

Project Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation executed on 27 February 2013, I approve the project application referred to in schedule 1, subject to the conditions in schedule 2 and Statement of Commitments in Schedule 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.



Executive Director
Development Assessment Systems and Approvals
Department of Planning and Infrastructure

Sydney

30 April

2013

SCHEDULE 1

Application No.:	MP 11_0082
Proponent:	GPT RE Limited
Approval Authority:	Minister for Planning and Infrastructure
Land:	3 Murray Rose Avenue, Sydney Olympic Park (Lot 88 DP 870992)
Project:	Commercial development at 3 Murray Rose Avenue, including: <ul style="list-style-type: none">• demolition works;• construction of a new five storey commercial building and four level basement car park; and• associated tree removal, landscaping and public domain works.

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DEFINITIONS

Advisory Notes	Advisory information relating to the approval but do not form a part of this approval
Proponent Application	Health Infrastructure, or anyone else entitled to act on this approval The major project application and the accompanying drawings plans and documentation described in Condition A1.
BCA	Building Code of Australia
Construction Council	Any works, including earth and building works Auburn Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the Act to issue a construction certificate under Part 4A of the Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Infrastructure or its successors
Director-General	Director-General of the Department of Planning and Infrastructure, or nominee
Director General's approval, agreement or satisfaction	A written approval from the Director- General (or nominee)
Evening	The period from 6pm to 10pm
EA	Environmental Assessment titled <i>Environmental Assessment Report 3 Murray Rose Avenue, Sydney Olympic Park (Formerly Building B, 7 Parkview Drive)</i> prepared by JBA Planning, dated October 2012
EPA	Environment Protection Authority, or its successor
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
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
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
PCA	Principal Certifying Authority, or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
PPR	Preferred Project Report in titled <i>Response to Submissions and Preferred Project Report 3 Murray Rose Avenue, Sydney Olympic Park</i> prepared by JBA Planning, dated March 2013
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
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.
SOPA	Sydney Olympic Park Authority
Subject Site	5 Murray Rose Avenue (Lot 88 DP 870992)

SCHEDULE 2 PART A - ADMINISTRATIVE CONDITIONS

TERMS OF APPROVAL

Development Description

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

Development in Accordance with Plans and Documents

A2. The proponent shall carry out the project generally in accordance with the:

- (a) Environmental Assessment titled *Environmental Assessment Report 3 Murray Rose Avenue, Sydney Olympic Park (Formerly Building B, 7 Parkview Drive)* prepared by *JBA Planning*, dated *October 2012*;
- (b) Preferred Project Report in titled *Response to Submissions and Preferred Project Report 3 Murray Rose Avenue, Sydney Olympic Park* prepared by *JBA Planning*, dated *March 2013*; and
- (c) The following drawings, except for:
 - (i) any modifications which are Exempt' or Complying Development;
 - (ii) as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
 - (iii) otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by <i>Turner + Associates</i>			
Drawing No.	Revision	Name of Plan	Date
EA004_D	D	Demolition Plan	22.03.2013
EA100_D	D	Roof Plan/Site Plan	19.03.2013
EA101A_D	D	Basement 03 Plan	30.08.2012
EA101B_F	F	Basement 02 Plan	30.08.2012
EA102_F	F	Basement 01 Plan	30.08.2012
EA103_F	F	Lower Ground Floor Plan	30.08.2012
EA104_G	G	Upper Ground Floor Plan	19.03.2013
EA105_D	D	Typical Floor Plan_Level 1&2	19.03.2013
EA106_G	G	Typical Floor Plan_Level 3&4	19.03.2013
EA107_C	C	Plant Level Plan	19.03.2013
EA300_H	H	South Elevation	19.03.2013
EA301_H	H	East Elevation	19.03.2013
EA302_H	H	North Elevation	19.03.2013
EA303_H	H	West Elevation	19.03.2013
EA400_E	E	Section A	19.03.2013
EA401_E	E	Section B	19.03.2013
Landscape Drawings prepared by <i>Turf Design</i>			
Drawing No.	Revision	Name of Plan	Date
LA5	C	THE CUTTING DETAIL PLAN	31 August 2012
LA7	D	THE CHASE- DETAIL PLAN	31 August 2012
LA8	C	EAST & WEST SECTIONS	31 August 2012
LA9	C	SOUTH ELEVATION	31 August 2012
LA12	C	FLORA AND SOIL CHEMISTRY	31 August 2012

Inconsistency Between Documents

A3. If there is any inconsistency between the plans and documentation referred to above and the Statement of Commitments in Schedule 3, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Removal of Trees

- A4. Only trees numbered 1-29, 32 and the Lilly Pilly Hedge as identified on page 4 of the *Arborist's Report* prepared by *Hunter Horticultural Services*, dated 11 July 2012, are approved for removal.

