DETERMINATION OF A DEVELOPMENT APPLICATION UNDER SECTION 80 OF THE *ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979*

Under Section 80 of the *Environmental Planning and Assessment Act 1979*, I, the Minister for Planning, approve the Development Application referred to in Schedule 1, subject to the conditions in Schedules 3, 4, 5 & 6.

These conditions are necessary to:

(i) Minimise any adverse environmental impacts associated with the development;
(ii) Provide for the on-going environmental management of the development; and
(iii) Provide for regular monitoring and reporting on the development.

Andrew Refshauge MP
Minister for Planning

Sydney, 2 April, 2002 File No. S01/00907

SCHEDULE 1

Development Application:	DA No. 264-09-01.
Applicant:	The Stockland Trust Group.
Consent Authority:	Minister for Planning.
Land:	Lot 2, DP 711948, Yennora.
Proposed Development:	The redevelopment and use of the Yennora Distribution Park to store, handle and distribute general merchandise.

The development application includes a Masterplan, which sets out the long term development plans for the site, and detailed plans for certain works in each of the three precincts on the site: the central, western, and eastern precincts.

The **Masterplan** includes proposals to:

- Construct five new buildings on the site: Buildings 7, 8A, 8B, 9, and the new communal facilities facility;
- Divide and alter Buildings 1 & 2;
- Construct new internal roads, parking, and container and general storage areas;
- Upgrade the existing stormwater management system;
- Construct 3 new acoustic walls on the site;
- Construct a new entrance to the site off Byron Road for light vehicles;
- Upgrade the appearance of the existing entrance;
- Provide additional landscaping on the site; and
- Use the site 24 hours a day, 7 days a week to store, handle, and distribute general merchandise.

The detailed plans for the **Central Precinct** include proposals to:

- Subdivide Building 1 (178,000m2) into Buildings 1 and 1B;
- Subdivide Building 1B (82,000m2) into up to 8 separate warehouses;
- Raise the roof of Building 1B to 11.5 metres to the ridge;
- Remove part of the southern end of Building 1B;
- Upgrade and expand the hard stand storage area to the south of Building 1, adjacent to the railway siding;
- Carry out ancillary drainage works;
- Construct an acoustic wall along the Dennistoun Avenue frontage of the site;

- Upgrade the appearance of the existing entrance on Dennistoun Avenue; and
- Provide additional landscaping.

The detailed works for the **Western Precinct** include proposals to:

- Construct two new buildings: Buildings 8A & 8B;
- Construct an acoustic wall to the west of Buildings 8A & 8B;
- Construct internal roads, parking, and additional container and general storage areas;
- Upgrade the appearance of the existing entrance on Loftus Road;
- Upgrade the existing stormwater management system, including the provision of a new on-site detention basin; and
- Protect and regenerate the remnant bushland on the north-western corner of the site.

The detailed plans for the **Eastern Precinct** include proposals to:

- Construct one new building: Building 7;
- Construct a new acoustic wall to the north west of Building 7;
- Construct internal roads, parking, and a truck marshalling area;
- Construct a new entrance for light vehicles off Byron Road;
- Upgrade the appearance of the existing entrance on Byron Road;
- Provide additional landscaping;
- Upgrade the existing stormwater system, including the provision of a new on-site detention basin; and
- Protect and regenerate the remnant bushland on the north-eastern corner of the site.

State Significant Development:	On 12 June 2001, the Minister for Planning declared all development on the site (except for minor alterations and additions to existing development) to be State Significant Development, under Section 76A(7)(b) of the *Environmental Planning and Assessment Act 1979*.
Integrated Development:	The proposal requires additional approvals from the Department of Land and Water Conservation under the *Rivers and Foreshores Improvement Act 1948*, and Holroyd City Council under the *Roads Act 1993*. Consequently, it is classified as Integrated Development under Section 91 of the *Environmental Planning and Assessment Act 1979*.

BCA Classification:	Office Buildings	Class 5
	Warehouse Buildings	Class 7/8
	Car Parks and Roads	Class 10b

SCHEDULE 2
DEFINITIONS

The Act	*Environmental Planning and Assessment Act 1979*
The Applicant	The Stockland Trust Group, or the owner of the land from time to time
BCA	Building Code of Australia
Council	Holroyd City Council
DA	Development Application
Day	Between 7am and 6pm
The Department	The Department of Planning
The Director-General	The Director-General of the Department of Planning, or her delegate
DLWC	Department of Land and Water Conservation
EPA	Environment Protection Authority
Evening	Between 6pm and 10pm
$L_{AEQ15min}$	Average noise level, when measured over a 15 minute period
The Minister	Minister for Planning
Night	Between 10pm and 7am
The Regulation	*Environmental Planning and Assessment Regulation 2000*
RTA	Roads and Traffic Authority
SEE	Statement of Environmental Effects

SCHEDULE 3
CONDITIONS OF CONSENT
MASTERPLAN

GENERAL

Obligation to Minimise Harm to the Environment

1. The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction or operation of the development.

Terms of Approval

2. The Applicant shall carry out the development generally in accordance with the:
   (a) DA submitted to the Department on 27 August 2001;
   (b) Yennora Distribution Park – Planning Report, and associated Appendices 1 to 3, dated September 2001;
   (c) The Masterplan for the site prepared by The Travis McEwen Group numbered DA01, and dated August 2001;
   (d) The Landscape Concept Plan for the site prepared by Site Image numbered LA102B, and dated September 2001;
   (e) The conceptual stormwater management system for the Total Development prepared by Richmond+Ross Pty. Ltd. (in the *Total Catchment Management and Drainage Study*);
   (f) Updated Noise Assessment for the proposal prepared by Atkins Acoustics, dated January 2002;
   (g) Relevant prescribed conditions in clause 133 of the Regulation; and
   (h) Conditions of this consent.

3. If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.

4. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
   (a) Any reports, plans, or correspondence that are submitted in accordance with this consent; and
   (b) The implementation of any actions or measures contained in these reports, plans or correspondence.

Staged Development

5. Nothing in this schedule authorises the carrying out of any detailed works. Under Section 80(5) of the Act, these detailed works, excluding the works referred to in Schedules 4 to 6 of this instrument, shall be the subject of another development consent or development consents.

Surrender of Consents

6. In accordance with the requirements in Clause 97 of the Regulation, the Applicant shall progressively surrender all of the existing consents operating on the site as existing tenancy arrangements are replaced or renewed.

Structural Adequacy

7. All new buildings and structures shall be carried out in accordance with the relevant requirements of the BCA.

8. All additions and alterations to existing buildings shall be carried out in a way that ensures that these buildings are progressively upgraded to comply with the relevant requirements of the BCA. Upon the completion of the works proposed in the Masterplan, these buildings shall comply with the relevant requirements of the BCA.

Compliance

9. Throughout the life of the development, the Applicant shall secure, renew, maintain, and comply with all the relevant statutory approvals applying to the development.

