

PROJECT APPLICATION APPROVAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF A PROJECT APPLICATION FOR CONSTRUCTION OF
COSTCO WHOLESALE RETAIL WAREHOUSE BUILDING AND AUSTRALIAN
REGIONAL HEADQUARTERS AT
17-21 PARRAMATTA ROAD, AUBURN

(MP NO. 09_0184)

The Planning Assessment Commission of New South Wales (the Commission) having considered all relevant matters prescribed under Section 75J(2) of the *Environmental Planning & Assessment Act, 1979*, including those relevant matters prescribed by Section 75I(2) as contained in the Director-General's Environmental Assessment report determine Major Project (MP 09_0184) by **granting approval** to the major project described in the attached Schedule 1 subject to the conditions of approval in the attached Schedule 2 and the Proponent's Statement of Commitments in Schedule 3 pursuant to Section 75J(1) of the Environmental Planning and Assessment Act 1979.

The reasons for the conditions are:

- (1) To ensure the site is appropriately managed for the proposed use;
- (2) To adequately mitigate the environmental impacts of the development;
- (3) To reasonably protect the amenity of the local area; and
- (4) To protect the public interest

 

Member of the Commission

Member of the Commission



Member of the Commission

Sydney, 23 April

2010

SCHEDULE 1

PART A — TABLE

Application made by:	Costco Wholesale Australia Pty Ltd
Application made to:	Minister for Planning
Major Project Application:	MP 09_0184
On land comprising:	Lot 1 DP 522225 and Lot 1 DP 214452, 17-21 Parramatta Road, Auburn
Local Government Area:	Auburn City Council
For the carrying out of:	• Demolition of all existing buildings • Excavation of the site for the construction of the basement car parking area • Construction and use of a new 3 storey Costco Wholesale Retail Warehouse building comprising: • 13,727m² of retail area • 1,999m² of commercial office floorspace for the Costco Australian Regional Headquarters • Loading docks, car parking (745 spaces) and bicycle parking (48 bicycles) • Landscaping • Signage to the exterior of the building • Infrastructure works comprising roadworks (including provision of a new signalised intersection at the intersection of Parramatta Road and Nyrang Street), stormwater management works and utilities
Capital Investment Value:	\$57.897 million
Type of development:	Major Project under Part 3A of the Act
Determination made on:	<i>23 April 2010</i>
Date approval is liable to lapse:	5 years from the date of determination unless the development has been physically commenced

PART B—NOTES RELATING TO THE APPROVAL OF MP NO. 09_0184

Responsibility for other consents / agreements

The Proponent is responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Auburn City Council.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department or his nominee.

Environmental Assessment (EA) means the Environmental Assessment prepared by JBA Urban Planning Consultants and dated 8 October 2009.

Minister means the Minister for Planning.

MP No. 09_0184 means the Major Project described in the Proponent's Environmental Assessment.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Preferred Project Report (PPR) means the Preferred Project Report / Response to Submissions prepared by JBA Urban Planning Consultants, dated February 2010.

Proponent means Costco Wholesale Australia Pty Ltd or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

End of Section

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 09_0184

PART A - ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Development approval is granted only to carrying out the development described in detail below:

- Demolition of all existing buildings
- Excavation of the site for the construction of the basement car parking area
- Construction and use of a new 3 storey Costco Wholesale Retail Warehouse building comprising:
 - 13,727m² of retail area
 - 1,999m² of commercial office floorspace for the Costco Australian Regional Headquarters
 - Loading docks, car parking (745 spaces) and bicycle parking (48 bicycles)
- Landscaping
- Signage to the exterior of the building
- Infrastructure works comprising roadworks (including provision of a new signalised intersection at the existing Parramatta Road and Nyrang Street intersection), stormwater management works and utilities

A2 *Development in Accordance with Plans and Documentation*

The development will be undertaken in accordance with the Concept Plan (MP No. 09_0102) and the Environmental Assessment dated 8 October 2009, prepared by JBA Urban Planning Consultants, except where amended by the Preferred Project Report, dated February 2010, and the following drawings:

Architectural (or Design) drawings prepared for the Preferred Project Report by MulvannyG2 and Group GSA			
Drawing No.	Revision	Name of Plan	Date
TS-0100-DA	D	Title Sheet and Location Plan	08-02-10
G1-0200-DA	D	Site Context Plan	08-02-10
G2-0300-DA	D	Site Analysis Plan	08-02-10
G3-0400-DA	D	Survey Plan	08-02-10
SD-1100-DA	D	Site Plan	08-02-10
A1-2001-DA	D	Basement Floor Plan - Parking 2	08-02-10
A1-2002-DA	D	Ground Floor Plan - Parking 1	08-02-10
A1-2003-DA	D	Level 1 Floor Plan - Retail Floor	08-02-10
A1-2004-DA	D	Mezzanine Floor Plan - Regional Office	08-02-10
A2-2005-DA	D	Roof Plan	08-02-10
A3-3000-DA	D	South and West Elevations	08-02-10

A3-3001-DA	D	North and East Elevations	08-02-10
A4-3100-DA	D	Sections	08-02-10
S1-6300-DA	D	Signage Details	08-02-10
A5-8200-DA	D	External Material & Finishes Board	08-02-10
A6-8600-DA	B	External 3D Studies	28-09-09
A6-8601-DA	B	External 3D Studies	28-09-09

Landscape Plans prepared for the Preferred Project Report by McGregor Coxall			
Drawing No.	Revision	Name of Plan	Date
L-01-DA	J	Landscape Concept	08-02-10
L-02-DA	E	Landscape Concept - Elevation	15-09-09
L-01-A-DA	F	Landscape Concept	08-02-10
L-01-B-DA	F	Landscape Concept	08-02-10
L-01-C-DA	F	Landscape Concept	08-02-10
L-01-D-DA	F	Landscape Concept	08-02-10

Engineering Plans prepared for the Preferred Project Report by Hughes Trueman			
Drawing No.	Revision	Name of Plan	Date
DAC01	F	Siteworks General Arrangement Plan	08-02-10
DAC02	F	Siteworks plan 1 of 4	08-02-10
DAC03	F	Siteworks plan 2 of 4	08-02-10
DAC04	F	Siteworks plan 3 of 4	08-02-10
DAC05	F	Siteworks plan 4 of 4	08-02-10
DAC06	F	Soil and Water Management Control Plan	08-02-10
DAC07	G	Vehicle Manoeuvring plan	08-02-10
DAC08	F	Demolition Plan	08-02-10

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in Auburn Development Control Plans 2000 – Part B – Exempt and Complying Development Control Plan or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- (2) otherwise provided by the conditions of this approval.

A3 Inconsistency Between Documents

In the event of any inconsistency between conditions of this approval and the drawings / documents referred to above, including the Proponent's Statement of Commitments, the conditions of this approval prevail.

A4 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of approval under Clause 98 of the *Environmental Planning and Assessment Regulation 2000* in relation to the requirements of the *Building Code of Australia* (BCA).

A5 Construction Certificate

This Determination Notice does not constitute permission to begin works associated with the development. A Construction Certificate (where applicable) must be obtained prior to the commencement of any development works.

End of Section

PART B - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

B1 Compliance with the Building Code of Australia (BCA)

Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the *Environmental Planning and Assessment Regulation* in relation to the requirements of the *Building Code of Australia* (BCA).

B2 Structural Details

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practising Structural Engineer that complies with:

- (1) the relevant clauses of the BCA,
- (2) the relevant approval,
- (3) drawings and specifications comprising the Construction Certificate, and
- (4) the relevant Australian Standards listed in the BCA (Specification A1.3).

B3 Auburn Development Contributions Plan 2007: Section 94A Development Contributions

Development Contributions are payable in accordance with the *Auburn Development Contributions Plan 2007, Part F – Employment Generating Development*, which has been prepared under Section 94 and 94A of the *Environmental Planning and Assessment Act 1979*, as amended.

The amounts payable will be adjusted in accordance with the section titled Review of Contribution rates and are generally indexed on a quarterly basis by the Consumer Price Index CPI (all Groups Sydney) unless otherwise stated in the plan.

Contributions will be adjusted at the payment date in accordance with the plan and payment is to be made prior to the issue of a Construction Certificate.

Based on the construction cost of the development being \$60,049,000.00, as defined in *Auburn Development Contributions Plan 2007*, a sum of **\$600,490.00** is to be paid to Council for the purpose of the provision of additional services and public facilities that is likely to be generated from employment generating development with the Auburn LGA.

Council's Development Contributions Plan 2007 is available for inspection at Council's Customer Services Centre, Civic Place, 1 Susan Street, Auburn or on line at www.auburn.nsw.gov.au.

The above sum is broken down to the following items:

Item	Amount
Employment Generating Development	\$600,490.00
TOTAL	\$600,490.00

B4 Long Service Levy

Prior to the issue of the Construction Certificate, receipt of payment to the Long Service Payments Corporation in accordance with Section 34 of the Building Construction Industry Payments Act 1986 must be presented to the Certifying Authority.

B5 Disabled Access & Facilities

Access and facilities for people with disabilities must (as a minimum) be provided in accordance with the relevant provisions of Part D3 and F2 of the Building Code of Australia and AS1428.1 (Design for Access & Mobility - General requirements), AS1428.4 (Tactile Indicators) and 2890.1 (Car Parking). Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans / specifications issued for each of the Construction Certificates.

B6 Commonwealth Disability Discrimination Act

The Commonwealth Disability Discrimination Act 1992 may apply to this particular proposal. Submission and/or approval of this application does not imply or confer compliance with this Act. Applicants should satisfy themselves and make their inquiries to the Human Rights and Equal Opportunity Commission.