Development Expenses

- A5. It is the responsibility of the proponent to meet all expenses incurred in undertaking the project, including expenses incurred in complying with conditions imposed under this approval.

Limits of Approval

- A6. This approval will lapse five years from the date of approval unless the building works associated with the project have physically commenced.
- A7. This approval does not approve commercial fit out, signage or an awning between 3 and 5 Murray Rose Avenue. Separate approval/s must be obtained, if required by the EP&A Act.

Prescribed Conditions

- A8. The proponent shall comply with all relevant prescribed conditions of development approval under Part 6, Division 8A of the Regulation.

Long Service Levy

- A9. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Legal notices

- A10. Any advice or notice to the approval authority shall be served on the Director-General.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Ecologically Sustainable Development

- B1. The project shall identify all design, operational and construction measures required to target a minimum 5 star green star rating. Details are to be clearly identified in relevant construction plans and construction management plans.
- B2. The building materials used on the facades of the buildings shall have a maximum normal specular reflectivity of visible light of 20 percent and shall be designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers. A report/statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for any above ground works.

Outdoor Lighting

- B3. All outdoor lighting shall be designed to 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. To minimise ecological impacts to adjacent ecosystems, lighting must not be directed to the Brickpit or to Badu Mangroves, and must not be directed upwards.

Access for People with Disabilities

- B4. The building and landscaping, including paths within "the Chase", must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia and SOPA Access Guidelines 2011.

The Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on relevant plans prior to the issue of a construction certificate.

Pre-Construction Dilapidation Reports

- B5. The proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum excavation depth. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate. A copy of the report is to be forwarded to SOPA.

Number of Car Spaces

- B6. The proposed development is to provide a maximum of 249 car parking spaces, including a minimum of eight accessible car spaces. Details confirming the parking numbers shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate.

Bicycle Spaces

- B7. A minimum of 88 basement bicycle spaces and 18 ground level visitor 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 a construction certificate.
- B8. The layout, design and security of bicycle facilities must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
- (a) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities, and
 - (b) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

Traffic and Parking Details

- B9. Plans are to identify the following traffic and parking details:
- (a) all vehicles must enter and leave the Subject Site in a forward direction;
 - (b) all vehicles accessing the site, including the loading dock, are to be limited to Medium Rigid Vehicles or smaller only;
 - (c) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - (d) appropriate pedestrian advisory signs are to be provided at the egress from the car park and loading dock;
 - (e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; and
 - (f) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS
 - (g) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority.
- B10. Details demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate.

Mechanical Ventilation

B11. All mechanical ventilation systems shall be installed 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. Details shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a construction certificate for above ground works.

Stormwater & Drainage

B12. Prior to the issue of a construction certificate, details of the proposed stormwater disposal and drainage from the development, prepared by a qualified practicing professional, are to be submitted to the satisfaction of SOPA's General Manager – Operations and Sustainability and the Certifying Authority. Details are to include (but not limited to) the following:

- a) provision and maintenance of overland flow paths;
- b) measures to minimise discharges to receiving ecosystems (Brickpit/Badu Mangroves);
- c) provision and maintenance of onsite rainwater tank(s);
- d) any connections to the Sydney Olympic Park Water Reclamation and Management Scheme (WRAMS); and
- e) maintenance plans for all stormwater management system components.

All approved details for the collection/disposal of stormwater and drainage are to be implemented in the development.

Road Design

B13. Kerb and gutter, stormwater drainage, full road width pavement including traffic facilities (roundabouts, median islands etc) and paved footpaths shall be constructed along the length of new roads. Road works shall be designed in consultation with the relevant requirements of SOPA and the RMS (if applicable). Final road design plans shall be prepared by a qualified practising Civil Engineer and submitted to the Certifying Authority prior to the issue of a construction certificate.

