

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegates of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, we approve the modification of the concept application referred to in Schedule 1, subject to the conditions in Schedule 2.



Ms Donna Campbell
Member of the Commission



Mr Richard Thorp
Member of the Commission

Sydney

3 June 2013

SCHEDULE 1

Concept Approval:

MP10_0112 granted by the Planning Assessment Commission on 26 September 2012

For the following:

Mixed use residential, retail and commercial development incorporating:

- residential apartments, retail and commercial floor space;
- basement car parking;
- publicly accessible open space and through site links;
- road works; and
- pedestrian pathways

at 110 -114 Herring Road, Macquarie Park
(Lot 1 DP 780314)

Modification:

MP10_0112 MOD 1: Modifications to increase maximum height and density, reorient some building envelopes, and replace part of the internal road with a pedestrian/cycleway and landscaping.

SCHEDULE 2

PART A - TERMS OF APPROVAL

Condition A1 is modified as follows:

Development Description

A1 Concept approval is granted to the development as described below:

- (a) Use of the site for residential, retail, commercial and public open space;
- (b) Indicative building envelopes for 7 separate buildings with a maximum height of RL438.45 **144.650**;
- (c) A maximum GFA of ~~47,650m²~~ **51,139m²**;
- (d) A minimum of 1210m² of non-residential GFA;
- (e) Residential apartments;
- (f) Basement level and at grade car parking;
- (g) Open space and landscaped areas; and
- (h) Internal and public roads.

Condition A2 is modified as follows:

Development in Accordance with the Plans and Documentation

A2 The development shall be undertaken generally in accordance with:

- the Environmental Assessment prepared by JBA Planning (dated June 2011), except where amended by:
 - the Preferred Project Report (incorporating Response to Submissions) prepared by Urbis Pty Ltd (dated February 2012) including all associated documents and reports; **and**
 - **the Section 75W Modification Application prepared by Urbis Pty Ltd dated January 2013, including all associated documents and reports; and**
- the Statement of Commitments prepared by Urbis Pty Ltd contained in the ~~Preferred Project Report~~ **Section 75W Modification Application prepared by Urbis Pty Ltd dated January 2013**; and
- the following drawings:

Architectural Drawings prepared for the Preferred Project Report by AJ+C			
Drawing No.	Revision	Name of Plan	Date
DA0000	D F	Cover Sheet	24.02.12 22.11.12
DA0004	B	Location Diagram	09.12.11
DA0100	B	Staging Diagrams	09.12.11
DA1004	B	Context Plan (Part A)	24.02.12
DA1002	B	Context Plan (Part B)	24.02.12
DA2001	C D	Level B1 Plan	24.02.12 22.11.12
DA2002	C D	Level B2 Plan	24.02.12 22.11.12
DA2003	C D	Level B3 Plan	24.02.12 22.11.12
DA2100	C D	Ground Level Plan	24.02.12 22.11.12
DA2101	C D	Level 1 Plan	24.02.12 22.11.12