B7 Information required prior to the issue of Construction Certificate

The following documentation (where applicable) is to be submitted to Council or to the satisfaction of the accredited certifier, prior to the granting of the relevant Construction Certificate:

- a) Detailed building plans and specifications containing sufficient information to verify that the completed building works will comply with the Building Code of Australia.
- b) A list of any proposed fire safety measures provided in relation to the land or any existing building on the land (*not applicable to dwellings or outbuildings*)
- c) A report prepared by a *professional engineer* detailing the proposed methods of excavation, shoring or pile construction, and what measures are to be implemented to prevent damage from occurring to adjoining or nearby premises as a result of the proposed excavation works. (NOTE: Any practices or procedures specified to avoid damage to adjoining or nearby premises are to be incorporated into the plans and specifications for the relevant Construction Certificate).
- d) Method of ventilating the basement car park. (Note: If mechanical ventilation is required, mechanical ventilation plans shall be submitted that also confirm the minimum height clearances specified by AS 2890.1 – Car parking, will be achieved).

B8 Engineering Design – Basement Excavation

The following engineering details or design documentation (where appropriate) shall be submitted to the Principal Certifying Authority (Council or accredited certifier) prior to the issuing of the relevant Construction Certificate:-

- a) Documentary evidence prepared by a suitably qualified *professional geotechnical engineer* shall be submitted to the satisfaction of the Certifying Authority, that confirms the suitability and stability of the site for the proposed excavation and building as well as certifying the suitability and adequacy of the proposed design and construction of the building for the site.
- b) A report shall be prepared by a *professional engineer* and submitted to the satisfaction of the Certifying Authority prior to the issuing of a Construction Certificate, detailing the proposed methods of excavation, shoring or pile construction, including details of

vibration emissions and detailing any possible damage which may occur to adjoining or nearby premises that may be caused by the proposed building and excavation works.

Any practices or procedures specified in the engineer's report in relation to the avoidance or minimisation of structural damage to nearby premises, are to be fully complied with and incorporated into the plans and specifications for the relevant Construction Certificate.

A copy of the engineer's report is to be submitted to the Council, if the Council is not the certifying authority.

- c) Driven type piles/shoring must not be provided unless a geotechnical engineer's report is submitted to the satisfaction of the Certifying Authority, prior to the issuing of a Construction Certificate, which states that damage should not occur to any adjoining premises and public place as a result of the works.
- d) The installation of ground or rock anchors underneath any adjoining premises including (a public roadway or public place) must not be carried out without the specific written consent of the owners of the affected adjoining premises and (where applicable) details of compliance must be provided to the certifying authority prior to the commencement of any excavation or building works.

B9 Survey Documentation

A Registered Surveyors check survey certificate or *compliance certificate* is to be forwarded to the principal certifying authority (and a copy is to be forwarded to the Council, if the Council is not the principal certifying authority), detailing compliance with the Department of Planning's approval at the following stage/s of construction:-

- a) Prior to construction of the footings or first completed floor slab (prior to the pouring of concrete), showing the area of the land, building and boundary setbacks.
- b) Prior to construction of the first completed floor/floor slab (prior to pouring of concrete), showing the area of land, building and boundary setbacks and verifying that the building is being constructed at the approved levels.
- c) Prior to construction of each floor level showing the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
- d) On completion of the erection of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.

B10 Materials and Finishes

Materials and finishes to the development shall be in accordance with the details of the approved plans.

B11 Reflectivity Index of Glazing

The reflectivity index (expressed as a percentage of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted with the relevant Construction Certificate.

Note: The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement.

B12 Roofing Materials – Reflectivity

Roofing materials shall be factory pre-finished with low glare and reflectivity properties to be compatible with the colours of neighbouring buildings. The Proponent shall undertake an assessment in relation to the proposed roofing material to determine the potential for glare nuisance or excessive reflectivity to adjoining or nearby properties, relative to the roofing material. The Proponent shall provide appropriate information with the Construction Certificate that the selected roofing material will not cause a glare nuisance or excessive reflectivity to adjoining or nearby properties.

B13 Stormwater disposal

All stormwater runoff generated from the proposed development shall be directed to Haslams Creek via one outlet. In this regard, prior to issue of any Construction Certificate, approval shall be obtained from Sydney Water for the proposed connection.

B14 Submission of full stormwater disposal details

Full stormwater drainage details showing the proposed method of stormwater collection and disposal are to be submitted to Council or to the satisfaction of the Certifying Authority, to ensure the approved stormwater plans are incorporated with the relevant Construction Certificate.

The details shall be prepared by a suitably qualified practising Civil/Hydraulic Engineer and must be in accordance "Auburn Development Control Plans 2000 - Stormwater Drainage" and "Australian Rainfall & Runoff 1987".

In this regard,

- Sydney water requirements shall be incorporated.
- Water reuse facility shall be incorporated.
- Water quality device shall be provided to collect oil and silt from parking and driveway area.

B15 Water Reuse

The stormwater generated from the roof area shall be reused for the irrigation of the landscape area within the subject development site. In this regard appropriate storage volume shall be provided on site and the required roof area shall be directed towards the storage.

Full details of the Water reuse facilities shall be submitted to Council or to the satisfaction of the Certifying Authority with the relevant Construction Certificate.

On completion, a certificate from a registered plumber shall be submitted for the pipe network. The certification shall indicate the water reuse system has been installed in accordance with the approved water reuse design plans.

B16 Street boundary levels

Street boundary levels for vehicle access and drainage purposes are to be obtained at the applicant's cost from Auburn Council's Service Planning Department. These levels are to be incorporated in all drainage submissions required under this determination.

B17 Stamping of development application plans by Sydney Water

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water

mains, stormwater drains and/or easements and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details – see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets – see Building Developing and Plumbing then Building and Renovating

or telephone 13 20 92.

Note:

The accredited certifier must either:

- ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans before the issue of any Construction Certificate; or
- if there is a combined Development/Construction Certificate application, ensure that a Quick Check agent/Sydney Water has appropriately stamped the plans prior to works commencing on site.

B18 Food Premises Fitout – Compliance with Standards

The fitout of the food premises shall comply with the requirements of *Australian Standard 4674-2004, Design, Construction and Fit-out of a Food Premises* and *Food Safety Standard 3.2.3, Food Premises & Equipment*.

B19 Mechanical Ventilation/Exhaust System

- a) Details of any proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS1668 Parts 1 & 2 (including exhaust air quantities and discharge location points) are to be submitted to Council or the Principal Certifying Authority for approval prior to the issue of the relevant Construction Certificate.
- b) At the completion of the installation of the mechanical exhaust system, a certificate from the installer shall be submitted to Council or the Principal Certifying Authority indicating the following:-
 - i) inspection, testing and commissioning details,
 - ii) date of inspection testing and commissioning,
 - iii) the name and address of the individual who carried out the test, and
 - iv) a statement that the service has been designed, installed and is capable of operating to the above standard.
- c) In the event of Council receiving complaints resulting from the mechanical exhaust system, the owner/occupier shall at their own cost provide a report from an Air Quality Consultant specifying the proposed methods for the control of odour and other air impurities discharging from the premises.
- d) The mechanical exhaust vent shall extend no less than one (1) metre above the subject buildings apex.
- e) Any discharge to the atmosphere from the subject development shall not result in any odour or other air impurity being detected outside the boundaries of the property.
- f) Noise and vibration from the use of the mechanical exhaust and/or ventilation system shall not exceed the background noise level by more than 5dB(A) and shall not be audible in any premises of a neighbouring occupancy.

B20 Emission Control

There are to be no emissions or discharges from the premises which will give rise to an offence under the *Protection of the Environment Operations Act 1997* and *Regulations*.

Emission control equipment shall be provided in the mechanical exhaust system serving the cooking appliances, to effectively minimise the emission of odours, vapours and oils. Details of the proposed emission control equipment must be provided in the relevant plans and specifications for the Construction Certificate for the subject works.

B21 Trade waste containers to be stored within the building

An adequate area is to be set aside within the building for the storage of trade waste containers (except compactors). Such space is to be reserved at all times for the storage of trade waste containers. The containers shall not obstruct or interfere with the use of loading and parking facilities and accessways.

B22 Runoff from Car Parks

Open parking areas with greater than 10 spaces, or in the case of commercial/industrial premises, 20 movements per day, must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system. This shall be carried out in accordance with:-

- EPA's *Environment Protection Manual for Authorised Officers: Technical Section (Stormwater first Flush Pollution)*
- EPA's *Managing Urban Stormwater: treatment techniques*

B23 Outdoor Lighting

All outdoor lighting shall comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

B24 Remediation of Land

- (1) Further site investigations are to be undertaken to determine the extent of remediation that is required. A DECCW NSW Accredited Auditor is to review the environmental site investigations and determine if a Remediation Action Plan is required.
- (2) Prior to the issue of a Construction Certificate, the Proponent shall submit to the Certifying Authority a Remedial Action Plan (if required) and a Hazardous Materials Survey. The Remedial Action Plan (if required) must be accompanied by a statement from a site auditor accredited by the Environmental Protection Agency to issue site audit statements.
- (3) Upon completion of the remediation works on the site, which were the subject of a Remedial Action Plan, the Proponent shall submit a detailed Site Audit Summary Report and Site Audit Statement and Validation Report to the Certifying Authority. The site audit must be prepared in accordance with the *Contaminated Land Management Act 1997* and completed by a site auditor accredited by the Environmental Protection Agency to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.

B25 *Geotechnical and Groundwater Management*

- (1) Prior to the issue of a Construction Certificate for excavation works, the Proponent shall submit to the Certifying Authority a Groundwater Report which specifies the impacts of construction groundwater pumping on other licensed groundwater uses and groundwater dependent ecosystems in the vicinity of the site.
- (2) Prior to the issue of a Construction Certificate for excavation works, the Proponent shall submit to the Certifying Authority a report on methods of dewatering and predicted volumes and associated predictions of the drawdown zone of influence beyond the excavation boundary and likely amount of ground settlement and risk of impacts on existing buildings.

B26 *Pre-Construction Dilapidation Reports*

The Proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all existing and adjoining buildings, infrastructure and roads. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the report is to be forwarded to the Director and Council.

