

**ATTACHEMENT 2**  
**RECOMMENDED CONDITIONS – FOR SSD 10467 – DATA CENTRE**  
**11-17 Khartoum Road and 33-39 Talavera Road, Macquarie Park**

City of Ryde requests that the following additional conditions of consent be applied to ensure compliance with the Ryde Development Control Plan 2014 and to address any potential environmental impacts:

**Conditions of Consent – General**

1. **Voluntary Planning Agreement:** Pursuant to Section 7.6 of the Environmental Planning and Assessment Act 1979, the terms of the Voluntary Planning Agreement between City of Ryde Council and The Trust Company Limited and Stockland Trust Management Limited as Trustee for Advance Property Fund, dated 2 December 2019 and as amended 27 November 2020 and that relate to the land the subject of this consent, apply.
2. **Design and Construction Standards** – All engineering works shall be carried out in accordance with the relevant Australian Standards and the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works, Part 8.2 Stormwater Management and other relevant provisions of the Ryde Development Control Plan except as amended by the conditions herein.

Detailed design of all proposed Council Infrastructure works or proposed modification to Council infrastructure which may be located inside the property boundary, must be approved by Council City Works Directorate and undertaken in accordance with Council's 2014 DCP Part 8.2 and relevant Australian Standards, except otherwise as amended by conditions of this consent.

3. **Public Utilities and Service Alterations** – All mains, services, poles, etc., which require alteration due to works associated with the development, shall be altered at the Applicant's expense. The Applicant shall comply with the requirements (including financial costs) of the relevant utility provider (e.g. Energy Australia, Sydney Water, Telstra, RMS, Council, etc) in relation to any connections, works, repairs, relocation, replacement and/or adjustments to public infrastructure or services affected by the development.
4. **Works on Public Roads** – Any works performed in, on or over a public road reserve pursuant to this consent must be carried out in accordance with this consent and with the Road Opening Permit issued by Council as required under Sections 138 and 139 of the Roads Act 1993.
5. **Construction Staging** – For any staging of the public domain works, the applicant shall provide a detailed construction management and staging plan.

6. **Public areas and restoration works** - Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure as a result of the construction works associated with this development site, shall be undertaken by the Applicant in accordance with Council's standards and specifications, and DCP 2014 Part 8.5 Public Civil Works, to the satisfaction of Council. Council's standards and specifications are available on the Council website.
7. **Land Boundary / Cadastral Survey** – If any design work is planned which relies on critical setbacks from land boundaries and further subdivisions of the land, it is a requirement that a land boundary / cadastral survey be undertaken prior to design being finalised & prior to the commencement of any works on site. The land boundaries should be marked or surveyed offset marks placed prior to the commencement of any work on site.

#### **Prior to Construction Certificate**

8. **Ground Anchors** - The installation of any permanent ground anchors into Council owned land is not permitted. The installation of temporary ground anchors may be considered subject to an application to Council's City Works Directorate, and approval obtained as per the provisions of Section 138 of the Roads Act, 1993. The application for approval of temporary installation of ground anchors must include detailed structural engineering plans prepared by a Chartered Structural Engineer (registered on the NER of Engineers Australia), clearly nominating the number of proposed anchors, minimum depth below existing ground level at the boundary alignment and the angle of installation. The approval will be subject to:
  - a. Advice being provided to the relevant Public Utility Authorities of the proposed anchoring, including confirmation that their requirements are being met.
  - b. the payment of all fees in accordance with Council's Schedule of Fees & Charges at the time of the issue of the approval, and
  - c. the provision of a copy of the Public Liability insurance cover of not less than \$20million with Council's interest noted on the policy. The policy shall remain valid until the de-commissioning of the ground anchors is certified by Structural or Geotechnical Engineer and accepted by Council.
9. **Public domain improvements** - The public domain along stage 2 frontages of the development site is to be upgraded in accordance with the City of Ryde

Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The works shall include road and footpath paving, installation of multifunction light poles, street furniture and plantings, and must be completed to Council's satisfaction at no cost to Council prior to issue of any Occupation Certificate for any building within the development site.

A public domain design for the following works shall be submitted to, and approved by Council's City Works Directorate, prior to the issue of any Construction Certificate for stage 2.

All public works and works related to future public benefits for the proposed stage 2 shall be designed to ensure the public amenity to the relevant stage of development is achieved and shall be completed prior to the commencement of works on next stage of the development.