Architectural Drawings prepared for the Preferred Project Report by AJ+G			
DA2102	€ D	Level 2 Plan	24.02.12 22.11.12
DA2103	€ E	Level 3 Plan	24.02.12 22.11.12
DA2105	€ E	Level 5 Plan Typical Lower Level Plan	24.02.12 22.11.12
DA2106 – DA2110	€ D	Level 6 Plan Typical Upper Level Plan	24.02.12 22.11.12
DA2120	E	Roof Plan	22.11.12
DA2107	€	Level 7 Plan	24.02.12
DA2108	€	Level 8 Plan	24.02.12
DA2109	€	Level 9 Plan	24.02.12
DA2110	€	Level 10 Plan	24.02.12
DA2111	€	Level 11 Plan	24.02.12
DA2112	€	Level 12 Plan	24.02.12
DA2113	€	Level 13 Plan	24.02.12
DA2115	€	Level 15 Plan	24.02.12
DA2116	€	Level 16 Plan	24.02.12
DA2117	€	Level 17 Plan	24.02.12
DA2118	€	Level 18 Plan	24.02.12
DA2119	€	Level 19 Plan	24.02.12
DA2120	€	Level 20 Plan	24.02.12
DA2121	€	Level 21 Plan	24.02.12
DA2122	€	Level 22 Plan	24.02.12
DA3100	€ E	South Elevation Epping Rd	24.02.12 18.01.13
DA3101	€ E	North Elevation	24.02.12 18.01.13
DA3102	€ E	East Elevation – Herring Rd West Elevation	24.02.12 18.01.13
DA3110	€ E	Section 1	24.02.12 18.01.13
DA3111	€ E	Section 2	24.02.12 18.01.13
DA3112	€ E	Section 3 + Section 4	24.02.12 18.01.13
DA3113	€ D	Section 5	24.02.12 18.01.13
DA3600	E	Shadow Diagrams Winter Solstice June 21	18.01.13
DA3601	E	Shadow Diagrams Equinox March 21	18.01.13
DA3602	E	Shadow Diagrams Summer Solstice December 21	18.01.13
DA3610	E	Daylight Access Diagrams Winter Solstice June 21	18.01.13
DA3611	E	Daylight Access Diagrams Equinox March/September 21	18.01.13
DA3612	E	Daylight Access Diagrams Summer Solstice December	18.01.13

Architectural Drawings prepared for the Preferred Project Report by AJ+G			
		21	
DA3120	B	Elevation – West Part A Proposed and Existing	24.02.12
DA3121	B	Elevation – West Part B Proposed and Existing	24.02.12
DA3122	B	Section 1 Part A Proposed and Existing	24.02.12
DA3123	B	Section 1 Part B Proposed and Existing	24.02.12
DA3124	B	Section 2 Part A Proposed and Existing	24.02.12
DA3125	B	Section 2 Part B Proposed and Existing	24.02.12
DA3126	B	Section 3 Part A Proposed and Existing	24.02.12
DA3127	B	Section 3 Part B Proposed and Existing	24.02.12
DA3128	B	Section 4 Part A Proposed and Existing	24.02.12
DA3129	B	Section 4 Part B Proposed and Existing	24.02.12
DA 3130	B	Section 5 Part A Proposed and Existing	24.02.12
DA3131	B	Section 5 Part B Proposed and Existing	24.02.12
DA3132	B	Section 6 Part A Proposed and Existing	24.02.12
DA3133	B	Section 6 Part A Proposed and Existing	24.02.12
DA4100	B	Detailed Elevation Sheet 1	24.02.12
DA3630	E	View Sheet 1	18.01.13
DA3631	E	View Sheet 2	18.01.13
DA3632	E	View Sheet 3	18.01.13
DA3633	E	View Sheet 4	18.01.13
DA3634	E	View Sheet 5	18.01.13
DA3635	D	View Sheet 6	11.12.12
DA3636	A	View Sheet 7	11.12.12
DA3637	A	View Sheet 8	11.12.12

Landscape Plans prepared for the Preferred Project Report by Oculus			
Drawing No.	Revision	Name of Plan	Date
		Illustrative Landscape Master Plan	24.02.12 January 2013
		Illustrative Landscape Sections Section A & B	24.02.12 January 2013
		Illustrative Landscape Sections Section C & D	24.02.12 January 2013
		Illustrative Landscape Sections Section E, F & G	24.02.12 January 2013
		Illustrative Landscape Sections Section H	24.02.12 January 2013
		February November 2012 Scheme: Public Space Diagram	24.02.12 January 2013

except for as modified by the following pursuant to Section 75O (4) of the Act.

Condition A4 is modified as follows:

Inconsistencies between Documentation

- A4 In the event of any inconsistency between ~~modifications of the Concept Plan approval identified in this approval and the drawings/documents including Statement of Commitments referred to above~~, the ~~modifications of the Concept Plan shall prevail. this approval (as modified) and the drawings/documents including Statements of Commitments referred to above~~, **this approval prevails.**

Building Envelopes

- A5 Building footprints and setbacks are to be generally consistent with the Concept Plan building envelope for each site, except where amended by the modifications in Schedule 2 Part B of this Approval.