B27 *Construction Management Plan*

Prior to the issue of a Construction Certificate, a Construction Management Plan shall be submitted to the satisfaction of the Certifying Authority. The Plan shall address, but not be limited to, the following matters where relevant:

- (1) hours of work,
- (2) contact details of site manager,
- (3) complaints handling plan,
- (4) erosion and sediment control plan,
- (5) dust control plan,
- (6) noise and vibration management plan,
- (7) concrete pump, truck and traffic control plan,
- (8) contamination control plan,
- (9) site amenities control plan,
- (10) water management control plan,
- (11) traffic and pedestrian management plan,
- (12) waste management plan,
- (13) acid sulphate soil management plan,
- (14) asbestos management plan,
- (15) flood management plan,

The Proponent shall submit a copy of the plan to the Department and Council.

B28 *Complaints Handling Plan*

Prior to the issue of a Construction Certificate, a Complaints Handling Plan is to be prepared by a suitably qualified person and shall be submitted to and approved by the Certifying Authority. Details addressing, but not limited to, how to prevent or minimise any complaint from the public or government authority, how to site employees up to date with accurate

information and in a caring manner, and how to manage the complaint in a thoughtful and respectful manner, by understanding the concerns or needs of the person or authority.

B29 Erosion and Sedimentation Control Plan

Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B30 Dust Control Plan

Prior to the issue of a Construction Certificate, a Dust Control Plan is to be prepared by a suitably qualified person and shall be submitted to to the satisfaction of the Certifying Authority.

B31 Concrete Pump, Truck and Traffic Control Plan

Prior to the issue of a Construction Certificate, a Concrete Pump, Truck and Traffic Control Plan is to be prepared by a suitably qualified person and shall be submitted to to the satisfaction of the Certifying Authority.

B32 Contamination Control Plan

Prior to the issue of a Construction Certificate, a Contamination Control Plan is to be prepared by a suitably qualified person and shall be submitted to to the satisfaction of the Certifying Authority.

B33 Site Amenities Control Plan

Prior to the issue of a Construction Certificate, a Site Amenities Control Plan is to be prepared by a suitably qualified person and shall be submitted to to the satisfaction of the Certifying Authority.

B34 Water Management Control Plan

Prior to the issue of a Construction Certificate, a Water Management Control Plan is to be prepared by a suitably qualified person and shall be submitted to to the satisfaction of the Certifying Authority.

B35 Noise and Vibration Management Plan

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan prepared by a suitably qualified person shall be submitted to the satisfaction of the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) Identification of the specific activities that will be carried out and associated noise sources,
- (2) Identification of all potentially affected sensitive receivers including residences, schools, and properties containing noise sensitive equipment,
- (3) The construction noise objective specified in the conditions of this approval,
- (4) The construction vibration criteria specified in the conditions of this approval,
- (5) Determination of appropriate noise and vibration objectives for each identified sensitive receiver,

- (6) Noise and vibration monitoring, reporting and response procedures,
- (7) Assessment of potential noise and vibration from the proposed construction activities including noise from construction vehicles and any traffic diversions,
- (8) Description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- (9) Justification of any proposed activities outside the construction hours specified in the conditions of this approval.
- (10) Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods, and frequency,
- (11) Procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration, and
- (12) Contingency plans to be implemented in the event of non-compliances and/or noise complaints.

The Proponent shall submit a copy of the approved plan to the Department and Council.

B36 Traffic & Pedestrian Management Plan

Prior to the issue of a Construction Certificate, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the satisfaction of the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (1) ingress and egress of vehicles to the site,
- (2) loading and unloading, including construction zones,
- (3) predicted traffic volumes, types and routes, and
- (4) pedestrian and traffic management methods.

The Proponent shall submit a copy of the approved plan to the Department and Council.

B37 Waste Management Plan

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Waste Management Plan prepared by a suitably qualified person in accordance with Council's controls. The Proponent shall submit a copy of the plan to the Department and Council.

B38 Acid Sulphate Soil Management Plan

An Acid Sulphate Soil Management Plan shall be prepared by a suitably qualified person in accordance with the *Acid Sulphate Soil Assessment Guidelines* (Acid Sulphate Soil Management Advisory Committee, 1998). The Management Plan shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

B39 Asbestos Management Plan

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority an Asbestos Management Plan prepared by a suitably qualified person.

B40 Water Ratings

All water fixtures installed within the premises are to have a AAA water rating or more. The Proponent shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition.

B41 Compliance Report

Prior to the issue of the first Construction Certificate, the Proponent, or any party acting upon this approval, shall submit to the Private Certifying Authority a report addressing compliance with all relevant conditions of this Part.

B42 Adequate Signs and Pavement Markings Required to Assist Traffic Flow on Site

Adequate signs and pavement markings are to be provided to direct the flow of traffic within the site. Details are to be provided to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B43 Number of Car Spaces

The maximum number of car spaces to be provided for the development shall be 745. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

B44 Number of Bicycle Spaces

A minimum of 48 bicycle spaces are to be provided for the development. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

B45 Widen the verge to Parramatta Road

Details are to be submitted prior to the issue of the relevant Construction Certificate, demonstrating that the verge is a minimum width of 3600mm to maintain the existing width throughout the street frontage.

B46 Footpath Construction on Council nature strip

Prior to the issue of the relevant Construction Certificate a detailed footpath design shall be submitted to Council for approval. The subject design shall be carried out in consultation with Council.

B47 Roads and Traffic Authority Requirements

- 1) An 'Opening Period' Traffic and Parking Management Plan is to be prepared and address issues such as the management of localised traffic congestion associated with the development and recommend strategies for dealing with traffic and parking management during Peak Trading Hours (particularly during the first 3 months of trade and such times as Mother's Day, Fathers Day, Easter, Christmas, etc). Details of hours of operation, access arrangements and traffic control should also be submitted to the RTA, for review and comment, prior to the issue of a Construction Certificate for above ground works.
- 2) The provision of new traffic control signals and civil works at the intersection of Parramatta Road and Nyrang Street shall be designed to meet RTA's requirements and endorsed by a suitably qualified and chartered Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements shall be in accordance with the RTA's Road Design Guide and other Australian Codes of Practice. The certified copies of the traffic signal design plans shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the certifier and commencement of road works. The RTA fee for administration, plan checking, signal

works inspections and project management shall be paid by the developer prior to the commencement of works.

The developer will be required to enter into a Major 'Works Authorisation Deed' for the abovementioned works.

- 3) The developer is required to provide an upfront 10 year operational fee for the traffic control signals at the intersection of Parramatta Road and Nyrang Street. The amount of this fee will be advised following the submission of the detailed signal and civil design plans to the RTA for construction approval. The approved plans will not be released until the fee is fully paid.
- 4) The signal and civil works identified in Condition No. B50(2) will need to comply with the RTA's Technical Direction, '*Signalised Entries to Private Developments*' (Reference No: TDT 2001/03).
- 5) To facilitate the provision of the left turn deceleration lane on Parramatta Road, the applicant shall provide a 3.5 metre wide land dedication from the subject site on Parramatta Road frontage of the site for the full length of the left turn deceleration lane into the site. This land shall be dedicated as public road at no cost to the RTA, the Department of Planning and Council. Sufficient land dedication is to be provided for the relocation of the footway.

This land dedication from the subject site as public road shall be executed, prior to any release of the final Construction Certificate for the proposed development.

- 6) The developer is to submit detailed design drawings and geotechnical plans relating to the excavation of the site and support structures to the RTA for assessment (prior to the issue of any Construction Certificate). The developer is to meet the full cost of the assessment by the RTA.

This report would need to address the following key issues:

- a) The impact of excavation/rock anchors on the stability of Parramatta Road and detailing how the carriageway would be monitored for settlement.
- b) The impact of the excavation on the structural stability of Parramatta Road.
- c) Measures to mitigate the potential impact on the structural stability of Parramatta Road.
- 7) The Major Works Authorisation Deed (WAD) for all signal and civil works on Parramatta Road shall be executed, prior to any Construction Certificate (including demolition and bulk earthworks) being released for the subject development.
- 8) The proposed temporary construction access on Parramatta Road shall be incorporated into the above-mentioned WAD with the following associated clauses:
 - a) The temporary construction access on Parramatta Road shall be via a single driveway, the location of which shall be agreed with the RTA.
 - b) The temporary construction access shall be restricted at all times to left in / left out only.
 - c) Temporary construction access will be permitted off Parramatta Road until 31 December 2010. After this date, all construction access shall be via the proposed signalised intersection on Parramatta Road. This requires the development to have the signalised intersection fully constructed and operational prior to 31 December 2010.
 - d) A comprehensive Traffic Management Plan (TMP) and associated Traffic Control Plan (TCP) for the temporary construction access shall be submitted to the RTA

- for review and acceptance, prior to any approval being given to the construction access. The TMP and TCP shall be undertaken in accordance with the RTA's Traffic Control at Worksites manual and undertaken by a certified practitioner.
- e) Upon submission of the TMP and TCP, the RTA may prohibit construction access during peak periods.
 - f) All demolition and construction vehicles are to be contained wholly within the site, as no parking will be permitted on Parramatta Road.
 - g) A Road Occupancy Licence shall be obtained from the RTA's Transport Management Centre for any works that may impact on traffic flows on Parramatta Road during construction activities.
- 9) The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with AS 2890.1 – 2004 and AS 2890 – 2002 for service areas. Details are to be submitted demonstrating compliance to the Private Certifying Authority prior to the issue of the relevant Construction Certificate.
 - 10) Clear site lines shall be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with Figure 3.3 of AS 2890.1 – 2004 for light vehicles and AS 2890.2 – 2002 for heavy vehicles. Details are to be submitted demonstrating compliance to the Private Certifying Authority prior to the issue of a Construction Certificate.
 - 11) The swept paths of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. Details are to be submitted demonstrating compliance to the Private Certifying Authority prior to the issue of a Construction Certificate.
 - 12) The minimum available headroom clearance is to be signposted at all entrances and clearance is to be a minimum of 2.2 metres (for cars and light vans, including all travel paths to and from parking spaces for people with disabilities) measured to the lowest projection of the roof (fire sprinkler, lighting, sign and ventilation), accessing to AS 2890.1 – 2004. Details are to be submitted demonstrating compliance to the Private Certifying Authority prior to the issue of a Construction Certificate.

