

: PROJECT APPROVAL

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

DETERMINATION OF MIXED USE DEVELOPMENT APPLICATION

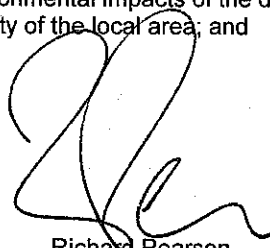
Major Project No. 08_0112
(File No. S08/00898)

I, the Deputy Director-General, acting under delegation from the Minister for Planning having considered the matters in section 75J(2) of the *Environmental Planning & Assessment Act 1979* (the EP&A Act), determine pursuant to section 75J(1) of the EP&A Act to **give approval** to the major project referred to in the attached Schedule 1 subject to the conditions of approval in Schedule 2.

This approval applies to the plans, drawings and documents cited by the proponent in their Environmental Assessment, Response to Submissions and Statement of Commitments, subject to the conditions of approval in Schedule 2.

The reasons for the imposition of conditions are to:

- (a) ensure the site is appropriately managed for the proposed use;
- (b) to encourage good urban design and a high standard of architecture;
- (c) to encourage ecologically sustainable development principles;
- (d) adequately mitigate the environmental impacts of the development;
- (e) reasonably protect the amenity of the local area; and
- (f) protect the public interest.



Richard Pearson
Deputy Director-General
Development Assessment & Systems Performance
Department of Planning

Sydney

22nd October

2010

SCHEDULE 1

Application No.:	08_0112
Proponent:	Candalepas Associates
Approval Authority:	Minister for Planning
Land:	Lots 1-9 Section 9 DP 4209 and Lot B DP 354297
Project:	Construction of an 18-storey mixed-use development comprising retail and commercial uses, a supermarket and residential apartments as described in Condition A1, Part A, and Schedule 2.

- b) Any asbestos waste generated by the development must be disposed of in accordance with the requirements of Clause 42 of the *Protection of the Environment Operations (Waste) Regulation 2005*.

D8 *Hours of Construction*

All building work shall be restricted to within the hours of 7.00 am to 6.00 pm between Monday to Friday, and 7.00 am to 3.30 pm on Saturday, with no work on Sundays and/or Public Holidays. Measures shall be undertaken to ensure no adverse noise or amenity impacts occur to any residential premises.

D9 *Excavation of Aboriginal Heritage items and European Archaeology*

A preliminary program of archaeological test excavation should be undertaken if natural soil profiles are found to remain intact. Test excavations should be undertaken in conjunction with European archaeological investigation.

In the event of Aboriginal archaeological remains or European archaeological remains being found on site, a suitably qualified archaeologist, trained in recognising Aboriginal/European artefacts, is to be engaged to assess the material before determining the correct management action. All archaeological work is to be fully documented and the reports made available for the Aboriginal community and the public.

D10 *Use of road or footpath*

During excavation, demolition and construction phases, no building materials, plant or the like are to be stored on the road or footpath without written approval being obtained from Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations.

D11 *Asbestos Removal*

All demolition works involving the removal and disposal of asbestos cement must 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 National Occupational Health and Safety Commission (NOHSC: "Code of Practice for the Safe Removal of Asbestos" and any Council guidelines

D12 *Classification of Waste*

Prior to the exportation of waste from the site, the waste materials must be classified to determine where the waste may be legally taken. The *Protection of the Environment Operations Act 1997* provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility.

D13 *Loading and Unloading*

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
