

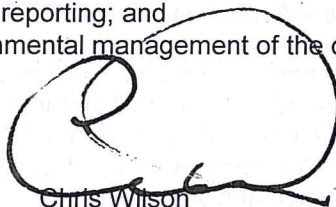
Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedules 2.

These conditions are required to:

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



Chris Wilson

A/Deputy Director-General

Development Assessment and Systems Performance

Sydney

9 July

2013

SCHEDULE 1

Application No.:

SSD-5207

Applicant:

Netball NSW

Consent Authority:

Minister for Planning and Infrastructure

Land:

Site 107, Olympic Boulevard, Sydney Olympic Park
(Part Lot 204 in DP 1041756)

Development:

Construction and operation of a sporting facility containing Netball NSW Headquarters known as "Netball Central", including:

- construction and use of Netball NSW Headquarters Building, comprising:
 - five indoor netball courts of international standard, plus one show court with seating for some 800 spectators
 - amenities for players, officials and the public
 - medical facilities – first aid, physiotherapy, massage etc
 - ancillary storage facilities and equipment areas
 - office / administration areas
- bulk earthworks and excavation
- remediation of minor sub-soil contamination
- tree removal and landscaping
- ancillary minor events - business, cultural, social or sporting related occasions occurring one or more days throughout the year
- utility service connections and relocation
- associated civil works, including relocation of the entry / exit to the P7 car park
- land subdivision.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Netball NSW, or anyone else entitled to act on this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition B1.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	Auburn City
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act
Day Time	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/delegate
Director	A written approval from the Director- General (or nominee/delegate)
General's approval, agreement or satisfaction	Where the Director-General's approval, agreement or satisfaction is required under a condition of this approval, the Director-General will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Director-General may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
EIS	Environmental Impact Statement titled <i>Environmental Impact Statement, Proposed Netball NSW Headquarters, Site 107, Sydney Olympic Park</i> prepared by <i>Helen Mulcahy Urban Planning</i> , dated July 2012
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Minister	Minister for Planning and Infrastructure, or nominee
Night Time	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
RTS	Response to Submissions report titled <i>SSD 5207 – Netball Central : Site 107 Sydney Olympic Park, Response to Issues raised in Submissions</i> prepared by <i>Helen Mulcahy Urban Planning</i> , dated October 2012
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
SOPA	Sydney Olympic Park Authority
Subject Site	Site 107, Olympic Boulevard, Sydney Olympic Park (Part Lot 204 in DP 1041756)
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.

SCHEDULE 2

ADMINISTRATIVE AND PERFORMANCE CONDITIONS

Development Description

A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.

Development in Accordance with Plans and Documents

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

- a) Environmental Impact Statement titled *Environmental Impact Statement, Proposed Netball NSW Headquarters, Site 107, Sydney Olympic Park* prepared by Helen Mulcahy Urban Planning, dated July 2012;
- b) Response to Submissions report titled *SSD 5207 – Netball Central : Site 107 Sydney Olympic Park, Response to Issues raised in Submissions* prepared by Helen Mulcahy Urban Planning, dated October 2012; and
- c) following drawings, except for:
 - i) any modifications which are Exempt' or Complying Development;
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by Scott Carver			
Drawing No.	Revision	Name of Plan	Date
PA000	G	Cover Sheet	27.09.2012
PA001	F	Location Plan	26.09.2012
PA002	G	Existing Site Plan	27.09.2012
PA003	K	Proposed Site / Public Domain Interface Plan	28.11.2012
PA101	J	General Arrangement Plan, Level 1	26.09.2012
PA102	J	General Arrangement Plan, Level 2	26.09.2012
PA103	J	General Arrangement Plan, Level 3	26.09.2012
PA104	J	General Arrangement Plan, Level 4	26.09.2012
PA105	G	General Arrangement Plan, Roof	26.09.2012
PA106	I	Car Park Plan	27.09.2012
PA201	I	Olympic Boulevard Elevation, Colonnade Elevation / Section AA	26.09.2012
PA202	I	Standard Court Hall North Elevation & Section BB	26.09.2012
PA203	I	Hub North Elevation / Section CC	26.09.2012
PA204	I	Southern & Western Elevations	26.09.2012
PA301	I	Section DD, Section EE	26.09.2012
PA302	I	Section FF, Section GG	26.09.2012
PA501	A	Material & Finishes Schedule	26.06.2012
230	A	Elevation – Proposed Sports Centre Entry	22.11.2012
170	A	Proposed Mid Level Sports Centre Entrance	22.11.2012
024	A	GA & Setout Plan – Upper Forecourt	22.11.2012
022	B	Setout Plan – Upper Level	23.11.2012

