

Development consent

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

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts 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.



Ben Lusher
Acting Executive Director
Key Sites and Industry Assessments
2017

Sydney

8TH SEPTEMBER

SCHEDULE 1

Application No.:	SSD 7662
Applicant:	Mirvac Projects Pty Ltd
Consent Authority:	Minister for Planning
Land:	Site 53, Corner Figtree Drive and Australia Avenue, Sydney Olympic Park (Lot 22 in DP 787402 and part Lot 10 in DP 1185060)
Approved Development:	Mixed-use development, including: • a total GFA of 62,655 m² comprising 61,155 m² residential GFA (705 apartments) and 1,500 m² retail GFA; • four residential buildings ranging in height between 9 and 35 storeys with ground floor retail; • basement car park, including 730 spaces; and • landscaping, access and public domain works.

DEFINITIONS

ADG	Apartment Design Guide
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Mirvac Projects Pty Ltd
Application	The development application and the accompanying drawings plans and documentation described in Condition A2
Construction	Any works, including earth and building works
Council	City of Parramatta Council
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning and Environment or its successors
Evening	The period from 6 pm to 10 pm
Environmental Impact Statement (EIS)	<i>SSD 7662 Environmental Impact Statement, Site 53, 2 Figtree Drive Sydney Olympic Park</i> , prepared by URBIS dated December 2016
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, or nominee
NCC	National Construction Code
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of the Environment and Heritage, or its successor
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.
Response to Submissions (RtS)	<i>Response to Submissions SSD 7662, Site 53, Sydney Olympic Park</i> prepared by URBIS Pty Ltd and dated 16 June 2017.
RMS	Roads and Maritime Services or successor
TfNSW	Transport for NSW or successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary 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.

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
Subject Site SOPA	Allotment 22 in D.P. 787402 and Part Allotment 10 in D.P. 1185060 Sydney Olympic Park Authority

SCHEDULE 2

PART A ADMINISTRATIVE 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 Schedule 1.

Development in Accordance with Plans and Documents

- A2. The Applicant, in acting on this consent, must carry out the development :
- a) in compliance with the conditions of consent;
 - b) in accordance with all written directions of the Secretary;
 - c) generally in accordance with the State Significant Development Application SSD16_7662 *Environmental Impact Statement, Site 53, 2 Figtree Drive, Sydney Olympic Park*, and accompanying appendices, prepared by Urbis Pty Ltd and dated 7 December 2016;
 - d) generally in accordance with the document *Response to Submissions: SSD16_7662, Site 53, Sydney Olympic Park*, and accompanying appendices, prepared by Urbis Pty Ltd and dated 16 June 2017;
 - e) generally in accordance with the document *SSD16_7662: Response to Public Submissions, Site 53, Sydney Olympic Park*, prepared by Urbis and dated 24 August 2017;
 - f) generally in accordance with the landfill gas assessment prepared by JBS&G Australia Pty Ltd dated 29 August 2017 and the site suitability letter prepared by JBS&G Australia Pty Ltd dated 28 April 2016;
 - g) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent; and

Architectural (or Design) Drawings prepared by BVN Architects:			
Drawing No.	Issue	Name of Plan	Date
DA-002	H	Site Plan	14/06/2017
DA-2102	M	General Arrangement Plan – Level B04	14/06/2017
DA-2103	M	General Arrangement Plan – Level B03	14/06/2017
DA-2104	N	General Arrangement Plan – Level B02	14/06/2017
DA-2105	N	General Arrangement Plan – Level B01	14/06/2017
DA-2106	N	General Arrangement Plan – Level 01	14/06/2017
DA-2107	N	General Arrangement Plan - Level 02	14/06/2017
DA-2108	M	General Arrangement Plan - Level 03	14/06/2017
DA-2109	M	General Arrangement Plan - Level 04	14/06/2017
DA-2110	I	General Arrangement Plan - Level 05	14/06/2017
DA-2111	L	General Arrangement Plan - Level 06	14/06/2017
DA-2112	J	General Arrangement Plan - Level 07	14/06/2017
DA-2113	J	General Arrangement Plan - Level 08	14/06/2017