10. The Applicant shall take all reasonable steps to ensure that all of its employees and tenants are made aware of, and comply with, the conditions of this consent.

SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Operational Noise Criteria

11. The Applicant shall comply with the following operational noise criteria.

Assessment Location	Intrusiveness Criteria $L_{Aeq,15min}$ dB(A)			Amenity Criteria $L_{Aeq,period}$ dB(A)		
	Day	Evening	Night	Day	Evening	Night
Location 1 – 69 Dennistoun Avenue	48	47	46	65	47	43
Location 2 – 29 Dennistoun Avenue	48	46	43	65	48	44
Location 3 – 64 Byron Road	48	46	44	65	49	43

12. The Applicant shall comply with the following intermittent noise criteria.

Assessment Location	L_1Criteria, dB(A)
Location 1 – 69 Dennistoun Avenue	L_1<40 + 15 = 56
Location 2 – 29 Dennistoun Avenue	L_1<38 + 15 = 53
Location 3 – 64 Byron Road	L_1<39 + 15 = 54

Noise Monitoring

13. During these operations, the Applicant shall:
    (a) Conduct regular monitoring of the operational noise levels of the development to check whether the operations, which are subject to this consent, are complying with the specified noise criteria;
    (b) Keep detailed records of the results of this monitoring;
    (c) Submit the detailed records of this monitoring to the Director- General in the Annual Environmental Management Report; and, if any non-compliance is detected,
    (d) Take immediate action to ensure compliance.

Noise Management Plan

14. The Applicant shall prepare and implement a Noise Management Plan for the whole site. This plan must:
    (a) Identify the potential sources of noise during operations;
    (b) Specify the noise criteria for these operations;
    (c) Describe in detail what actions and measures would be implemented to ensure that these operations would comply with the relevant noise criteria;
    (d) Describe how the effectiveness of these actions and measures would be monitored during the life of the development, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded and reported to the Director-General; and if any non-compliance

is detected
(e) Describe what procedures would be followed to ensure compliance.

TRAFFIC AND TRANSPORT

Heavy Vehicle Routes

15. All heavy vehicles coming to or leaving the site shall use one of the following heavy vehicle routes:
    (a) Cumberland Highway/Woodpark Road/Fairfield Road/Dursley Road/Loftus Road-Byron Road (South);
    (b) Cumberland Highway/Sturt Street/McCredie Road/Fairfield Road/Dursley Road/Loftus Road-Byron Road (South);
    (c) The Horsley Drive/Polding Street (North)/Fairfield Road/Dursley Road/Loftus Road-Byron Road (South); or
    (d) The Horsley Drive/Fairfield Street/Pine Road/Loftus Road-Byron Road (South).

    If there are any significant changes to the local road network during the life of the development, then these routes may be varied with the written approval of the Director-General.

Road Access

16. The Dennistoun Avenue entrance shall only be used by light vehicles.

17. Heavy vehicles using the Byron Road (South) entrance shall be restricted to left in/right out turning movements.

18. The Byron Road (North) entrance shall only be used by light vehicles.

Internal Roads and Parking

19. All new internal roads, railway crossings, and parking shall comply with the relevant Australian Standards, particularly AS 2890.1 – 1993 and AS 2890.2 – 1989.

20. The Applicant shall provide at least 1,060 car parking spaces on the site once the works proposed in the Masterplan are completed.

21. All visitor and service vehicle parking shall be clearly marked.

22. The Applicant shall provide sufficient lay-by facilities for heavy vehicles on the site.

23. The loading and unloading of vehicles shall only occur in designated loading/unloading areas on the site that are clearly marked.

24. The Applicant shall mark all new and existing internal roads to provide clear guidance to vehicles using the site.

Heavy Vehicle Movement Restrictions

25. The site shall not generate more than 1,450 heavy vehicle movements (in plus out) a day without the written approval of the Director-General.

26. The Applicant shall:
    (a) Keep a detailed log of all heavy vehicle movements generated by the site:
        - For one full week every six months, while the site is generating less than 1,000 heavy vehicle movements a day; and
        - For one full week every three months, while the site is generating between 1,000 and 1,450 heavy vehicle movements a day; and

    (b) Include the detailed results of this monitoring in the Annual Environmental Management Report.

27. When seeking a variation to the maximum number of heavy vehicle movements, the Applicant shall submit a detailed Heavy Vehicle Review report to the Director-General. This report must:
    (a) Set out the results of the heavy vehicle movements monitoring;
    (b) Propose a variation to these restrictions;
    (c) Identify the potential impacts associated with this proposed variation;
    (d) Assess these potential impacts in detail;
    (e) Explain how these potential impacts would be mitigated or managed; and
    (f) Demonstrate that the proposed variation could be accommodated without generating any significant impacts on the road network or surrounding residential areas.

    After reviewing this report and consulting with both Council and the Community Consultative Committee, the Director-General may vary the heavy vehicle restrictions in Condition 25.

Rail Movement Restrictions

28. The site shall not generate more than 10 train movements a day without the written approval of the Director-General. To obtain this approval, the Applicant must consult with the relevant rail and traffic authorities about the proposed change, and submit a report to the Director-General. This report must:
    (a) Include the results of the consultations; and
    (b) Demonstrate that sufficient train pathing is available for the proposed increase, and that the existing level crossing at Loftus Road would safely accommodate the proposed increase.

    After reviewing this report and consulting with Council and the Community Consultative Committee, the Director-General may vary the rail movement restrictions.

Commented [ER1]: A separate application to amend this condition to increase the number of train movements to 14 per day was lodged with NSW DPE on 25 August 2015

Traffic and Transport Management Plan

29. The Applicant shall prepare and implement a Traffic and Transport Management Plan for the whole site. This plan must:
    (a) Define the future internal road network;
    (b) Identify the works required to complete the network;
    (c) Describe the proposed staging of these works;
    (d) Specify standards and/or performance criteria for traffic and transport management on the site;
    (e) Identify the potential traffic and transport impacts associated with operations on the site;
    (f) Describe in detail what actions and measures would be implemented to minimise these potential impacts, particularly in relation to the potential safety impacts associated with the railway crossings, and the potential noise impacts associated with the use of heavy vehicles and trains on the site;
    (g) Describe how the effectiveness of these actions and measures would be monitored during the life of the development, clearly indicating who would conduct this monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded and reported to the Director-General in the Annual Environmental Report; and if any non-compliance is detected,
    (h) Describe what procedures would be followed to ensure compliance.

SURFACE WATER MANAGEMENT

30. The Applicant shall design and construct a stormwater management system for the site in general accordance with the conceptual stormwater plan for the Total Development in the *Total Catchment Management and Drainage Study*.

31. This stormwater system shall be designed to:
    (a) Restrict future stormwater flows from the site (including any stormwater from external catchments) to existing flow levels (as calculated in *Total Catchment Management and Drainage Study* prepared by Ross and Richmond) or better;
    (b) Ensure that existing and proposed building floors on the site have a minimum freeboard of 300mm from the 100 year flood level;
    (c) Treat all stormwater in accordance with the requirements in Table 5.2 of the *Prospect Creek Stormwater Management Plan* to minimise the discharge of sediments and other pollutants from the site; and
    (d) Comply with the relevant guidance in the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*.