020	B	Setout Plan – Overall	23.11.2012
Landscape Drawings prepared by <i>Scott Carver</i>			
Drawing No.	Revision	Name of Plan	Date
PA001	I	Landscape Plan – Upper Forecourt	27.09.2012
PA002	B	Landscape Plan – Lower Forecourt	27.09.2012
Draft Plans of Subdivision prepared by <i>Hard and Forester</i>			
Drawing No.	Revision	Name of Plan	Date
D.P DA – ISSUE_02	-	Plan of Subdivision of Lots 2001, 2002 & 2004 in Unregistered DP REF: 112028002 (Sheet 1 of 3 sheets)	10.07.2012
D.P DA – ISSUE_02	-	Plan of Subdivision of Lots 2001, 2002 & 2004 in Unregistered DP REF: 112028002 (Sheet 2 of 3 sheets)	10.07.2012
D.P DA – ISSUE_02	-	Plan of Subdivision of Lots 2001, 2002 & 2004 in Unregistered DP REF: 112028002 (Sheet 3 of 3 sheets)	10.07.2012

Inconsistency between documents

- A3. If there is any inconsistency between the plans and documentation referred to above, 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.

Lapsing of approval

- A4. This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.

Prescribed Conditions

- A5. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Director General as Moderator

- A6. Where this consent requires further approval from public authorities, the parties shall not act unreasonably in preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution. The Director-General's resolution of the matter will be binding on the parties.

Long Service Levy

- A7. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline Ph 13 14 41.

Legal Notices

- A8. Any advice or notice to the consent authority shall be served on the Director-General.

Remediation

- A9.
- Remediation approved as part of this development consent shall be carried out in accordance with Revised Remedial Action Plan for the proposed development, Netball Central, Sydney Olympic Park, NSW by Coffey Environments Australia Pty Ltd, subject to the following amendments:

- i) Page 8, Section 4 – In relation to asbestos containing soils, a marker layer should be placed above all areas of asbestos containing soils including under hard pavement and landscape materials. This will ensure that in future if repairs or maintenance works are required the asbestos risks are clearly identified.
- ii) Page 13, Section 7 – The method for identifying asbestos impacted soils (either visual inspection for bonded asbestos and/or testing for fibrous asbestos) shall be stated.
- iii) Page 20, Section 8.8 – The Contingency Plan must include the following:
 - (1) If the clay cap is breached, replacement of the cap with VENM with a permeability of 10-9 applied to a depth of at least 0.5 M.
 - (2) The seepage for any landfill material excavated and stockpiled must be contained and disposed of off site as leachate.
 - (3) Contingency measures for managing leachate or gas that may be encountered when excavating along the toe of the landfill.
- ii) Given the landfill is under a Contaminated Sites Notice, the proponent should be aware that additional measures may be required by the Environment Protection Authority to manage works around the toe of the landfill. The consent should include a requirement that the proponent undertake all works in accordance with the Remediation Action Plan (once finalised) and any other requirements set out by the EPA.
- iii) Page 29, Section 11 – The plan should clearly stipulate that any material containing asbestos is Asbestos Waste and must undergo chemical waste classification using the EPA Waste Classification Guidelines to determine if it is also Restricted or Hazardous Waste. Only after chemical classification can the waste be disposed to a facility that can lawfully receive that waste.
- b) The revised Remediation Action Plan incorporating the above amendments is to be submitted to the certifying authority prior to the issue of a Construction Certificate.
- c) Upon completion of the remediation works on the Subject Site, the Applicant shall submit a validation report and notice of completion. The validation report is to be prepared by an appropriately qualified environmental consultant and is to verify that the land is suitable for the proposed uses and be provided to the PCA and SOPA prior to the issue of the occupation certificate.

Note: The Applicant must comply with clauses 17 and 18 of *State Environmental Planning Policy No.55—Remediation of Land*.

Note: Words and expressions used in these conditions have the same meaning as in the *Contaminated Land Management Act 1997*.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Public Domain Interface Plan

- B1. The Applicant is to prepare a Public Domain Interface Plan and associated cross-sections, technical details and relevant schedules for materials and all urban elements in consultation with SOPA to address all outstanding issues with the public domain, such as, but not limited to, material and finishes selection, lighting, and landscaping. The plan is to be submitted to the satisfaction of SOPA's General Manager Operations and Sustainability prior to the issue of a Construction Certificate for the relevant stage.