Condition A6 is modified as follows:

Floor Space Ratio (FSR) and Gross Floor area

- A6 The project shall have a maximum FSR of ~~2.43:1~~ **2.28:1** and provide a maximum GFA of ~~47,630m²~~ **51,139m²**.

Lapsing of Approval

- A7 Approval of the Concept Plan shall lapse 5 years after the determination date shown on this Instrument of Approval, unless an application is submitted to carry out a project or development for which concept approval has been given, or works have commenced under a Project Approval granted under Part 3A of the *Environmental Planning and Assessment Act 1979*.

Condition A8 is added, as follows:

Heights of Buildings

A8 The project shall have a maximum building height (plus plant level) as outlined in the following table:

Building	Storeys/RL
Hunter H	5 - 8 storeys/RL99.55
Young Y	8 storeys/RL100.20
Cutler C	13 storeys/RL116.250
Woodward W	8 - 10 storeys/RL105.95 (8 storeys on the north-western portion of building)
Martin M	8 storeys/RL101.6
Darling D	12 storeys/RL117.5
Loftus L	22 storeys/RL144.650
Height (RL)	RL99.55 - RL144.650

PART B - MODIFICATIONS

Condition B1 is deleted

[B1 not used].

Condition B2 is deleted

[B2 not used].

Condition B3 is modified as follows:

Design

- B3 The street to ground level wall of Building H, on both street frontages (north eastern and north western elevation) shall be amended to **replace any rendered/painted walls with wall materials with an integral finish such as fair faced brickwork or stone** ~~reduce the blank rendered/painted wall effect and to provide greater articulation and visual interest.~~

Condition B4 is added, as follows:

Open Space

- B4 The central park shall provide a minimum of 1,665m² open space and through site links. The swimming pool component, including associated decking, surrounds and safety fencing, of this open space shall be limited to 500m². The remaining 1165m² of the open space within the central park shall have a minimum dimension of 3m and be publicly accessible and shall not include roadways or adjacent footpaths.

End of Schedule 2

SCHEDULE 3

FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

Built Form

- C1 Future development applications shall demonstrate that the development achieves a high standard of architectural design incorporating a high level of modulation and articulation of the building and a range of high quality materials and finishes.

Condition C2 is modified as follows:

Residential Amenity

- C2 Future development applications shall demonstrate the following:
- (a) That the development achieves design excellence in accordance with the requirements of the Director - General's Design Excellence Guidelines.
 - (b) That the development is consistent with sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency and meets the applicable requirements of BASIX.
 - (c) That the development is compliant with the provisions of the *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Design Code 2002*, and in particular its solar access requirements, ~~except where modified by this Concept Plan approval.~~
 - (d) The key design principles in the *NSW Premiers Council for Active Living, Development and Active Living: Designing Projects for Active Living* shall be considered and where relevant inform the detailed design to create an active living environment.

Condition C3 is modified as follows:

Privacy

- C3 Future development applications shall demonstrate what design treatment will be used to provide an adequate level of privacy (visual and acoustic) to:
- (a) Apartments within Building D; and
 - (b) All ground floor apartment and adjoining areas of open space, **subject to the central park requirements in Schedule 2 Condition B4.**

ESD

- C4 Future development applications shall demonstrate how they incorporate ESD principles in the design, construction and ongoing operational phases of the development, including the selection of fabric and materials, water conservation and management initiatives, and energy efficiency and renewable energy initiatives.