- (a) Footpath paving as specified in the condition of consent for public infrastructure works.
- (b) Street trees to be provided in accordance with Council requirements and Manual.

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

- (c) All telecommunication and utility services are to be placed underground along the development frontages. The extent of works required in order to achieve this outcome may involve works beyond the frontage of the development site. Plans are to be prepared and certified by a suitably qualified Electrical Design Consultant for decommissioning the existing network and constructing the new network; and are to be submitted to, and approved by Council and relevant utility authorities, prior to commencement of work. The public utility cover requirements shall be based on the approved Finished Surface Levels for the footpath, driveways and kerb ramps.

For the undergrounding of existing overhead electricity network, the requirements specified in the Ausgrid Network Standards NS130 and NS156 are to be met.

- (d) New street lighting serviced by metered underground power and on multifunction poles (MFPs) shall be designed and installed to

Australian Standard AS1158.3.1:2020 Lighting for Roads and Public Spaces.

Lighting upgrade shall be in accordance with the City of Ryde Public Domain Technical Manual Section 6 – Macquarie Park Corridor. The consultant shall liaise with Council's City Works Directorate in obtaining Council's requirements and specifications for the MFP and components, including the appropriate LED luminaire and location of the meter boxes.

Design plans are to be prepared and certified by a suitably qualified Electrical Design Consultant and submitted to, and approved by Council's City Works Directorate prior to lodgement of the scheme with Ausgrid for their approval.

Note: Council has prepared a design guide and schema for the provision of the street lighting on MFPs. A copy of the design guide and schema can be made available to the Electrical Design Consultant upon request to Council's City Works Directorate.

- 10. Public Infrastructure Works** – Public infrastructure works, including all future public infrastructure within the site, shall be designed and constructed as outlined in this condition of consent. The approved works must be completed to Council's satisfaction at no cost to Council prior to the issue of any Occupation Certificate for building B within the proposed Stage.

Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to Council and approved by Council's City Works Directorate prior to the issue of any Construction Certificate for the proposed Stage 2 development. The works shall be in accordance with City of Ryde DCP 2014 Part 8.5 - Public Civil Works, and DCP 2014 Part 8.2 - Stormwater Management, where applicable.

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

The Applicant must submit, for approval by Council as the Road Authority, full design engineering plans and specifications for the following infrastructure works for each stages in accordance with requirements of the City of Ryde Development Control Plan DCP 2014 Part 4.5 Macquarie Park Corridor, and

the City of Ryde Public Domain Technical Manual (PDTM) Section 6 – Macquarie Park Corridor and Council’s standards and specifications. Pavement testing and design shall be carried out in accordance with Council’s Road Pavement Guidelines, specifically conforming to the following;

- i. Sampling, testing and evaluation of pavement materials;
- ii. Pavement design and performance requirements; and
- ii. Placing and compaction of the materials in the construction of the pavement

The longitudinal and cross sectional details of the new road 2 shown on the design drawings by NORTHROP(Appendix T), shall be amended such that the design comply with Council’s standards and specifications, and re-submitted as part of the public domain design submission outlined in this condition.

- (a) New Road No22 – with 14.5m wide road reserve along the south-eastern of the site (as per drawing C201.21, Revision 2).
- (b) The intersection upgrade of the new the new road No22 - 14.5m wide road reserve with Talavera Road.
- (c) Construction of granite footway along the new Road No22 frontages and Talavera Road of the development in accordance with the requirements of the Public Domain Technical Manual, Section 6 - Macquarie Park Corridor.
- (d) The construction of new kerb and gutter along the Talavera Road frontage of the development site according to Council’s requirements. Proposed kerb profiles are to be provided to ensure proper connections to existing kerb and gutter along the road.
- (e) The full reconstruction of half road width for the Talavera Road frontage of the development site in accordance with the City of Ryde DCP 2014 Part 8.5 - Public Civil Works, Clause 1.1.4 – Constructing Half Road.
- (f) Re-alignment and adjustments to Council’s infrastructure, where required, in order to ensure a smooth transition is achieved between the new and existing infrastructure.
- (g) Any proposed retaining wall alongside Road 22 and side boundary of building B alongside the future Road 1 must be designed in accordance with the requirements of the detailed geotechnical report. No encroachment is permitted in Council land. The new retaining wall must be extended 500mm below the new proposed footpath finished designed levels.
- (h) Stormwater drainage installations in the public domain in accordance with the DA approved plans.
- (i) Signage and linemarking details.

