

Project Approval

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

As delegate of the Minister for Planning under delegation executed on 25 January 2010, I approve the project application referred to in schedule 1, subject to the conditions in schedules 2 to 3.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Director-General
Department of Planning & Infrastructure

Sydney

9th September

2011

SCHEDULE 1

Application No.:	MP10_0214
Proponent:	FDC Construction and Fitout Pty Ltd for SOP8B Pty Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Part Lot 2001 in DP1147230 of Site 8, Murray Rose Avenue, Sydney Olympic Park
Project:	Site 8B Commercial Development, Sydney Olympic Park, including: • construction of a 6 storey commercial building, with a total GFA of 6,313.5sqm, including ground floor retail and 5 commercial floor levels; • two level basement car park, providing 53 car parking spaces and 39 bicycle parking spaces; • associated rooftop mechanical plant and equipment; • building identification signage; • subdivision; and • associated public domain and landscaping works.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approved project but do not form a part of this approval.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Auburn City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
OE&H	Office of Environment and Heritage or its successors
Department	Department of Planning and Infrastructure or its successors
Director-General	Director General of the Department of Planning and Infrastructure, or nominee
EA	Environmental Assessment titled <i>Environmental Assessment 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC.</i>
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
Evening	The period from 6pm to 10pm
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Minister	Minister for Planning and Infrastructure, or nominee
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
PPR	Preferred Project Report titled <i>Proposed Six Storey Commercial Building with Two Storey Basement Car Park, Associated Plant, Signage and Subdivision of Lot 8b at 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC.</i>
Project	The project described in Condition A1, Part A, Schedule 2 and the accompanying plans and documentation described in Schedule 2, Part A, Condition A2.
Proponent	FDC Construction and Fitout Pty Ltd for SOP8B Pty Ltd
POEO Act	Protection of the Environment Operations Act 1997
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build.
RTA	Roads and Traffic Authority
SOPA	Sydney Olympic Park Authority
Statement of Commitments	The proponent's Statement of Commitments in Schedule 3
Subject Site	Part Lot 2001 in DP1147230

SCHEDULE 2

PART A - ADMINISTRATIVE CONDITIONS

Development Description

- A1. Except as amended by the conditions of this approval, approval is granted only to carrying out the development as described in Schedule 1.

Development in Accordance with Plans and Documents

- A2. The development will be undertaken in accordance the following drawings and documents:

Environmental Assessment titled <i>Environmental Assessment 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC.</i>			
Preferred Project Report titled <i>Proposed Six Storey Commercial Building with Two Storey Basement Car Park, Associated Plant, Signage and Subdivision of Lot 8b at 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC.</i>			
Statement of Commitments at Schedule 3, prepared by FDC.			
Bates Smart Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A01.00[02]	Rev 02	LOCATION PLAN	08.07.11
A01.01[02]	Rev 02	SITE PLAN	08.07.11
A01.10[02]	Rev 02	PUBLIC DOMAIN INTERFACE PLAN	08.07.11
A03.00[09]	Rev 09	GROUND LEVEL PLAN	08.07.11
A03.001[11]	Rev 11	BASEMENT 1 PLAN	08.07.11
A03.002[07]	Rev 07	BASEMENT 2 PLAN	08.07.11
A03.01[07]	Rev 07	LEVEL 01 PLAN	08.07.11
A03.02[07]	Rev 07	TYPICAL LEVEL PLAN	08.07.11
A03.06[06]	Rev 06	LEVEL 06 PLANT ROOM PLAN	08.07.11
A07.01[04]	Rev 04	SOUTH ELEVATION	08.07.11
A07.02[06]	Rev 06	NORTH ELEVATION	08.07.11
A08.01[04]	Rev 04	SECTION 1	08.07.11
A08.02[04]	Rev 04	SECTION 2	08.07.11

except for:

- any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- otherwise provided by the conditions of this approval

Inconsistency Between Documents

- A3. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval prevail.