32. All engineering works in, or within a horizontal distance of 40 metres from the top of the bank of any stream on the site shall be of a "soft" design that blends in well with the final profile of the bank:
    (a) Stormwater pipe headwalls and outlets, and basin spillways, shall be scour-protected with placed rip-rap over cobbles over geotextile; and
    (b) Bed control structures and bank toe protection shall be sensitive to ecological processes, and shall not consist of any concrete rockwork.

33. The Applicant shall create easements in favour of Council for all the stormwater assets on the site that drain external catchment areas, excluding any on-site detention basins or water quality ponds. The easements shall be at least 3 metres wide or 2 metres plus the width of the pipe diameter or channel, whichever is the greater.

34. The Applicant shall be responsible for, and bear the full cost associated with, monitoring and maintaining all stormwater infrastructure on the site during the life of the development.

35. The Applicant shall prepare and implement a detailed Stormwater Management Plan for the whole site in consultation with Council. This plan must:
    (a) Accurately establish the like volume, velocity, and general quality, of stormwater flows leaving the site during a 100 year flood event;
    (b) Specify the standards and performance criteria for the proposed stormwater management system;
    (c) Describe the detailed design of this system, including any pollution control devices;
    (d) Describe the proposed staging of these works;
    (e) Demonstrate that this design would satisfy the relevant standards and criteria for the system during the life of the development;
    (f) Describe how the effectiveness of this system would be monitored during the life of the development, clearly indicating who would conduct this monitoring, how often this monitoring would be conducted, how the results of this monitoring would be conducted and reported to the Director-General in the Annual Environmental Management Report; and if any non-compliance is detected
    (g) Describe what procedures would be followed to ensure compliance; and
    (h) Describe procedures would be implemented to ensure this system is maintained during the life of the development.

VEGETATION MANAGEMENT

36. The Applicant shall establish, and then regularly monitor and maintain a riparian zone in each of the cross- hatched areas on the attached map to the satisfaction of DLWC and the Director-General.

37. The planting in these riparian zones shall:
    (a) Include a diverse range of appropriate native plant species;
    (b) Not use any threatened species, such as the *Acacia Pubescens* or *Pultenaea Parviflora*;
    (c) Have a tree and shrub density of at least 1 plant/m2, and a proportion of 1 tree to 3 shrubs; and
    (d) Have a groundcover density of at least 4 plants/m2 in addition to the shrubs.

38. The Applicant shall be responsible, and bear the full cost associated with, monitoring and maintaining these riparian zones during the life of the development.

39. The Applicant shall prepare and implement a Vegetation Management Plan for the whole site. This plan must:
    (a) Specify the standards and performance criteria for the proposed riparian zones on the site;
    (b) Describe the proposed works in detail;
    (c) Describe the proposed staging of these works;
    (d) Demonstrate that these works would satisfy the specified standards and performance criteria for each riparian zone;
    (e) Describe how each riparian zone would monitored during the life of the development to ensure that it continues to satisfy the specified standards and performance criteria, clearly indicating who would conduct this monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded and reported to DLWC and the Director-General in the Annual Environmental Management Report; and
    (f) Describe what procedures would be implemented to maintain the riparian zones during the life of the development.

VISUAL IMPACT

Landscaping

40. The Applicant shall landscape the site in general accordance with the Landscape Concept Plan for the whole site prepared by Site Image.

41. The Applicant shall be responsible for, and bear the full costs associated with monitoring and maintaining this landscaping on the site.

42. The Applicant shall prepare and implement a Landscape Management Plan for the whole site (excluding the proposed riparian zones), in consultation with Council, paying particular attention to the Dennistoun Avenue, Byron Road, and Loftus Road frontages of the site. This plan must:
    (a) Specify the standards and performance measures for the proposed landscaping;
    (b) Describe the proposed works in detail;
    (c) Describe the proposed staging of these works;
    (d) Demonstrate that these works would satisfy the specified standards and performance criteria ;
    (e) Describe how this landscaping would monitored during the life of the development to ensure that it continues to satisfy the specified standards and performance criteria, clearly indicating who would conduct this monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded and reported to the Director-

General in the Annual Environmental Management Report; and
(f) Describe what procedures would be implemented to maintain this landscaping during the life of the development.

Lighting

43. The Applicant must ensure that all new external lighting associated with the development is mounted, screened, and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting must be the minimum level of illumination necessary, and in general accordance with *AS 4282 – 1997 Control of the Obtrusive Effects of Outdoor Lighting.*

Container Stacking

44. Containers shall not be stacked more than 4 containers high outside any of the buildings on the site without the written approval of the Director-General. To obtain this approval, the Applicant must submit a report to the Director-General that demonstrates that any proposed increase in the stacking of containers would not have adverse visual impacts on adjoining areas, particularly the residential areas to the north of the site.

DANGEROUS GOODS

45. The Applicant shall not store or handle any material, which has been classified as a dangerous good under the Australian Dangerous Goods Code, on the site.

Note: Nothing in this consent would prevent the Applicant from seeking approval for the storage and handling of dangerous goods on the site in any subsequent Development Application.

ENVIRONMENTAL MANAGEMENT, AUDITING & REPORTING

ENVIRONMENTAL MANAGEMENT PLAN

46. Within 12 months of this approval, the Applicant shall submit an Environmental Management Plan for the site to the Director-General for approval. This plan must:
(a) Describe the proposed operations of the site;
(b) Identify all the relevant statutory requirements and conditions of consent that apply to these operations;

(c) Establish detailed procedures for receiving, handling, and recording any complaints about these operations;
(d) Describe the role, responsibility, authority, accountability, and reporting of key personnel involved in these operations; and
(e) Include the following detailed plans:
  - Noise Management Plan;
  - Traffic and Transport Management Plan;
  - Stormwater Management Plan;
  - Vegetation Management Plan;
  - Landscape Management Plan; and
  - Emergency Management Plan.

47. The Applicant shall review and update this Environmental Management Plan regularly, or as directed by Director-General.

48. The Applicant shall ensure that a copy of the Environmental Management Plan is made publicly available.

COMMUNITY CONSULTATIVE COMMITTEE

49. The Applicant shall establish a Community Consultative Committee to oversee the environmental performance of the development. This committee shall:
(a) Be comprised of :
  - 1 independent person nominated by the Council, and agreed to by the Applicant;
  - 2 representatives from the Applicant,
  - 1 tenant from the site
  - 1 representative from Council; and
  - 3 representatives from the local community, whose appointment has been approved by the Director- General in consultation with the Council;
(b) Be chaired by the independent person;
(c) Meet at least twice a year; and
(d) Review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints.