- (i) Staging of the public civil works, if any, and transitions between the stages.
- (j) The relocation/adjustment of all public utility services affected by the proposed works. Written approval from the applicable Public Authority shall be submitted to Council along with the public domain plans submission. All the requirements of the Public Authority shall be complied with.

Notes:

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

**11. Bus Stops and Shelters** – The applicant shall provide details of any proposed bus stops and provide illuminated bus shelters to meet Disability Discrimination Act and Disability Standards for Accessible Public Transport 2002. Bus stops and bus shelters shall be provided at no cost to Council.

**12. Pedestrian Link** – A new pedestrian paved footpaths shall be designed alongside the proposed buildings A,C and D providing connectivity between all stages.

The pedestrian links shall be constructed by the Developer at no cost to Council prior to the issue of the Occupation Certificate for each stage. Full public access is to be available at all times over the pedestrian link.

The paving of the pedestrian link is to be in accordance with Council's Public Domain Technical Manual Section 6 – Macquarie Park Corridor. Full design details demonstrating compliance with Council's standards and specifications,

shall be submitted to, and approved by Council prior to the issue of the Construction Certificate for stage 2.

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

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

The drawings shall be prepared by a suitably qualified Civil Engineer using the standard B99 vehicle profile. The drawings shall show the proposed vehicle footpath crossing width, alignment, and any elements impacting design such as service pits, underground utilities, power poles, signage and/or trees. In addition, a benchmark (to Australian Height Datum) that will not be impacted by the development works shall be included.

All grades and transitions shall comply with Australian Standard AS 2890.1-2004 Offstreet Parking and Council's specifications. The new crossing shall be shall be constructed at right angle to the alignment of the kerb and gutter, and located no closer than 1m from any power pole and 3m from any street tree unless otherwise approved by Council.

Fees are payable at the time of the application, in accordance with Council's Schedule of Fees and Charges.

The Council approved design details shall be incorporated into the plans submitted to the Principal Certifier, for the application of the Construction Certificate.

14. **Public Domain Works – Defects Security Bond** - To ensure satisfactory performance of the public domain works, a defects liability period of twelve (12) months shall apply to the works in the road reserve following dedication of the roads as public roads. The defects liability period shall commence from

the date of issue by Council, of the Compliance Certificate for the Public Infrastructure Works. The applicant shall be liable for any part of the work which fails to perform in a satisfactory manner as outlined in Council's standard specification, during the twelve (12) months' defects liability period. A bond in the form of a cash deposit or Bank Guarantee of \$1.885 Million for stage 2 shall be lodged with the City of Ryde prior to the issue of any Construction Certificate for the development site, to guarantee this requirement will be met. The bond will only be refunded when the works are determined to be satisfactory to Council after the expiry of the twelve (12) months defects liability period.

15. **Engineering plans assessment and works inspection fees** – The applicant is to pay to Council fees for assessment of all engineering and public domain plans and inspection of the completed works in the public domain for each stage, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council.

Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the public domain works.

16. **Stormwater - Council Easements – Building Foundation Clearances**

**Detailed Design** - The footings and foundations of all proposed structures adjacent to the existing Council pipeline must extend a minimum depth to the angle of repose to the invert level of the existing stormwater pipe, to ensure that no additional load will be placed on the existing 600 mm diameter Council stormwater pipe.

The applicant shall submit detailed design drawings and certificates to Council for written acceptance, prior to the issue of a Construction Certificate. The Principal Certifying Authority shall be notified of Council's written acceptance. The submission shall address the following:

- a) Council's existing 600 mm diameter pipeline through the development site must be physically located via non-destructive method, surveyed by a registered surveyor and shown on the final construction drawings (including amended survey, architectural and civil design plans).
- b) A minimum horizontal clearance of 1.0 m is to be provided from the outside edges of the existing stormwater pipe to the proposed structures. All setbacks of the proposed structures including eaves of roof from Council's drainage lines shall be shown on the plans submitted.
- c) Detailed design drawings of the footings and foundations of the proposed structures shall be prepared by a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent.



- d) A Structural Engineer's design certificate shall be prepared confirming the building structure and its foundations are designed in such a way that no building loads are transmitted to the stormwater conduit and that the conduit can be repaired at any time without affecting the stability of the building structure or its foundations.