B48 Mediation

Where this consent requires further approval from Council or the RTA, the parties shall not act unreasonably preventing an agreement from being reached. In the event that an agreement is unable to be reached within 1 month or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for determination. All areas of disagreement and the position of each party are to be clearly stated to enable this determination to be made.

End of Section

PART C - PRIOR TO COMMENCEMENT OF WORKS

C1 *Commencement of Works*

Demolition, excavation, clearing, construction or associated activities must not commence until a Construction Certificate has been issued for the proposed development pursuant to the Act.

C2 *Principal Certifying Authority*

- 1) The person having the benefit of a development consent or complying development certificate for development involving building work or subdivision work may appoint the consent authority, the council or an accredited certifier as the principal certifying authority for the development.
- 1A) Despite subsection (1), such an appointment may not be made by any contractor or other person who will carry out the building work or subdivision work unless the contractor or other person is the owner of the land on which the work is to be carried out.
- 2) Despite subsection (1), an accredited certifier must not be appointed as the principal certifying authority for development involving subdivision work unless the subdivision to which the work relates is of a kind identified by an environmental planning instrument as one in respect of which an accredited certifier may be a certifying authority.
- 3) A principal certifying authority for building work or subdivision work to be carried out on a site is required to be satisfied:-
 - a) that a Construction Certificate or complying development certificate has been issued for such of the building work or subdivision work as requires development consent and over which the principal certifying authority has control, before the work commences on the site, and
 - b) that the principal contractor for the work is the holder of the appropriate licence and is covered by the appropriate insurance, in each case if required by the *Home Building Act 1989*, before any residential building work over which the principal certifying authority has control commences on the site, unless the work is to be carried out by an owner-builder, and
 - c) that the owner-builder is the holder of any owner-builder permit required under the *Home Building Act 1989*, before an owner-builder commences on the site any residential building work over which the principal certifying authority has control, and
 - d) that building work or subdivision work on the site has been inspected by the principal certifying authority or another certifying authority on such occasions (if any) as are prescribed by the regulations and on such other occasions as may be required by the principal certifying authority, before the principal certifying authority issues an occupation certificate or subdivision certificate for the building or work, and
 - e) that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of an occupation certificate or subdivision certificate have been met, before the principal certifying authority issues the occupation certificate or subdivision certificate.
- 4) A principal certifying authority must also comply with such other requirements of a like or different nature as may be imposed on principal certifying authorities by the regulations.

Note. Section 81A prohibits the commencement of building work unless the consent authority has been notified of the appointment of a principal certifying authority for the work. Section 109D (2) prohibits the issue of an occupation certificate authorising the occupation

and use of a new building except by the principal certifying authority appointed for the erection of the building. Section 109D (3) prohibits the issue of a subdivision certificate for a subdivision involving subdivision work except by the principal certifying authority appointed for the carrying out of the subdivision.

C3 *Erection of Signs*

A rigid and durable sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:-

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100.

C4 *Remediation works – contact details*

The applicant shall provide Council with a 24 hour contact number for the manager of the remediation works prior to the commencement of any works at the site.

C5 *Statement of Compliance with Australian Standards*

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

C6 *Notice to be Given Prior to Excavation*

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

C7 *Contact Telephone Number*

Prior to the commencement of the works, the Proponent shall forward to Council a 24 hour telephone number to be operated for the duration of the construction works.

C8 *Removal of Hazardous Materials*

All hazardous materials shall be removed from the site and shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works. Details demonstrating compliance with the relevant legislative requirements, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.

C9 Compliance Report

Prior to the commencement of works, the Proponent, or any party acting upon this approval, shall submit to the Private Certifying Authority a report addressing compliance with all relevant conditions of this Part.

C10 Public Authorities

The Proponent to arrange with the relevant public utility authority the alteration or removal of any affected services in connection with the development. Any such work being carried out at the Proponent's cost.

C11 Road opening permit

Prior to commencement of any work on Council roads and footpaths, a road-opening permit shall be obtained from Council's Service Planning Department.

C12 Restoration works

Prior to commencement of any excavation work on Council roads or footpaths, the applicant shall pay for all restoration costs. The area of restoration shall be determined on site between the applicant or its contractor and Council's Contracts & Maintenance Engineer.

C13 General Hoarding Conditions of Approval

Temporary hoardings or fences and public access are required to be provided in accordance with the following requirements:-

- a) The hoarding/fence is required to be structurally adequate, and be constructed of plywood sheeting, painted white. The hoarding/fence is to be maintained in good condition.
- b) The fence is to be constructed of cyclone wire fencing material, with geotextile fabric attached to the inside of the fence, to provide dust control.
- c) The hoarding/fencing is required to be constructed at a minimum height of 1.8metres.
- d) A path of travel having a minimum width of 1.5m is to be maintained adjacent to the hoarding across the front of the site and safe pedestrian access is to be provided at all times.
- e) Hoardings and fences are not to obstruct access for services including fire services.
- f) A temporary timber crossing is to be provided to the site entrance across the kerb and footway area, with splayed edges.
- g) Unobstructed access must be maintained at all times for pedestrians and people with disabilities. If necessary, a stable and level, non-slip timber/metal walking platform or firm road base material is to be provided adjacent to the hoarding/fence across the front of the site.
- h) The hoarding/fence must be constructed so that it will not obstruct the view of motorists, pedestrians or traffic lights.
- i) The hoarding/fence is to be provided with reflective lights or other devices, to provide adequate warning to pedestrians and motorists.
- j) Reflective barricades and/or lights are to be provided to the perimeter of the hoardings, fences or articles located upon the road/footway.
- k) Access gates to the site shall not open over the footway/road.
- l) The applicant/builder is required to hold Public Liability Insurance, with a minimum liability of \$10 million and a copy of the Insurance cover is to be provided to Council prior to the construction of any hoarding/fence upon the road reserve/footway.

- m) Geotextile fabric or other suitable material is to be provided to the perimeter of the scaffolding during construction, to prevent any articles from falling to a public place or adjoining premises.

C14 Services to be capped

Prior to the commencement of demolition works, the applicant must ensure that utility services to the land upon which the building to be demolished stands, as well as the building itself, are terminated and capped in accordance with the requirements of supply authority, e.g. Electricity-Supplier of Electricity to the subject premises, Gas-Supplier of Gas to the subject premises.

C15 Fencing of construction sites – Rental details to be provided to the PCA (A Type Hoarding)

A separate application is to be made to Council for Approval under Section 68 of the Local Government Act 1993 to erect a hoarding or scaffolding in a public place and such application is to include:

- A payment to Council for the following fees in accordance with Council's adopted charges:
 - Hoarding/Structure Application Fee
 - Rental of Footpath Area (per metre per month – minimum 3 months rental)
 - Footpath Bond
- Submit the following documents to Council with your application:
 - Certificate of Currency for Public Liability Insurance
 - Certificate of Currency for Worker's Compensation Insurance
 - Letter indemnifying Council against claims and expenses made in relation to the existence of the structure and/or traffic provisions
 - Traffic/Pedestrian Control Plan
- Comply with Council's specifications for the erection of Class A Hoardings.
- Supply evidence to the PCA and to any authorised Council officer that the road reserve rental fee has been paid.

Note: Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

C16 Sedimentation Control

Prior to the commencement of site works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- a) A dish shaped diversion drain or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- b) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed below the construction area.
- c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
- d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
- e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
- f) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations which could lead to the discharge of materials into the stormwater drainage system.
- g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
- h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.
- i) Construct site fences below the site and across all potential runoff areas, particularly the NW and NE boundaries abutting the *Haslam's Creek*.
- j) Construct temporary construction entry / exit and divert all runoff to suitable control systems.
- l) Construct sedimentation traps / basins including outlet control and overflow.
- m) Construct turf lined swales where required.
- n) Provide sandbag sediment traps around pits where required.

Such measures are to be maintained at all times to the satisfaction of Council and the PCA. **Failure to do so may result in the issue of penalty infringement notices.**

C17 Mechanical Ventilation Systems/Cooling Towers

Any mechanical ventilation system shall comply with *Australian Standard AS1668.2 – 1991. The use of mechanical ventilation and air conditioning in buildings*. Prior to installation, the design is to be certified by a person competent to do so. At the completion of the installation of the mechanical ventilation system, the work shall be certified by a person competent to do so. The certification shall include:-

- inspection, testing and commissioning details
- date of inspection testing and commissioning
- the name and address of the individual who carried out the test
- a statement that the service has been designed, installed and is capable of operating to the above standard.

Any cooling tower installation shall be designed, installed and maintained in accordance with the requirement of the Public Health (Microbial Control) Regulation 2000 and Australian Standard AS/NZS 3666.2:1995 *Air-handling and water systems of buildings Microbial control Operation and maintenance*. All waste water from the cooling tower/humidifier/evaporative

cooler/warm water system shall be discharged to sewer under a Trade Waste Agreement from Sydney Water.

A copy of the installation certificate shall be submitted to Council prior to occupation of the building to enable details of any cooling towers to be entered on Council's Cooling Tower register.

C18 Sediment Removal from Vehicle Wheels

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed in accordance with the Soil and Water Management Plan, prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.

C19 Roads and Traffic Authority Requirements

- 1) Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RTA for approval, prior to the commencement of any works.

Details should be forwarded to:

**The Sydney Asset Management
PO Box 973
Parramatta CBD NSW 2124**

A plan checking fee will be payable and a performance bond may be required before the RTA's approval is issued. With regard to the Civil Works requirement please contact the RTA's Project Engineer, External Works, ph: 8849 2114 or fax: 8849 2766.

- 2) The developer shall be responsible for all public utility adjustments / relocation works, necessitated to comply with the Roads and Traffic Authority's conditions and as required by the various public utility authorities and / or their agents.
- 3) All works / regulatory signposting associated with the proposed development are to be at no cost to the RTA.