Structural Details

B14. Prior to the issue of a relevant construction certificate, the proponent shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrate compliance with:

- a) the relevant clauses of the BCA, and
- b) the project approval.

Treatment of Vehicular Entry

B15. In order to improve the appearance of the building when viewed from the street, any part of the walls and ceilings of vehicular entry points that are visible from the street shall be finished in high quality materials and no service ducts or pipes are to be visible and shall be detailed in the building plans and specifications accompanying the relevant construction certificate.

Landscaping Works

B16. Prior to the issue of a construction certificate, the proponent shall demonstrate that adequate deep soil zones are provided for tree plantings, including cross-sectional diagrams, and submit a copy of these details to SOPA and the Certifying Authority.

PART C – PRIOR TO COMMENCEMENT OF WORKS

Demolition

- C1. 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.

Works Permit

- C2. Prior to the commencement of construction works, a Works Permit is to be obtained from SOPA for any works (e.g. storing materials, footpath occupancy, hoarding, loading and unloading of goods, construction parking, etc) within the public domain.

Erosion and Sedimentation Control

- C3. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1* (2004) by Landcom and must include:
- (a) 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; and
 - (b) the procedures to be adopted for the prevention of run-off, loose material and litter from the site onto the public way.
- C4. Details are to be submitted to the satisfaction of SOPA's General Manager – Operations & Sustainability and submitted to the Certifying Authority prior to the issue of a construction certificate.

Excavation Works

- C5. The PCA and SOPA shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the Subject Site.

Public Domain Plan

- C6. Prior to the commencement of works, the proponent shall submit an amended Public Domain Plan to the satisfaction of SOPA's General Manager – Operations & Sustainability, to ensure interface levels and materials are well-integrated with the future works/extension of Murray Rose Avenue and Brick Pit Park.

Construction Environmental Management Plan

- C7. Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be prepared to the satisfaction of SOPA's General Manager – Operations & Sustainability and submitted to the PCA and the department. The Plan shall address, but not be limited to, the following matters where relevant:
- (a) hours of work;
 - (b) 24 hour contact details of the site manager;
 - (c) traffic & pedestrian management, in consultation with SOPA to address, but not be limited to, the following matters:
 - (i) ingress and egress of vehicles to the Subject Site;
 - (ii) loading and unloading, including construction zones;
 - (iii) predicted traffic volumes, types of vehicles, routes, and the times vehicles are likely to be accessing the site;
 - (iv) pedestrian and traffic management methods, including access arrangements;
 - (v) changes to on-street parking restrictions on roads; and

- (vi) management of car parking demand during construction including preparation and distribution of a Travel Access Guide;
- (d) construction noise and vibration management, prepared by a suitably qualified person;
- (e) management of dust to protect the amenity of the neighbourhood;
- (f) erosion and sediment control, including measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
- (g) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting;
- (h) major event management;
- (i) construction waste management plan prepared by a suitably qualified person, and shall address, but not be limited to, the following matters:
 - (i) minimising waste in construction;
 - (ii) reuse and recycling of demolition materials including concrete;
 - (iii) storage, control and removal of construction waste;
 - (iv) removal of hazardous materials and disposal to an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines; and
 - (v) details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air;
- (j) flora and fauna management, including a Green and Golden Bell Frog sub-plan, which shall identify appropriate procedures if Green and Golden Bell Frogs are encountered during construction works, including cease work and relocation procedures; management of their habitat during construction; and details of cleaning equipment to minimise the likelihood of transmission of any frog pathogens.

The CEMP must not include works that have not been explicitly approved in the development approval. In the event of any inconsistency between the approval and the CEMP, the approval shall prevail.

Waste Management During Construction

- C8. The proponent must notify the Roads and Maritime Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

Utility Services

- C9. Prior to the commencement of work the proponent is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

Contact Telephone Number

- C10. 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 and the department prior to commencement of works.

Haulage Routes

- C11. 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, if required. 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 construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:

- (a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- (b) between 8:00 am and 3:00 pm, Saturdays;
- (c) no work on Sundays and public holidays;
- (d) works may be undertaken outside these hours where:
 - (i) the delivery of materials is required outside these hours by the Police or other authorities;
 - (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
 - (iii) variation is approved in advance in writing 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.

Ecologically Sustainable Development

D2. The project shall implement all construction measures to target a minimum 5 star green star rating.

Erosion and Sediment Control

D3. 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.