Condition C5 is modified as follows:

Car Parking

C5 Future Development Applications shall demonstrate: ~~that they provide on-site car parking~~

- (a) **For residential apartments having a combined GFA of up to 46,420m², on-site car parking must be provided** at rates compliant with the Roads and Maritime Services (formerly Roads and Traffic Authority) Guide to Traffic Generating Development's requirements, which are as follows:
 - (a) 0.6 spaces per 1 bedroom apartment;
 - (b) 0.9 spaces per 2 bedroom apartment;
 - (c) 1.4 spaces per 3 bedroom apartments;
 - (d) 1 space per 5 **apartments** for visitors; and
- (b) **For any residential apartments that cause the combined GFA of residential apartments on-site to exceed 46,420m² there must be no provision for parking spaces, other than visitor parking at the rate of 1 space per 5 apartments.**
- (c) **For commercial on-site car parking must be provided at 1 space per 40m² 46m² of commercial GFA.**

Servicing

C6 Future development applications shall demonstrate that all servicing, including waste collection, removalist vehicles and all loading/unloading operations can occur within the site.

Condition C7 is modified as follows:

Ground Level Areas

C7 Future development applications shall demonstrate how they satisfy the recommendations contained in the Wind Effects Statement prepared by Vipac Engineers and Scientists Ltd (dated ~~21 February 2012~~ **18 January 2013**) to reduce wind effects generated by the development.

Condition C8 is modified as follows:

Car Share Scheme

C8 Future development applications shall demonstrate ~~how~~ **that** a car share scheme can be accommodated on site and ~~what the~~ **the** actions ~~that~~ have been taken to instigate such a scheme. Parking or storage of any vehicles associated with any such scheme shall not be on the roads to be dedicated to Council.

Travel Access Guide (TAG) / Green Travel Plan

C9 Future development applications shall provide details of a Travel Access Guide (TAG)/Green Travel Plan, to encourage public and active transport use, for future occupants and visitors.

Section 94 Contributions

- C10 Future development applications shall be required to pay developer contributions to Council towards the provision or improvement of public amenities and services. The amount of the contribution and timing of payment shall be determined by Council in accordance with the requirements of the Contributions Plan current at the time of approval.

Condition C11 is modified as follows:

~~Affordable Housing~~ Community Benefits in Addition to Section 94 Contributions

- C11 (a) Future development applications shall demonstrate that a minimum of ~~two~~ **four** affordable housing units are to be dedicated to Council ~~in accordance with the offer made in the Statement of Commitments.~~
- (b) If the Council notifies the proponent that it does not require the provision of the road under Schedule 3 Condition C16, the proponent must pay Council an amount equal to the difference between construction costs for a Type 3 road and a pedestrian/cyclist/emergency vehicle access as proposed. The amount is to be determined by a qualified and practising quantity surveyor mutually agreed upon by the proponent and Council.**

~~Note: The dedication of those units is part of the community benefit required to allow~~
The community benefits required under this clause is part of the community benefits that allow incentive height and GFA on the site and is not a material public benefit which may be used to offset a monetary contribution for local infrastructure (i.e. Section 94 Contributions).

Noise and Vibration

- C12 Future development applications shall demonstrate how they comply with the recommendations of the Noise Impact Assessment prepared by Acoustic Logic (14 January 2011) and the requirements of Clause 102 of State Environmental Planning Policy (Infrastructure) 2007.

Stormwater

- C13 Future development applications shall provide for the treatment of stormwater prior to discharge to surface water and/or groundwater sources.

Groundwater

- C14 Future development applications shall provide an assessment of ground water, including the need for licences in relation to taking or interfering with groundwater and dewatering.

Design and layout of roads and car park

- C15 Future development applications shall demonstrate that the layout of the proposed car parking areas associated with the development including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions is in accordance with AS 2890.1-2004 and AS 2890.2-2002.

