

Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Chief Executive Officer of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in **Schedule 1**, subject to the conditions in **Schedule 2**.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts.



Charles Moore
Chief Executive Officer
Sydney Olympic Park Authority

Date: 10/04/2017

Ref: DA 19-11-2016
(File No. F16/1278)

SCHEDULE 1

Development Application:	DA 19-11-2016
Application made by:	FDC Construction and Fitout Pty Ltd
To:	Sydney Olympic Park Authority (the Authority)
In respect of:	Lot 2120 DP 1169474, 11 Murray Rose Avenue, Sydney Olympic Park (Site 8D)
For the following:	Construction of a six storey commercial building with ground floor retail.
Determination:	Consent granted subject to conditions in the attached Schedule 2
Date of commencement of consent:	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination.
Advisory Notes	<p>The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities as relevant.</p> <p>The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the <i>Environmental Planning and Assessment Regulation 2000</i> (as amended).</p>

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION No. 19-11-2016

PART A – ADMINISTRATIVE CONDITIONS

A1 Development Description

Development Consent is granted only to carrying out of the development as described in, and on the land referred to, in **Schedule 1** above.

Note: The conditions of this consent do not relieve the applicant of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

A2 Development in Accordance with Plans & Documentation

The development shall be undertaken in accordance with the following approved documents:

Architectural Drawings prepared by Bates Smart as follows:			
Drawing Ref	Revision	Name of Plan	Date
DA01.01	D	Site Plan	28.09.2016
DA03.00	K	Ground Floor Plan	01.02.2017
DA03.01	C	First Floor Plan	11.10.2016
DA03.02	C	Typical Floor Plan	11.10.2016
DA03.06	B	Plant Level 6	28.09.2016
DA07.01	B	South Elevation	28.09.2016
DA07.02	D	North Elevation	31.01.2016
DA07.03	C	West Elevation	30.01.2016
DA08.01	E	Section A	28.09.2016
DA08.02	F	Section B	28.09.2016
Statement of Environmental Effects as prepared by FDC Construction and Fitout Pty Ltd, dated 18 November 2016 (including all appendices)			

except for:

1. any modifications as may be necessary for the purpose of compliance with the Building Code of Australia (BCA) and any Australian Standard (AS) incorporated in the BCA;
2. otherwise provided by the Conditions of this Approval;
3. otherwise as necessary to comply with other NSW and Commonwealth legislation as relevant.

A3 Inconsistency between documents

In the event of any inconsistency between Conditions of this Consent and the details referred to in Condition No. A2, the Conditions of this Consent prevail.

A4 Lapsing of Consent

This consent will lapse five (5) years of determination date of DA 19-11-2016, unless the development has physically commenced.

A5 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of development consent under Part 6, Division 8A of the *Environmental Planning and Assessment Regulation 2000*.

A6 Critical Stage Inspections

The *Environmental Planning and Assessment Act 1979* Section 109E(3)(d) requires that inspections be carried out by the Principal Certifying Authority (PCA) or other Accredited Certifier with the prior consent of the PCA.

A7 Standards and Codes

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

A8 Long Service Levy

For works costing more than \$25,000, a Long Service Levy shall be paid. Further information in this regard is available from the Long Service Payments Corporation on its helpline Ph. 13 14 41.

A9 Contributions

Consultation shall be undertaken with Sydney Olympic Park Authority to determine the contributions in accordance with the Sydney Olympic Park Infrastructure Contributions Framework.

END OF PART A

PART B – PRIOR TO CONSTRUCTION

B1 Construction Certificate

A relevant Construction Certificate is to be issued for the new building work by an Accredited Certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

B2 Principal Certifying Authority

The new building work is not to commence until a Principal Certifying Authority (PCA) has been appointed for the new building work as set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

B3 SOPA Assets

No urban elements, assets or equipment shall be removed or relocated as part of the approved development without the prior approval of SOPA's Executive Director – Operations. Any such elements are to be stored at a location nominated by SOPA.

B4 Public Domain Works Plan

The applicant is to prepare a Public Domain Works Plan and associated cross-sections, technical details and relevant schedules for materials and all urban elements in consultation with SOPA to address the public domain works including the footpath, public seating, garbage bins and signage consistent with the adjoining sites to the east at Nos. 9 and 7 Murray Rose Avenue.

Full details of the paving treatment to the extension of the ROW to Murray Rose Avenue (i.e. adjacent to the building lobby) are to be provided, including pavement sub-grade and sub-base.

The plan is to be submitted to the satisfaction of SOPA's Executive Director, Operations, prior to the issue of a Construction Certificate for the relevant stage.

