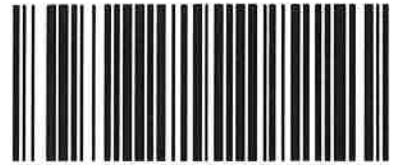


# Application to modify a development consent

Date lodged: \_\_\_/\_\_\_/\_\_\_



PCU56790



NSW GOVERNMENT  
Department of Planning

DA modification no. \_\_\_\_\_  
(Office use only)

## 1. Before you lodge

This form is to be used for applications to modify Part 4 development consents under section 96 or 96AA of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This form is also to be used for Part 4 development consents that are to be modified under section 75W of the Act.

### Disclosure statement

Persons lodging modification applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. For more details, including a disclosure form, go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

### Lodgement

Anyone wishing to lodge an application is recommended to call the Department of Planning to discuss their proposal and modification application requirements prior to lodging their application. You can lodge your completed form, together with attachments and fees at the relevant Department of Planning office listed below. Please lodge Part 4 modification applications with the Department of Planning head office or, for modification applications that are within the Kosciuszko ski resorts area, the Department's Alpine Resorts team.

NSW Department of Planning  
Head Office  
Ground Floor, 23-33 Bridge Street, Sydney NSW 2000  
GPO Box 39 Sydney NSW 2001  
Phone: 1300 305 695 Fax: (02) 9228 6555  
Email: [information@planning.nsw.gov.au](mailto:information@planning.nsw.gov.au)

NSW Department of Planning  
Alpine Resorts Team  
Shop 5A, Snowy River Avenue  
PO Box 36, Jindabyne NSW 2627  
Phone: (02) 6456 1733 Fax: (02) 6456 1736  
Email: [alpineresorts@planning.nsw.gov.au](mailto:alpineresorts@planning.nsw.gov.au)



To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to the Department. When your application has been assessed, you will receive a notice of determination.

## 2. Applicant and contact details

Company/organisation/agency		ABN
<input type="text" value="Netball NSW cf - Crown Project Services"/>		<input type="text"/>
<input checked="" type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="text"/>		
First name	Family name	
<input type="text" value="Jeffrey"/>	<input type="text" value="Clarke"/>	
STREET ADDRESS		
Unit/street no.	Street name	
<input type="text" value="3 (level 10)"/>	<input type="text" value="Spring St"/>	
Suburb or town	State	Postcode
<input type="text" value="Sydney"/>	<input type="text" value="NSW"/>	<input type="text" value="2000"/>
POSTAL ADDRESS (or mark 'as above')		
<input type="text" value="as above"/>		
Suburb or town	State	Postcode
<input type="text"/>	<input type="text"/>	<input type="text"/>
Daytime telephone	Fax	Mobile
<input type="text" value="9252 4420"/>	<input type="text" value="9252 4430"/>	<input type="text" value="0425342463"/>
Email		
<input type="text" value="jeffrey.clarke@crowncorps.com.au"/>		

## 7. Description of modification

- In the case of a section 96(1) application, indicate the nature of the minor error, misdescription or miscalculation in the space below.
- In the case of a section 96(1A), section 96(2) or section 96AA application describe the impact of the modification in the space below. A statement of environmental effects will need to accompany the application, which includes an assessment of the development as proposed to be modified in accordance with section 79C(1) of the EP&A Act. Provisions of the *Heritage Act 1977* may also apply for works to a heritage item or works adjoining a heritage item.
- In the case of a section 75W application under clause 8J(8) of the Environmental Planning and Assessment Regulation 2000, a development consent in force immediately before the commencement of Part 3A of the Act may be modified under section 75W as if the consent were an approval under that Part. However, approval from the Minister is required to lodge a section 75W application. **Applicants should contact the Department first if they are considering applying for a modification under section 75W.**

Regardless of the type of modification, please state below the specific conditions of consent to be modified, deleted or additional conditions request, and details of any other changes being sought.

*Proposed modification of condition F2 of development consent SSD-5207 to read "The Applicant shall obtain a subdivision certificate prior to the issue of the Final Occupation Certificate".*

Note: If your proposal is within Kosciuszko ski resorts area, please attach a copy of the Interim Lease Variation Approval received from the Department of Environment and Climate Change to your application.