Tree Protection and Management Strategy

- B2. The Applicant is to prepare a Tree Protection and Management Strategy which will detail the methods and practices to be employed for tree removal, tree relocation and protection of remaining trees during construction. The strategy is to be prepared in consultation with the project arborist, landscape architect, appointed contractor and SOPA. The Tree Protection and Management Strategy is to be submitted to the satisfaction of SOPA's General Manager Operations and Sustainability prior to the issue of a Construction Certificate.

- B3. The nominated project arborist is to develop a program of tree protection, removal, transplanting and storage works which is to inform the Tree Protection and Management Strategy. The program is to include any required inspections and reporting by the project arborist throughout the construction process with minimum inspections and reporting to be at the critical points, not limited to:

- a) before construction commences on site;
- b) during critical construction milestones, to be determined; and
- c) after construction is completed.

The program is to be prepared in consultation with SOPA and to the satisfaction of SOPA's General Manager Operations and Sustainability prior to the issue of a Construction Certificate.

Stormwater Management

- B4. The stormwater management plan is to be amended to provide a system which is compliant with SOPA's environmental guidelines. The system is to include stormwater collection and reuse. The plan is to be prepared to the satisfaction of the SOPA General Manager Operations and Sustainability prior to the issue of a Construction Certificate for the relevant stage.

Reflectivity

- B5. 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 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.

Outdoor Lighting

- B6. All outdoor lighting within the site shall comply with, where relevant, AS1158.3.1-2005 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

Access for People with Disabilities

- B7. The building 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 any Construction Certificate drawings.

Erosion and Sedimentation Control

- B8. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater-Soils & Construction Volume 1* (2004) by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Pre-Construction Dilapidation Reports

- B9. 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'. 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 Certifying Authority prior to the issue of a construction certificate. A copy of the report is to be forwarded to the SOPA.

Number of Bicycle Spaces

B10.

- a) A minimum of eight bicycle parking spaces for staff and 15 bicycle parking spaces for visitors 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.
- b) The layout, design and security of bicycle facilities either on-street or off street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:
 - iv) all bicycle parking for staff must be Class 2 bicycle facilities, and
 - v) all bicycle parking for visitors must be Class 3 bicycle rails.

Design of Food Premises

B11. The fitout of the cafe shall be carried out in accordance with AS 4674 Design, construction and fit-out of food premises. Details of compliance with the relevant provisions of the Code shall be prepared by a suitably qualified person and submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage.

Number of Loading Bays

B12. A minimum of one loading bay is to be provided for the development. The loading bay shall be capable of accommodating two 12.5m Heavy Rigid trucks (to accommodate a delivery occurring simultaneously with garbage collection). Details of the loading arrangements shall be prepared by a suitably qualified person and submitted to the Certifying Authority prior to the issue of a Construction Certificate.

Structural Details

B13. Prior to the issue of a relevant construction certificate, the Applicant shall submit to the satisfaction of the certifying authority 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

Mechanical Ventilation

B14. 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.

Storage and Handling of Waste

B15. The building plans and specifications accompanying the relevant Construction Certificate shall demonstrate that an appropriate area will be provide within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements shall be met:

- a) All internal walls of the storage area are rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b) Include provision for the separation and storage in appropriate categories of material suitable for recycling;
- c) include provision for separate storage and collection of organic/food waste.

Road Design

- B16. The design of the entry/exit to the P7 car park shall be designed in consultation with the SOPA. 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.

PRIOR TO COMMENCEMENT OF WORKS

Demolition

- C1. Any 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.

Notice of Commencement of Works

- C2. The Certifying Authority and SOPA shall be given written notice, at least 48 hours prior to the commencement of building or subdivision work on the Subject Site.

Construction Environmental Management Plan

C3.

- a) Prior to the commencement of any works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted 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 site manager
 - iii) traffic management, in consultation with SOPA
 - iv) construction noise and vibration management plan, prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436 – 1981 Guide to Noise Control on Construction, Maintenance and Demolition Sites, and the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009),
 - v) management of dust to protect the amenity of the neighbourhood
 - vi) erosion and sediment control
 - vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site
 - viii) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting
 - ix) flora and fauna management
- b) The CEMP must not include works that have not 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 Department and to SOPA, prior to commencement of work.

Waste Management Plan during construction

C4.

- a) Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan shall be prepared by a suitably qualified person in consultation with the

SOPA, 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;
- 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 Department and to SOPA, 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 from the Subject Site.

Traffic and Pedestrian Management Plan

C5.