Prescribed Conditions

- A4. The proponent shall comply with the prescribed conditions under Part 6, Division 8A of the Regulation.

Compliance with Building Code of Australia

- A5. Work must be carried out in accordance with the requirements of the *Building Code of Australia*.

Development Expenses

- A6. It is the responsibility of the developer to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this approval.

Limits of Approval

- A7. This approval will lapse 5 years from the date of this approval unless the building works associated with the project have physically commenced.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate

- B1. The stamped drawings must be lodged with the Certifying Authority (Minister for Planning and Infrastructure via the Department of Planning and Infrastructure, Auburn City Council, or a private certifier) for a Construction Certificate. The proponent must supply the Department of Planning and Infrastructure with a copy of the Construction Certificate within two days from the date of its issue.

Development Contributions

- B2. Prior to the issue of a Construction Certificate, the proponent shall comply with the relevant development contribution arrangements/voluntary planning agreement that apply to the development which is the subject of this approval. Evidence is to be submitted to the Department demonstrating compliance.

Ecologically Sustainable Development

- B3. The project shall achieve a minimum 5 Star v3 Green Building Council of Australia commercial office design rating and 4.5 Star NABERS rating and shall implement the ESD principles and design measures outlined within the EA.

Traffic and Parking Details

- B4. A total of 53 car parking spaces are to be provided; 8 for retail use, 43 for commercial use, and 2 for persons with a disability.
- B5. Prior to the issue of a Construction Certificate for the new building, plans are to be submitted to the satisfaction of the Certifying Authority, identifying the following traffic and parking details:
1. All vehicles should enter and leave the site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave the site in a forward direction then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing.
 2. Car parking and loading areas associated with the proposal (including queuing areas, grades, turn paths, sight distances requirements, aisle widths, and parking bays) should be in accordance with AS2890.1-2004 and AS2890.2-2002 for commercial vehicle usage.
 3. Appropriate pedestrian advisory signs are to be provided at the egress from the car park and loading area.
 4. All works/regulatory signposting associated with the proposed developments shall be at no cost to the RTA or relevant roads authority.

Bicycle Parking

- B6. To ensure that the approved development satisfactorily complies with Sydney Olympic Park Master Plan 2030 and to support and encourage active transport modes, provision is to be made for a total of 50 bicycle spaces (42 staff spaces and 8 visitor spaces) within the approved development. Details are to be submitted to the Certifying Authority demonstrating compliance with the required number of bicycle spaces.

Note: In satisfying Condition B6, should the deletion of a car parking space within the 2 level basement car park be necessary, details are to be provided to the satisfaction of the Certifying Authority.

Business Identification Signage

- B7. Prior to the issue of the Construction Certificate, plans detailing the approved business identification signage, located at the eastern side of the roof architectural feature, are to be submitted to the Department and Certifying Authority demonstrating a signage zone of no greater than 8.9m (wide) x 2m (height), side setbacks of the signage zone and dimensions of typical signage lettering.

Mechanical Ventilation

- B8. All mechanical ventilation systems shall be designed in accordance with Part F4.5 of the Building Code of Australia and shall comply with Australian Standards AS1668.2 and AS3666 *Microbial Control of Air Handling and Water Systems* of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection.