**17. Stormwater - Council Drainage - Reflux Valve** - A design certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, confirming that the site drainage outlet pipe has been designed with a reflux valve in order to stop any backwater effect from Council's stormwater system for events up to the 1% AEP (100 year ARI).

**18. Stormwater - Council Drainage – Pit Connection Details** - The proposed site drainage connection to the proposed Council kerb inlet pit shall be made via a uPVC pipe. The site drainage connection pipe shall be cut flush with the internal wall of the pit and should enter the pit perpendicular to the pit wall. Amended stormwater plans complying with this condition shall be submitted to and approved by the Principal Certifying Authority prior to the issue of the Construction Certificate. The plans shall be prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent.

**19. Stormwater - Drainage Design Submission - Assessment Fee** – The applicant is to pay to Council fees for assessment of all relevant drainage design engineering plans, in accordance with Council's Schedule of Fees & Charges at the time of the issue of the plan approval, prior to such approval being granted by Council prior to the issue of the Construction Certificate. Note: An invoice will be issued to the Applicant for the amount payable, which will be calculated based on the design plans for the Council drainage works and any additional reviews required.

**20. Stormwater - Drainage Design Submission** - Engineering drawings prepared by a Chartered Civil Engineer (registered on the NER of Engineers Australia) are to be submitted to, and approved by Council's City Works Directorate for the proposed drainage works in accordance with Council's DCP (2014) Part 8.2 Stormwater and Floodplain Management Technical Manual, prior to the issue of the Construction Certificate.

The design submission shall address the following:

- a) A drainage system layout plan and structural details shall be drawn at a scale of 1:100, 1:200 or 1:250 and shall show the location of drainage pits and pipe and any other information necessary for the design and construction of the drainage system (i.e. utility services).

- b) A drainage system longitudinal section shall be drawn at a scale of 1:100 or 1:200 horizontally and 1:10 or 1:20 vertically and shall show the underground channel and pipe size, class and type, pipe support type in accordance with AS 3725 or AS 2032 as appropriate, pipeline chainages, pipeline grade, hydraulic grade line and any other information necessary for the design and construction of the drainage system (i.e. utility services).
- c) The location and as-built information of the existing Council kerb inlet pit as shown on Civil Plans prepared by AECOM Drawing No. ATHENA-ACM-XX-XX-DR-C-1000 Rev B, dated 23 October 2020 is to be confirmed by a suitably qualified surveyor. This shall be incorporated into the drainage engineering drawings.
- d) Special details including non-standard pits, pit benching and transitions shall be provided on the drawings at scales appropriate to the type and complexity of the detail being shown.
- e) Any stormwater pit with a depth greater than 1.8 metres shall be designed and certified by a suitably qualified Structural Engineer and the certification shall be submitted with the drainage design drawings.
- f) The drainage system layout plan shall be documented on a detailed features survey plan that describes all existing structures, utility services, vegetation and other relevant features.
- g) New stormwater drainage pipes shall be located underneath the kerb & gutter alignment to facilitate future maintenance.

**21. Stormwater - Roof Drainage System** - A design certificate from a suitably qualified Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, shall be provided to the Principal Certifying Authority, prior to the issue of the Construction Certificate, certifying that the proposed roof drainage system for the Data Centre Building has been designed for the 1% AEP (100 year ARI) event so as to capture all runoff generated at the 1% AEP (100 year ARI) storm event in the proposed on-site detention basin for the Data Centre Building.

### **Prior to Commencement of Construction**

**22. Stormwater - Pre-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, a pre-construction CCTV report on the existing stormwater pipeline and the existing kerb lintel pit in the vicinity of the proposed development is to be submitted to Council prior to the commencement of any construction works. An electronic closed circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. This report shall include the date

of CCTV inspection and shall be submitted to Council's City Works Directorate for approval prior to commencement of any works.

**Note:** The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing Stormwater network in the vicinity prior to conducting the CCTV survey.

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the report is submitted.