## 8. General terms of approval from State agencies

If the original development application was classified as integrated development and required approval from one or more State agencies, list them in the space below and their respective general terms of approval. Depending on the type of modification, it may be necessary to refer the modification application to the approval body.

*N/A*

## 9. Number of jobs to be created

Please indicate the number of jobs the proposed development will create. This should be expressed as a proportion of full time jobs over a full year, (e.g. a person employed full time for 6 months would equal 0.5 of a full time equivalent job; six contractors working on and off over 2 weeks equate to 2 people working full time for 2 weeks, which equals approximately 0.08 of an FTE job).

Construction jobs (full time equivalent)	<input type="text" value="N/A"/>
Operational jobs (full time equivalent)	<input type="text"/>

## 10. Application fee

Part 15 of the Environmental Planning and Assessment Regulation 2000 sets out how to calculate the fees for an application for modification of a development consent. If your development needs to be advertised to the public you may also need to include an advertising fee.

Note: Advertising fees attract GST, all other fees do not.

Please contact the Department in order to calculate the fee for your modification application.

Estimated cost of the development	Original application fee	Total fees lodged
<input type="text" value="Nil cost impact"/>	<input type="text"/>	<input type="text"/>

### 3. Property description

Unit/street no. (or lot no. for Kosciuszko ski resorts)

Site 107

Street or property name

Olympic Boulevard

Suburb, town or locality

Sydney Olympic Park

Postcode

Local government area

Lot/DP or Lot/Section/DP or Lot/Strata no.

Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma e.g. 123/579, 162/2.

Part Lot 204 in DP 1041756

Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact the NSW Department of Lands for updated details. If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers do not apply.

### 4. Details of the original development consent

Briefly describe your approved development in the space below. If the development has been modified previously you must list all previous modifications and the relevant determination date(s).

Construction and operation of a sporting facility containing Netball NSW Headquarters known as Netball Central. SSD 5207 Mod 1 approved 17 July 2013 modification to bicycle facility

What was the original development application no.?

SSD-5207

What was the date consent was granted?

9/1/13

What was the original application fee?

### 5. Type of modification

An application under section 96 of the EP&A Act is an application to modify a development consent. Modifications to a development consent can also be made under section 75W of the EP&A Act, or section 96AA for court granted consents.

There are five types of modification applications. Please tick the type of modification application that is being sought:

- Section 96(1) involving minor error, misdescription or miscalculation.
- Section 96(1A) involving minimal environmental impact, where the development as originally approved remains substantially the same.
- Section 96(2) other modification, where the development as originally approved remains substantially the same.
- Section 96AA modification of consent granted by the Land and Environment Court, where the development as originally approved remains substantially the same.
- Section 75W modification, involving use of Part 3A processes to modify the Part 4 consent.

Note: If the proposed modification will lead to the consented development being not 'substantially the same' (except in the case of a proposed modification under section 75W) then you will need to submit a new development application.

### 6. Extent of modification

Will the modified development be substantially the same as the development that was originally approved?

No  Please submit a new development application.

Yes  Please provide evidence that the development will remain substantially the same. (If you need to attach additional pages, please list below the material attached).

Proposed modification of condition F2 of development consent SSD-5207 to read 'The Applicant shall obtain a subdivision certificate prior to the issue of the Final Occupation Certificate'

Note: Question 6 does not apply to proposed modifications under section 75W.

## 11. Political donation disclosure statement

Persons lodging modification applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. Disclosure statements are to be submitted with your application.

Have you attached a disclosure statement to this application?

Yes

No

Note: For more details about political donation disclosure requirements, including a disclosure form, go to [www.planning.nsw.gov.au/donations](http://www.planning.nsw.gov.au/donations).

## 12. Owner's consent

The owner(s) of the land to be developed must sign the application. If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the NSW Department of Lands must sign the application. An original signature must be provided.

As the owner(s) of the above property, I/we consent to this application:

Signature

Refer attached SOPA letter  
dated 5/11/14

Name

Date

Signature

Name

Date

Note: For applications within the Kosciuszko ski resorts area, the approval of the lessee rather than the owner is required.