B5 Right of Carriageway Design

Prior to issue of a relevant Construction Certificate, amended drawings and vehicle swept path are to be prepared which demonstrate that a medium size rigid vehicle travelling in a one way direction can be accommodated to the satisfaction of SOPA's Executive Director, Operations. The movement of the medium rigid vehicle must meet all relevant Australian Standards and Australian Guidelines based on the proposed location of all buildings, structures and the pedestrian pathway and bollards. The information is to be submitted to the PCA.

B6 Pedestrian Management in the ROW

The northern extent of the pedestrian zone within the ROW at the western end of the building (as shown on Drawing No. DA03.00(K)) shall be terminated approximately 1000mm beyond the main entry door to the ground floor lobby in order to discourage pedestrian movement beyond this point. The remainder of the pedestrian zone (to Murray Rose Avenue) shall be clearly delineated by bollards or similar.

A plan demonstrating compliance with this requirement is to be provided to the satisfaction of the PCA prior to the issue of a construction certificate.

B7 Details of Western Screening Element

- (a) Prior to the issue of the relevant Construction Certificate, the applicant shall develop, in consultation with and to the satisfaction of SOPA's Executive Director, Operations, the proposed screening treatment at the western end of the building, immediately adjacent to the electricity substation.

- (b) The Applicant shall consult with and obtain the written agreement of Ausgrid and RAS in relation to the proposed screening treatment adjacent to the electricity substation. Evidence of the agreement of Ausgrid and RAS shall be provided to SOPA and the PCA.
- (c) A plan fully documenting the screening treatment (as agreed with Ausgrid, RAS and SOPA) shall be prepared and submitted for the approval of the Executive Director, Operations prior to issue of the relevant Construction Certificate. A copy of the approved plan shall be provided to the PCA.

B8 Stormwater and Drainage

Prior to the issue of a relevant 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 of maintenance of overland flowpaths are required to be designed to the satisfaction of the Authority's Executive Director, Operations and submitted to the PCA. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

B9 Reflectivity

The building materials used on the facades of the building 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 compromises the safety of pedestrians or motorists. A report / statement demonstrating compliance with these requirements is to be submitted to the satisfaction of the PCA prior to the issue of a construction certificate.

B10 Access for People with Disabilities

Prior to issue of a Construction Certificate the construction plans are to demonstrate compliance with the requirements for persons that have a disability in accordance with the provisions of the Commonwealth *Disability Discrimination Act 1992*, the current Building Code of Australia (BCA/NCC), AS 1428 suite of Australian Standards and the Authority's *Access Guidelines 2014*. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any Construction Certificate drawings including how the proposed development integrates into the town centre with compliant paths of travel and services.

B11 Pre-Construction Dilapidation Reports

The applicant 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" of the works. This zone is to be defined as the horizontal distance from the edge of excavation to twice the maximum excavation depth. Any entry to 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 PCA prior to the issue of the relevant construction certificate. A copy of the report is to be provided to SOPA.

B12 Crane and Other Aerial Operations

Prior to issue of the relevant Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principal PCA shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

B13 Stray Currents and Electrolysis from Rail Operations

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

B14 Safe Work Methods

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 Sydney Trains for review and comment on the impacts on the rail corridor. The PCA shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

B15 Structural Details

Prior to the issue of a relevant Construction Certificate, the Applicant shall submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:

- (a) the relevant clauses of the BCA; and
- (b) the development consent.

B16 Geotechnical and Structural Stability and Integrity

Prior to the commencement of works, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.

B17 Mechanical Ventilation

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 PCA prior to issue of the relevant Construction Certificate.

B18 Construction Environmental Management Plan

(a) Prior to the issue of a relevant Construction Certificate, a Construction Environmental Management Plan (CEMP) shall be submitted to SOPA's Executive Director – Operations for approval. The approved plan shall be provided to the PCA. The Plan shall address, but not be limited to, the following matters where relevant:

- (i) hours of work;
- (ii) 24 hour contact details of the site manager;
- (iii) traffic construction management plan, in consultation with SOPA which addresses:
 - Truck movements, construction vehicle path of entry and exit to the construction area and any other impacts related to impacts to pedestrian/ bicycle and vehicular movements as a result of the proposed construction. Access to construction equipment, any truck hauling areas cleaning of truck debris before they exit the construction site also requires to be considered in the TCMP;
 - Traffic Control Plans (TCP's related to traffic control), impact on pedestrian paths, such as blockage of the path behind the Athletic Centre. Any traffic control measures related to the construction requires to be addressed before the project commences.

Any plant such as cranes, pumps etc. which are not located on-site would require TCP's.