23. **Stormwater - Council Drainage** - Structural Adequacy - Council stormwater pits which are being connected into shall be surveyed and confirmed to be capable as being structurally adequate for receiving the upstream connection from the development and satisfy durability requirements. If it is deemed appropriate to replace the pit, kerb inlet pits shall be cast in-situ and conforming to Council's standard drainage pit details. A certificate from a suitably qualified Structural Engineer (registered on the NER of Engineers Australia), or equivalent, shall be submitted to the Principal Certifying Authority, prior to the commencement of any works, certifying compliance with this condition.
24. **Notice of Intention to Commence Council Drainage Works and Public Domain Works** – Prior to commencement of the Council drainage works, Council's City Works Directorate shall be notified for written acceptance. This Notice shall include the name of the Contractor who will be responsible for the construction works, and the name of the Supervising Engineer who will be responsible for providing the certifications required at the hold points during construction, and also obtain all Road Activity Permits required for the works.
25. **Notification to adjacent properties** – Council Drainage Works and Public Domain Works - The Applicant shall provide the adjoining owners and occupiers written notice of the proposed connection to Council drainage works and public domain works a minimum two weeks prior to commencement of construction. The notice is to include a contact person name and number should adjoining owners and occupiers have any enquiries in relation to the construction works. All structures and surface areas affected by the drainage connection works must be reinstated at the completion of this activity, at no cost to the affected property owner.
26. **Pre-construction inspection** - A joint inspection shall be undertaken with Council's Engineer from City Works Directorate prior to commencement of any public domain works. A minimum 48 hours' notice will be required when booking for the joint inspection.

**27. Pre-Construction Dilapidation Report** - To ensure Council's infrastructures are adequately protected a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record (in colour) of any observable defects to the following infrastructure where applicable.

- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to any work commencing.

All fees and charges associated with the review of this report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the Dilapidation Report is submitted.

**28. Road Activity Permits** - To carry out work in, on or over a public road, the Consent of Council is required as per the Roads Act 1993. Prior to the commencement of the relevant works and considering the lead times required for each application, permits for the following activities, as required and as specified in the form "Road Activity Permits Checklist" (available from Council's website) are to be obtained and copies submitted to Council with the Notice of Intention to Commence Public Domain Works.

- a. Road Use Permit - The applicant shall obtain a Road Use Permit where any area of the public road or footpath is to be occupied as construction workspace, other than activities covered by a Road Opening Permit or if a Work Zone Permit is not obtained. The permit does not grant exemption from parking regulations.
- b. Work Zone Permit - The applicant shall obtain a Work Zone Permit where it is proposed to reserve an area of road pavement for the parking of vehicles associated with a construction site. Separate application is required with a Traffic Management Plan for standing of construction vehicles in a trafficable lane. A Roads and Maritime Services Road Occupancy Licence shall be obtained for State Roads.
- c. Road Opening Permit - The applicant shall apply for a road-opening permit and pay the required fee where a new pipeline is to be constructed within or across the road pavement or footpath. Additional road opening permits and fees are required where there are connections to public utility services (e.g. telephone,

telecommunications, electricity, sewer, water or gas) within the road reserve. No opening of the road or footpath surface shall be carried out without this permit being obtained and a copy kept on the site.

- d. Elevated Tower, Crane or Concrete Pump Permit - The applicant shall obtain an Elevated Tower, Crane or Concrete Pump Permit where any of these items of plant are placed on Council's roads or footpaths. This permit is in addition to either a Road Use Permit or a Work Zone Permit.
- e. Crane Airspace Permit - The applicant shall obtain a Crane Over Airspace Permit where a crane on private land is operating in the air space of a Council road or footpath. Approval from the Roads and Maritime Services for works on or near State Roads is required prior to lodgement of an application with Council. A separate application for a Work Zone Permit is required for any construction vehicles or plant on the adjoining road or footpath associated with use of the crane.
- f. Hoarding Permit - The applicant shall obtain a Hoarding Permit and pay the required fee where erection of protective hoarding along the street frontage of the property is required. The fee payable is for a minimum period of 6 months and should the period is extended an adjustment of the fee will be made on completion of the works. The site must be fenced to a minimum height of 1.8 metres prior to the commencement of construction and throughout demolition and/or excavation and must comply with WorkCover (New South Wales) requirements.
- g. Skip Bin on Nature Strip - The applicant shall obtain approval and pay the required fee to place a Skip Bin on the nature strip where it is not practical to locate the bin on private property. No permit will be issued to place skips.

**29. Temporary Footpath Crossing** - A temporary footpath crossing, if required, must be provided at the vehicular access points. It is to be 4 metres wide, made out of sections of hardwood with chamfered ends and strapped with hoop iron, and a temporary gutter crossing must be provided.