DA-2114	M	General Arrangement Plan - Level 09	14/06/2017
DA-2115	M	General Arrangement Plan - Level 10	14/06/2017
DA-2116	M	General Arrangement Plan - Level 11	14/06/2017
DA-2117	M	General Arrangement Plan - Level 12	14/06/2017
DA-2118	M	General Arrangement Plan - Level 13	14/06/2017
DA-2119	J	General Arrangement Plan - Level 14	14/06/2017
DA-2120	J	General Arrangement Plan - Level 15	14/06/2017
DA-2121	J	General Arrangement Plan - Level 16	14/06/2017
DA-2122	M	General Arrangement Plan - Level 17	14/06/2017
DA-2123	J	General Arrangement Plan - Level 18	14/06/2017
DA-2124	M	General Arrangement Plan - Level 19	14/06/2017
DA-2125	J	General Arrangement Plan - Level 20	14/06/2017
DA-2126	J	General Arrangement Plan - Level 21	14/06/2017
DA-2127	J	General Arrangement Plan - Level 22	14/06/2017
DA-2128	M	General Arrangement Plan - Level 23	14/06/2017
DA-2129	M	General Arrangement Plan - Level 24	14/06/2017
DA-2130	K	General Arrangement Plan - Level 25	14/06/2017
DA-2131	L	General Arrangement Plan - Level 26	14/06/2017
DA-2132	L	General Arrangement Plan - Level 27	14/06/2017
DA-2133	J	General Arrangement Plan - Level 28	14/06/2017
DA-2134	J	General Arrangement Plan - Level 29	14/06/2017
DA-2135	J	General Arrangement Plan - Level 30	14/06/2017
DA-2136	M	General Arrangement Plan - Level 31	14/06/2017
DA-2137	F	General Arrangement Plan - Level 32	14/06/2017
DA-2138	D	General Arrangement Plan - Level 33	14/06/2017
DA-2139	D	General Arrangement Plan - Level 34	14/06/2017
DA-2140	D	General Arrangement Plan - Level 35	14/06/2017
DA-2141	D	General Arrangement Plan - Roof Plan Level 36	14/06/2017
DA-3000	J	North Elevation - Figtree Drive	14/06/2017
DA-3001	J	East Elevation - Australia Avenue	14/06/2017
DA-3002	J	West Elevation - New Street	14/06/2017
DA-3003	J	South Elevation - Linear Park	14/06/2017
DA-4000	K	General Arrangement - Section 1	14/06/2017
DA-4001	K	General Arrangement - Section 2	14/06/2017
DA-5000	G	Shadow Diagram Winter Solstice June 21	14/06/2017
Landscape (or Design) Drawings prepared by 360 Landscaping:			
Drawing No.	Revision	Name of Plan	Date
LA-DA -00	F	Cover Page and Drawing Schedule	22/11/2016
LA-DA -01	F	Landscape Design Statement	22/11/2016
LA-DA - 02	F	Landscape Design Statement	22/11/2016
LA-DA - 03	F	Design Compliance	22/11/2016

LA-DA - 04	F	Level 02	22/11/2016
LA-DA - 05	F	Level 01 Upper Ground	22/11/2016
LA-DA - 06	F	Level Bo1 Basement 01	22/11/2016
LA-DA - 07	F	Typical Landscape Sections	22/11/2016
LA-DA - 08	F	Typical Landscape Sections	22/11/2016
LA-DA - 09	G	Typical Landscape Sections	07/06/2017
LA-DA - 10	F	Typical Landscape Sections	22/11/2016
LA-DA - 11	F	Typical Landscape Sections	22/11/2016
LA-DA - 12	G	Typical Landscape Sections	07/06/2017
LA-DA - 13	G	Typical Landscape Sections	07/06/2017
LA-DA - 14	G	Landscape Visualisation	07/06/2017
LA-DA - 15	G	Typical Landscape Sections	07/06/2017
LA-DA - 16	G	Typical Landscape Sections	07/06/2017
LA-DA - 17	G	Typical Landscape Sections	07/06/2017
LA-DA - 18	G	Typical Landscape Sections	07/06/2017
LA-DA - 19	F	Typical Landscape Sections	22/11/2016
LA-DA - 20	F	Typical Landscape Sketch	22/11/2016
LA-DA - 21	G	Typical Landscape Elevation	07/06/2017
LA-DA - 22	F	Planting Palette	22/11/2016
LA-DA - 23	F	Planting Palette	22/11/2016
LA-DA - 24	F	Planting Palette	22/11/2016
LA-DA - 25	G	Tree Location Plan (Podium)	07/06/2017