Disposal of Seepage and Stormwater

D4. Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system draining to Badu Mangroves unless separate prior approval is given in writing by SOPA's General Manager Operations & Sustainability.

Approved Plans to be On-site

D5. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the department, SOPA, council or the PCA.

Site Notice

D6. A site notice(s) shall be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer.

D7. The site notice(s) is to satisfy all but not be limited to, the following requirements:

- (a) 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;
- (b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (c) 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
- (d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Protection of Trees

- D8. All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Construction Noise Management

D9.

- (a) The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan
- (b) Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with a Construction Noise and Vibration Management Plan.
- (c) If the noise from a construction activity is substantially tonal or impulsive in nature (containing a prominent frequency and characterised by a definite pitch or having a high peak of short duration or a sequence of such peaks) 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.
- (d) The proponent shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - (i) 8.00 am to 12.00 pm, Monday to Friday;
 - (ii) 2.00 pm to 5.00 pm Monday to Friday; and
 - (iii) 9.00 am to 12.00 pm, Saturday
- (e) Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan.

- D10. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act, 1997* or exceed approved noise limits for the Subject Site.

Vibration Criteria

- D11. Vibration caused 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,
- (b) 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,
- (c) vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above,
- (d) limits in D12 and D13 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan.

Standards and Codes

D12. 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

D13. 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.

Waste Management During Construction

D14. Documentation, including, but not limited to, waste classification reports and weighbridge records for all loads, must be retained and provided to SOPA upon request.

Hoarding Requirements

D15. The following hoarding requirements shall be complied with:

- (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.
- (b) 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.

No Obstruction of Public Way

D16. 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.

Dust Control Measures

D17. 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

D18. Pedestrian access along Murray Rose Avenue is to be maintained as far as feasible 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

D19. 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

D20. Directional signage shall be modified as required to accommodate any altered pedestrian and vehicular movements within the area. Particular attention is to be paid to:

- (a) wheelchair accessible paths of travel
- (b) safe road crossing areas including signalised and other designated crossings;
- (c) key landmarks

- (d) access to transport nodes including public transport
- (e) 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

D21. The following traffic movement requirements shall be complied with:

- (a) All loading and unloading associated with works must occur on site or within a designated construction zone.
- (b) All vehicles must enter and leave the site in a forward direction, where feasible. 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.
- (c) The cost of all traffic management works shall be borne by the proponent.
- (d) No trucks associated with the approved works are permitted to park or stand on public roadways.
- (e) Gates shall be closed between vehicle movements.
- (f) Movement of trucks to and from the site shall be staggered so as to limit access and egress during peak traffic periods.
- (g) The Contractor shall make provision 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 Maritime Services' 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 – 2009.

Contamination

D22. In the event that on-site sources of contamination are identified during works on site, the proponent shall submit a report to the satisfaction of the EPA, SOPA and the department in relation to the contamination. The report should provide information about the nature and extent of the contamination, its potential source(s) and details of any proposed remedial measures that would be undertaken to eliminate the source(s) and address the contamination. The proponent should also consider whether they have a duty to notify the EPA under section 60 of the *Contaminated Land Management Act 1997*.

Excavated Material

D23. Any excavated material to be removed from the site being assessed, classified, transported and disposed of in accordance with the EPA's Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes.

Imported Fill

D24. Any imported fill brought onto the site must be validated to ensure its suitability for the proposed land use from a contamination perspective. Imported fill is to be certified that it is not contaminated, based upon analysis or the known past history of the site from which it is obtained.

PART E – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Workplace Travel Plan and Travel Access Guide

- E1. Prior to the occupation of the building, a Workplace Travel Plan and Transport Access Guides shall be prepared for staff and visitors and submitted to the satisfaction of SOPA's General Manager – Operations and Sustainability.

Event Impact Statement

- E2. Prior to the issuing of any occupation certificate for the use of part or all of the building, an Event Impact Statement is to be submitted to the satisfaction of SOPA's General Manager – Operations and Sustainability.

Mechanical Ventilation

- E3. 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 occupation of the building, that the installation and performance of the mechanical systems complies with:
- (a) The Building Code of Australia.
 - (b) Australian Standard AS1668 and other relevant codes.
 - (c) The project approval and any relevant modifications.
 - (d) Any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- E4. 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/developer prior to occupation of the building.