## 13. Applicant's signature

The applicant, or the applicant's agent, must sign the application. Only an original signature will be accepted (photocopies or faxed copies will not be accepted).

Signature

S Clarke

Date

6/11/14

In what capacity are you signing if you are not the applicant

Principal Representative

Name, if you are not the applicant

Jeffrey Clarke

## 14. Privacy policy

The information you provide in this application will enable the Department, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be made available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected any information provided in your application. Please ensure that the information is accurate and advise the Department of any changes.



06 November 2014

The Secretary  
Department of Planning and Environment  
33 Bridge Street  
Sydney NSW 2000

**Attention: Mr David Gibson**

Dear David,

**Proposed Modification of Consent No. SSD-5207  
Netball NSW Headquarters – Sydney Olympic Park**

This correspondence constitutes an application made pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979* (the EPA&A Act), to make minor modifications to the Consent issued by the Department of Planning and Environment (the Department) on 9 January 2013 in respect of SSD-5207.

## **1.0 Background**

### **1.1 General**

In early 2011, Netball NSW and the NSW Government announced funding for a Netball Centre of Excellence at Sydney Olympic Park (SOP).

The approved Netball Central will replace current facilities at the Anne Clark Centre in Lidcombe and will provide Netball NSW with a high profile, elite sports facility which meets international standards. Netball Central will be an icon for the sport of netball in Sydney and across NSW generally.

Sydney is hosting the 2015 World Netball Championships, with competition centered on Sydney Olympic Park. Whilst the Allphones Arena will provide the primary competition venue, the Netball Central facility will play a critical role for training for all international netball teams competing in the Championships both prior to and during the tournament.

Practical completion of the Netball Central Project is expected to be achieved in the third week of November 2014, with Netball NSW programmed to relocate to the premises in early December.

### **1.2 Subdivision**

As the Department will be aware, draft plans of subdivision prepared by Hard and Forrester formed part of the documentation submitted in support of SSD-5207 and are specifically referenced in Condition A2 of the Consent. In addition, Condition F2 of the consent stipulates that a subdivision certificate shall be obtained prior to the issue of any Occupation Certificate.

SOPA is in the process of reviewing the subdivision design, however it is understood that the external walls of the approved building will effectively define the lot boundaries. This arrangement will ensure that the areas external to the building remain as part of the public domain, to be owned and maintained by SOPA.

Until such time as SOPA resolves the configuration and extent of the allotment the subdivision plans cannot be finalised and a subdivision certificate cannot be obtained.

Having regard to the timing imperative associated with the World Netball Championships, it is essential that Netball NSW can occupy the building in accordance with the program dates, that is, early December 2014.

In order to achieve this, it is necessary to seek an amendment to the consent issued in respect of SSD-5207, as detailed in the following section of this correspondence.

## **2.0 Proposed Modification**

This application seeks approval, pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act 1979*, for a minor amendment to Condition F2 of the Consent, as follows:

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

The implications of the proposed modification are that:

- i. the Certifier can issue an Interim Occupation Certificate;
- ii. Netball NSW can occupy the premises in accordance with its program requirements; and
- iii. the configuration and extent of the allotment (subdivision) can be resolved by SOPA and the subdivision certificate can be postponed until issue of a Final Occupation Certificate.

In this regard it should be noted that SOPA has endorsed this approach – refer correspondence included at **Attachment 1**.

It is also noted that upon the resolution of the subdivision, a further modification of the Consent will be required to amend Condition A2.

## **3.0 Section 96 Assessment**

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*, states that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

***(a) it is satisfied that the proposed modification is of minimal environmental impact, and***

The scope of the proposed modification to the Consent will not result in any change to the extent or intensity of environmental impacts associated with the Netball NSW facility at Sydney Olympic Park.

***(a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and***

The proposed amendments detailed in this submission do not result in any substantive change to the form and nature of the development as approved.

***(b) it has notified the application in accordance with:***

- i. the regulations, if the regulations so require, or***
- ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and***

It is anticipated that the Department will undertake any requisite notifications if deemed necessary.

