restricted between 8am to 5.00pm with a respite period between 12.00 noon to 1.30pm Monday to Friday

Saturday 8am to 12 noon

with NO high noise generating activities, including excavation, haulage truck movement, rock picking, sawing, jack hammering or pile driving to be undertaken. Failure to fully comply will result in the issue of a breach of consent P.I.N.

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.

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Reason: To protect the amenity of the surrounding area.

17. Hours of operation

The proposed development should be limited to operation from 8am – 6:00pm unless it can be demonstrated that the proposed development would not have an adverse acoustic impact on the residential properties within proximity to the site.

Reason: To protect the nighttime amenity of the area and mitigate adverse impacts on the sleeping patters of neighbouring residents.

18. BDAR Credits

If the Department is of a mind to support the proposed tree removal of subsequent removal of habitat, the biodiversity credits are to be offset in proximity to the site, such as within the Council Nursery or Blackman Park, to support local fauna movement and ensure the continued availability of foraging habitat within the immediate area.

Reason: To protect local fauna and reduce localised environmental impacts.

19. Finishing and overall appearance

The proposed development is to incorporate the provision of a natural colour palate and native vegetive walls. This is to include colours of the surrounding bushland areas

to mitigate the visual impacts of the development and ensure it is my symbiotic with the existing native setting.

Reason: To ensure that the proposed development is sympathetic to the surrounding environment and reduce environmental impacts.

20. Water canon condition for excavation

A water canon plan is to be provided confirming additional water cannons along the southern and eastern boundary to mitigate dust impacts through construction. Several canons should be located along this frontage, due to the highly sensitive nature of the nursery and the potential threats to its productivity. A plan confirming these details should be provided for assessment prior to any determination.

Reason: To ensure adequate dust mitigation to protect the functionality of Council's nursery and the amenity of the residential properties in proximity of the site.

21. C.2 - Erosion and sediment control plan

Prior to any demolition works or clearing of any vegetation and before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance Council's Part H DCP requirements:

1. The use of 2500mm or 2400mm long metal star pickets hammered into the ground 500mm deep (leaving 2000mm above ground) with 1000mm centres (spacing between each star picket).
2. Metal wire threaded through each star picket to assist in taking the sediment load between the centers.
3. Use of self-supporting geo textile semi permeable fabric allowing water to pass through but catching sediment.
4. Geo textile semi permeable fabric to be installed 300mm deep into the ground and 1500mm above ground attached to star pickets and wire.
5. A secondary sediment fence to be installed following the specifications as above 2000mm behind the first fence creating a secondary barrier.
6. Installation of several silt basins where allowable in front of the 2 sediment barriers allowing water and sediment to pool and for sediment to settle at the bottom. Clean water (free of sediment and particulates) to be pumped into stormwater drainage. The silt basin will act as the first line of defence to sediment overflow, the two silt barriers will act as second and third line of defence.
7. Recommended that the pooled water in the silt basins be flocculated to increase rate of sediment settling before pumping out clean water.
8. Sediment in the silt basins are to be cleaned out on a regular basis.
9. Both sediment fences and silt basins are to be entirely within the development site. These structures are not to encroach into public open space or bushland.

The applicant must ensure the erosion and sediment control plan is kept on- site at all times during site works and construction.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways

22. Lighting standards

1. 1.All lighting should have a clear justification and should serve a specific purpose.

2. Lighting equipment should have appropriate light beam for their purpose and be directed to only illuminate the area intended.
3. Lighting should be located and shielded to prevent spill towards the night sky or beyond the property boundaries and to minimise visual clutter or glare.
4. Lighting should have the lowest possible intensity appropriate for the task.
5. Lighting correlated colour temperature should be warm white and be limited to 2700K, with light output at blue, violet and ultra-violet wavelengths reduced or removed.
6. Adaptive lighting controls; dimmers, motion sensors or timers should be used as appropriate, to manage lighting duration, intensity and colour.
7. To minimise reflected light spill, outdoor surfaces should be light-absorbing and non reflective

Reason: To minimise light spill into adjoining bushland, lighting must be designed and implemented considering natural darkness, and in accordance with established best practice principles including the above.

Bushland Conditions and Reasons

23. Rubbish must be stored in a locked container/cage. Any building rubbish that is not contained must be cleaned up immediately, including the immediate worksite, surrounding area and/or public open space.

Reason: To avoid illegal dumping in bushland. To avoid wildlife access to rubbish and foreign materials. To minimise likelihood of chemical spills, building waste and foreign materials from entering bushland

24. There shall be no access through the adjacent park/reserve to carry out any building works, storage of materials, storage of soil or storage of rubbish during construction.

Reason: In compliance to DCP part H.1 Objectives: 1. To protect both public and private bushland from adjacent development which could result in any adverse change to the condition of bushland through altered moisture conditions, increased nutrient levels, soil movement, invasive or inappropriate plant species and proximity of development.

25. During construction/landscaping the designated environmental/bushland area within the property and adjacent public bushland area must be kept clean of all building materials and rubbish. Any rubbish that is blown into these areas must be immediately cleaned up.

Reason: To avoid any foreign material from entering bushland.

26. In the event that there occurs any accidental or intentional dumping of building material in the bushland area, Council's Coordinator of Bushland must be notified immediately. Any clean-up operation which involves disturbing the vegetation, leaf litter, soil crust, or natural bedrock, must be coordinated through Council's Coordinator Bushland.

Reason: To ensure the correct course of action is taken for clean-up of environmentally sensitive areas and reported to the relevant authoritative bodies.

27. The Asset protection zone (APZ) must be contained entirely within the development site boundary. The APZ is not to extend onto public open space.

Reason: To ensure adequate fire protection and maintenance applied to the property.

28. All outside lighting must be appropriately baffled to minimise light pollution into the bushland area and neighbouring properties.

Reason: To maintain amenity of natural bushland by minimising artificial light and noise. To maintain amenity to neighbouring properties in close proximity to neighbouring bushland.

29. Native plants are to be installed and used as screening to provide a buffer to absorb light and noise pollution from entering the bushland. Council's Backyard Habitat Officer (Backyardhabitat@lanecove.nsw.gov.au or 9911 3654) is to be consulted for appropriate planting suggestions for screening.

Reason: To minimise the spread of weeds and exotic species entering bushland from neighbouring properties by selecting native plants as a buffer. To maintain amenity of natural bushland by minimising artificial light and noise that is to be absorbed by creating natural screening.

30. All Aboriginal sites and relics in NSW are protected under the National Parks and Wildlife Act 1974. If during the course of construction an Aboriginal site or relic is uncovered, works must cease and the Metropolitan Local Aboriginal Lands Council and the NSW National Parks and Wildlife Service must be notified immediately.

Reason: In compliance with: National Parks and Wildlife Act 1974 to report any Aboriginal site or relic uncovered during course of construction. Bushland plan of management 4.1.2 5) To protect and manage the aesthetic, Aboriginal, archaeological, historical, scientific and social values of bushland for past, present and future generations. Bushland plan of management 4.1.3 22) Follow the recommendations of the Aboriginal Heritage Management Report when working around Aboriginal sites.