50. The Applicant shall, at its own expense:
(a) Ensure that 2 of its representatives attend all the Committee’s meetings;
(b) Provide the Committee with regular information on the environmental performance and management of the development;
(c) Provide meeting facilities for the Committee;

(d) Meet all reasonable costs associated with operating the Committee;
(e) Allow the Committee to inspect the site, if necessary;
(f) Take minutes of the Committee's meetings;
(g) Make these minutes available for public inspection at the Council within 14 days of the Committee meeting, or as agreed by the Committee;
(h) Respond to any recommendations the Committee may have in relation to the environmental performance of the development;
(i) Forward a copy of the minutes of each Committee meeting, and any responses to the Committee's recommendations to the Director-General within a month of the Committee meeting.

51. The Applicant shall ensure that the Committee has its first meeting within 6 months of this consent.

ANNUAL REPORTING

52. Within 12 months of this consent, and annually thereafter during the life of the development, the Applicant shall submit an Annual Environmental Management Report to the Director-General. This report must:
    (a) Provide an update on the current status of the implementation of the Masterplan;
    (b) Provide a record of any complaints received about the constructionor operation of the development, clearly indicating what actions were (or are being) taken to address these complaints;
    (c) Provide the detailed results of all the monitoring required by this consent;
    (d) Review the results of this monitoring, identifying any non-compliance and any significant trends in the data; and if any non-compliance is detected,
    (e) Describe what actions and measures would be carried out to ensure compliance, clearly indicating who would carry out these actions and measures, when they would be carried out, and how the effectiveness of these measures would be monitored over time.

INDEPENDENT ENVIRONMENTAL AUDIT

53. Within 2 years of this approval, and then as directed by the Director-General, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
    (a) Be conducted by a suitably qualified, experienced, and independent person whose appointment has been endorsed by the Director-General;
    (b) Be consistent with *ISO 14010 – Guidelines and General Principles for Environmental Auditing*, and *ISO 14011 – Procedures for Environmental Auditing*, or updated versions of these guidelines/manuals;
    (c) Assess the environmental performance of the development;
    (d) Assess whether the development is complying with the relevant standards, performance measures, and statutory requirements;
    (e) Review the adequacy of the Applicant's Environmental Management Plan; and, if necessary,
    (f) Recommend measures or actions to improve the environmental performance of the development, and/or its environmental management and monitoring systems.

54. Within 2 months of commissioning this audit, the Applicant must submit a copy of the audit report to the Director-General, along with a detailed response from the Applicant to any of the recommendations contained in the audit report.

SCHEDULE 4
CONDITIONS OF CONSENT
DETAILED WORKS – CENTRAL PRECINCT

GENERAL

Terms of Approval

1. The Applicant shall carry out the development generally in accordance with the:
   (a) DA submitted to the Department on 27 August 2001;
   (b) Yennora Distribution Park – Planning Report, and associated Appendices 1 to 3 dated September 2001;
   (c) Architectural drawings prepared by the Travis McEwen Group, numbered DA04 to 05 and DA10 to 15, and dated August 2001;
   (d) Landscape drawings prepared by Site Image, numbered LA 103B and 104B, and dated September 2001;
   (e) Conceptual stormwater plan for the Central Precinct prepared by Richmond+Ross Pty. Ltd. (included in the *Total Catchment Management and Drainage Study*);
   (f) Updated Noise Assessment for the proposal prepared by Atkins Acoustics, dated January 2002;
   (g) Relevant prescribed conditions in clause 133 of the Regulation; and
   (h) Conditions of this consent.

2. If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.

3. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
   (a) Any reports, plans, or correspondence that are submitted in accordance with this consent; and
   (b) The implementation of any actions or measures contained in these reports, plans or correspondence.

Structural Adequacy

4. All the works associated with Building 1 shall be carried out in a way that ensures that this building is progressively upgraded to comply with the relevant requirements of the BCA.

5. Before any construction work starts, the Applicant shall obtain a Construction Certificate for the proposed works from the Principal Certifying Authority in accordance with Part 4A of the Act.

6. Before carrying out any change of use in Building 1, the Applicant shall obtain an Occupation Certificate for the proposed change of use from the Principal Certifying Authority in accordance with Part 4A of the Act.

Compliance

7. During construction, the Applicant shall take all reasonable steps to ensure that all workers involved in the proposed works are made aware of, and comply with, the conditions of this consent.

SPECIFIC ENVIRONMENTAL CONDITIONS

DEMOLITION

8. All demolition work shall be carried out in accordance with *AS 2601-1991 The Demolition of Structures*.

NOISE

Construction Hours

9. All construction work associated with the development shall be carried out between 7am and 6pm Monday to Friday, or between 8am and 1pm on Saturdays.

10. No construction work shall be carried out on Sundays or public holidays.

11. Notwithstanding Condition 9 above, the Applicant may carry out construction work outside the specified construction hours:
    (a) With the written approval of the Director-General, provided she is satisfied that the proposed works would not adversely affect the amenity of the surrounding area, or if she is satisfied that the proposed works would require continuous construction;
    (b) If the police (or any other authority) requires the delivery of goods outside the specified hours for safety reasons;
    (c) In an emergency where people or equipment is in danger, provided the Applicant notifies the Council and the Department immediately, and explains the reasons for extending the specified construction hours, and the likely duration of the proposed variation.

Construction Noise Criteria

12. During these construction works, the Applicant shall comply with the following construction noise criteria.

Length of Construction Period	Construction Noise Criteria, dB(A)		
	Location 1 – 69 Dennistoun Avenue	**Location 2 – 29 Dennistoun Avenue**	**Location 3 – 64 Byron Road**
Background Noise Level (RBL)	43	43	43
4 weeks and under	63	63	63
> 4 weeks but not > 26 weeks	53	53	53
> 26 weeks	48	48	48

Construction Vibration Criteria

13. During these construction works, the Applicant shall comply with the following construction vibration criteria:

Place	Time	Intermittent or Impulsive
Residential	Daytime	6.0mm/s
	Night time	2.0mm/s
Office	Daytime	12.7mm/s
	Night time	12.7mm/s
Workshops	Daytime	12.7mm/s
	Night time	12.7mm/s

Note: The limits imposed in this table are based on Chapter 174-2 of the EPA's ENCM. 'Root-mean-squared' (rms) vibration limits presented in terms of velocity levels at one-third octave band frequencies applicable between 8Hz (which is the frequency range of interest for construction) determined for normal construction activities to protect human comfort and to provide adequate protection against potential damage to building structures.

Construction Noise Monitoring

14. During these construction works, the Applicant shall:
    (a) Conduct regular monitoring of the construction noise and vibration levels to check whether the proposed works are complying with the specified construction noise and vibration criteria;

(b) Keep detailed records of the results of this monitoring, which shall be made available to the Director-General upon request; and if any non-compliance is detected,
(c) Take immediate action to ensure compliance.