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 consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Development Expenses

- A4. It is the responsibility of the Applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Limits on Consent

- A5. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.
- A6. This consent in no way implies or grants approval for the following:
- fitout of commercial spaces;
 - fitout and hours of operation of retail areas;
 - signage, apart from the street numbering proposed; and
 - subdivision.

Separate development application(s) must be lodged and consent obtained from the relevant consent authority for the above works and uses (except where exempt and complying development applies).

Prescribed Conditions

- A7. The Applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Long Service Levy

- A8. 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 13 1441.

Legal Notices

- A9. Any advice or notice to the consent authority shall be served on the Secretary.

Waste Recycling

- A10. A minimum of 80% of construction and demolition waste must be re-cycled or re-used as part of the development process.

Design Integrity

- A11. Necessary arrangements must be implemented by the Applicant to ensure BVN are engaged in all design documentation phases to ensure the integrity design quality of the approved development is maintained through the construction phase to completion of the building works.

END OF PART A

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

No Works Prior to Construction Certificate

B1. Work must not commence until a relevant Construction Certificate has been issued.

Amended Architectural Plans

B2. Prior to the issue of a relevant Construction Certificate, amended architectural plans / elevations and documentation shall be submitted to the Principal Certifying Authority for approval, and submitted to the Secretary, for the common room and gym/yoga studio proposed at ground level of Building 3 to be swapped locations to promote greater passive surveillance of the pathways and parklands adjacent, including the Linear Park

Building Code of Australia Compliance

B3. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:

- a) complying with the deemed to satisfy provisions, or
- b) formulating an alternative solution which:
 - i) complies with the performance requirements, or
 - ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - iii) a combination of a) and b).

Any non-deemed to satisfy compliance issues are to be included as alternative solutions in the final design to the satisfaction of the Certifying Authority prior to the issue of a relevant Construction Certificate. A copy shall be provided to the Secretary

Contamination

B4. The Applicant must engage a Site Auditor, accredited by the EPA under the *Contaminated Land Management Act 1997* (CLM Act) to review the adequacy of all investigation and management plans and actions for the proposed development. A Section B Site Audit Statement certifying the site can be made suitable for the proposed use must be provided to the Secretary and Certifying Authority prior to the issue of a relevant Construction Certificate.

Landfill Gas Management

B5. Prior to the issue of a relevant Construction Certificate the Applicant must submit a **Landfill Gas Risk Management Plan** to an EPA-accredited Site Auditor for review and approval.

The Plan must include the final detailed design documentation for the building and landfill gas mitigation system and implemented prior to the issue of a relevant Construction Certificate.

A copy of the approved Plan and the Site Auditors' advice shall be submitted to the EPA, the Secretary and SOPA's Executive Director – Operations for information.

The Secretary may confirm this Plan is not required following a written request from the Applicant demonstrating a landfill gas mitigation system is not required. Any such request must be accompanied by appropriate supporting documentation including supporting advice

from the EPA-accredited Site Auditor. Any such request must be approved by the Secretary prior to the issue of a relevant Construction Certificate.

Public Domain Interface Plan

- B6. Prior to the issue of a relevant Construction Certificate, the Applicant is to prepare a **Public Domain Interface Plan** (PDIP) in consultation with SOPA. Final plans shall be submitted for the approval of SOPA's Executive Director – Operations. A copy of the approved PDIP must be provided to the Secretary.