End of Section

PART D - DURING DEMOLITION, EXCAVATION AND CONSTRUCTION WORKS

D1 Hours of work

Site works, building works and demolition works, including the delivery of materials or equipment to and from the property are to be carried out between the hours of 7.00 am and 6.00 p.m. only from Mondays to Fridays and between 8.00 am and 4.00 p.m. only on Saturdays. No works or deliveries for the construction are to take place on Sundays or public holidays.

Prior to commencement of any demolition, excavation or construction work the applicant is to erect signs on the site, which are clearly visible from the footpaths adjoining the site boundaries, which state the permitted construction/demolition hours. These signs must also state "Any instances of site works, building works, demolition works or deliveries outside the permitted hours can be reported to Auburn Council on 9735-1222 during office hours or 0417-287-113 outside office hours".

Works may be undertaken outside these hours where:

- (1) the delivery of materials is required outside these hours by the Police or other authorities; and
- (2) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm.

D2 Erosion and Sediment Control

All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

D3 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the PCA.

D4 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Principal Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D5 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D6 External Lighting

External Lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Proponent shall submit to the Certifying Authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

D7 Dust Control Measures

Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- (1) Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- (2) Earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed,
- (3) All materials shall be stored or stockpiled at the best locations,
- (4) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- (5) All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material,
- (6) All equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- (7) Gates shall be closed between vehicle movements and shall be fitted with shade cloth, and
- (8) Cleaning of footpaths and roadways shall be carried out regularly.

D8 Vibration Criteria

Vibration caused by construction at any residence or structure outside the subject site must be limited to:

- (1) for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and
- (2) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Plan.

D9 Water Conservation

Water saving showerheads shall be fitted to all showers within the development to reduce water consumption and promote energy efficiency.

D10 Recycling of Concrete

Any existing concrete of suitable volume, which is not used as fill, shall be taken to a concrete recycling works and evidence that this has occurred shall be provided to the PCA.

D11 Compliance Report

The Proponent, or any party acting upon this approval, shall, for the duration of construction period, submit to the Private Certifying Authority a three monthly report addressing compliance with all relevant conditions of this Part.

D12 Services to be Underground

Where practical all services associated with the development are to be located underground and works associated with this are to be fully born by the Proponent, within the development and along all street frontages for the length of the development, to the scope agreed with the supply authority.

D13 Aboveground Power Lines

Where practicable, all existing overhead power lines immediately adjoining the site shall be relocated underground to Energy Australia scope, standards and specifications. If not practicable to relocate the power lines underground, arrangements shall be made with Energy Australia to place the conduit to carry those power lines underground so that they can be utilised at a later date by Energy Australia. In this regard all associated costs shall be borne by the applicant.

D14 Anti Graffiti

Any graffiti evident on the exterior facades and visible from a public place is to be removed within 7 days.

D15 Vehicular Crossing

The new vehicular crossing at the eastern end of the site is to be constructed in accordance with RTA's specifications.

D16 Removal of redundant crossings

The proponent shall remove all redundant crossings together with any necessary reinstatement of the footpath, nature strip, kerb and gutter. Such work shall be carried out in accordance with Council's specification.

D17 Display of a warning sign for soil and water management

Throughout the construction / remediation / demolition period, a warning sign for soil and water management must be displayed on the most prominent point of the building site, visible to both the street and site works.

D18 Items not to be placed on roadway

The following items must not be placed on the footpath, roadway or nature strip at any time:-

- a) Building materials, sand, waste materials or construction equipment;
- b) Bulk bins/waste skips/containers; or
- c) Other items that may cause a hazard to pedestrians.

D19 Street tree removal and replacement

Original soil levels on the road verge shall not be changed, unless prior written consent is granted by Council.

All costs associated with the approved pruning and/ or removal and replacement of street trees shall be the responsibility of the applicant. Any street tree approved for removal shall be stump ground to a minimum of 200mm below ground level. All levels must be reinstated on the same day so that no trip or fall hazards are created.

D20 Reinstatement of footpath and footpath crossing

The footpath and footpath crossing/s adjacent to the property shall be reinstated by Council at the completion of works with all costs being borne by the developer. Alternatives to the pre-payment for this work will be considered if written request is made to Council.

D21 Works within Council controlled lands

- (1) For drainage works:
 - a) Within Council controlled lands.
 - b) Connecting to Council's stormwater drainage system.Inspections will be required:-
 - (i) After the excavation of pipeline trenches.
 - (ii) After the laying of all pipes prior to backfilling.
 - (iii) After the completion of all pits and connection points.
- (2) A minimum of 48 hours notice shall be given to Council to inspect works. Inspections may be arranged by telephoning Council's Works and Services Section during office hours.
- (3) Work is not to proceed until the works are inspected and approved by Council.

D22 Commemorative plaque

A commemorative plaque is required to be installed in accordance with the following:

- (a) A commemorative plaque must be incorporated in the new building, in a prominent position at ground floor level at or near the main entrance to the building, to commemorate the major participants in the development. The details contained on the plaque are to include the names of the developer, architect, and consent authority and the year in which the building was completed.
- (b) The proposed location of the plaque and details of its proposed size, colour and materials, and text must be submitted for the approval of Council prior to issue of a final Occupation Certificate under the Environmental Planning and Assessment Act 1979.
- (c) The approved plaque must be installed prior to the issue of any Occupation Certificate.

D23 Site to be kept in a clean condition

Upon completion of demolition works and if no new building works are commenced on site, the site shall be kept in a clean manner with landscaping and fencing to the satisfaction of Council.

D24 Disposal of Site Water

Site water discharged to Council's stormwater system must have a suspended solid level of less than 50 mg/L. This may require treatment such as transfer to settling ponds, use of approved chemicals to settle out sediment or passing the contaminated water through a treatment device. Site water may also be disposed of through the services of a licensed liquid waste transporter.

D25 Noise from construction activities

Noise from construction activities associated with the development shall comply with the NSW Environment Protection Authority's Environmental Noise Manual – Chapter 171 and the *Protection of the Environment Operations Act 1997*.

a) Level Restrictions:-

i) Construction period of 4 weeks and under:-

- 1) the L_{10} sound pressure level measured over a period of not less than 15 minutes when the construction site is in operating must not exceed the background level by more than 20 dB(A).

ii) Construction period greater than 4 weeks and not exceeding 26 weeks:-

- 1) the L_{10} sound pressure level measured over a period of not less than 15 minutes when the construction site is in operating must not exceed the background level by more than 10 dB(A).

iii) All possible steps should be taken to silence construction site equipment.

D26 Dial before you dig

Dial Before You Dig is a free national community service designed to prevent damage and disruption to the vast pipe and cable networks which provides Australia with the essential services we use everyday – electricity, gas, communications and water.

Before you dig call "Dial before you dig" on 1100 (listen to the prompts) or facsimile 1300 652 077 (with your street no. / name, side of street and the distance to the nearest cross street) or register on line at www.dialbeforeyoudig.com.au for underground utility services information for any excavation areas.

The Dial Before You Dig service is also designed to protect Australia's excavators. Whether you are a back yard renovator, an individual tradesman or a professional excavator the potential for injury, personal liability and even death exists every day. Obtaining accurate information about your work site significantly minimises these risks.

D27 Loading and Unloading

All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the site at all times.

D28 Demolition of buildings

The building/s shall only be demolished in accordance with the requirements of AS 2601-2001 "The Demolition of Structures".

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:-

- a) Protection of site workers and the general public.
- b) Erection of hoardings where appropriate.
- c) Asbestos handling and disposal where applicable.
- d) Any disused service connections shall be capped off to Council's requirements.
- e) The disposal of refuse is to be to an approved waste disposal depot.

D29 Demolition – Lead Paint Disposal

The demolition and disposal of materials incorporating lead such as lead paint and dustpaint shall be conducted in accordance with *AS2601-2001 Demolition of Structures*. Removal,

cleaning and disposal of lead-based paint shall conform with relevant EPA guidelines including the *Lead Safe A renovator's guide to the dangers of lead*, NSW EPA, 1998. Hazardous dust shall not be allowed to escape from the site. Any existing accumulations of dust (e.g.; ceiling voids and wall cavities) shall be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter. All dusty surfaces and dust created from work shall be suppressed by a fine water spray. Water shall not be allowed to enter the street and stormwater systems. Demolition shall not be performed during high winds, which may cause dust to spread beyond the site boundaries. Please note that Council may require testing to verify that the soil lead levels are below acceptable health criteria.

D30 Demolition – common sewerage system

If the land to which the application relates is served by a common sewerage system that is also used by others, then measures must be placed in effect and prior to the commencement of work to ensure the operation of the sewerage system is without disruption to other joint users.

D31 Demolisher Details

The demolisher/owner/applicant shall:-

- a) Lodge with Council, and at least forty-eight (48) hours prior to the commencement of work (due to the potential impact on Council's infrastructure):-
 - i) Written notice, indicating the date when demolition of the building is to commence.
 - ii) The demolisher's full name and address.
 - iii) Details of Public Liability Insurance.
- b) Comply with Australian Standard 2601 – 2001 "*Demolition of Structures*"; and,
- c) Have a current public liability/risk insurance, and policy details of such shall be submitted to Council for its records.
- d) Ensure that all possible/practicable steps are taken to prevent nuisance to the inhabitants of the surrounding neighbourhood from wind-blown dust, debris, noise and the like arising from the demolition works

This Consent shall not preclude the demolisher from giving notice to other statutory authorities, such as Sydney Water Corporation, WorkCover, etc.

D32 Demolition Works – noise and vibration

The following shall be compiled with:-

- a) Vibration levels induced by the demolition activities shall not exceed 1mm/sec peak particle velocity (ppv) when measured at the footing of any occupied building.
- b) Vibration levels induced by the demolition activities shall not exceed 3mmsec peak particle velocity (ppv) when measured at the footing of any unoccupied building.
- c) The upper noise level from the demolition operations measured over a period of 10 minutes must not exceed the background noise level by more than 10dB(A).