Construction Noise and Vibration Management Plan

15. The Applicant shall prepare and implement a Construction Noise Management Plan for these works. This plan must:
    (a) Identify the potential sources of noise during the proposed works;
    (b) Specify the noise and vibration criteria for the proposed works;
    (c) Describe in detail what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria;
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

Acoustic Wall

16. Within 1 year of this consent, the Applicant shall fully construct the proposed acoustic wall to the north-western corner of the Central Precinct along the Dennistoun Avenue frontage of the site.

ROAD WORKS

17. Within 1 year of this consent, the Applicant shall remove the three redundant vehicle crossings and laybacks along the Dennistoun Avenue frontage of the site, and restore, or pay the full cost of restoring, the footpath, kerb and guttering in these areas.

18. Before carrying out any of these construction works, the Applicant shall erect signs at each of the site's existing entrances to control the ingress/egress of heavy and light vehicles from the site. These signs shall not duplicate RTA regulatory signposting in style, colour, or creed.

SURFACE WATER

Erosion and Sediment Control

19. During these construction works, the Applicant shall take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site.

20. The Applicant shall prepare and implement a Soil and Water Management Plan for these works in accordance with the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual. This plan must:
    (a) Identify the activities that could cause soil erosion or result in the discharge of sediments and/or other pollutants from the site;
    (b) Specify standards/performance criteria for erosion, sediment, and pollution control;
    (c) Describe in detail what actions and measures would be implemented to minimise soil erosion and the discharge of sediments and/or other pollutants from the site; and
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

Stormwater Management

21. The Applicant shall prepare a detailed Stormwater Management Plan for the Central Precinct in consultation with Council. This plan must:
    (a) Specify the standards and performance criteria for the stormwater management system;
    (b) Describe the detailed design of this system, including any pollution control devices;
    (c) Describe how this system would be integrated into the broader stormwater system; and
    (d) Demonstrate that this design would satisfy the relevant standards and performance criteria for the system.

LANDSCAPE MANAGEMENT

22. Within 1 year of this consent, the Applicant shall complete the proposed landscaping works along the Dennistoun Avenue frontage to the satisfaction of the Director-General.

23. The Applicant shall prepare a detailed Landscape Management Plan for the Central Precinct in consultation with Council, paying particular attention to the proposed works along the Dennistoun Avenue frontage of the site. This plan must:
    (a) Describe the proposed landscaping works in detail, clearly indicating the proposed landform of the site, and the location and species of all planting;
    (b) Describe in detail the proposed treatment of the proposed acoustic wall along the Dennistoun Avenue frontage, and the proposed upgrade of the existing Dennistoun Avenue entrance;
    (c) Provide the details of any signage on the site that would be visible from Dennistoun Avenue;
    (d) Outline the proposed staging of these works; and
    (e) Demonstrate that these works are consistent with the Landscape Management Plan for the whole site.

CONSTRUCTION WASTE MANAGEMENT

24. During these construction works, the Applicant shall minimise the disposal of construction waste.

25. The Applicant shall prepare and implement a Construction Waste Management Plan for the proposed works. This plan must:
    (a) Identify the type and quantities of waste that would generated during these construction works;
    (b) Outline what measures and actions would be implemented to minimise the waste generated by these works;
    (c) Describe in detail how this waste would be handled and stored during construction, and reused, recycled, and, if necessary, appropriately treated and disposed in accordance with the EPA's guidelines on the *Assessment, Classification & Management of Liquid and Non-Liquid Waste,* and Council's *Development Control Plan No. 35 – Guidelines for Planning for Less Waste ;*
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

DUST MANAGEMENT

26. During these construction works, the Applicant shall minimise the generation of dust on the site.

27. The Applicant shall prepare a Construction Dust Management Plan for the proposed works. This plan must:
    (a) Identify the potential sources of dust during these works;
    (b) Specify appropriate dust control criteria for the works;
    (c) Describe in detail what measures and actions would be implemented to minimise the generation of dust on the site;
    (d) Describe how the effectiveness of these actions and measures would be monitored to check whether the proposed works are complying with the specified criteria, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

CONSTRUCTION MANAGEMENT PLAN

28. The Applicant shall prepare and implement a Construction Management Plan for these works. This plan must:
    (a) Describe the proposed works;
    (b) Outline the proposed work program;
    (c) Identify all the relevant statutory requirements and conditions of consent that apply to these works;
    (d) Establish detailed procedures for receiving, handling, and recording any complaints about the proposed works;
    (e) Describe the role, responsibility, authority, accountability, and reporting of key personnel involved in the construction of the development; and
    (f) Include the following detailed plans:
    - Construction Noise & Vibration Management Plan;
    - Soil & Water Management Plan;
    - Stormwater Management Plan;
    - Landscape Management Plan;
    - Construction Waste Management Plan;
    - Dust Management Plan; and
    - Construction Safety Management Plan.

29. No construction work shall occur in the Central Precinct before the Director-General has approved this plan.

SCHEDULE 5 CONDITIONS OF CONSENT
DETAILED WORKS – WESTERN PRECINCT

GENERAL

Terms of Approval

1. The Applicant shall carry out the development generally in accordance with the:
   (a) DA submitted to the Department on 27 August 2001;
   (b) Yennora Distribution Park – Planning Report, and associated Appendices 1 to 3 dated September 2001 as amended by S75W Planning Report prepared by DFP Planning and dated August 2015;
   (c) Architectural drawings prepared by the Travis McEwen Group, numbered DA 03, and DA 20 to 22 and DA05, and dated August 2001 as amended by Drawing Nos. DA-000, issue A, DA-100, issue A; DA-101, issue A; DA-102 issue A; DA-103, issue A; DA-104, issue A; DA-150 issue A; DA-500, issue A; DA-501, issue A; DA-600 issue A prepared by WMK Architects;
   (d) Landscape drawing prepared by Site Image numbered LA104B, and dated September 2001;
   (e) Conceptual stormwater management plan for the Western Precinct prepared by Richmond+Ross Pty. Ltd. (included in *the Total Catchment Management and Drainage Study*) as amended by Drawing No. C10, Rev 01; C11, Rev 02; and C12, Rev 01;
   (f) Bulk Earthworks Plan prepared by Richmond+Ross – Drawing No. BE01, Rev 01;
   ~~(e)~~(g) Concept erosion and sediment control plans prepared by Richmond+Ross – Drawing Nos. ES01, Rev 02 and ES02, Rev 01;
   ~~(f)~~(h) Updated Noise Assessment for the proposal prepared by Atkins Acoustics, dated January 2002 as amended by revised Acoustic Assessment prepared by Atkins Acoustics dated June 2015;
   ~~(g)~~(i) Relevant prescribed conditions in clause 133 of the Regulation; and
   ~~(h)~~(j) Conditions of this consent.

2. If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.

3. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:

(~~b~~a) Any reports, plans, or correspondence that are submitted in accordance with this consent; and
(b) The implementation of any actions or measures contained in these reports, plans or correspondence.

Structural Adequacy

4. All these works shall be carried out in accordance with the relevant requirements of the BCA.

5. Before any construction work starts, the Applicant shall obtain a Construction Certificate for the proposed works from the Principal Certifying Authority in accordance with Part 4A of the Act.