Note: Should the cost of damage repair work not exceed the road maintenance bond, SOPA and/or 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.

Registration of Easements

- E5. Prior to the operation of the facilities the subject of this approval, the proponent shall provide to the PCA evidence that all matters required to be registered on title including easements required by this approval, approvals, and other approvals have been lodged for registration or registered at the NSW Land and Property Information.

Sydney Water Compliance

- E6. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

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.

The Section 73 Certificate must be submitted to the PCA prior to issue of the occupation certificate in the case of buildings or works or issue of a subdivision certificate, in the case of subdivision.

Fire Safety Certificate

- E7. 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 council.

Structural Inspection Certificate

- E8. A Structural Inspection Certificate for any structural work is to be obtained prior to the operation of the facilities the subject of this approval.

Post-construction Dilapidation Report

- E9. The proponent shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works.
- (a) This report to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
 - (b) The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
 - (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions,
 - (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - (c) A copy of this report is to be forwarded to the department and SOPA.

Waste Management

- E10. Prior to the operation of the facilities the subject of this approval, 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.

PART F – DURING OPERATIONS

Ecologically Sustainable Development

- F1. The project shall implement all operational and design measures to target a minimum 5 star green star rating.

Loading and Unloading

- F2. All loading and unloading of service vehicles in connection with the use of the premises shall be carried out wholly within the Subject Site at all times.

Unobstructed Driveways and Parking Areas

- F3. 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.

Noise Control – Operational

- F4. The use of the premises shall not cause a nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997*, to adjoining properties or the public.

Noise Control – Plant and Machinery

- F5. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall not exceed 5dB(A) above the background noise level when measured at the boundary of the Subject Site.

Storage of Hazardous or Toxic Material

- F6. 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.

Public Way to be Unobstructed

F7. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

F8. External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. To minimise ecological impacts to adjacent ecosystems, lighting must not be directed to the Brickpit or to Badu Mangroves, and must not be directed upwards. Upon installation of lighting, but before it is finally commissioned, the proponent shall submit to the approval authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

ADVISORY NOTES

Appeals

AN1 The proponent has the right to appeal to the Land and Environment Court in the manner set out in the Environmental Planning and Assessment Act, 1979 and the Environmental Planning and Assessment Regulation, 2000 (as amended).

Other Approvals and Permits

AN2 The proponent shall apply to the council for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or *Section 138 of the Roads Act, 1993*.

Responsibility for Other Approvals / Agreements

AN3 The proponent is solely responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN4

- a) An approval under State Environmental Planning Policy (Temporary Structures) 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.
- b) 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) 2007 to certify the structural adequacy of the design of the temporary structures.

Disability Discrimination Act

AN5 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.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999
AN6

- a) 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.
- b) 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 the Department of Sustainability, Environment, Water, Population and Communities 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.

Asbestos Removal

AN7 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".

SCHEDULE 3 PROPONENT'S STATEMENT OF COMMITMENTS

4.1 Acoustic and Noise

GPT RE Limited will install the glazing as specified on all facades of the building in accordance with the recommendations included in the Acoustic Report, prepared by Acoustic Logic dated 29 August 2012.

In relation to mechanical plant, GPT RE Limited will:

- enclose all chillers within plant rooms;
- locate cooling towers on the western side of the plan room, as far as practicable from future residential properties;
- install all plant items using vibration isolation mounts to prevent structure borne noise transferring to offices below.

4.2 Promotion of Sustainable Means of Transport

GPT RE Limited will incorporate the requirement for the preparation of Workplace Travel Plans into lease documentation for future tenants.

4.3 Accessibility

GPT RE Limited will incorporate the recommendations in the Accessibility Review report, prepared by Morris Goding Accessibility Consultants dated 27 July 2012 into the detailed design of the development to be submitted with construction certificate documentation.

4.4 Flora and Fauna

GPT RE Limited will commission the preparation of a site specific Green and Golden Bell Frog plan prior to the commencement of works in conjunction with SOPA and in accordance with relevant guidelines and protocols.

4.5 Geotechnical

GPT RE Limited will implement the recommendations set out within the Douglas Partners Geotechnical Investigation Report dated 22 August 2012 prior to and during construction works.

4.6 Contamination

GPT RE Limited will implement the recommendations set out within the Douglas Partners Detailed Contamination Assessment dated 23 September 2012.