Construction Management Plan

- B9. A Construction Management Plan shall be prepared in consultation with and endorsed by SOPA's General Manager – Operations and Sustainability and submitted to the Certifying Authority prior to the issued of the Construction Certificate. The Plan shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):
1. **Hours of work**, which must be in accordance with the conditions of this approval;
 2. **Contact details** of the site manager and all principal contractors;
 3. **Construction Traffic Management Plan**, which is to be developed in consultation with SOPA and is to include:
 - identification of a works zone that does not unreasonably impact on Murray Rose Avenue or access over the existing 6m right of carriageway at the rear of the site;
 - consideration of all Sydney Olympic Park Major Events;
 - ingress and egress of vehicles to the site;
 - management of loading and unloading of materials;
 - number and frequency of vehicles accessing the site and construction vehicle routes;
 - the times vehicles are likely to be accessing the site;
 - access arrangements and traffic control, ensuring that access on surrounding road networks remains clear and unobstructed at all times;
 - assurance that all excavation and construction vehicles are contained wholly within the site and/or identified works zone at all times and have entered the site and/or works zone prior to stopping;
 - changes to on-street parking restrictions on roads;
 - management of construction traffic and car parking demand including preparation and distribution of a Travel Access Guide; and
 - management of existing vehicular and pedestrian movements / routes around the site throughout the various stages of construction.
 4. **Erosion and sediment control**, identifying appropriate measures to be installed during construction which shall be designed in accordance with in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by Landcom; and must include:
 - The procedures by which stormwater and waste water deposited or generated on site is to be collected and treated prior to discharge including details of any proposed pollution control device.
 - The procedures to be adopted for the prevention of run-off, loose material and litter from the site onto the public way.
 5. **Construction Noise and Vibration Management Plan**, is to be developed and implemented to address the relevant provisions of Australian Standard 2436-2010 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*, the Environmental Noise Management Series by DEC, *NSW Interim Construction Noise Guidelines, DECC 2009*, and *Assessing Vibration: a technical guideline, DECCW 2006*. The Plan is to include, but not necessarily be limited to:
 - identifying specific activities that will be carried out and associated noise sources;
 - community consultation/notification and complaints monitoring system;
 - identify all potentially affected sensitive receivers;
 - noise and vibration monitoring reporting and response procedures;
 - relevant compliance standards;
 - construction times;
 - description of specific mitigation treatments management measures; and
 - contingency measures where noise complaints are received.
 6. **Construction waste management**, identifying options for minimising waste in construction; reuse and recycling of materials; the storage, control and removal of construction waste; and
 7. **Dust control** measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physical barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed.

Dilapidation Report

- B10. The proponent shall prepare a dilapidation report of public infrastructure within the vicinity of the site (including roads, gutters, footpaths, power poles, etc.) and of adjoining properties to the satisfaction of Certifying Authority prior to the issue of a Construction Certificate.

Dilapidation Surveys

- B11. Prior to the commencement of works, during the works, prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the proponent. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be observed. The timing of these surveys is to be agreed with RailCorp. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.

RailCorp Deed of Agreement

- B12. The proponent is required to enter into an agreement with RailCorp defining the controls to be implemented in managing access required and/or the potential impacts of the development on RailCorp, and the involvement of RailCorp staff in ensuring the appropriate safety and technical standards are complied with throughout the development.

Stray Currents and Electrolysis from Rail Operations

- B13. Prior to the issue of a Construction Certificate the proponent is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The proponent must incorporate in the development all measures recommended in the report to control that risk. A copy of the report is to be provided to the Certifying Authority with the application for a Construction Certificate.

Demolition, Excavation and Construction Impacts

- B14. Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to the Rail Authority for review and comment on the impacts on the rail corridor. The Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from the Rail Authority confirming that this condition has been satisfied.

Note: No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

Structural Details

- B15. Prior to the issue of a Construction Certificate for the relevant works, the proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that complies with:
- (a). the relevant clauses of the BCA;
 - (b). the relevant approval;
 - (c). drawings and specifications comprising the Construction Certificate; and
 - (d). the relevant Australian Standards listed in the BCA (Specification A1.1).

Stormwater and Drainage

- B16. Prior to the issue of a Construction Certificate, details of the proposed stormwater disposal and drainage from the development, including connection to the Sydney Olympic Park Water Reclamation and Management Scheme (WRAMS) are required, and details of the provision and maintenance of overland flow paths are required to be designed to the satisfaction of SOPA's General Manager – Operations & Sustainability and submitted to the Certifying Authority. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

Water Saving Devices and Connections to WRAMS

- B17. Water saving devices shall be installed in all areas of the development to reduce water consumption and promote energy efficiency, and all new fixtures and fittings are to achieve the following WELS rating and performance;
- (a). hand wash basins rated to WELS 4 Star;
 - (b). sink taps rated WELS 4 Star;
 - (c). showerheads rated to WELS 4 Star;
 - (d). dual flush toilets rated to WELS 4 Star;
 - (e). urinals should be waterless or sensor rated to WELS 5 Star;
 - (f). dishwashers rated to WELS 4 Star; and
 - (g). connection to Sydney Olympic Park WRAMS system.