D33 Asbestos

- a) In the event that asbestos is on a site or building under demolition or construction, WorkCover NSW is to be contacted to ascertain the appropriate response, to ensure the safety and protection of existing and future workers and residents. An Asbestos Removal Contractor licensed by WorkCover NSW is to handle/remove/transport and

dispose of any products containing asbestos in a manner approved of by the Department of Environment and Conservation (DEC). Copies of tipping dockets are to be retained and able for viewing by Council officers on request.

- b) Asbestos material can only be disposed of at a landfill site nominated by Waste Services NSW for that purpose. An appointment must be made with Waste Services NSW to dispose of asbestos materials at the nominated landfill.
- c) Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from WorkCover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from WorkCover NSW. A permit will not be granted without a current WorkCover licence. All removal, repair or disturbance of or to asbestos material must comply with:-
 - i) *The Occupational Health and Safety Act 2000;*
 - ii) *The Occupational Health and Safety Regulation 2001;*
 - iii) *Protection of the Environment Operations Act 1997*
 - iv) *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, NSW EPA, May 1999*
 - v) *Waste Avoidance and Resource Recovery Act 2001.*
 - vi) *The Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (1998)];*
 - vii) *The Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998)] <http://www.nohsc.gov.au> ; and*
 - viii) *The WorkCover NSW Guidelines for Licensed Asbestos Removal Contractors.*

Note: The Code of Practice and Guide referred to above are known collectively as the Worksafe Code of Practice and Guidance Notes on Asbestos. They are specifically referenced in the Occupational Health and Safety Regulation 2001 under Clause 259.

Under the Occupational Health and Safety Regulation 2001, the Worksafe Code of Practice and Guidance Notes on Asbestos are the minimum standards for asbestos removal work.

Council does not control or regulate the Worksafe Code of Practice and Guidance Notes on Asbestos. You should make yourself aware of the requirements by visiting <http://www.workcover.nsw.gov.au> or one of WorkCover NSW's offices for further advice.

- d) In order to ensure safe handling of asbestos materials, the re-use or sale of asbestos building materials is strictly prohibited.

D34 Excavations extending below the base of footings of adjoining development

Where excavations extend below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation must preserve and protect the building from damage and, if necessary, underpin and support the adjoining building in an approved manner. The person causing the excavation must give the owner of the adjoining property at least seven (7) days written notice of its intention to excavate below the level of the base of the footing. The person must also furnish the adjoining property owner with particulars of the proposed work.

D35 Fencing of Construction Sites – Rental details to be provided to the PCA

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary hoarding or fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5 metres). Hoardings or fences are to have a minimum height of 1.8 metres and be constructed of solid plywood sheeting (painted white) or of cyclone wire fencing with geotextile fabric attached to the inside of the fence, to provide dust control.

Hoardings or fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible.

The public safety provisions and temporary fences must be in place prior to the commencement of any demolition, excavation or building works and be maintained throughout construction.

NOTE: Should ANY part of the fence or hoarding encroach beyond the boundaries of the site, it will be necessary to:-

- Make payment to Council for the rental of the road reserve area in accordance with Council's adopted charges (per metre per month – minimum 3 months) BEFORE the fence/hoarding is erected.
- Supply evidence that the road reserve rental fee has been paid to the PCA and to any authorised Council officer.
- Comply with Council's specifications for the erection of Class A Hoardings.

D36 Sign to be erected concerning unauthorised entry to the site

A sign must be erected in a prominent position stating that unauthorised entry to the site is not permitted. The sign must also name the builder or other person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours. Where Council is not the Principal Certifying Authority, the sign shall also display the name and contact details of the nominated Principal Certifying Authority. The sign is to be removed when the building works have been completed.

D37 Toilet accommodation for people working at the site

Suitable toilet accommodation is to be provided at the work site at all times. If temporary toilet accommodation is proposed, it must:-

- Have a hinged door capable of being fastened from both inside and outside,
- Be constructed of weatherproof material,
- Have a rigid and impervious floor; and
- Have a receptacle for, and supply of, deodorising fluid.

D38 Discovery of additional information during remediation, demolition or construction

Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the PCA immediately.

D39 *Monitoring of field parameters*

Results of the monitoring of any field parameters such as soil, groundwater, surface water, dust or noise measurements shall be made available to Council Officers on request throughout the remediation and construction works.

D40 *Off-site soil disposal*

Any soil disposed of offsite shall be classified in accordance with the procedures in the NSW EPA Environmental Guidelines: Assessment, Classification & Management of Liquid & Non-Liquid Wastes (1999).

End of Section

PART E - PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

E1 *Occupation Certificate*

A person must not commence occupation or use of the whole or part of a new building unless an occupation certificate has been issued in relation to the building or part.

The application for an Occupation Certificate must be made to the Principal Certifying Authority (Council or an accredited certifier) using the approved form.

E2 *Roads and Traffic Authority Requirements*

- 1) The left turn deceleration lane into the subject site from Parramatta Road shall be a minimum of 55 metres in length (including taper). The design of the proposed deceleration lane on Parramatta Road shall be endorsed by a suitably qualified and chartered Engineer (i.e. who is registered with the Institute of Engineers, Australia). The design requirements (where applicable) shall be in accordance with the RTA's Road Design Guide and other Australian Codes of Practice. The certified copies of the civil design plans shall be submitted to the RTA for consideration and approval prior to the release of the Occupation Certificate by the Certifier and commencement of road works. The existing lane widths along Parramatta Road should not be compromised.
- 2) Speed bumps at regular intervals are to be installed within the car park area.
- 3) The required sight lines to pedestrians or other vehicles in or around the car park or entrances should not be comprised by landscaping, signage, fencing or display materials. In addition, measures should be implemented to improve visibility to pedestrians and other vehicles where sight distance is restricted.
- 4) Parking spaces for the disabled should be clearly marked and located adjacent to lifts or accessible paths of travel.
- 5) The internal aisle ways are to be marked with pavement arrows to direct traffic movements in / out of the site and guide traffic circulation through the car park.

E3 *Trade Waste Agreement*

A copy of the *Permission to Discharge Trade Wastewater* shall be obtained from Sydney Water and a copy provided to Council prior to the issuing of the Occupation Certificate. Please contact Sydney Water in relation to this matter.

A *Trade Waste Agreement* shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

E4 *Trade Waste*

The food premises must comply with the following requirements:-

- a) Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the satisfaction of the Certifying Authority prior to the release of an Occupation Certificate.

- b) The disposal of waste materials in the domestic garbage service is not permitted. All waste materials must be collected by a waste contractor authorised by the Waste Service of New South Wales and details of the proposed service to serve the development are to be submitted to Council prior to occupation of the building.

E5 Flood Management Plan

Prior to the issue of a Occupation Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority a Flood Management Plan prepared by a suitably qualified person to mitigate any potential impacts upon the building or site access / evacuation, and outline procedures which will be put in place in the event of a 1 in 100 year event and Peak Maximum Flood Event.

E6 Landscaping installation & maintenance

Landscaping must be installed and maintained in accordance with Schedule A-4 - Minimum Landscaping Requirements of Auburn General Requirements Development Control Plan prior to the issue of an Occupation Certificate.

E7 Street Trees Planting

The following street trees shall be planted by the applicant. Any costs associated with this work shall be borne by the applicant.

Species	Common Name	Min. Pot Size	Min. Height
Cupaniopsis anacardiodes	Tuckeroo	45 litres	2m

The applicant shall be responsible for co-ordination with all relevant service authorities as required to facilitate planting. Planting shall be completed prior to the issuing of an Occupation Certificate.

E8 Treatment of Vehicular Entry

In order to improve the appearance of the building when viewed from the street, any part of the immediate external walls and openings at vehicular entry points that are visible from the street shall be in accordance with this approval and no service ducts or pipes are to be visible on the outside face of the building.

E9 Final Fire Safety Certificate

Prior to the occupation of the building, the owner of the building shall submit to the Principal Certifying Authority (Council or Accredited Certifier), a **final fire safety certificate** in relation to each essential fire safety measure specified in the **fire safety schedule**, attached to the development consent or Construction Certificate.

Such certificate shall state that each essential fire safety measure specified:-

- Has been assessed by a properly qualified person, and
- Was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule for the building for which the certificate is issued.

NOTES:

- As soon as practicable after a final fire safety certificate is issued, the owner of the building to which it relates:-

- i) Must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
 - ii) Must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

E10 Mechanical Ventilation

Following completion, installation and testing of all the mechanical ventilation systems, the Proponent shall provide evidence to the satisfaction of the PCA, prior to the issue of any relevant Occupation Certificate, that the installation and performance of the mechanical systems complies with:

- (1) The Building Code of Australia;
- (2) Australian Standard AS1668 and other relevant codes;
- (3) The development approval and any relevant modifications; and,
- (4) Any dispensation granted by the New South Wales Fire Brigade.

E11 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the Council after:

- (1) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
- (2) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

E12 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent/developer prior to the issue of any Occupation Certificate.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

E13 Registration of Easements

Prior to the issue of any Occupation Certificate, the Proponent shall provide to the PCA evidence that all easements required by this approval have been or will be registered on the certificates of title.

E14 Post-construction Dilapidation Report

- (1) The Proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- (2) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the report must:

- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by Condition B11, and
 - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (3) A copy of this report is to be forwarded to the Director and Council.

E15 Turf on Council's Verge

All turf on Council's verge directly adjacent to the lot shall be removed and replaced with Kikuyu turf (or alternative species as agreed with Council) prior to the issue of a final Occupation Certificate. Levels on the verge must remain unchanged.

E16 Waste and recyclables storage area

The waste and recyclable storage area shall be fully enclosed, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls covering the floor. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket. A hot and cold hose cock shall be provided within the room. Details shall be provided with the Construction Certificate and endorsed on the construction drawings, and works completed prior to the issue of an Occupation Certificate.

E17 Contract for Waste Collection

Prior to occupation of the premises the operator shall enter into a commercial contract for the collection of trade waste and recyclables generated at the premises. A copy of all contracts and receipts shall be kept on the premises and made available to Council Officers on request.