Condition C16 is modified as follows:

- C16 (a) Future development applications shall provide details of public domain works proposed in Herring Road and Epping Road and the new roads proposed for ~~dedication to Council~~ **provision under community title with internal road access revised as shown on Drawing No. DA2100 Revision D Ground Level Plan dated 22.11.12.**

The design and implementation of all works shall be in accordance with the requirements of Council's Macquarie Park Public Domain Technical Manual **and ensure the provision of safe, public access on the pedestrian link, and unencumbered access for emergency and waste vehicles along the remainder of the internal road.**

- (b) **The Council may require the provision of the north-western portion of the internal road network to Council's Type 3 standard of construction and may require its dedication to Council.**
- (c) **The Council must notify the proponent whether it requires the provision of the north-western portion of the internal road network before the 1 December 2013.**

Sydney Water requirements

- C17 Future development applications shall demonstrate that they satisfy any requirements of Sydney Water's in relation to the upgrading and augmentation of drinking and waste water infrastructure.

RMS Requirements

- C18 No concurrence is given to use Epping Road as an exit to the subject site.

Public Access to Open Space

- C19 Future development applications shall detail the mechanisms under which the public will be provided with permanent legal access to the areas nominated as publicly accessible open space. Future applications must also demonstrate what strategies will be used to make the public aware of their right to use these spaces, including any purchaser of residential units.

ADVISORY NOTES

Advisory Note AN1 is added, as follows:

Inconsistencies between Project Approval MP 10_0113

AN1 The proponent is required to obtain approval of a Section 75W modification of Project Approval MP 10_0113 in order to carry out development as proposed under the Concept Plan Approval as modified.

End of Schedule 3

SCHEDULE 4

STATEMENT OF COMMITMENTS

Draft Statement of Commitments

In accordance with the Director-General's Preferred Project Requirements, the proponent is required to include a Draft Statement of Commitments in respect of environmental management and mitigation measures on the site. The following are the commitments made by Stamford Property Services Pty Ltd to manage and minimise potential impacts arising from the Preferred Concept Plan and Stage 1 Project Application. As this is an integrated application, the draft Statement of Commitments for the Stage 1 Project Application and the future Stage 2 Development Application are set below.

Subject	Commitments	Approved by Whom	Timing
Concept Plan and Stage 1 Project Application			
Approved Project	Development on the site will be implemented in accordance with the Concept Plan entitled 'Part 3A submission' prepared by AJ + C Architects and dated 24 February 2012.	Department of Planning.	No timing. General Statement of Commitment
	Stage 1 will be implemented in accordance with the Project Application Plans entitled 'Part 3A submission' prepared by AJ + C Architects and dated 24 February 2012	Department of Planning.	No timing. General Statement of Commitment
Approved Floor Space	The total floor area of the development shall generally be in accordance with the approved Concept Plan and shall not exceed 52,060m ² . The development shall contain a minimum 1,210m ² non-residential land uses.	Department of Planning.	No timing. General Statement of Commitment
Apartment Mix / Accessibility	Approval is granted for a Stage 1 apartment mix of:	Department of Planning.	No timing. General Statement of Commitment
	- Maximum 49% one bedroom apartments;		
	- Minimum 42% two bedroom apartments;		
	- Minimum 9% three + bedroom apartments.		
	In order to ensure flexibility and options to live close to work, 33 SOHO apartments will be provided across the development site.	Department of Planning.	No timing. General Statement of Commitment
	10% of apartments will be provided as Class C adaptable units across the development site.	Department of Planning.	No timing. General Statement of Commitment

Subject	Commitments	Approved by Whom	Timing
Parking	Approval is granted for a maximum number of 746 parking spaces.	Department of Planning.	No timing. General Statement of Commitment
Road Access and Traffic	<p>In accordance with the recommendations of the Traffic Report prepared by Traffix and dated January 2011, a Travel Plan will be prepared which addresses:</p> <ul style="list-style-type: none"> • Local bus stop locations; • Bus and rail timetables; • Location of taxi ranks in the locality; • Location of local services within walking distance such as convenience stores, supermarkets and other retail related areas; • Location of car share vehicles; and • Local cycle routes including the City of Ryde cycle map. 	Department of Planning.	Prior to the issue of a Stage 1 Construction Certificate
	The proponent commits to consulting with a car share operator such as Go Get to determine the feasibility of a car share scheme on-site.	-	Outcome of consultation submitted with Stage 2 Development Application.
Flora and Fauna and Tree Management	<p>In accordance with the Flora and Fauna Assessment prepared by Total Earth Care dated December 2010 and the Arborist Report prepared by Earthscape Horticultural Services dated February 2011, the following will be implemented:</p> <ul style="list-style-type: none"> • Removal of trees should be offset with the revegetation of the Epping Road setback buffer zones and removal of exotic species from the site; • Any landscaping or revegetation works are to incorporate locally indigenous native plant species, including those that are characteristic of STIF; • The protection measures as recommended with the 	Department of Planning.	No timing. General Statement of Commitment