6. Before either Building 8A or 8B is occupied, the Applicant shall obtain an Occupation Certificate for the building from the Principal Certifying Authority in accordance with Part 4A of the Act.

Compliance

7. During construction, the Applicant shall take all reasonable steps to ensure that all workers involved in the proposed works are made aware of, and comply with, the conditions of this consent.

SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Construction Hours

8. All demolition and construction work associated with the development shall be carried out between 7am and 6pm Monday to Friday, or between 8am and 1pm on Saturdays.

9. No demolition or construction work shall be carried out on Sundays or public holidays.

10. Notwithstanding Condition 8 above, the Applicant may carry out demolition or construction work outside the specified construction hours:
    (a) With the written approval of the Director-General, provided she is satisfied that the proposed works would not adversely affect the amenity of the surrounding area, or if she is satisfied that the proposed works would require continuous construction;
    (b) If the police (or any other authority) requires the delivery of goods outside the specified hours for safety reasons;

(c) In an emergency where people or equipment is in danger, provided the Applicant notifies the Council and the Department immediately, and explains the reasons for extending the specified construction hours, and the likely duration of the proposed variation.

Construction Noise Criteria

11. During ~~these~~ demolition and construction works, the Applicant shall comply with the following construction noise criteria.

Length of Construction Period	Construction Noise Criteria, dB(A)		
	Location 1 – 69 Dennistoun Avenue	Location 2 – 29 Dennistoun Avenue	Location 3 – 64 Byron Road
Background Noise Level (RBL)	43	43	43
4 weeks and under	63	63	63
> 4 weeks but not > 26 weeks	53	53	53
> 26 weeks	48	48	48

Construction Vibration Criteria

12. During ~~these~~ demolition and construction works, the Applicant shall comply with the following construction vibration criteria:

Place	Time	Intermittent or Impulsive
Residential	Daytime	6.0mm/s
	Night time	2.0mm/s
Office	Daytime	12.7mm/s
	Night time	12.7mm/s
Workshops	Daytime	12.7mm/s
	Night time	12.7mm/s

Note: The limits imposed in this table are based on Chapter 174-2 of the EPA's ENCM. 'Root-mean-squared' (rms) vibration limits presented in terms of velocity levels at one-third octave band frequencies applicable between 8Hz (which is the frequency range of interest for construction) determined for normal construction activities to protect human comfort and to provide adequate protection against potential damage to building structures.

Construction Noise Monitoring

13. During ~~these~~ demolition and construction works, the

Applicant shall:

(a) Conduct regular monitoring of the construction noise and vibration levels to check whether the proposed works are complying with the specified construction noise and vibration criteria;

(b) Keep detailed records of the results of this monitoring, which shall be made available to the Director-General upon request; and if any non-compliance is detected,

(c) Take immediate action to ensure compliance.

Construction Noise and Vibration Management Plan

14. The Applicant shall prepare and implement a Construction Noise Management Plan for these works. This plan must:
    (a) Identify the potential sources of noise during the proposed works, including demolition works;
    (b) Specify the noise and vibration criteria for the proposed works;
    (c) Describe in detail what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria;
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

Acoustic Wall

15. Before either Building 8A or 8B is occupied, the proposed acoustic wall to the west of these buildings shall be fully constructed.

ROAD WORKS

16. Before either Building 8A or 8B is occupied, the Applicant shall complete the proposed upgrade of the existing entrance on Loftus Road.

SURFACE WATER

Erosion and Sediment Control

17. During ~~these~~ demolition or construction works, the Applicant shall take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site.

18. The Applicant shall prepare and implement a Soil and Water Management Plan for these works in accordance with the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual. This plan must:
    (a) Identify the activities that could cause soil erosion or result in the discharge of sediments and/or other pollutants from the site;
    (b) Specify standards/performance criteria for erosion, sediment, and pollution control;

(c) Describe in detail what actions and measures would be implemented to minimise soil erosion and the discharge of sediments and/or other pollutants from the site; and
(d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
(e) Describe what procedures would be followed to ensure compliance.

Stormwater Management

19. Before either Building 8A or 8B is occupied, the proposed stormwater management system for these components of the Western Precinct shall be fully operational;

20. The Applicant shall prepare and implement a detailed Stormwater Management Plan for the Western Precinct in consultation with Council. This plan must:
    (a) Specify the standards and performance criteria for the stormwater management system;
    (b) Describe the detailed design of this system, including any pollution control devices;
    (c) Describe how this system would be integrated into the broader stormwater system;
    (d) Demonstrate that this design is consistent with the proposed stormwater management system for the whole site; and
    (e) Demonstrate that this design would satisfy the relevant standards and performance criteria for the system.

VEGETATION MANAGEMENT & STREAMWORKS

21. Before either Building 8A or 8B is occupied, the Applicant shall establish, to the satisfaction of DLWC and the Director-General, a riparian zone on the land that is marked with cross-hatching on the attached map.

22. The Applicant shall prepare and implement a detailed Vegetation Management Plan for this land in consultation with DLWC. This plan must be prepared in accordance with DLWC's guideline on *How To Prepare A Vegetation Management Plan* by a suitably qualified and experienced person.

Note: The Applicant will require a separate approval from DLWC under the Rivers and Foreshores Act 1948 for all works in the Vegetation Management Plan that are located in, or within 40 metres…

23. The Applicant shall prepare and implement a Streamworks Plan for any within-creek works in the precinct. This plan must:
    (a) Be prepared by a person with suitable qualifications and experience in hydrology, hydraulics, geomorphology, soil and water management ,and river engineering works;
    (b) Be prepared in consultation with DLWC and the person preparing the Vegetation Management Plan for the precinct;
    (c) Describe the following:
        - What works would be carried out;
        - How these works would be carried out;
        - The proposed staging of these works;
        - How the potential impacts associated with the proposed works would be mitigated and managed; and
        - The estimated costs of these works.

LANDSCAPE MANAGEMENT

24. Before either Building 8A or 8B is occupied, the Applicant shall complete the proposed landscaping works along the Loftus Road frontage to the satisfaction of the Director-General.

25. The Applicant shall prepare a detailed Landscape Management Plan for the Western Precinct (excluding the proposed riparian zone) in consultation with Council, paying particular attention to the proposed works along the Loftus Road frontage of the site. This plan must:
    (a) Describe the proposed landscaping works in detail, clearly indicating the proposed landform of the site, and the location and species of all planting;
    (b) Describe in detail the proposed treatment of the proposed acoustic wall along the Loftus Road frontage, and the proposed upgrade of the existing Loftus Road entrance;
    (c) Provide the details of any signage on the site that would be visible from Loftus Road;
    (d) Outline the proposed staging of these works; and
    (e) Demonstrate that these works are consistent with the Landscape Management Plan for the whole site.