Landscape Drawings

- B7. Prior to the issue of a relevant Construction Certificate, revised landscape drawings shall be submitted for the approval of SOPA's Executive Director – Operations. The landscape drawings shall include water sensitive urban design requirements of the SOP *Stormwater Management and Water Sensitive Urban Design Policy* and shall include the following:
- a) a materials palette for landscaping infrastructure including pavement and pavement treatments, which is coordinated with the paving finishes and other public domain elements in Sydney Olympic Park;
 - b) details of outdoor lighting;
 - c) the design and materials of landscape furniture and landscape furniture;
 - d) suitable tree and plant species to be used including native species from the relevant local vegetation community;
 - e) runoff from impervious areas (including driveways, paving and rainwater tank overflows) is directed to landscaped areas designed to accept such flows, to the maximum extent practicable; and
 - f) landscape design includes bioretention systems(s) of minimum 250 m² area in total, that are designed by a suitably qualified WSUD professional.

A copy of the approved Landscape Drawings must be provided to the Secretary.

Materials and Finishes

- B8. Prior to the issue of a relevant Construction Certificate, detailed schedule/plans and sample board of all external materials including awnings, screens, shading/sun control devices, finishes and colours, having regard to the use of durable low maintenance materials and finishes, shall be prepared in consultation with SOPA and submitted to the Certifying Authority and the Secretary for approval.

BASIX

- B9. All commitments outlined in BASIX Certificate Number 650643M_10 dated 15 June 2017 required to achieve satisfactory levels of thermal comfort and water and energy ratings, shall be incorporated into the proposed development and provided to the Certifying Authority prior to the issue of a relevant Construction Certificate.

Car Parking and Access

- B10. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a relevant Construction Certificate:
- (a) all vehicles should enter and leave the car park in a forward direction;

- (b) all vehicles are to be wholly contained on site before being required to stop;
- (c) parking associated with the proposal (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) should be in accordance with *Parking Facilities Part 1: Off-Street Car Parking AS 2890.1-2004*, *AS/NZS 2890.6:2009* and *Parking facilities Off-street commercial vehicle facilities AS 2890.2-2002*;
- (d) appropriate pedestrian advisory signs are to be provided at the egress from parking areas;
- (e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority;
- (f) the swept path of the longest vehicle (including semi-trailers and garbage trucks) entering and exiting the Site, as well as manoeuvrability through the subject Site, shall be in accordance with AUSTROADS;
- (g) the loading areas shall be designed in accordance with the provisions of AS 2890.2 in regard to the loading dock height, and with access and parking standards AS 2890.1, AS 2890.2 and AS 2890.6; and
- (h) notwithstanding (g) above, the loading dock height must be a minimum of 4 m to provide for a 4 m clearance for vehicle access.

B11. A maximum of 730 car parking spaces are to be provided for the development, comprising:

- (a) 71 visitor/commercial/retail spaces;
- (b) 4 car share spaces; and
- (c) 655 residential spaces.

Bicycle Parking and Facilities

B12. A minimum of 1,025 bicycle parking spaces are to be provided for the development, comprising:

- (a) 819 bike spaces (residential component);
- (b) 176 residential visitor spaces; and
- (c) 40 commercial/retail spaces.

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of *AS 2890.3 – 2015 Parking Facilities Part 3: Bicycle Parking Facilities*.

Ecologically Sustainable Development

B13. The project shall incorporate all design, operation and construction measures as identified in the ESD Strategy prepared by Efficient Living Pty Ltd dated 17 November 2016. Details are to be submitted to the Certifying Authority prior to the issue of a relevant Construction Certificate.

Installation of Water Efficiency Measures

B14. All toilets installed within the development must be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the consent of the Certifying Authority, prior to the issue of the relevant Construction Certificate being issued for above ground works.

B15. All taps and shower heads installed within the development must be water efficient with at least a 3-star rating under the WELS, where available. The details must be submitted for the approval of the Certifying Authority, prior to issue of the relevant Construction Certificate for services and finishes works.