Details of the above are to be included in the specifications which are to form part of the Construction Certificate for the premises.

Disabled Access

- B18. Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy and recommendations contained within the *Access for People with a Disability Development Application – Review, prepared by Access Associates Sydney dated November 2010*. All parking for people with disabilities shall be in accordance with AS2890.6-2009. Prior to the issue of a Construction Certificate, a certification of compliance with this condition shall be provided to the Certifying Authority from an appropriately qualified person.

Long Service Levy

- B19. Prior to the issue of a Construction Certificate works, evidence of the payment of the long service levy under section 34 of the *Building and Construction Industry Long Service Payment Act 1986* must be provided to the Certifying Authority (or, where such a levy is payable by instalments, the first instalment of the levy), if required.

Reflectivity

- B20. The light reflectivity from any building materials used on the facades of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issuing of a Construction Certificate.

Sydney Water – Notice of Requirements

- B21. An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to the issuing of a Construction Certificate.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

Outdoor Lighting

- B22. All outdoor lighting shall comply with, where relevant, AS/NZ1158.3.1: 2005 *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 issuing of a Construction Certificate.
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PART C – PRIOR TO CONSTRUCTION

Notice to be Given Prior to Commencement/Excavation

- C1. SOPA (SOPA's General Manager – Operations and Sustainability) shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site for each stage of the project.

Roads Act Approval

- C2. Approval under the Roads Act shall be obtained from the relevant Roads Authority prior to the commencement of works for any works that may impact on traffic flows on Murray Rose Avenue and Australia Avenue during construction activities.

Road/Asset Opening Permit

- C3. A Road / Asset Opening Permit must be obtained from the relevant road authority prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993, and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

Geotechnical and Structural Stability and Integrity

- C4. The proponent shall provide a Geotechnical Engineering report to RailCorp for review by RailCorp's Geotechnical section prior to the commencement of works. The report shall demonstrate that the development has no negative impact on the rail corridor or the integrity of the infrastructure through its loading and ground deformation and shall contain structural design details/analysis for review by RailCorp. The report shall include the potential impact of demolition and excavation, and demolition- and excavation-induced vibration in real facilities, and loadings imposed on RailCorp Facilities by the development.

Vehicle Cleansing

- C5. Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters

Utility Services

- C6(a). Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Energy Australia and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the proponent.
- (b). Any necessary alterations to public utility installations being at the proponent's/Demolisher's expense and to the requirements of both Council and the appropriate authorities.

Contact Telephone Number

- C7. The proponent shall ensure that a 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development. The contact number shall be forwarded to SOPA's General Manager – Operations and Sustainability and the department prior to commencement of works.

Haulage Routes

- C8. The routes for import of any fill materials or export of any spoil being submitted to and agreed to by the relevant road authorities prior to the commencement of haulage. Unacceptable deterioration or failures within public roads attributable to these operations is to be restored to the requirements of, and at no cost to the road authorities.

PART D – DURING CONSTRUCTION

Hours of Work

D1. The hours of excavation and work on the development must be as follows:

- All excavation and construction work and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools etc) in connection with the approved development must only be carried out between the hours of:
 - 7 am and 6 pm on Mondays to Fridays;
 - 7.30am and 3 pm on Saturdays; and
 - No work must be carried out on Sundays or public holidays.
- Works may be undertaken outside these hours where:
 - the delivery of materials is required outside these hours by the Police or other authorities;
 - It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - the work is approved by the Director General or his nominee.

Note: During certain major event periods (e.g. V8 Supercar event and the Royal Easter Show), access may not be available for construction and/or delivery vehicles. In such circumstances SOPA will provide a minimum of seven (7) days written notice of any requirements.