- Impact of construction traffic on SOP Major Events.
- (iv) construction noise and vibration management plan, prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436-2010 *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites*, and the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009);
- (v) a detailed Soil Management and Erosion Control Plan reviewed and approved by Sydney Olympic Park Authority that is consistent the NSW "Bluebook" [Landcom, 2004] and is prepared by a certified sediment and erosion control expert, including (but is not limited to):
- management of stockpiles to minimise sediment and erosion and prevent sediment entering waterways;
 - appropriate testing, sorting, segregation of stockpiles on-site;
 - points of entry and exist to the site and measures to managing trafficking of mud and debris off-site;
 - protection of stormwater drains and measures to prevent movement of sediment off-site;
 - dust management;
- (vi) procedures for encountering groundwater during construction works including contact with the NSW Office of Water, and
- (vii) a detailed Waste Management Plan.
- (b) The CEMP must not include works that have been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.
- (c) The applicant shall submit a copy of the CEMP to the Authority, prior to commencement of work.

B19 Utility Services

Prior to the issue of the relevant Construction Certificate, the Applicant is to negotiate with the relevant utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the approved development.

B20 Erosion and Sediment Control

Prior to the issue of the relevant Construction Certificate, soil erosion and sediment control measures shall be designed in accordance with the document titled "Managing Urban Stormwater – Soils & Construction Volume 1 (2004)" by Landcom. Details are to be incorporated in the CEMP referred to in Condition B16 to the satisfaction of the PCA.

B21 Contact Telephone Number

Prior to the commencement of works, the Application shall provide SOPA with a 24 hour contact telephone number for the duration of the construction works.

B22 Storage Platform

Prior to the issue of the relevant Construction Certificate, the Applicant shall obtain consent from Ausgrid, and an agreement with the NSW Royal Agricultural Society in relation to the proposed storage platform over the adjacent electricity substation (immediately to the west of the site), and submit details of that consent/agreement to the satisfaction of the PCA.

END OF PART B

PART C – DURING CONSTRUCTION

C1 No Obstruction of Public Way

The public way and road reserves must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless this occurs in accordance with a Works Permit. Non-compliance with this requirement will result in the issue of a Notice by the Authority to stop all work on the site.

Note: Further information about Work Permits can be obtained from www.sydneyolympicpark.com.au.

C2 Development in accordance with the *Building Code of Australia*

The works shall be in accordance with the current Building Code of Australia (BCA/NCC) and the adopted Australian Standards, including:

- (a) Compliance in accordance with the requirements of stormwater disposal; and
- (b) Safe and adequate hoardings, and earth retaining requirements are to be provided and maintained in a safe manner; and
- (c) Provisions for fire safety are to be provided for during the construction phase of the approved development.

Note: Sufficient information must be forwarded to the PCA illustrating compliance with the relevant requirements of the current *Building Code of Australia* and adopted *Australian Standards*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant PCA to discuss requirements prior to submission of the application for Construction and Occupation Certificates.

C3 Work Health and Safety Act 2011

All works are to be carried out in accordance with the *NSW Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*.

C4 Demolition, Excavation and Construction Impacts

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.

C5 Construction Hours

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) Between 7:00 am and 6:00 pm, Mondays to Fridays (inclusive);
- (2) Between 8:00 am and 1:00 pm, Saturdays;
- (3) No work on Sundays and Public Holidays.

Works may be undertaken outside these hours where:

- (i) The delivery of materials is required outside these hours by the Police or other authorities; or
- (ii) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent adverse environmental harm; or
- (iii) The work is approved by SOPA's Executive Director – Operations.

C6 Waste Management During Construction

- (a) Prior to the commencement of any works on the Subject Site, a detailed Construction Waste Management Plan shall be prepared by a suitably qualified person to the satisfaction of the Authority, shall be submitted to the PCA. The Plan shall address, but not be limited to, the following matters:
 - i. Recycling of demolition materials including concrete; and
 - ii. Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- (b) 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, are to be submitted to the satisfaction of the PCA prior to the removal of any hazardous materials.
- (c) The Applicant shall submit a copy of the Plan to the Authority, prior to commencement of work.
- (d) The Applicant must notify the Roads and Maritime Services Traffic Management Centre (TMC) of the truck routes(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material.

C7 Construction Noise Management

- (a) The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (DECC, 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, included as part of the CEMP referred to in Condition B16.
- (b) If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.
- (c) The Applicant 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) 9.00am to 12.00pm, Monday to Friday;
 - (ii) 2.00pm to 5.00pm Monday to Friday; and
 - (iii) 9.00am to 12.00pm Saturday
- (d) 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.
- (e) 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.

C8 Erosion and Sediment Control

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

C9 Dust Control

All necessary measures are to be undertaken to control dust pollution from the site. These measures must include, but not are limited to:

- (a) restricting topsoil removal;
- (b) regularly and lightly watering dust prone areas (note: prevent excess watering as it can cause damage and erosion;
- (c) alter or cease construction work during periods of high wind;
- (d) erect green or black shade cloth mesh or similar products 1.8m high around the perimeter of the site and around every level of the building under construction.