***(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.***

The Department will give due consideration to any submissions received in response to the notification (if required).

#### **4.0 Section 79C Assessment**

The proposed modification has been assessed in accordance with the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979*, as detailed below:

***(a)(i) Any environmental planning instrument***

The proposed modification will not alter the compliance of the development with the relevant provisions of any State or local environmental planning instrument.

The approved development is consistent with the NSW State Plan 2010 and the Sydney Metropolitan Strategy 2036 as it provides a purpose-built, international standard sporting facility in an area that is well-served by existing infrastructure and within a designated Specialised Centre that is specifically designated to attract economic development, employment opportunities and sporting facilities.

***(a)(ii) Any proposed instrument that is or has been the subject of public consultation***

There are no draft instruments which are relevant in this instance.

***(a)(iii) Any Development Control Plan***

Compliance with the Master Plan 2030 requirement is not altered as a result of the proposed modification.

***(a)(iiia) Any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F***

The site is not the subject of any planning agreement entered into under section 93F of the Act.

***(a)(iv) Any matters prescribed by the regulations***

There are no matters prescribed by the Regulation that affect the proposal.

***(a)(v) Any coast zone management plan***

The site is not the subject of any coastal zone management plan.

***(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality***

The proposed modification to the Consent will not alter the environmental impacts on the natural or built environments of the approved development, nor will it have any negative social or economic impacts in the locality.

***(c) The suitability of the site for the development***

The suitability of the site for the development as approved has been well documented by the various studies and reports which were submitted as part of the original application (SSD-5207) for the Netball NSW facility that was approved by the Department on 9 January 2013.

Based on the relatively minor nature of the amendments proposed as part of this application and the fact that they will not result in any substantive environmental impact, it is considered that the site remains suitable for the development as amended.

***(d) Any submission made in accordance with this Act or the regulations***

**Comment:** There are no submissions that require consideration at this stage.

***(e) The public interest***

**Comment:** The proposed modifications to the consent are not likely to adversely affect the public interest. The development will remain substantially the same as was originally approved and will continue to achieve full compliance with the Sydney Olympic Park Master Plan 2030.

In light of the preceding assessment, it is not expected that the proposed modification of the consent will raise any matters under Section 79C(1).

## 5.0 Conclusion

Having regard to the provisions of Section 96(1A) of the *Environmental Planning and Assessment Act, 1979*, the proposed modifications to the Consent issued in respect of SSD-5207 will have minimal environmental impact and will not detract from the integrity of the development.

It is therefore requested that the application be approved and the Consent be amended in the manner set out in this correspondence.

Owner's consent to the lodgment of this application has been provided by SOPA (refer **Attachment 1**). It is understood that the Department will issue a separate invoice for the relevant assessment fee, following a preliminary review of the application.

Should you require any further information or clarification about any aspect of this application, please contact the undersigned on 9252 4420.

Yours faithfully,  
CPS

A handwritten signature in black ink, appearing to read 'J Clarke', is written over a light blue horizontal line.

**Jeffrey Clarke**  
Chief Operating Officer



Sydney Olympic Park 

05 November 2014

Your reference:  
Our reference: F12/564-Peter Gray  
Postal address: Level 1, 8 Australia Avenue,  
Sydney Olympic Park NSW 2127  
Telephone: (02) 9714 7226  
Facsimile: (02) 9714 7324  
Email: [peter.gray@sopa.nsw.gov.au](mailto:peter.gray@sopa.nsw.gov.au)

**Ms Carolyn Campbell**  
Chief Executive Officer  
New South Wales Netball Association Ltd  
PO Box 396  
LIDCOMBE NSW 1825

By Email: [ccampbell@netballnsw.com](mailto:ccampbell@netballnsw.com)

Dear Carolyn

**Proposed Modification of Development Consent No. SSD-5207  
Netball NSW Headquarters – Sydney Olympic Park  
Landowner's Consent**

I confirm that Sydney Olympic Park Authority is agreeable to the proposed modification of Condition F2 of Development Consent No. SSD-5207:

From *"The Applicant shall obtain a subdivision certificate prior to the issue of any Occupation Certificate."*