Site Notice

D2. A site notice(s) shall be prominently displayed at the boundaries of the site for the duration of works for the purposes of informing the public of project details including, but not limited to:

- (a) details of the Builder and Structural Engineer for all stages of the project;
- (b) the approved hours of work;
- (c) 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
- (d) to state that unauthorised entry to the site is prohibited.

Excavation

D3(a). If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the owners of the roadway are to be given at least 7 days notice. This notice is to include complete details of the work.

- (b). To ensure site preparatory and excavation works are satisfactorily undertaken, the recommendations provided within the Geotechnical Report, prepared by Douglas Partners, dated February 2011, are to be implemented.

Excavated Material

D4. Any excavated material to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the EPA's *Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

Noise Control

D5 (a). All work, including excavation and construction work must comply with the Australian Standard 2436-2010 'Guide to Noise Control on Construction, Maintenance and Demolition Sites' and 'NSW Interim Construction Noise Guidelines, DECC 2009'.

- (b). Noise and vibration emissions from equipment and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents or businesses and the relevant provisions of the *Protection of the Environment Operations Act 1997* must be satisfied at all times.

Vibration Criteria

D6. Vibration cause by construction at any residence or structure outside the subject site must be limited to:

- (a). for structural damage vibration, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and

- (b). for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472-1992, 'Evaluation of human exposure to vibration in buildings (1Hz to 80Hz)' present in the NSW Office of Environment and Heritage's 'Assessing Vibration; a technical guideline, February 2006'.

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

Standards and Codes

- D7. All building works shall be constructed in accordance with safe work practices and complying with the relevant Australian Standards, Codes of Practice and the Building Code of Australia.

Work Cover Requirements

- D8. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding Requirements

- D9(a). To ensure an appropriate presentation of the construction site, suitable hoarding/fencing shall be erected around the subject site during the construction period.
 - (b). No third party advertising is permitted to be displayed on the subject hoarding/fencing.
 - (c). The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.
 - (d). The placement of any hording is to be documented and presented to SOPA's General Manager – Operations & Sustainability for approval, prior to the installation of any such hording.

Loading and Unloading During Construction

- D10. A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to SOPA (SOPA's General Manager – Operations and Sustainability) prior to commencement of the work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the day to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.

No Obstruction of Public Way

- D11. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all work on site.

Disposal of Seepage and Stormwater

- D12. Any seepage or rainwater collected on-site during excavation shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant Authority.

Erosion and Sediment Control

- D13. Sediment controls are to be in place for the duration of the works to ensure that no sediment, fines, and like material can enter the waterway or drainage system. The proponent is to carry out works generally in accordance with the Construction Management Plan and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Dust Control Measures

- D14. Dust control measures are to be in place or are to be undertaken for the duration of the works to prevent dust from affecting the amenity of the immediate area during construction. The proponent is to carry out works generally in accordance with the Construction Management Plan, and controls are to be maintained at design level throughout the duration of the works and are to be inspected for this purpose at frequent intervals. Any deficiencies are to be immediately made good.

Pedestrian Access during Construction

- D15. Pedestrian access along Murray Rose Avenue is to be maintained throughout construction. Alternative routes, including those for persons with disabilities, shall be clearly identified and signposted for the duration of the works, and until such time as the permanent accessible paths are provided.

Setting Out of Structures

- D16. The new buildings shall be set out by a registered surveyor to verify the correct position of each structure in relation to property boundaries and the approved alignment levels.

Directional Signage

- D17(a). Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area.
- (b) Particular attention is to be paid to:
- wheelchair accessible paths of travel;
 - safe road crossing areas including signalised and other designated crossings;
 - key landmarks;
 - access to transport nodes including public transport; and
 - the vehicular entrance and exit driveways and the direction of traffic movement within the site being clearly indicated by means of reflectorised signs and pavement markings.