**30. Ryde Traffic Committee Approval** - A plan showing details of the proposed signage and line marking, and/or traffic devices including pedestrian refuge, pedestrian crossing or LATM measures, shall be submitted to the Council and approved by the Ryde Traffic Committee prior to the installation of any traffic devices, signage and linemarking.

### **During Construction**

**31. Stormwater - Hold Points during construction – Council Drainage Works**  
Council requires inspections to be undertaken by a suitably qualified

Chartered Civil Engineer (registered on the NER of Engineers Australia), or equivalent, for all Council stormwater drainage works/for all stormwater drainage works in Council's land. The Applicant shall submit to the Principal Certifying Authority, certification from the Engineer, at each stage of the inspection listed below, stating all civil and structural construction works have been executed as detailed in the stamped approved plans, and in accordance with the relevant Australian Standards, City of Ryde standards and specifications within 24 hours following completion of the relevant stage/s. The certificates shall contain photographs of the works in progress and a commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

- a) Upon excavation of trenches shown on the approved drainage drawings.
- b) Upon installation of pit reinforcement but prior to concrete pour for cast in-situ pits.
- c) Upon installation of pipes and other drainage structures prior to backfilling.
- d) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.
- e) Upon connection to Council's existing kerb inlet pit.
- f) Upon connection to Council's existing public drainage pipe.
- g) Final inspection - upon the practical completion of all drainage and associated works (including road pavements, kerb & gutters, footpaths and driveways) with all disturbed areas satisfactorily restored.

Any stormwater pit with a depth greater than 1.8 metres shall be certified by a suitably qualified Structural Engineer.

### **32. Stormwater - Council Drainage Works - Council Construction Inspection**

— Joint inspections shall be undertaken with Council's Engineer and the Site Engineer to confirm the construction for the stormwater drainage is to Council's satisfaction.

The scope and number of inspections required shall be discussed and mutually agreed with Council's Engineer at the construction commencement stage. Council shall be given a minimum 7 days' notice prior to the commencement of drainage Construction works.

Inspections shall typically occur at the following hold points:

- a) Upon installation of pipeline in the trench and installation of other drainage structures, prior to backfilling.
- b) Upon backfilling of excavated areas and prior to the construction of the final pavement surface.

Further work is not to proceed until the works are inspected and accepted by Council in writing.

Note: An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

### **Prior to Occupation Certificate**

33. **Dedication of a triangular splays corner** - The Applicant shall without compensation dedicate to the Council, four triangular corner splays of 3 metres(s) extending perpendicular to and 3 metres(s) parallel to Road number. 22 for the purpose of Public access. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The instrument terms must be in accordance with Council's standard terms and are to be submitted to and approved by Council City Works Directorate prior to the lodgement at the NSW Land registry Services and prior to issue of the relevant Occupation Certificate.
34. **Dedication of Land - Road No.22:** The Applicant shall without compensation dedicate to the Council road Number 22 prior to issue of any Occupation Certificate for stage 2. The dedication shall only be initiated after Council has provided written confirmation of a satisfactory final inspection of the completed public infrastructure works. The instrument terms must be in accordance with Council's standard terms and are to be submitted to and approved by Council City Works Directorate prior to the lodgement at the NSW Land registry Services and prior to issue of the relevant Occupation Certificate.
35. **Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP2014 Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.
36. **Electricity accounts for new street lighting** - Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall liaise with Council's Public Domain Development Section regarding the setting up of the electricity account/s in order to energise the newly installed street lighting.

37. **Compliance Certificates – Street Lighting** – Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall submit to Council, a Certificate of Compliance - Electrical Work (CCEW) from the Electrical Contractor, and certification from a qualified Electrical Engineering consultant confirming that the street lighting in the public domain has been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
38. **Compliance Certificate – External Landscaping Works** – Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall submit to Council, certification from a qualified Landscape Architect confirming that the public domain landscaping works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications.
39. **Public Domain Works-as-Executed Plans** – To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, Works-as-Executed (WAE) Plans shall be submitted to Council for review and approval. The WAE Plans shall be prepared on a copy of the approved plans and shall be certified by a Registered Surveyor. All departures from the Council approved details shall be marked in red with proper notations. Any rectifications required by Council shall be completed by the Developer prior to the issue of any Occupation Certificate.
- In addition to the WAE Plans, a list of all infrastructure assets (new and improved) that are to be handed over to Council shall be submitted in a form advised by Council. The list shall include all the relevant quantities in order to facilitate the registration of the assets in Council's Asset Registers.
40. **Supervising Engineer Final Certificate** – Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall submit to Council, a Final Certificate from the Supervising Engineer confirming that the public domain works have been constructed in accordance with the Council approved drawings and City of Ryde standards and specifications. The certificate shall include commentary to support any variations from the approved drawings.
41. **Post-Construction Dilapidation Report** – To ensure Council's infrastructures are adequately protected a post-construction dilapidation report on the existing public infrastructure in the vicinity of the completed development and along the travel routes of all construction vehicles, up to 100m either side of the development site, is to be submitted to Council. The report shall detail, but not be limited to, the location, description and photographic record of any observable defects to the following infrastructure where applicable.