CONSTRUCTION WASTE MANAGEMENT

26. During ~~these~~ demolition and construction works, the Applicant shall minimise the disposal of construction waste.

27. The Applicant shall prepare and implement a Construction Waste Management Plan for the proposed works. This plan must:
    (a) Identify the type and quantities of waste that would generated during ~~these~~ demolition and construction works;
    (b) Outline what measures and actions would be implemented to minimise the waste generated by these works;
    (c) Describe in detail how this waste would be handled and stored during construction, and reused, recycled, and, if necessary, appropriately treated and disposed in accordance with the EPA's guidelines on the *Assessment, Classification & Management of Liquid and Non-Liquid Waste* and Council's *Development Control Plan No. 35 Guidelines for Planning for Less Waste;*
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

DUST MANAGEMENT

28. During ~~these~~ demolition and construction works, the Applicant shall minimise the generation of dust on the site.

29. The Applicant shall prepare a Construction Dust Management Plan for the proposed works. This plan must:
    (a) Identify the potential sources of dust during these works, including demolition;
    (b) Specify appropriate dust control criteria for the works;
    (c) Describe in detail what measures and actions would be implemented to minimise the generation of dust on the site;
    (d) Describe how the effectiveness of these actions and measures would be monitored to whether the proposed works are complying with the specified criteria, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

ABORIGINAL HERITAGE

30. If an item of Aboriginal heritage significance is uncovered during these construction works, these works shall cease immediately, and the Applicant shall contact the NPWS immediately.

CONSTRUCTION MANAGEMENT PLAN

31. The Applicant shall prepare and implement a Construction Management Plan for these works. This plan must:
    (a) Describe the proposed works including demolition works;
    (b) Outline the proposed work program;
    (c) Identify all the relevant statutory requirements and conditions of consent that apply to these works;
    (d) Establish detailed procedures for receiving, handling, and recording any complaints about the proposed works;
    (e) Describe the role, responsibility, authority, accountability, and reporting of key personnel involved in the construction of the development; and
    (f) Include the following detailed plans:
    - Construction Noise & Vibration Management Plan;
    - Soil & water Management Plan;
    - Stormwater Management Plan;
    - Vegetation Management Plan;
    - Streamworks Plan;
    - Landscape Management Plan;
    - Construction Waste Management Plan;
    - Dust Management Plan;
    - Construction Traffic Management Plan, and
    - Construction Safety Management Plan.

32. No demolition or construction work shall start in the in the Western Precinct before the Director-General has approved this plan.

SCHEDULE 6
CONDITIONS OF CONSENT
DETAILED WORKS – EASTERN PRECINCT

GENERAL

Terms of Approval

1. The Applicant shall carry out the development generally in accordance with the:
   (a) DA submitted to the Department on 27 August 2001;
   (b) Yennora Distribution Park – Planning Report, and associated Appendices 1 to 3 dated September 2001;
   (c) Architectural drawings prepared by the Reid Campbell Group Pty. Ltd. numbered DA01 to 03, and dated March 2001;
   (d) Landscape drawings prepared by Site Image numbered L01 and 02, and dated 3 April 2001;
   (e) Landscape drawings prepared by Site Image for the existing Byron Road entry numbered LA103B, and dated 6 September 2001;
   (f) Conceptual stormwater management plan prepared for the Eastern Precinct by Richmond+Ross Pty. Ltd. (included in the *Total Catchment Management & Drainage Study*);
   (g) Updated Noise Assessment for the proposal prepared by Atkins Acoustics dated January 2002;
   Relevant prescribed conditions in clause 133 of the Regulation; and
   (h) Conditions of this consent.

2. If there is any inconsistency between the above, the conditions of this consent shall prevail to the extent of the inconsistency.

3. The Applicant shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
   (c) Any reports, plans, or correspondence that are submitted in accordance with this consent; and
   (b) The implementation of any actions or measures contained in these reports, plans or correspondence.

Structural Adequacy

4. All these works shall be carried out in accordance with the relevant requirements of the BCA.

5. Before construction starts, the Applicant shall obtain a Construction Certificate for the proposed works from the Principal Certifying Authority in accordance with Part 4A of the Act.

6. Before Building 7 is occupied, the Applicant shall obtain an Occupation Certificate for the building from the Principal Certifying Authority in accordance with Part 4A of the Act.

Compliance

7. During construction, the Applicant shall take all reasonable steps to ensure that all workers involved in the proposed works are made aware of, and comply with, the conditions of this consent.

SPECIFIC ENVIRONMENTAL CONDITIONS

NOISE

Construction Hours

8. All construction work associated with the development shall be carried out between 7am and 6pm Monday to Friday, or between 8am and 1pm on Saturdays.

9. No construction work shall be carried out on Sundays or public holidays.

10. Notwithstanding Condition 8 above, the Applicant may carry out construction work outside the specified construction hours:
    (a) With the written approval of the Director-General, provided she is satisfied that the proposed works would not adversely affect the amenity of the surrounding area, or if she is satisfied that the proposed works would require continuous construction;
    (b) If the police (or any other authority) requires the delivery of goods outside the specified hours for safety reasons;
    (c) In an emergency where people or equipment is in danger, provided the Applicant notifies the Council and the Department immediately, and explains the reasons for extending the specified construction hours, and the likely duration of the proposed variation.

Construction Noise Criteria

11. During these construction works, the Applicant shall comply with the following construction noise criteria.

Length of Construction Period	Construction Noise Criteria, dB(A)		
	Location 1 – 69 Dennistoun Avenue	**Location 2 – 29 Dennistoun Avenue**	**Location 3 – 64 Byron Road**
Background Noise Level (RBL)	43	43	43
4 weeks and under	63	63	63
> 4 weeks but not > 26 weeks	53	53	53
> 26 weeks	48	48	48

Construction Vibration Criteria

12. During these construction works, the Applicant shall comply with the following construction vibration criteria:

Place	Time	Intermittent or Impulsive
Residential	Daytime	6.0mm/s
	Night time	2.0mm/s
Office	Daytime	12.7mm/s
	Night time	12.7mm/s
Workshops	Daytime	12.7mm/s
	Night time	12.7mm/s

Note: The limits imposed in this table are based on Chapter 174-2 of the EPA's ENCM. 'Root-mean-squared' (rms) vibration limits presented in terms of velocity levels at one-third octave band frequencies applicable between 8Hz (which is the frequency range of interest for construction) determined for normal construction activities to protect human comfort and to provide adequate protection against potential damage to building structures.

Construction Noise Monitoring

13. During these construction works, the Applicant shall:
    (a) Conduct regular monitoring of the construction noise and vibration levels to check whether the proposed works are complying with the specified construction noise and vibration criteria;
    (b) Keep detailed records of the results of this monitoring, which shall be made available to the Director-General upon request; and if any non-compliance is detected,
    (c) Take immediate action to ensure compliance.

Construction Noise and Vibration Management Plan

14. The Applicant shall prepare and implement a Construction Noise Management Plan for these works. This plan must:
    (a) Identify the potential sources of noise during the proposed works;
    (b) Specify the noise and vibration criteria for these works;
    (c) Describe in detail what actions and measures would be implemented to ensure that these works would comply with the relevant noise and vibration criteria;
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

Acoustic Wall

15. Before Building 7 is occupied, the proposed acoustic wall adjacent to the north-western corner of the building shall be fully constructed.