- a) Prior to the commencement of any works on the Subject Site, a Traffic and Pedestrian Management Plan prepared by a suitably qualified person shall be submitted to the PCA. The Plan must be prepared in consultation with SOPA, and where required, the approval of the council's traffic committee obtained.
- b) The Plan shall address, but not be limited to, the following matters:
 - iii) ingress and egress of vehicles to the Subject Site
 - iv) loading and unloading, including construction zones
 - v) predicted traffic volumes, types and routes
 - vi) pedestrian and traffic management methods
- c) The Applicant shall submit a copy of the final Plan to SOPA, prior to the commencement of work.

Utility Services

C6.

- a) Prior to the commencement of work the Applicant 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.
- b) Prior to the commencement of works written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

Sydney Water Quick Check

- C7. The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. Plans will need to be appropriately stamped by the Sydney Water Quick Check agent.

Note: for further assistance please telephone 13 20 92 or refer to Sydney Water's website www.sydneywater.com.au for Quick Check agent details.

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 1:00 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 SOPA's General Manager Operations and Sustainability.

Erosion and Sediment Control

- D2. 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

- D3. Any seepage or rainwater collected on-site during construction or groundwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by SOPA.

Approved Plans to be On-site

- D4. 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 or the PCA.

Site Notice

- D5.
- a) 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.
 - b) The notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) 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;
 - ii) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - iii) 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
 - iv) 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

D6.

- a) No street trees are to be trimmed or removed unless it forms a 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 construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of SOPA.
- c) 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

D7.

- 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, approved as part of the CEMP.
- 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) 9.00 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
- 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.

Vibration Criteria

D8. 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) These limits apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP.

Work Cover Requirements

- D9. To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Work Cover requirements.

Hoarding/Fencing Requirements

- D10. 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 hoarding/fencing or the like within the construction area within 48 hours of its application.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

- D11. If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the OEH Heritage Branch contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW Heritage Act 1977 may be required before further works can continue in that area.

Discovery of Aboriginal Heritage

- D12. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The proponent must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Registration of Easements

- E1. Prior to the issue of a subdivision certificate, the Applicant shall provide to the Certifying Authority evidence that all matters required to be registered on title including easements required by this consent, approvals, and other consents have been lodged for registration or registered at the NSW Land and Property Information.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Venue Operation Management Plan

- F1. The Applicant is to prepare a Venue Operation Management Plan outlining how traffic, parking and public transport usage will be managed during operation of Netball Central. The plan shall address car parking arrangements servicing the office component of the development, as well as car parking arrangements servicing players and visitors during event modes. The plan shall also address concurrent usage of the Sports Centre and Netball Central with maximum attendance for both site, and when Sydney Olympic Park is operating in Major Event modes (which includes when Major Event buses are operating). The plan shall incorporate a Work Place Travel Plan which complies with SOPA's Travel Plan Guidelines. The plan shall be prepared in consultation with SOPA and is to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Occupation Certificate.

Subdivision Certificate

- F2. The Applicant shall obtain a subdivision certificate prior to the issue of any Occupation Certificate.

Mechanical Ventilation

- F3. 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 modifications; and,
 - d) Any dispensation granted by the New South Wales Fire Brigade.

Road Damage

- F4. The cost of repairing any damage caused to SOPA or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development, is to be met in full by the Applicant/developer prior to the issue of any Occupation Certificate.

Sydney Water Compliance

- F5. 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.

Post-construction Dilapidation Report

- F6. 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 by these conditions 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 forwarded to the Department and SOPA.

Fire Safety Certification

- F7. Prior to the issue of an Occupation Certificate, a Fire Safety Certificate shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and be prominently displayed in the building.

Structural Inspection Certificate

- F8. A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and SOPA after:
- a) The site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings.
 - b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

POST OCCUPATION

Compliance with Food Code

- G1. The Applicant is to obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the AS 4674 *Design, Construction and fit-out of food premises*. The Applicant shall provide evidence of receipt of the certificate to the satisfaction of the PCA prior to the occupation of the building(s) or commencement of the use.

Loading and Unloading

- G2. 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

- G3. 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 – Plant and Machinery

- G4. Noise associated with the operation of any plant, machinery or other equipment on the Subject Site, shall comply with the requirements of the NSW Industrial Noise Policy (Environmental Protection Authority, 2000).

Storage of Hazardous or Toxic Material

- G5. 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

- G6. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

External Lighting

- G7. 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 this condition.

ADVISORY NOTES

Appeals

AN1. The Applicant 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 Applicant 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 consents / agreements

AN3. The Applicant is solely responsible for ensuring that all additional consents 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 Applicant/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 Applicant'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"

Site contamination issues during construction

- AN8. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.