Subject	Commitments	Approved by Whom	Timing
	<p>Arborist's Report prepared by Earthscape Horticultural Services;</p> <ul style="list-style-type: none"> • Temporary fencing is to be installed around the construction area and machinery or materials storage areas to eliminate the potential for accidental damage to the STIF remnants and all retained trees on the site during construction works; • Native trees or limbs of trees that are removed as part of the clearing for the current proposal should be mulched and used on site in rehabilitation or landscaping works, for temporary sediment and erosion control during construction, or as habitat features in any restoration works; • Implementation of the Tree Management Plan; and • Planting of 20 new trees capable of attaining a height of thirteen metres at maturity. 		
Structural Adequacy	<p>The Structural design will be in accordance with:</p> <ul style="list-style-type: none"> • AS / NZS1170.0 – 2002 General Principles; • AS / NZS1170.1 – 2002 Permanent, Imposed and Other Actions; • AS / NZS1170.2 – 2002 Wind Actions; • AS3600 – 2009 Concrete Structures; • AS3700 – 2001 Masonry; • AS4100 – 1998 Steel Structures; • AS1720.1 – 1997 Timber Structures; and • BCA – 2009 Building Codes of Australia. 	The relevant consent authority at the relevant stage	<p>No timing.</p> <p>General Statement of Commitment</p>

Subject	Commitments	Approved by Whom	Timing
Construction, Waste and Traffic Impacts	Works will be carried out in accordance with the recommendations of the preliminary Construction Management Plan and Waste Management Plan prepared by Stamford Property Services and dated January 2011, and the preliminary Construction Traffic Management Plan prepared by Traffix and dated January 2011.	Department of Planning	No timing. General Statement of Commitment
	A detailed Construction Management Plan, Waste Management Plan and Construction Traffic Management Plan will be prepared and submitted when a builder is appointed and Construction Certificate documentation prepared. Further consultation regarding construction access will be undertaken with the RTA and Council prior to the completion of these Plans.	The relevant consent authority at the relevant stage.	Prior to issue of Construction Certificate.
Soil and Water Management	Details of the easement recommended in the Civil Engineering Design Report prepared by Meinhardt and dated January 2011 will be provided to the Department of Planning prior to the issue of a Stage 1 Construction Certificate.	To be negotiated with adjoining landowners	Prior to issue of a Stage 1 Construction Certificate.
	<p>The stormwater and drainage network will be in accordance with the Civil Engineering Design Report prepared by Meinhardt and dated January 2011. Stormwater drainage infrastructure will be designed in accordance with:</p> <ul style="list-style-type: none"> • AS3500.3; • City of Ryde Council's specifications; • The Concrete Pipe Association of Australia Guidelines; and • The Australian Rainfall and Runoff (ARR) publication. 	Department of Planning	No timing. General Statement of Commitment
	A bulk earthworks model will be provided with the Construction Certificate documentation for each stage, indicating the final cut and fill volumes.	The relevant consent authority at the relevant stage.	Prior to issue of Construction Certificate.
Environmentally Sustainable Development	Residential development will need to meet the BASIX energy consumption benchmark with a target of achieving a 4 star Green Star rating. A further ESD	No timing.	No timing.