ROAD WORKS

16. Before Building 7 is occupied, the Applicant shall:
    (a) Construct a new vehicular crossing on Byron Road: this crossing must comply with all the relevant Australian Standards, clear the existing power poles by at least 1 metre, and have splays of at least 2 metres on either side of the crossing;
    (b) Regrade the footpath around this new entrance to ensure that it has a maximum grade of 3% from the top of the kerb to the boundary alignment;
    (c) Erect signs at this new entrance to guide vehicles entering or leaving the site, that do not duplicate the RTA's regulatory signs in style, colour, or creed; and
    (d) Bear the full cost associated with these works.

Note: The Applicant will require a separate approval from Council under the Roads Act 1993 for these works.

SURFACE WATER

Erosion and Sediment Control

17. During these construction works, the Applicant shall take all reasonable measures to minimise soil erosion and the discharge of sediments and pollutants from the site.

18. The Applicant shall prepare and implement a Soil and Water Management Plan for these works in accordance with the Department of Housing's *Managing Urban Stormwater: Soils and Construction* manual. This plan must:
    (a) Identify the activities that could cause soil erosion or result in the discharge of sediments and/or other pollutants from the site;
    (b) Specify standards/performance criteria for erosion, sediment, and pollution control;
    (c) Describe in detail what actions and measures would be implemented to minimise soil erosion and the discharge of sediments and/or other pollutants from the site; and
    (d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
    (e) Describe what procedures would be followed to ensure compliance.

Stormwater Management

19. Before Building 7 is occupied, the proposed stormwater management system for the Eastern Precinct shall be fully operational;

20. The Applicant shall prepare and implement a detailed Stormwater Management Plan for the Eastern Precinct in consultation with Council. This plan must:
    (a) Specify the standards and performance criteria for the stormwater management system;
    (b) Describe the detailed design of this system, including any pollution control devices;
    (c) Describe how this system would be integrated into the broader stormwater system;
    (d) Demonstrate that this design is consistent with the proposed stormwater management system for the whole site; and
    (e) Demonstrate that this design would satisfy the relevant standards and performance criteria for the system.

VEGETATION MANAGEMENT & STREAMWORKS

21. Before Building 7 is occupied, the Applicant shall establish, to the satisfaction of DLWC and the Director-General, a riparian zone on the land that is marked with cross-hatching on the attached map.

22. The Applicant shall prepare and implement a detailed Vegetation Management Plan this land in consultation with DLWC. This plan must be prepared in accordance with DLWC's guideline on *How To Prepare A Vegetation Management Plan* by a suitably qualified and experienced person.

Note: The Applicant will require a separate approval from DLWC under the Rivers and Foreshores Act 1948 for all works in the Vegetation Management Plan that are located in, or within 40 metres…

23. The Applicant shall prepare and implement a Streamworks Plan for any within-creek works in the precinct. This plan must:
    (a) Be prepared by a person with suitable qualifications and experience in hydrology, hydraulics, geomorphology, soil and water management ,and river engineering works;
    (b) Be prepared in consultation with DLWC and the person preparing the Vegetation Management Plan for the precinct;
    (c) Describe the following:
    - What works would be carried out;
    - How these works would be carried out;
    - The proposed staging of these works;
    - How the potential impacts associated with the proposed works would be mitigated and managed; and
    - The estimated costs of these works.

LANDSCAPE MANAGEMENT

24. Before Building 7 is occupied, the Applicant shall completed the proposed landscaping works along the Byron Road frontage of the site to the satisfaction of the Director-General.

25. The Applicant shall prepare a detailed Landscape Management Plan for the Eastern Precinct in consultation with Council, paying particular attention to the proposed works along the Byron Road frontage of the site. This plan must:
    (a) Describe the proposed landscaping works in detail, clearly indicating the proposed landform of the site, and the location and species of all planting;
    (b) Describe in detail the proposed treatment of the existing and new entrances to the site on Byron Road;

(c) Provide the details of signage on the site that would be visible from Byron Road;
(d) Outline the proposed staging of these works; and
(e) Demonstrate that these works are consistent with the Landscape Management Plan for the whole site.

CONSTRUCTION WASTE MANAGEMENT

26. During these construction works, the Applicant shall minimise the disposal of waste.

27. The Applicant shall prepare and implement a Construction Waste Management Plan for the proposed works. This plan must:
(a) Identify the type and quantities of waste that would generated during these construction works;
(b) Outline what measures and actions would be implemented to minimise the waste generated by these works;
(c) Describe in detail how this waste would be handled and stored during construction, and reused, recycled, and, if necessary, appropriately treated and disposed in accordance with the EPA's guidelines on the *Assessment, Classification & Management of Liquid and Non-Liquid Waste* and Council's *Development Control Plan No. 35 – Guidelines for Planning for Less Waste;*
(d) Describe how the effectiveness of these actions and measures would be monitored during these works, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would be recorded; and, if any non-compliance is detected,
(e) Describe what procedures would be followed to ensure compliance.

DUST MANAGEMENT

28. During these construction works, the Applicant shall minimise the generation of dust on the site.

29. The Applicant shall prepare a Construction Dust Management Plan for the proposed works. This plan must:
(a) Identify the potential sources of dust during these works;
(b) Specify appropriate dust control criteria for the works;
(c) Describe in detail what measures and actions would be implemented to minimise the generation of dust on the site;
(d) Describe how the effectiveness of these actions and measures would be monitored to whether the proposed works are complying with the specified criteria, clearly indicating who would conduct the monitoring, how often this monitoring would be conducted, how the results of this monitoring would

be recorded; and, if any non-compliance is detected,

(e) Describe what procedures would be followed to ensure compliance.

ABORIGINAL HERITAGE

30. If an item of Aboriginal heritage significance is uncovered during these construction works, these works shall cease immediately, and the Applicant shall contact the NPWS immediately.

CONSTRUCTION MANAGEMENT PLAN

31. The Applicant shall prepare and implement a Construction Management Plan for these works. This plan must:
    (a) Describe the proposed works;
    (b) Outline the proposed work program;
    (c) Identify all the relevant statutory requirements and conditions of consent that apply to these works;
    (d) Establish detailed procedures for receiving, handling, and recording any complaints about the proposed works;
    (e) Describe the role, responsibility, authority, accountability, and reporting of key personnel involved in the construction of the development; and
    (f) Include the following detailed plans:
    - Construction Noise & Vibration Management Plan;
    - Soil & water Management Plan;
    - Stormwater Management Plan;
    - Vegetation Management Plan;
    - Streamworks Plan;
    - Landscape Management Plan;
    - Construction Waste Management Plan;
    - Dust Management Plan; and
    - Construction Safety Management Plan.

32. No construction work shall start in the in the Eastern Precinct the Director-General has approved this plan.
