

Regulations PS 3.0 – Preliminary requirement

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3.1 Concept Proposal Stage

The DW Clients shall obtain necessary license/lease approval for the plot/warehouse/retail outlet allocation from the concern BU/Department (i.e. EZW/JAFZA/ Technopark/ Nakheel/ DMCC or any other relevant Business Units (whichever is applicable) and while allocation, EHS shall assess the requirements and advise to carry out relevant studies (i.e. EIA & RA etc) and (If required) submission of E-Form and ETG's from (DM).

3.2 EHS-NOC for Building Permit

All Developers/Consultants/Clients/lessee shall obtain an EHS-NOC for Building Permit from Trakhees- EHS prior to applying for a Building Permit from the Civil Engineering Department. The purpose of this process is to ensure that the Client's/End-user's facilities comply with the required Environment, Safety & Health and Fire Detection/Protection & Emergency Control Standards as defined by Environment, Health & Safety (EHS) in the design stage of the project. Any developer / client who intends to construct/erect/modify/alter/add/expand a residential, industrial, commercial, warehouse, shop, hotel, restaurant, school, hospital or any building/facility and carry out any civil/mechanical/electrical/plumbing/ infrastructure works such as building factory, warehouse, shop fit-outs, roads, earthworks, plot leveling, fencing, pipelines, tanks, machinery, equipment, racking systems installation etc., shall follow the required procedure & guidelines to obtain the EHS NOC (No Objection Certificate) prior to applying for the BP (Building Permit) to be obtained from the CED.

Prior to seeking EHS-NOC for BP, the Developers/Consultants/Clients/Lessee shall obtain the following approvals:

Developers / Consultant / Contractor / Client shall ensure that design and development comply with following Rules & Regulations requirement (but not limited to),

3.2.1 Environmental Rules & Requirements.

3.2.2 Environmental Guidelines.

3.2.3 Health & Safety Regulations.

3.2.4 Health & Safety Guidelines.

3.2.5 Food Establishment Guidelines.

3.2.6 Fire Rules & Regulations

3.2.7 Civil Engineering Department Building Regulations & Design Guidelines

3.2.8 Green Building Regulations.

3.2.9 Local / Federal, Dubai Municipality Regulations & Guidelines wherever applicable.

3.2.10 Other applicable International Rules & Regulations.

3.3 Commencement of Construction Works

Construction procedure shall be in line with the requirements of Civil Defense (DCD), Civil Engineering Department (CED) Building Regulations & Design Guidelines or any other relevant department/authority. However, after mobilization and prior to start of construction activities,

the contractor shall invite Trakhees-EHS, Construction department for site inspection and obtain a Certificate of Conformity – 1 (COC-I) by submitting the “Contractor’s Environment, Health & Safety (EHS) COC-I”. Any works that commence prior to obtaining the COC could result in sanctions/penalties.

3.3.1 Certificate of Conformity

The developers/consultants/contractors/clients shall be fully aware of the procedures/requirements in regard to submission and obtaining the Certificates of Conformity (I, II & III) from Trakhees- Construction department to ensure Environment, Health & Safety during construction.

3.3.1.1 COC – I - before start of construction work COC-I required to be obtained.

3.3.1.2 COC - II - to be obtained before work commencement above 4 meter for buildings and 6 meters for warehouse.

3.3.1.3 COC - III - to be obtained before work commencement above 30 meters height.

3.4 Facility Completion Certificate

Upon completion of the construction of project/ building/ facility/ modification/ alteration/ addition/ machine/ equipment/ fit-outs/ racking works, the consultant (contractor for small modifications/ fitout works) shall apply to Trakhees-EHS for obtaining EHS-NOC for BCC (Building Completion Certificate) prior to approaching CED for a BUILDING COMPLETION

CERTIFICATE (BCC). However, any failure to reply/comply/clarify/resolve pending comments may result in penalties/ rejection of the EHS-NOC for BCC.

3.5 Start of the Operation

After obtaining a BUILDING COMPLETION CERTIFICATE from CED and upon completing the installation of machinery/equipment (with prior approvals from Trakhees-EHS), the client/licensee shall apply/invite Trakhees-EHS for obtaining an OPERATION FITNESS CERTIFICATE. The facility shall not be operated unless an OPERATION FITNESS CERTIFICATE is obtained from the Trakhees-EHS.

3.6 Powers of the Authority

3.6.1 At the discretion of the Authority, the EHS-NOC for BP may be cancelled/suspended if:

3.6.1.1 Work was carried out in contravention of the conditions of the EHS-NOC for BP or of any regulations issued by the Authority.

3.6.1.2 It is subsequently revealed that the EHS-NOC for BP was issued on the basis of erroneous or inadequate information supplied by the developer or his agent.

3.6.1.3 EHS-NOC (s) will not be withheld unreasonably, but the Authority shall have the discretionary power, to attach such special conditions thereto.

3.6.2 The Authority is empowered to change, amend, add, replace and/or update the Regulations without notice. It is the developer's/licensee's responsibility to obtain updated regulations and rules.

3.6.2.1 The Authority reserves the right to levy fines for breach of regulations and to suspend a consultant or a contractor for non-compliance with the regulations.

3.7 Responsibilities and Disputes

3.7.1 Neither the checking of the drawings/details, nor inspection of the work during the progress of construction, installation shall be construed in any way to impose responsibility and/or liability on the Authority or their representatives. The client, developer and his consultant/agents shall remain entirely responsible for all errors in the design and execution of the project and for the stability and safety of construction during the progress of the works and after completion.

3.7.2 All complaints and disputes concerning EHS-NOC and the approvals in this regard shall be referred to Trakhees-EHS Senior Management. In case of any difficulty or issue concerning Fire Department, the matter shall be, in the first instance, directly reported to Chief Fire Officer or his Deputy. It shall be noted that the Trakhees-EHS

will not arbitrate for financial/contractual disputes between clients/developers and their consultants or contractors. All such disputes shall be settled through the Dubai Civil Courts.