Stormwater Management

B16. Prior to the issue of a relevant Construction Certificate, a **Stormwater Management Plan (SMP)**, consistent with the SOPA *Stormwater Management and Water Sensitive Urban Design Policy*, prepared by a suitably qualified person, shall be submitted to SOPA's Executive Director – Operations for approval, including where relevant:

- a) all stormwater catchments for the site;
- b) all stormwater drainage system elements for the site including long sections for all drainage elements including hydraulic grade line calculations;
- c) all elements of the detention system including sufficient sections and details demonstrating how the system is to operate. The entire site is to be included in the detention sizing calculations, including land to be dedicated to SOPA;
- d) all elements of the stormwater treatment system including sufficient sections and details demonstrating how the system is to operate and the diversion flow rate into the treatment system. The entire site is to be included in the detention sizing calculations, including land to be dedicated to SOPA and any on site detention systems are not to be included in the calculations for water quality;
- e) all calculations showing how the intent of the SOPA *Stormwater Management and Water Sensitive Urban Design Policy* is met;
- f) details of all stormwater connections to the existing SOPA stormwater system;
- g) details of the overland flow system and calculations to demonstrate the capacity to safely convey flow through the site including DxV calculations;
- h) a detailed **Stormwater Management Strategy**, consistent with SOPA's *Stormwater Management and Water Sensitive Urban Design Policy*, prepared by a suitably qualified person which details how the development is to maximise the use of locally harvested rainwater captured from the buildings' roof surfaces and hard paved areas for all approved rainwater uses (e.g. irrigation) prior to the use of any Water Reclamation and Management Scheme (WRAMS) water as a supplementary source of recycled water; and
- i) on-going management requirements after construction.

Reflectivity

B17. Prior to the issue of a relevant Construction Certificate, details confirming building materials used on the facades of the building having a maximum normal specular reflectivity of visible light of 20 per cent and that are designed so as not to result in glare that causes any discomfort or threatens the safety of pedestrians or drivers shall be submitted to the Certifying Authority.

Outdoor Lighting

B18. All outdoor lighting within the site shall comply with, where relevant, AS 1158.3.1-2005 *Pedestrian Area (Category P) Lighting* and AS 4282: 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 relevant Construction Certificate.

Access for People with Disabilities

- B19. 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, Disability Discrimination Act 1992 Access to Premises Standards (including DDA Access Code) and SOP Master Plan 2030 and the recommendations contained in the Access Review (Final v4) prepared by Morris Goding Accessibility Consulting dated 23 November 2016 unless where there is an appropriate alternate solution as determined by a suitable qualified access consultant.

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 including how the proposed development integrates into the town centre with compliant paths of travel and services.

Mechanical Ventilation

- B20. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the National Construction Code and shall comply with AS 1668.2 and AS 3666.1 *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 relevant Construction Certificate.

Pre-construction Dilapidation Report

- B21. The Applicant is to engage a suitably qualified person to prepare a **Pre-Construction Dilapidation Report** for approval by the Certifying Authority prior to the issue of the Construction Certificate. The report shall ascertain the structural condition of existing local public roads, cycleways, footpaths, and other utilities likely to be used during construction activities.

Acoustic Impacts

- B22. Prior to the issue of a relevant Construction Certificate, the Applicant shall submit details to the Certifying Authority demonstrating how the proposed development will have incorporated into the detailed design of the building the provisions of the following:
- a) the *Department of Planning's Development Near Rail Corridors and Busy Roads - Interim Guideline*; and
 - b) the recommended glazing design and other measures in the Acoustic Assessment prepared by Renzo Tonin, dated 20 September 2016.

Compliance Report

- B23. Prior to the issue of each Construction Certificate, the Applicant, or any party acting upon this consent, shall submit to the Certifying Authority a report addressing compliance with all relevant conditions of this Part.

Maximum Height

- B24. The maximum height of the approved buildings must not exceed the plans identified in Condition A2, including plant and lift overruns, but excluding communication devices, antennas, satellite dishes, masts, flagpoles, chimneys, flues and the like. Details confirming compliance must be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Gross Floor Area (GFA) Certification

B25. The GFA of the buildings must not exceed 62,655 m². Details confirming compliance must be submitted to the Certifying Authority demonstrating compliance with the condition prior to the issue of any Construction Certificate.

Sustainability Rating

B26. The building must be designed to achieve a minimum 4 Star Green Star rating under the Design & As Built Green Building Council of Australia Rating Tool. Prior to the issue of the relevant Construction Certificate, the Applicant shall submit details to the Certifying Authority demonstrating compliance with this requirement. Minor amendments to the detailed design required to adapt the building to achieve 5 Star Green Star certification may be submitted to and approved by the Secretary prior to the issue of the relevant Construction Certificate. Any minor amendments to the detailed design must be demonstrably associated with the green star certification process.