C10 Approved Plans to be On-Site

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

C11 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details. The notice(s) is to satisfy all but not be limited to the following:

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

C12 Protection of Street Trees

- (a) No street trees are to be removed unless it forms part of this development consent or prior written approval from SOPA is obtained or is required in an emergency to avoid the loss of life or damage to property.
- (b) All street trees shall be protected at all times during the construction phase. Any street tree which is damaged or removed during construction due to an emergency, shall be replaced to the satisfaction of SOPA.

C13 Hoarding / Fencing Requirements

- (a) No third party advertising is permitted to be displayed on the hoarding / fencing.
- (b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoarding / fencing or the like within the construction area within 48 hours of its appearance.

C14 Pedestrian Movement

All existing pedestrian movement areas on community land are not to be blocked or compromised in any way. This includes all accessible paths of travel and accessible step ramps.

C15 Site Sheds

Only site sheds on the southern side of Murray Rose Avenue (adjacent to the Railway Station) within the footprint nominated (23m x 7m) on the Construction Management Plan are permitted.

Storage of materials and/or equipment etc. at this location is not permitted due to disruptions to traffic and potential conflict with pedestrian movement associated with the movement of materials and/or equipment between the construction site and the compound.

END OF PART C

PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

D1 Occupation Certificate

An Occupation Certificate is to be issued by the PCA upon completion of the new construction works in accordance with the requirements of Section 109H and 109M of the *Environmental Planning and Assessment Act 1979*.

D2 Structural Inspection Certificate

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

D3 Event Impact Assessment

Prior to issue of an Occupation Certificate for the use of all or part of the building, an Event Management Statement shall be prepared in consultation with SOPA and is to be submitted to the satisfaction of the PCA.

D4 Mechanical Ventilation

Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of any Occupation Certificate, 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 development consent and any relevant conditions; and
- (d) Any dispensation granted by the NSW Fire Brigade.

D5 As-Built Plans

“As-built” plans in both PDF and CADD format of the approved development, including fixtures and services and any existing external infrastructure that has been deleted or modified is to be submitted to the Authority within 3 months of obtaining an Occupation Certificate.

D6 Sydney Water Compliance

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 website 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 Final Occupation Certificate.

D7 Repair of Damage

All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to SOPA’s satisfaction prior to occupation.

D8 Post-Construction Dilapidation Report

Prior to the issue of an occupation certificate, the Applicant 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.

- (a) 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 in Condition B9; and
 - (ii) Have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (b) A copy of this report is to be provided to SOPA and each of the affected property owners.

END OF PART D

PART E – CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

E1 Fire Safety Certification

Any fire safety measures serving the approved development are to be certified to the relevant local authority (City of Parramatta Council) as being maintained in accordance with the requirements of the Building Code of Australia and *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000* on a yearly basis within 12 months after the date on which the initial Fire Safety Certificate is issued.

E2 Vehicular Access

All vehicles entering and exiting the building basement from Murray Rose Avenue must do so in a forward direction.

E3 Unobstructed Driveways and Parking Areas

All driveways and parking areas shall be unobstructed and available for such purposes at all times.

E4 Public Way to be Unobstructed

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

E5 External Lighting

External lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the consent authority, evidence from an independent qualified practitioner demonstrating compliance in accordance with the condition.

E6 Loading and Unloading

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

E7 Access arrangements to Right of Carriageway

Access arrangements for benefitted 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

E8 Signage

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

E9 Ecologically Sustainable Development

The operation of the building shall maintain a minimum 5 Star Green Star Office Design V3 rating and 4.5 Star NABERS rating.

E10 Noise Control - General

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

E11 Noise Control – Plant and Machinery

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 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.

END OF PART E

PART F – ADVISORY MATTERS

F1 Pre-construction process

Prior to commencing any construction works, the following provisions of the *Environmental Planning and Assessment Act 1979* (the 'Act') are to be complied with:

- (a) A relevant Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
- (b) A PCA is to be appointed and the Authority is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- (c) The Authority is to be given at least two days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
- (d) The proposed works are to be designed, carried out and installed in accordance with the requirements of a suitably qualified Structural Engineer.

F2 Public utilities

Any necessary alterations to public utility installations are to be at the developer's expense and to the requirements of both the Authority and any other relevant authorities. SOPA and other service authorities should be contacted for specific requirements prior to the commencement of any works.

F3 Use of mobile cranes

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

- a) For special operations including the delivery of materials, hoisting of plant or equipment and the like which warrant the on-street use of mobile cranes, permits must be obtained from the Authority:
 - (i) At least 48 hours prior to the works for partial road closures which in the opinion of the Authority will create minimal traffic disruptions; and
 - (ii) At least 4 weeks prior to the works for full road closures or partial road closures which in the opinion of the Authority will create significant traffic disruptions.
- b) 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 the Authority.

END OF CONSENT