Subject	Commitments	Approved by Whom	Timing
	statement will be submitted with the Stage 2 DA.		General Statement of Commitment
Infrastructure and Services	Future development on the site will include upgrades to energy, water, sewer and telecommunications infrastructure in accordance with service provider requirements.	Relevant Service Provider	No timing. General Statement of Commitment
Public Benefits	Public benefits provided to the wider community will include public access (provided by a covenant on the title) to communal open space areas and a proposed meeting room on-site.	Department of Planning	No timing. General Statement of Commitment
Residential Amenity	<p>The proponent commits to provide:</p> <ul style="list-style-type: none"> • A residential swimming pool; • Residents gym; • Provision of a herb/vegetable garden, the design of which will be detailed in the Stage 1 landscape plans, prior to the issue of a Construction Certificate; • Provision of a bicycle voucher, offering 50% off a range of bicycles approved by Stamford, for every residential purchaser; and • Provision of a bicycle voucher, offering 50% off a range of bicycles approved by Stamford, for every 100m² of non-residential GFA. • A community meeting room for occupiers of the development privately managed. 	Department of Planning	No timing. General Statement of Commitment
WSUD	<p>WSUD measures for both stages will be in accordance with the Integrated Water Management Plan prepared by AECOM and dated January 2011:</p> <ul style="list-style-type: none"> • Rainwater harvesting for non-potable reuse including toilet flushing, clothes washing and irrigation; and • Harvested rainwater will be treated via a gross pollutant trap to remove suspended solids 	Department of Planning	No timing. General Statement of Commitment

Subject	Commitments	Approved by Whom	Timing
	<p>prior to discharge into the rainwater tank.</p> <p>In addition, the gross pollutant trap and rain gardens will be designed for the Treatable Flow Rate.</p>		
	<p>Water efficient fixtures and fittings including 4 WELS star rating dual flush toilets, 6 / 5 WELS star bathroom taps and 3 WELS star shower heads are being considered to meet GBCA targets.</p>	Department of Planning	<p>No timing.</p> <p>General Statement of Commitment</p>
Geotechnical and Contamination	<p>Works will comply with the recommendations of the Geotechnical Investigation and Waste Classification of InSitu Materials Report prepared by Douglas and Partners and dated January 2011, and the Preliminary Contamination Assessment prepared by Douglas and Partners and dated February 2011. The proponent commits to:</p> <ul style="list-style-type: none"> • Carry out filling in accordance with the report; • Undertake regular inspection by a geotechnical engineer following each progressive lift in excavation; • All load bearing foundations inspected and spoon tested by an experienced geotechnical engineer or engineering geologist; • Preparation of a dilapidation survey of adjacent buildings prior to and at the completion of bulk excavation works; • Once the site has been stripped of fill and excavated soils are stockpiled on site, an environmental scientist or engineer will inspect the site to confirm the classification of fill as General Solid Waste; • Fill classified as General Solid Waste will only be transported to a facility licensed to accept General Solid Waste; and • The preliminary classification of natural soils as VENM will be 	Department of Planning	<p>No timing.</p> <p>General Statement of Commitment</p>

Subject	Commitments	Approved by Whom	Timing
	confirmed subject to an inspection once all filling has been removed.		
	Final or detailed design of retaining walls will be undertaken using an interactive computer software program such as WALLAP or FLAC during the progressive stages of wall construction, anchoring and bulk excavation.	Department of Planning	Prior to issue of Construction Certificate.
Building Regulations	Where non-compliances with the BCA, Alternative Solutions will be employed to address these matters.	PCA	All Alternative Solutions will be developed for approval prior to the issue of a Construction Certificate.
Erosion and Sediment Control	An Erosion and Sediment Control Plan measures outlined in the Meinhardt Civil Engineering Design Report and dated January 2011 will be incorporated into a detailed Erosion and Sediment Control Plan.	PCA / Relevant Consent Authority for each stage	Prior to issue of Construction Certificate.
Landscaping	Landscaping and public domain works on the site will be implemented in accordance with the Landscape Plans entitled 'Macquarie Village Stage 1' prepared by oculus and dated 9 December 2011. A further detailed landscape plan in accordance with the principles of the approved Concept Plan will be submitted prior to issue of a Construction Certificate for each stage.	The relevant consent authority at the relevant stage.	With the relevant PA / DA and prior to issue of CC.
Acoustic	Glazing will be provided in accordance with the recommendations of the Acoustic Report dated January 2011 and letter dated 24 November 2011.	PCA	On plans, prior to the issue of a Construction Certificate for each stage.
	<p>The following noise attenuation measures will be adopted for future retail/commercial tenancies as outlined in the Noise Impact Assessment prepared by Acoustic Logic and dated January 2011 and letter dated 24 November 2011:</p> <ul style="list-style-type: none"> Locating seating below awnings and overhangs to limit noise impact to residence above; 	Ryde City Council	Details submitted with the Stage 2 Development Application