Traffic Movement

- D18(a). All loading and unloading associated with works must occur within the site and/or works zone.
- (b). All vehicles must enter and leave the site and/or works zone in a forward direction.
- (c). The cost of all traffic management works shall be borne by the proponent.
- (d). Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (e). The Contractor shall make provisions for safe, continuous movement of traffic and pedestrians in public roads and private roads accessible to the public and erecting traffic warning signs conforming to the Roads and Traffic Authority's General Specifications (RTA Spec. Part G10 "Control of Traffic" and RTA Spec. 3355). Traffic control is to be carried out only by flagmen with certification that they have been trained in accordance with Australian Standard 1742.3 – 2002.

Approved Plans to be On-Site

- D19. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval shall be kept on the site at all times and shall be readily available for perusal by any officer of the department or Council.

Work on Site to Cease

- D20(a). If any unidentified historical archaeological remains or deposits are exposed during the works excavation is to cease immediately in the affected areas and the archaeologist is to undertake an evaluation of the potential extent and significance of such relics. The Heritage Council is to be notified in accordance with section 146 of the NSW Heritage Act, 1977.
- (b). Should any Aboriginal relics or artefacts be discovered during the course of any works on-site, then work is to cease immediately, including work within 100m radius. The proponent must engage a suitable qualified archaeologist and contact representatives of the local Aboriginal community to determine the significance of the object(s) within 24 hours of discovery and register the discovery within 2 weeks on the Aboriginal Heritage Information Management System. Work may only be resumed following receipt of the relevant consent under the National Parks and Wildlife Act.

PART E – PRIOR TO ISSUE OF S SUBDIVISION CERTIFICATE

Subdivision Certificate

- E1. Prior to the registration of the final subdivision plan in the Office of the Registrar-General, a part 4A certificate shall be obtained under section 109C(1)(d) of the EP&A Act.

Subdivision Plan

- E2. Prior to the issue of a subdivision certificate, a survey plan and a subdivision plan must be submitted to the Director-General for endorsement and illustrate the following:
- (a). dimensions of the proposed allotments;
 - (b). location of all structures proposed and retained on the site;
 - (c). access points;
 - (d). any Asset Protection Zones, if required; and
 - (e). any easements, rights of way, covenants or other restrictions either existing or required on the site including any documentary easements for services, drainage, support and shelter, or any other encumbrances and indemnities required for joint or reciprocal use of part or all of the proposed lots as a consequence of the subdivision.

PART F – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

Occupation Certificate

- F1. An Occupation Certificate must be obtained from the Certifying Authority prior to commencement of occupation or use of the whole or part of the new building. A copy of the certificate shall be submitted to the department and SOPA.

Noise Control – Plant and Machinery

- F2. Prior to occupation of the building a report is to be prepared by a qualified acoustic engineer confirming that the installation and performance of the mechanical systems complies with:
- the recommendations of the *Noise and Vibration Report, prepared by SLR Heggies, dated 3 November 2010*;
 - the Building Code of Australia;
 - Australian Standard AS1668 and other relevant codes;
 - the project approval and any relevant modifications; and
 - any dispensation granted by the New South Wales Fire Brigade.

Dilapidation Surveys

- F3. Prior to the issue of the Occupation Certificate, and following occupation, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from RailCorp and the proponent. The dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be observed. The timing of these surveys is to be agreed with RailCorp. The submission of a detailed dilapidation report will be required unless otherwise notified by RailCorp.

Post-construction Dilapidation Report

- F4. The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the department and the SOPA's General Manager – Operations and Sustainability and is to:
- (a). Compare the post-construction dilapidation report with the pre-construction dilapidation report, identifying the nature and costs of damage (if any) which has occurred during and as a result of construction, and
 - (b). Have written confirmation from the relevant authority that there is no adverse structural damage to its infrastructure and roads (as far as reasonably practical) or that satisfactory arrangements have been made to remedy any damage. If this has been unreasonably delayed by the relevant authority, attempts to seek such confirmation shall be given to the satisfaction of the department.