Adaptable Housing

B27. Prior to issue of the relevant Construction Certificate, the Certifying Authority is to ensure the building has been designed to accommodate adaptable residential units and that the requirements are referenced on the relevant Construction Certificate drawings. In addition, information shall be provided confirming:

- a) the required number of units are able to be adapted for people with a disability in accordance with the BCA; and
- b) compliance with *Australian Standard AS4299 – Adaptable Housing*.

Road Design

B28. Final road design plans shall be prepared by a qualified practising Civil Engineer in consultation with and to the satisfaction of SOPA and submitted to the Certifying Authority prior to the issue of a relevant Construction Certificate. The plans shall include the following:

- a) kerb and gutter, stormwater drainage, relevant road width pavement including traffic facilities and paved footpaths shall be constructed along the full length of the new roads. All Roads shall be designed in consultation with the relevant requirements of SOPA and the RMS. Final road design plans shall be prepared by a qualified practising Civil Engineer and submitted to the certifying authority prior to commencement of works;
- b) the swept path of the longest vehicle (including garbage trucks) entering and exiting the Subject Site, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS;
- c) car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) should be in accordance with *AS 2890.1-2004 Parking Facilities Part 1: Off-street Car Parking*, *AS 2890.6-2009 Parking Facilities Part 6: Off-street Parking for People with Disabilities* for accessible spaces and *AS 2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities* for heavy vehicle usage;
- d) appropriate pedestrian advisory signs are to be provided at the egress from the car park areas;
- e) all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority; and

- f) details of pedestrian access on all roads adjoining the Subject Site.

Sydney Trains Requirements

- B29. Prior to the issue of a Construction Certificate, the Applicant is to prepare and provide an acoustic assessment based on the final approved development demonstrating how the proposed development will comply with the Department of Planning's document titled *Development Near Rail Corridors and Busy Roads- Interim Guidelines*. A copy of the report is to be provided to the Principal Certifying Authority with the application for the Construction Certificate.
- B30. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principle Certifying Authority with the application for a Construction Certificate.
- B31. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the light rail operator. The Principle Certifying Authority is not to issue the Construction certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B32. Prior to the issue of a Construction Certificate a **Risk Assessment/Management Plan** and detailed **Safe Work Method Statements** (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B33. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. The Principle Certifying Authority shall not issue the construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B34. Prior to the issue of a Construction Certificate, the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the Construction certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- B35. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure. The Applicant is to contact Sydney Trains Engineering Management Interfaces and Asset Management Division to obtain the level of insurance required for this particular proposal. Prior to the issuing of a Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

- B36. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Engineering Management Interfaces and Asset Management Division to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
- B37. Prior to the issue of a relevant Construction Certificate for any work adjacent to the rail corridor, the Applicant must consult with Sydney Trains to obtain any relevant approval/certification/endorsement required by it.
- B38. Prior to the issue of a Construction Certificate, the Applicant is to prepare and provide to Sydney Trains for review and endorsement a **Numeric Modelling Analysis** which assesses the different stages of excavation and construction of the site and its effect on the rock mass surrounding the rail corridor.
- B39. Prior to the issue of a Construction Certificate, the Applicant is to prepare and provide to Sydney Trains for review and endorsement a **Hydrologic Assessment Report** demonstrating that the dewatering during construction will not have any adverse settlement impacts on the rail corridor.

Structural Details

- B40. 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 comply with:
- a) the relevant clauses of the BCA;
 - b) the development consent; and
 - c) drawings and specifications comprising the Construction Certificate.

END OF PART B

PART C PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

- C1. The Certifying Authority, SOPA and the Department shall be given written notice, at least 48 hours prior to the commencement of building and/or subdivision work on the Subject Site.

Certified Plans

- C2. Plans certified in accordance with section 109C of the EP&A Act are to be submitted to the Certifying Authority and copy to the Department prior to commencement of each stage of the works and shall include details as required by any of the following conditions.