E18 Consolidation of lots

The individual lots are to be consolidated into a single parcel. Written evidence of registration of consolidation by the Land and Property Information Office is to be submitted to Council prior to the granting of the occupation certificate.

E19 Provision of Street Numbers

A street number is to be displayed in a prominent position at the entrance to the premises. Numbers are to be of a colour contrasting with the wall to which they are affixed.

E20 Intruder Alarms

Any intruder alarm at the premises shall be fitted with a timing device in accordance with the requirements of Section 53 of the Protection of the Environment Operations (Noise Control) Regulation 2000.

E21 Bollards outside Exit Doors

Where exit doors open onto driveway, loading docks or similar, bollards shall be placed at either side of the door opening to prevent obstruction of the exit.

E22 Food shop notification and inspection

- a) Food shop notification shall be obtained from the NSW Food Authority, **prior** to commencement of business operations and a copy of the notification shall be submitted to Council. Notification can be completed on NSW Health Department's web site at www.foodnotify.nsw.gov.au

- b) The applicant shall notify Council not less than forty-eight (48) hours **prior** to the proposed occupation of the premise to arrange for a final compliance inspection.
- c) The applicant shall not operate the food premises until an Occupation Certificate has been issued.

E23 Vehicle Driveway Crossings and Gutter Laybacks

Arrangements shall be made with Council for the prepaid construction of vehicular crossings and gutter laybacks at all property entrances and exits, and for the removal of all disused driveway crossings and gutter layback s. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of a final Occupation Certificate.

Removal of obstructions, such as power poles, trees, drainage pits and the like shall be carried out at the applicant's expense.

E24 Carrying capacity of driveways – Heavy duty

Suitable heavy-duty driveway crossings are to be installed at the eastern ingress/egress points to the property at the applicant's cost by Council. Alternatives to the pre-payment for this work will be considered if written request is made to Council. The gutter crossing and/or the removal of any redundant crossings must be constructed to the satisfaction of Council (and to the Council's specifications including payment of any required bonds) or the prepayment made to Council for Council to carry out the work, prior to the issue of an Occupation Certificate.

E25 Works-as-Executed Plan

Prior to occupation of the building or issue of the occupation certificate, two (2) copies of the Works-as-Executed (W.A.E.) Plan prepared by a registered surveyor and certified by the design engineer shall be submitted to Council. The W.A.E. plan shall show (where applicable): -

- i) Whether all works have been completed generally with the approved drainage plans.
- ii) Any departure from the approved plan and conditions.
- iii) Any additional work that has been undertaken.
- iv) Location, levels and sizes of pipes and pits.
- v) Finished floor and finished surface levels. The location of finished levels should in general correspond with those shown on Council's approved drainage plan.
- vi) Basement pump out volumes.

NOTE: The WAE surface level shall be taken after all landscaping has been completed.

In this regard

- The above information is to be superimposed on a full sized copy of Council approved drainage plan and is to be submitted to Council.
- Checklists A3, A4 & A5 in the appendix of the "Auburn development control plans 2000 stormwater drainage" shall be completed and shall be certified by the practicing hydraulic engineer and the registered surveyor.

E26 *Green Travel Plan*

Prior to occupation of the building or issue of the occupation certificate, a Green Travel Plan is to be prepared by a suitably qualified person and submitted to the satisfaction of the Certifying Authority. The Green Travel Plan is to include items such as:

- a) Car sharing scheme
- b) Bicycle facilities
- c) Travel Plan Noticeboards

End of Section

PART F - POST OCCUPATION

F1 Annual Fire Safety Statement

The owner of any building in which fire safety measures are installed, must cause the Council to be given an annual fire safety statement, within 12 months after the last such statement or final fire safety certificate was issued.

The certificate shall certify:-

- a) That each essential fire safety measure has been assessed by a properly qualified person and was found, at the date of assessment, to be capable of performing to a standard not less than that required by the current fire safety schedule.
- b) That a properly qualified person has inspected the building and has certified that, as at the date of inspection, the condition of the building did not disclose any grounds for a prosecution under Division C.

NOTES:

1. As soon as practicable after an annual fire safety statement is issued, the owner of the building to which it relates:-
 - i) must cause a copy of the statement (and current fire safety schedule) to be given to the Commissioner of NSW Fire Brigades, and
 - ii) must cause a further copy of the statement (and current copy of the current fire safety schedule) to be prominently displayed in the building.
2. A "fire safety measure" is defined as any measure (including any item of equipment, form of construction or fire safety strategy) that is, or is proposed to be, implemented in the building to ensure the safety of persons using the building in the event of fire.

F2 Unobstructed Driveways, Parking and Turning Areas

All driveways, parking and turning areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

F3 Hours of Operation

The hours of operation for the retail component of the use shall be restricted to between 10.00am to 8.30pm Monday to Friday, 9.30am to 6.00pm on Saturday and 10.00am to 5.00pm on Sunday. Deliveries and restocking of the premises are permitted to operate on a 24 hour a day, 7 days a week basis.

F4 Display of goods not permitted outside building or property

Materials, goods, plant, equipment, signage, advertising structures or the like are not to be stored, placed or displayed anywhere outside the building or property without Council approval.

F5 Graffiti and Vandalism Rectification

Should the external fabric of the building(s), walls to landscaped areas and like constructions be subject to graffiti or like vandalism, then within seven (7) days of this occurrence, the

graffiti must be removed and the affected surface(s) returned to a condition it was in before defilement.

F6 Noise Control – Plant and Machinery

Noise associated with the operation of any plant, machinery or other equipment on the site, shall not exceed 5dB (A) above the background noise level when measured at the boundary of the site.

F7 Storage of Hazardous or Toxic Material

Any hazardous or toxic materials must be stored in accordance with WorkCover Authority requirements and all tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

F8 Public Way to be Unobstructed

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances.

F9 Maintenance of proposed street trees

Newly planted trees on Council land shall be maintained for a period of twelve months. Maintenance shall include watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other activities required to maintain a healthy tree. A suitably qualified horticulturist shall undertake all maintenance work.

At the end of the twelve month period the applicant may apply to Council in writing for the hand-over of the trees and the reimbursement of bond money. Any replacement of dead or damaged trees required to be replaced by Council will result in forfeiting of the bond.

F10 Noise and Vibration

The use of the premises shall not give rise to any of the following when measured or assessed at "sensitive" positions within any other property. These "sensitive" positions should be selected to reflect the typical use of a property (i.e. any outdoor areas for day and evening but closer to the façade at night time), unless other positions can be shown to be more relevant.

- a) 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
- b) transmission of vibration to any place of different occupancy above the requirements of AS2670.
- c) a sound pressure LAeq,period at any noise sensitive position of any other premises or occupancy greater than the recommended amenity noise criteria detailed in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy.
- d) a sound pressure LAeq,15min at any noise sensitive position greater than the intrusiveness criteria determined in accordance with the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy and does not contain any tones, low frequency or impulsive factors as defined in the Department of Environment and Conservation, New South Wales (EPA) Industrial Noise Policy table 4.1.

For assessment purposes, the above L_{Aeq} sound levels shall be assessed over a period of 10-15 minutes and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content where necessary.

F11 Maintenance of water treatment devices

All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the *Protection of the Environment Operations Act, 1997*.

F12 Loading and Unloading of Vehicles

All deliveries to and from the site are to be conducted from vehicles standing within designated loading areas and not on access driveways, car parking spaces or landscaped areas.

F13 Business and building identification signage

Business and building identification signage shall comply with the following:-

- a) The approved signage shall be appropriately maintained at all times.
- b) The signage shall be utilised as building and business identification signage only and shall not be adapted or altered to be third party advertising signage without the further consent of Council.
- c) The signage shall not:-
 - i) flash, move, be animated, scintillate or be decorated with rotating flashing lights;
 - ii) include any apparatus to provide any sound;
 - iii) carry a message(s) which is offensive;
 - iv) give instructions to traffic by the use of the words 'Halt', 'Stop', or any other direction, nor imitate traffic signs in respect to shape, layout or colour;
 - v) contain interchangeable or movable parts;
 - vi) impair or distract the vision of a driver through the intensity of the illumination of the sign;
 - vii) must not impede the ability of the occupants to exit the building under emergency conditions.
- d) The wording to the signage shall be primarily displayed in English but may include a translation in another language.

F14 Waste Collection

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997*. Records shall be kept of all waste disposal from the site.

F15 Amenity

The operation of the premises shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, or otherwise.

F16 Water Pollution

The operation of the premises shall be conducted in a manner which does not pollute waters as defined by the *Protection of the Environment Operations Act 1997*.

F17 Light Overspill

Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with *AS4282-1997 Control of the obtrusive effects of outdoor lighting*.

F18 Container storage

No shipping/maritime or airfreight containers shall be stored externally to the buildings.

F19 Roads and Traffic Authority Requirements

- 1) All vehicles are to enter and leave the site in a forward direction.
- 2) All vehicles should be wholly contained on site before being required to stop.
- 3) All loading and unloading shall occur on site.

End of Section

ADVISORY NOTES

AN1 *Sydney Water*

An application will need to be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Sydney Water Act, 1994* (Compliance Certificate). Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) will need to be produced to the satisfaction of the PCA prior to the issue of a Construction Certificate. The Section 73 Certificate will need to be submitted to the PCA prior to the occupation of the development or release of the linen plan.