Fire Safety Certificate

- F5. A Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this approval prior to occupation of the building. A copy of the Fire Safety certificate must be submitted to the relevant authority and SOPA's General Manager – Operations and Sustainability.

Traffic and Parking Details

- F6. The driveway, vehicle manoeuvring area and car parking spaces (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) must be properly constructed, graded, drained, sealed and line marked including directional arrows with impervious paving material, in accordance with Australian Standard AS2890.1-2004, AS2890.2-2002 for commercial vehicle usage.

Structural Inspection Certificate

- F7. A Structural Inspection Certificate for any structural work is to be obtained prior to occupation of the building.

Road Damage

- F8. The cost of repairing any damage caused to SOPA's 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 prior to the occupation of the building.

Waste Management

- F9. Prior to occupation of the building the proponent must ensure that waste handling works have been completed in accordance with the Waste Management Plan; other relevant approval conditions; and any relevant SOPA policy.

Drainage Plan

- F10. Prior to the issuing of an Occupation Certificate for the development, the applicant shall submit to SOPA and the Certifying Authority a works-as-executed drainage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer. The works-as-executed drainage plan shall be to the satisfaction of the Certifying Authority.

Sydney Water

- F11. A Compliance Certificate issued under Part 6, Division 9, Section 73 of the Sydney Water Act 1994 shall be submitted to the Certifying Authority, prior to the issue of the Occupation Certificate.

Infrastructure Damage

- F12. The cost of repairing any damage caused to SOPA 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 prior to the issue of the Occupation Certificate.

Accessibility

- F13. Prior to issue of an Occupation Certificate, a certificate of compliance shall be prepared by an appropriately qualified person and submitted to the Certifying Authority confirming that the development complies with the recommendations in the Accessibility Review prepared by Access Associates Sydney, dated November 2010, and complies with the requirements for access by people with disabilities under the Disability Discrimination Act 1992, Disability (Access to Premises – Buildings) Standards 2010, and SOPA's Access Guidelines (May 2011).

Food Premises

- F14. The construction, fit out and finishes for any proposed commercial food premises shall comply with the NSW Food Act 2003 and AS 4674-2004 Design, Construction and Fit out of Food Premises. Compliance with these standards shall be certified by an appropriately qualified person, to satisfaction of the Certifying Authority, prior to issue of the Occupation Certificate.

Workplace Travel Plan

- F15. Prior to the occupation of the building, workplace travel plans are to be prepared to encourage the use of non-car transport modes by tenants, staff and visitors of the building. The workplace travel plan is to be prepared in consultation with SOPA's General Manager – Operations and Sustainability and demonstrate how the development will comply with Sydney Olympic Park Master Plan 2030.

Sydney Olympic Park Major Events

- F16. Prior to occupation of the building, an Operational Management Plan shall be prepared in consultation with, and endorsed by, SOPA's General Manager – Operations & Sustainability to ensure that operation across multiple sites are coordinated, and that appropriate vehicle/pedestrian access are maintained during Major Events (e.g. the Royal Easter Show and V8 Supercar race).

Subdivision Certificate

- F17. Prior to the issue of the Occupation Certificate, evidence of the registration of the final subdivision plan in the Office of the Registrar-General, NSW Land and Property Information, is to be submitted to the Certifying Authority.
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PART G – DURING OPERATIONS

Ecologically Sustainable Development

- G1. The operation of the building shall maintain the minimum 5 Star v3 Green Building Council of Australia commercial office design rating and 4.5 Star NABERS rating committed to and shall implement the ESD principles and design measures outlined within the EA.

Annual Fire Safety Certificate

- G2. An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Noise Control – General

- G3. The use of the premise shall not cause nuisance, or an offensive noise as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.

Noise Control – Plant and Machinery

- G4. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:
- Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy.
 - A sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute.
 - Notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not be audible in any habitable room in any residential property between the hours of 12.00 midnight and 7.00am.

Loading and Unloading

- G5. All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

Unobstructed Driveways and Parking Areas

- G6. All driveways and parking 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.