To *"The Applicant shall obtain a subdivision certificate prior to the issue of the final Occupation Certificate."*

Yours sincerely



**Nicholas Hubble**  
General Manager, Commercial & Corporate

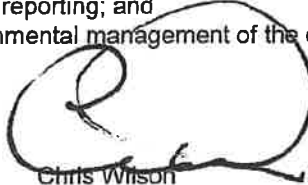
# Development consent

## 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

<b>Application No.:</b>	SSD-5207
<b>Applicant:</b>	Netball NSW
<b>Consent Authority:</b>	Minister for Planning and Infrastructure
<b>Land:</b>	Site 107, Olympic Boulevard, Sydney Olympic Park (Part Lot 204 in DP 1041756)
<b>Development:</b>	Construction and operation of a sporting facility containing Netball NSW Headquarters known as "Netball Central", including: <ul style="list-style-type: none"><li>• construction and use of Netball NSW Headquarters Building, comprising:<ul style="list-style-type: none"><li>◦ five indoor netball courts of international standard, plus one show court with seating for some 800 spectators</li><li>◦ amenities for players, officials and the public</li><li>◦ medical facilities – first aid, physiotherapy, massage etc</li><li>◦ ancillary storage facilities and equipment areas</li><li>◦ office / administration areas</li></ul></li><li>• bulk earthworks and excavation</li><li>• remediation of minor sub-soil contamination</li><li>• tree removal and landscaping</li><li>• ancillary minor events - business, cultural, social or sporting related occasions occurring one or more days throughout the year</li><li>• utility service connections and relocation</li><li>• associated civil works, including relocation of the entry / exit to the P7 car park</li><li>• land subdivision.</li></ul>

## DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant Application	Netball NSW, or anyone else entitled to act on this consent The development application and the accompanying drawings plans and documentation described in Condition B1.
BCA Construction Council Certifying Authority	Building Code of Australia Any works, including earth and building works Auburn City 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 Director-General	Department of Planning and Infrastructure or its successors Director-General of the Department of Planning and Infrastructure, or nominee/delegate
Director approval, agreement or satisfaction	A written approval from the Director- General (or nominee/delegate) 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.

<b>Architectural (or Design) Drawings prepared by Scott Carver</b>			
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
<b>Landscape Drawings prepared by Scott Carver</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
PA001	I	Landscape Plan – Upper Forecourt	27.09.2012
PA002	B	Landscape Plan – Lower Forecourt	27.09.2012
<b>Draft Plans of Subdivision prepared by Hard and Forester</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
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.

- a) 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 provided 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, covered 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](http://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](http://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.

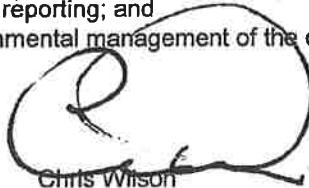
# Development consent

## 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 January

2013

## SCHEDULE 1

<b>Application No.:</b>	SSD-5207
<b>Applicant:</b>	Netball NSW
<b>Consent Authority:</b>	Minister for Planning and Infrastructure
<b>Land:</b>	Site 107, Olympic Boulevard, Sydney Olympic Park (Part Lot 204 in DP 1041756)
<b>Development:</b>	Construction and operation of a sporting facility containing Netball NSW Headquarters known as "Netball Central", including: <ul style="list-style-type: none"><li>• construction and use of Netball NSW Headquarters Building, comprising:<ul style="list-style-type: none"><li>◦ five indoor netball courts of international standard, plus one show court with seating for some 800 spectators</li><li>◦ amenities for players, officials and the public</li><li>◦ medical facilities – first aid, physiotherapy, massage etc</li><li>◦ ancillary storage facilities and equipment areas</li><li>◦ office / administration areas</li></ul></li><li>• bulk earthworks and excavation</li><li>• remediation of minor sub-soil contamination</li><li>• tree removal and landscaping</li><li>• ancillary minor events - business, cultural, social or sporting related occasions occurring one or more days throughout the year</li><li>• utility service connections and relocation</li><li>• associated civil works, including relocation of the entry / exit to the P7 car park</li><li>• land subdivision.</li></ul>