Contact Telephone Number

- C3. Prior to the commencement of any works, the Applicant shall forward to the Certifying Authority and Department a 24 hour telephone number to be operated for the duration of the construction works.

Approved Plans to be On-Site

- C4. 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 by any officer of the Department, SOPA or the Certifying Authority.

Site Notice

- C5. 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, Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:
- a) minimum dimensions of the notice are to measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30 point type size;
 - b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - c) the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
 - d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

Structural Details

- C6. Prior to the commencement of construction (excluding early works), the Applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:
- d) the relevant clauses of the Building Code of Australia;
 - e) the development consent; and
 - f) drawings and specifications comprising the Construction Certificate.

Utility Services

- C7. Prior to the commencement of work, the Applicant is to obtain written approval from the utility authorities (electricity supply authority, an approved telecommunications carrier and an approved gas carrier, where relevant) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

Hoarding

- C8. A separate application under section 138 of the *Roads Act 1993* is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include:

- a) architectural, construction and structural details of the design as well as proposed artwork; and
- b) structural certification prepared and signed by an appropriately qualified practising structural engineer.

Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of construction works on site.

Construction Environmental Management Plan

- C9. Prior to the commencement of works, a **Construction Environmental Management Plan (CEMP)** shall be submitted to and approved by SOPA – Executive Director of Operations.

- a) The CEMP shall include, but not be limited to, the following matters and **Plans**, which are to be addressed by a suitably qualified person and implemented following approval of each plan:
 - i) details on type, depth and extent of excavation and piling works;
 - ii) hours of work;
 - iii) 24-hour real time contact details of site manager and out-of-hours' contacts;
 - iv) **Traffic and Pedestrian Management Plan;**
 - v) **Construction Noise and Vibration Management Plan;**
 - vi) **Construction Soil and Water Management Plan;**
 - vii) **Construction Groundwater Management Plan;**
 - viii) **Construction Waste Management Plan;**
 - ix) **Construction Air Quality Management Plan;**
 - x) **Major Events Management Plan;** and
 - xi) Unexpected finds protocol, including for unexpected finds of contamination.
- 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 CEMP shall include procedures for its periodic review and update (including updating the required sub-plans), as necessary.
- d) CEMP shall include a description of the roles and responsibilities for relevant employees involved in the construction of the proposal, including emergency and out of hours contact details, relevant training and induction provisions for ensuring that

employees, including contractors and sub-contractors, are aware of their environmental and compliance obligations under these conditions of approval.

- e) The CEMP shall include an environmental risk analysis to identify the key environmental performance issues associated with the construction phase.

A copy of the approved CEMP must be provided to the Secretary and PCA.

Construction Traffic and Pedestrian Management Sub Plan

C10. Prior to the commencement of works, a final **Construction Traffic and Pedestrian Management Sub Plan** (CTPMP) prepared by a suitably qualified person shall be submitted to and approved by SOPA's Executive Director - Operations.

- a) The CTPMP must be prepared in consultation with Roads and Maritime Services, SOPA, Transport for NSW and City of Parramatta Council.
- b) The CTPMP shall address, but not be limited to, the following matters:
 - i) location of the proposed work zone;
 - ii) haulage routes;
 - iii) estimated number of construction vehicle movements and construction vehicle access arrangements;
 - iv) proposed construction hours and construction program;
 - v) ingress and egress of vehicles to the Subject Site;
 - vi) loading and unloading, including construction zones;
 - vii) predicted traffic volumes, types and routes;
 - viii) pedestrian and traffic management methods;
 - ix) construction activities during major events;
 - x) details of special event and clearway conditions on surrounding roads in the vicinity of the site during special events;
 - xi) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists;
 - xii) a parking strategy for construction workers;
 - xiii) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and
 - xiv) mechanisms for the monitoring, review and amendment of the CPTMP;
 - xv) potential impacts to general traffic, cyclists, pedestrian access and public transport infrastructure, including bus services, within the vicinity of the site from construction vehicles and measures to mitigate impacts including temporary relocation of services;
 - xvi) cumulative construction impacts of projects within the Sydney Olympic Park. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that co-ordination of work activities are managed to minimise impacts on the road network;
 - xvii) should any construction related impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public

transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP; and

xviii) access for owners and occupiers during special events.