Access Arrangements to Right of Carriageway

- G7. Access arrangements for benefited users to the existing 6m right of carriageway along the northern boundary of the subject site are to be satisfactorily maintained in accordance with the relevant section 88B instrument.

Signage

- G8. Any signage that does not form part of this approval is subject to a separate Development Application to be submitted to SOPA.
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ADVISORY NOTES

Use of Mobile Cranes

AN1. 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 proponent shall ensure the following matters are complied with:

- for special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions; and
 - 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;
- 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.

Movement of Trucks Transporting Waste Material

AN2. 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.

Disability Discrimination Act

AN3. This application is to comply 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 & 4.1 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

Temporary Structures

AN4. A Barricade/Hoarding Permit must be obtained prior to the commencement of construction works from the relevant Authority. The permit 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 also be submitted to the relevant Authority to certify the structural adequacy of the design of the temporary Barricades/Hoarding.

Structural Capability for Existing Structures

AN5. The structural capabilities of any existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN6. 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.

SCHEDULE 3

STATEMENT OF COMMITMENTS

In accordance with the Director-General's Environmental Assessment Requirements, the following section details a Draft Statement of Commitments in regard to the proposed development. The following points outline specific environmental management, mitigation and monitoring measures committed to by SOP8B Pty Ltd to ensure that the project does not result in any unreasonable impacts.

7.1 Noise Management

SOP8B Pty Ltd will engage the services of an appropriately qualified acoustic engineer to undertake further assessment of mechanical plant specifications to ensure that these comply with the relevant recommendations made within the SLR Heggies Acoustic Assessment dated 3rd November 2010. The acoustic engineer shall provide compliance certification prior to the issue of an Occupation Certificate.

7.2 Waste Management

1. SOP8B Pty Ltd will prepare and submit a Construction Waste Management Plan to the Certifying Authority prior to the issue of a Construction Certificate. This plan will demonstrate how waste avoidance, reduction, re-use and recycling will be implemented during construction. This will likely form part of the Construction Management Plan outlined below;
2. SOP8B Pty Ltd will require a Waste Management Plan to be prepared by each tenant as part of occupancy Development Applications which will be submitted to SOPA under *Part 4 of the Environmental Planning and Assessment Act 1979*. These plans will demonstrate how waste avoidance, reduction, re-use and recycling will be implemented during the operation of each business.

7.3 Transport Management

SOP8B Pty Ltd will require Workplace Travel Plans to be prepared by each tenant as part of occupancy Development Applications which will be submitted to SOPA under *Part 4 of the Environmental Planning and Assessment Act 1979*.

7.4 Construction Management

A Construction Management Plan will be prepared by FDC on behalf of SOP8B Pty Ltd prior to the commencement of works on site. This plan will include the following information:

- Proposed hours of work;
- Contact details of FDC site manager;
- Traffic Management:
 - o Ingress and egress of vehicles to site;
 - o Management of loading and unloading materials;
 - o Number and frequency of vehicles accessing the site;
 - o Changes to on-street parking restrictions on local roads;
 - o Management of construction traffic and car parking demand;
 - o Management of existing vehicular and pedestrian movements around
- the site throughout various stages of construction;
- Major event coordination / management;
- Dust control measures;
- Construction waste management;
- Erosion and sediment control measures;
- Construction noise and vibration management;
- Any other relevant information relating to construction and its potential impact on the surrounding area.

7.5 Erosion and Sediment Control

An Erosion and Sediment Control Plan shall be prepared, by an appropriately qualified civil engineer, and submitted to the Certifying Authority prior to the issue of a Construction Certificate. This plan should be prepared in accordance with the '*Managing Urban Stormwater-Soils and Construction Volume 1 (2004) by Landcom (The Blue Book)*'.

7.6 Ecological Sustainable Development Initiatives

The proposed building must be designed to achieve a minimum 5 star rating under the Green Building Council of Australia's Green Star – Office Design rating tool (Version 3).