AN2 *Requirements of Public Authorities for Connection to Services*

The Proponent will need to comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services will be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN3 *NSW Office of Water Requirements (NOW)*

A license under Part V of the *Water Act 1912* may be required for the works for purposes of **temporary dewatering** as part of proposed construction. The proponent should contact the Office of Water to determine if a license is required. The Office of Water's general requirements are:

1. General and Administrative Issues.

- a. Groundwater shall not be pumped or extracted for any purpose other than **temporary construction dewatering**.
- b. Tailwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system etc) without the controlling authorities approval and/or owners consent.
- c. The licensee shall allow (subject to Occupational Health and Safety Provisions) the NOW or any person authorised by it, full and free access to the works (excavation or bore/borefield), either during or after construction, for the purpose of carrying out inspection or test of the works and its fittings and shall carry out any work or alterations deemed necessary by the NOW for the protection and proper maintenance of the works, or the control of the water extracted to prevent wastage and for the protection of the quality and prevention from pollution or contamination of the groundwater.
- d. If a work is abandoned at any time the licensee shall notify the NOW that the work has been abandoned and seal off the aquifer by such methods as agreed to or directed by the NOW.
- e. Suitable documents are to be supplied to the NOW of the following
 - A report of prediction of the impacts of pumping on any licensed groundwater users or groundwater dependent ecosystems in the vicinity of the site. Any adverse impacts will not be allowed and the project will need to be modified.
 - A report of assessment of the potential for salt water intrusion to occur as a result of the dewatering. This report is only required for sites within 250m of any marine or estuarine foreshore area. The generation of conditions leading to salt water intrusion will not be allowed, and the proposal will need to be modified.

- Descriptions of the methods used and actual volume of ground water to be pumped (kilolitres/megalitres) from the dewatering works, the works locations, the discharge rate (litres per second), duration of the pumping (number of days/weeks), the amount of lowering of the water table and the anticipated quality of the extracted water.
- Descriptions of the actual volume of the tailwater to be reinjected (kilolitres/megalitres), the reinjection locations, the disposal rate (litres per second) duration of operation (number of days/weeks) and anticipated quality of treated tailwater to be reinjected.
- Monitoring of ground water levels (minimum of 3 weekly measurements of depth of water at a minimum of 3 locations broadly distributed across the site) beneath the proposed development site prior to construction. This requirement is only for sites where the proposed structure shall extend greater than one floor level into the existing ground level.

2. Specific Notes

- a. The design of the structure must preclude the need for permanent dewatering.
- b. The design of the structure that may be impacted by any watertable must require a waterproof retention system with adequate provision for future fluctuations of watertable levels. The actual watertable fluctuation and fluctuation safety margin must be determined by a suitably qualified professional.
- c. Construction methods and material used in and for construction are not to cause pollution of the groundwater.
- d. Monitoring of groundwater levels is to be continued at least weekly during the construction stage and at least weekly over a period of at least 2 months following cessation of dewatering, with all records being provided to the NOW on expiration of the license. This requirement is only for sites where the proposed structure shall extend greater than the one floor level into the existing ground level.
- e. Groundwater quality testing must be conducted. Samples must be taken prior to the commencement of dewatering and ongoing to the satisfaction of the NOW for both extraction and reinjection activities if required. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted quality objectives or criteria.
- f. Discharge of any contaminated tailwater **that is not to be reinjected**, must satisfy all requirements of any controlling authority. The method of disposal of excess tailwater and written advice from the relevant controlling authority, indicating that the proposed/actual quality of tailwater is acceptable, must be presented to the NOW and the consent authority.
- g. Discharge of any contaminated tailwater, **if reinjection is proposed**, must satisfy all requirements of the NSW Department of Environment, Climate Change and Water. The quality of any tailwater reinjected must be compatible with, or improve the intrinsic or ambient ground water in the vicinity of the reinjection site. Contaminated groundwater is not to be injected into any aquifer. The following must be demonstrated in writing:
 - The treatment to be applied to the tailwater to remove any contamination.
 - The measures to be adopted to prevent redistribution of any contaminated groundwater.
 - The means to avoid degrading impacts on the identified beneficial use of the groundwater.
 - Written advice from the NSW Department of Environment, Climate Change and Water indicating their approval for the methodology of handling and treating of the groundwater.

- h. Written advice is to be provided from the Certifying Authority to the NOW to certify that the following ground settlement issues have been addressed in reports submitted by the proponent:
- Assessment by a suitably qualified geotechnical professional that the proposed dewatering activity does not pose an unacceptable risk of off-site impacts such as damage to surrounding buildings or infrastructure as a result of differential sediment compaction and surface settlement during and following the pumping of groundwater.
 - Settlement monitoring activities to be undertaken prior to, during and for the required period of time following the dewatering pumping to confirm the impact predictions.
 - Locations of settlement monitoring points, and schedules of measurement.

3. Formal Application Issues

- a. An application must be completed on the prescribed form for the specific purpose of **temporary construction dewatering** and a license obtained from the NOW prior to the installation of the groundwater extraction works. A plan drawn to scale will be required with the application clearly identifying the location of the dewatering installations.
- b. Upon receipt of an approved development application, a fully completed license application form and all required supporting documentation, the NOW will issue a Water License under Part V of the *Water Act, 1912*.
- c. A license application under Part V of the *Water Act 1912* must be accompanied by a \$151.00 fee and must specify the proposed volume of groundwater to be pumped (megalitres). The license is also subject to administrative charges as determined from time to time by the Independent Pricing and Regulatory Tribunal.

AN4 Structural Capability for Existing Structures

The structural capabilities of an existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN5 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the PCA:

- (1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of onsite tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN6 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN7 Construction Inspections

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (1) Foundations,
- (2) Footings,
- (3) Damp proof courses and waterproofing installation,
- (4) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (5) Structural beam and column framing,
- (6) Timber wall and roof framing, and
- (7) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of approval.

AN8 Noise Generation

Any noise generated during the construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the site.

AN9 Excavation – Aboriginal Objects

Should any Aboriginal objects be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the National Parks and Wildlife Service shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

AN10 Excavation – Historical Relics

Should any historical relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

AN11 Stormwater drainage works or effluent systems

A Construction Certificate for works that involve any of the following:

- (1) water supply, sewerage and stormwater drainage work
- (2) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN12 Temporary Structures

An approval under *State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007* must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under *State Environmental Planning Policy*

(*Temporary Structures and Places of Public Entertainment*) 2007 to certify the structural adequacy of the design of the temporary structures.

AN13 Disability Discrimination Act

This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - *Design for Access and Mobility*. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

AN14 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales *Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

AN15 Roads Act, 1993

A separate application shall be made to RTA for approval under Section 138 of the *Roads Act, 1993* to undertake any of the following:

- (1) erect a structure or carry out a work in, on or over a public road, or
- (2) dig up or disturb the surface of a public road, or
- (3) remove or interfere with a structure, work or tree on a public road, or
- (4) pump water into a public road from any land adjoining the road, or
- (5) connect a road (whether public or private) to a classified road.

AN16 Asbestos Removal

All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".

AN17 Road Closure

A temporary road closure permit is to be obtained by Council / RTA prior to the closure of any roads.

End of Section

SCHEDULE 3

MP 09_0184

**PROJECT APPLICATION FOR CONSTRUCTION OF COSTCO WHOLESALE
RETAIL WAREHOUSE BUILDING AND AUSTRALIAN REGIONAL
HEADQUARTERS**

17-21 PARRAMATTA ROAD, AUBURN

STATEMENT OF COMMITMENTS

**(SOURCE: ENVIRONMENTAL ASSESSMENT / PREFERRED PROJECT
REPORT)**

5.0 Revised Statement of Commitments

Following the above comments, Costco has revised the commitments relating to the project as outlined in Table 4.

5.1 Development Contributions

Costco commit to providing a development contribution levy of 1% of the proposed construction cost of the development, in accordance with requirements of Part F: Employment Generating Development, of the Auburn Development Contributions Plan 2007.

5.2 Landscaping

Subject to approval of Sydney Water, Costco will provide native planting within the thin strip of Sydney Water land adjoining the site immediately to west between the top of the culvert and the boundary of the site.

5.3 Traffic Management

Costco commit to the following:

- provision of a new signalised intersection at the junction of Nyrang Street, Parramatta Road and the new site entrance;
- providing a footpath along the northern side of Parramatta Road, between each of the site access points;
- providing bicycle parking spaces and showers/ changing facilities for staff within the building;
- preparation of a Green Travel Plan to encourage travel by non-car means;
- co-operation with the owners of the land along the western bank of Haslam's Creek to develop a shared cycle/ pedestrian path which will connect the existing shared cycle/ pedestrian path to Parramatta Road;
- preparation and submission for approval, of a Traffic Management Plan in line with that requested by SRDAC (within their submission dated 11 November 2009), prior to the issue of the Construction Certificate.

5.4 Ecologically Sustainable Development

Costco commit to implementing the ESD initiatives as set out within SBE's ESD Statement, dated 16 September 2009.

5.5 Contamination

Costco commit to the following:

- the development of an asbestos management plan prior to the redevelopment of the site;
- further investigations undertaken prior to commencement of excavation works, in areas to be excavated to quantify volume of potential acid sulphate soils to be managed during construction;
- development of an Acid Sulphate Soils management plan prior to the commencement of excavation works; and
- further investigations undertaken to confirm the preliminary findings of the soil sampling, once unrestricted access to the building is allowed.

5.6 Geotechnical Implications

Costco will adhere to the relevant recommendations of the Geotechnical Report, prepared by URS Australia Pty Ltd, dated 30 September 2009 and the draft conditions set out within their Geotechnical and Groundwater Management Statement, dated 20 December 2009.

5.7 Flood Management

Costco commit to the preparation and implementation of a Flood Management Plan which will include procedures to be put in place in the event of a 1 in 100 year event and Peak Maximum Flood event.

5.8 Waste Management

Costco commit to implementing the procedures and recommendations outlined within the Waste Management Plan, dated 26 June 2009 prepared by Wastech

5.9 BCA

BCA

Costco commit to providing a development which is compliant with the BCA 2009 and developing alternate solutions where practicable.

Accessibility

Costco commits to providing a development which has an equitable and accessible environment for all and complies with the Building Code of Australia (BCA), statutory obligations imposed by the *Disability Discrimination Act 1992* (DDA) and relevant Australian Standards.

Fire Safety

Costco commit to developing alternative solutions which comply with the relevant performance requirements of the BCA.

5.10 Construction Management

Costco commits to implementing the following plans during the construction phase:

- Complaints handling plan
- Sedimentation control plan
- Dust control plan
- Noise control plan
- Vibration control plan
- Concrete pump, truck and traffic control plan
- Contamination control plan
- Site amenities control plan
- Water management control plan
- Waste control plan