Subject	Commitments	Approved by Whom	Timing
	<ul style="list-style-type: none"> • Limit the number of seats within the courtyard; • Locating external areas where noise transmission is limited; and • Limit deliveries and waste removal to day time hours. 		
	<p>A detailed construction noise and vibration plan will be developed once construction programs have been developed further. The noise and vibration plan will be developed in accordance with the following:</p> <ul style="list-style-type: none"> • Australian Standard AS2436:1981 "Guide to noise control on construction, maintenance and demolition sites"; and • DECCW – "Interim Construction Noise Guideline". 	The relevant consent authority at the relevant stage.	Prior to the issue of Construction Certificate.
Wind	<p>The following recommendations of the Wind Report prepared by Vipac dated January 2011 will be implemented:</p> <ul style="list-style-type: none"> • Plantation on the Epping Road, Herring Road and north-eastern boundary as per the approved landscape plans; • Balconies to the south facades; • Use of balustrades and diving screens; and • Balconies or equivalent surface roughness features to the façade between Buildings Y and M as well as between Buildings M and D. 	The relevant consent authority at the relevant stage.	Provided on Project/Development Application plans
	The effectiveness of wind control mechanisms will be validated prior to the issue of a Construction Certificate.	PCA or the relevant consent authority.	Prior to the issue of a Construction Certificate.
Public Art	A detailed Public Art Plan will be prepared by a suitably qualified Public Art Consultant.	Ryde City Council	To be submitted with the Stage 2 Development Application

Subject	Commitments	Approved by Whom	Timing
Waste	Allowance will be made for the future collection of waste by waste contractors in accordance with all relevant regulatory requirements.	The relevant consent authority at the relevant stage.	During construction
Dedication of Type 3 Roads	The proponent will construct Type 3 Roads proposed within the northern and eastern boundaries of the property and will be designed and constructed by the proponent in accordance with relevant Australian Standards, and dedicated to Council as Local Roads, that will be owned and maintained by Council in perpetuity. Secondary internal roads will remain part of the site, being owned and maintained by the Owner's Corporation. This commitment is however contingent on achieving the scale of development proposed in the Concept Plan and Project Application.	Ryde City Council	To be dedicated to Council prior to the issue of the Occupation Certificate for the final building of Stage 1.
Affordable housing	The proponent will dedicate 2 appropriately sized and located dwelling units within Stage 1 of the development to be administered as Affordable Housing	Department of Planning/Ryde City Council	To be dedicated with Stage 1
Public Access	The provision of a staircase and lift along Epping Road to allow access to the existing bus stop on Epping road.	Department of Planning/City of Ryde	To be dedicated with Stage 1
Upgrade of Bus Shelter	To facilitate the upgrade of the existing bus shelter on Epping Road.	Department of Planning/City of Ryde	At the completion of Stage 1.
Development contributions	Appropriate contributions, commensurate with each stage, will be payable prior to the issue of a Construction Certificate for that stage in accordance with the City of Ryde Section 94 Development Contributions Plan 2007.	City of Ryde	Prior to issue of Construction Certificate for Stage 1 and 2