- (a) Road pavement,
- (b) Kerb and gutter,
- (c) Footpath,
- (d) Drainage pits,
- (e) Traffic signs, and
- (f) Any other relevant infrastructure.

The report shall include summary statement/s comparing the pre and post construction conditions of the public infrastructure. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction dilapidation report, and to assess whether restoration works will be required prior to the issue of the Compliance Certificate for the Public Infrastructure Works and Restoration.

All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges, and shall be paid at the time that the Dilapidation Report is submitted.

42. **Decommissioning of Ground Anchors** – Prior to the issue of any Occupation Certificate for stage 2, the Applicant shall provide Council a certificate from a suitably qualified Structural or Geotechnical Engineer confirming that any temporary soil/ground anchors installed into the public road reserve, have been decommissioned and are not transferring any structural loads into the road reserve stratum.
43. **Registered Surveyor Final Certificate** – Upon completion of all construction works and before the issue of any Occupation Certificate a Certificate from a Registered Surveyor should be submitted to Council, stating that all works (above and below ground) are contained within the site's boundaries as defined according to the Consent Condition about the Land Boundary / Cadastral Survey.
44. **Final Inspection – Assets Handover** - For the purpose of the handover of the public infrastructure assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the external works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the External Works. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

A minimum 48 hours' notice will be required when booking for the final inspection.

45. **Compliance Certificate** –Public Infrastructure Works Restoration – Prior to the issue of any Occupation Certificate for stage 2, a compliance certificate shall be obtained from Council's City Works Directorate confirming that all works in the road reserve including all public domain improvement works and restoration of infrastructure assets that have dilapidated as a result of the development works, have been completed to Council's satisfaction and in accordance with the Council approved drawings. The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.
46. **Public Domain Design and Construction Staging** – The Applicant shall be responsible for the design and construction of all public domain improvement and infrastructure works for stage 2. All engineering civil works shall be carried out in accordance with the requirements as outlined within Council's DCP 2014 Part 8.5 Public Civil Works, relevant Development Control Plans and in accordance with Council's specifications and to the satisfaction of Council. Council has full control to implement and impose any necessary condition to coordinate staging of the public domain work throughout the assessment phase of the development applications. All design and construction to public domain and utilities services as a consequence of the development and associated construction works shall be at the full cost to the applicant.
47. **Engineering Condition – Public Infrastructure Works** - All outstanding civil works associated with and all public infrastructure works, kerb and gutter, footpath, vehicular crossings and stormwater drainage works for this development site shall be completed in accordance with Council's specifications and to the satisfaction of Council prior to the issue of any strata plans or subdivision certificate for stage 2.
48. **Positive Covenant - Overland Flow** - A positive covenant shall be created for the existing overland flow path through the subject site, under Section 88E of the Conveyancing Act 1919. All associated costs shall be borne by the applicant. This is to place a restriction on the title that the overland flow path and flood storage areas are maintained and kept free of debris/weed to allow unobstructed passage of overland flow of water through the site and underneath the residence. The new buildings shall not have the subfloor area enclosed or utilised for storage. The wording of the Instrument shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry Services. The Instrument shall be registered and a registered copy of the document shall be submitted to and

approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

**49. Positive Covenant - Stormwater Drainage** - A positive covenant pursuant to the relevant section of the Conveyancing Act must be created on the title of the property to prevent future modification or alteration without the written consent of Council, and to ensure suitable maintenance is carried out. The positive covenant shall detail the following items incorporated in the development:

- a) stormwater drainage system including pits and pipes in the private roads
- b) on-site stormwater detention system(s)
- c) water sensitive urban design component(s)

The wording of the Instrument shall be submitted to, and approved by Council's City Works Directorate prior to lodgement at NSW Land Registry. The Instrument shall be registered and a registered copy of the document shall be submitted to and approved by the consent authority prior to the issue of an Occupation Certificate/use of the building.

**50. Stormwater - Council Drainage Works – Post Construction Certifications** - Following completion of the final stage of the drainage and associated works and prior to the issue of the Occupation Certificate, the applicant shall submit all certifications from the Supervising Engineer for each hold point inspection required for the drainage works, as outlined in the condition for “Stormwater - Hold Points during construction – Council Drainage Works”, to Council’s City Works Directorate for written acceptance.

The certificates shall contain photographs of the completed works and commentary of the inspected works, including any deficiencies and rectifications that were undertaken.

**51. Stormwater – Council Drainage Works - Works-as-Executed Plans** - To ensure the public infrastructure works are completed in accordance with the approved plans and specifications, and that the assets to be handed over to Council are accounted for inclusion in Council's Assets Register, Works-as-Executed Plans (in both hard and soft copies - AutoCAD, CivilCAD, Civil 3D, 12D or any other commercially used program), certified by a Registered Surveyor shall be submitted to, and accepted by Council in writing, with any rectifications required by Council to be completed by the Developer prior to the issue of any Occupation Certificate.

The Works-as-Executed Plans are to note all departures clearly in red, on a copy of the approved Construction Certificate drawings, and certification from

a suitably qualified Civil Engineer shall be submitted to support all variations from the approved plans.

- 52. Stormwater - Post-Construction CCTV Report** - To ensure Council's stormwater infrastructures are adequately protected, there are no damages and no protruding pipe inside Council's pipeline due to proposed construction activities and property drainage connection, a post-construction CCTV report on the Council's stormwater pipeline through the proposed development site and the existing kerb inlet pit in front of the property is to be submitted to Council. An electronic closed-circuit television report (track mounted CCTV camera footage) prepared by an accredited operator (with a certificate of attainment in NWP331A Perform Conduit Condition Evaluation) that assesses the condition of the existing drainage line adjacent to the site is required. The report is to be dated and submitted to, and accepted by Council's City Works Directorate, prior to issue of the Occupation Certificate. The report shall be used by Council to compare with the pre-construction CCTV footage report, and to assess whether any rectification works will be required to Council's satisfaction at no cost to Council. The applicant shall obtain written approval from a Council Engineer prior to the issue of the Occupation Certificate.

Note: The applicant shall contact Council's Stormwater and Catchments section to obtain a map of Council's existing stormwater network in the vicinity prior to conducting the CCTV survey. All fees and charges associated with the review of the report shall be in accordance with Council's Schedule of Fees and Charges and shall be paid at the time that the report is submitted.

- 53. Final Inspection** – Council Drainage Assets Handover - For the purpose of the handover of the trunk drainage assets to Council, a final inspection shall be conducted in conjunction with Council's Engineer from City Works Directorate following the completion of the Council Drainage Works. Defects found at such inspection shall be rectified by the Applicant prior to Council issuing the Compliance Certificate for the trunk drainage Works. Note: An inspection fee is applicable for each visit, and at least 48 hours' notice will be required for the inspections. Please contact Council's Customer Service Section on 9952 8222 to book an inspection subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time. Additional inspections, if required, shall be subject to fees payable in accordance with Council's Schedule of Fees & Charges at the time.

- 54. Compliance Certificate – Council Drainage Works** – Prior to the issue of any Occupation Certificate, a compliance certificate shall be obtained from

Council's City Works Directorate confirming that all Council drainage and associated restoration works have been completed to Council's satisfaction and in accordance with the Council approved drawings.

Note: The applicant shall be liable for the payment of the fee associated with the issuing of this Certificate in accordance with Council's Schedule of Fees and Charges at the time of issue of the Certificate.

- 55. Restoration – Supervising Engineer's Certificate** - Prior to the issue of any Occupation Certificate, the Applicant shall submit to Council a certificate from the Supervising Engineer confirming that the final restoration of disturbed road and footway areas for the purpose of connection to public utilities, including repairs of damaged infrastructure and replacement of any redundant vehicular crossings as a result of the construction works associated with this development site, have been completed in accordance with the Council's standards and specifications, and DCP (2014) Part 8.5 Public Civil Works, or the Roads and Maritime Services' standards and specifications, where applicable.

**End of conditions**