A copy of the approved CTPMP must be provided to the Secretary and PCA.

Construction Noise and Vibration Management Plan

C11. Prior to the commencement of works, a final **Construction Noise and Vibration Management Plan** (CNVMP) prepared by a suitably qualified person must be submitted to and approved by SOPA's Executive Director - Operations. The CNVMP must be prepared in consultation with the EPA and must include, but not be limited to:

- a) identification of sensitive receivers and relevant construction noise and vibration goals applicable to the proposal;
- b) details of construction activities and an indicative schedule for construction works, including the identification of key noise and/or vibration generating construction activities that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas;
- c) details of potential impacts to the Authority's leachate collection and transfer infrastructure;
- d) preparation of a Construction Management Statement that describes the methods to be implemented to minimise impacts from the works;
- e) preparation of a Community Consultation Plan which details methods to liaise with affected community and response to noise related complaints and disputes;
- f) identification of feasible and reasonable measures proposed to be implemented to minimise and manage construction noise and vibration impacts, and
- g) mechanisms for the monitoring, review and amendment of the CNVMP.

A copy of the approved CNVMP must be provided to the PCA and Secretary.

Construction Soil and Water Management Plan

C12. Prior to the commencement of works, a **Construction Soil and Water Management Plan** (CSWMP) prepared by a suitably qualified person must be submitted to and approved by SOPA's Executive Director - Operations. The CSWMP must be prepared in consultation with the provisions of the *"Blue Book" Part 1 Landcom (2004) Managing Urban Stormwater: Soils and Construction, 4th edition*. The CSWMP must consider the likely stages of the works and provide for appropriate control of sediment and erosion for each stage and include, but not be limited to:

- a) the location and extent of all necessary sediment and erosion control measures for the site;
- b) a catchment plan;
- c) sediment basin(s) locations including details showing how runoff from the entire site will be directed to the sediment basin(s);
- d) all relevant details and calculations of the sediment basins including sizes in accordance with the *Managing Urban Stormwater – Soils and Construction Volume 1* (2004), flocculation, outlet design, all relevant sections, pump out systems, and depths;

- e) all details of basement and other excavation pump out and dewatering treatment systems including flocculation and any proposed discharge from the site from dewatering and pump out systems;
- f) identification and management of any stormwater run-on to the site from adjacent sites;
- g) location of any temporary stockpiles (soil, spoil, top soil or otherwise) and accompanying sediment and erosion control measures;
- h) location and details of all vehicle wash down bays and associated erosion and sediment control measures such as earthen bunds;
- i) a daily and weekly site inspection checklist consistent with IECA Best Practice Erosion and Sediment Control documents; and
- j) identification of a Sediment Basin for every catchment discharging from the site as part of any Soil and Water Management Plan. Sediment basin(s) are to be designed as follows:
 - i) according to the NSW Blue Book (section 6.3.4 and Appendix E). The calculations of the sediment basin size must be submitted with the Soil and Water Management Plan;
 - ii) using type D soils (unless otherwise demonstrated by an analysis of site soils by a qualified geotechnical);
 - iii) for all events up to the peak flow rate from the 1 in 10 year ARI event for the site for the 5 day rainfall event; and
 - iv) to include a gypsum flocculent to be added to the sediment basin in accordance with Appendix E of the Blue Book (note that Alum is not to be used as a flocculent at Sydney Olympic Park).

If a sediment basin is not being proposed it must be demonstrated that the average annual soil loss from the total area of land disturbance is less than 150 cubic metres per year. Soil loss must be calculated in accordance with Appendix A of the Blue Book. In such circumstances, alternate measures must be employed to protect the receiving waters.

A copy of the approved CSWMP must be provided to the PCA and Secretary.

Construction Groundwater Management Plan

C13. Prior to the commencement of any works, a Construction Groundwater Management Plan (CGMP) prepared by a suitably qualified person must be submitted to and approved by SOPA's Executive Director - Operations. The CGMP must be prepared in consultation with the EPA consistent with SOPA's *Stormwater Management and Water Sensitive Urban Design Policy* and must address, but not be limited to:

- a) groundwater management during excavation and construction including details of proposed dewatering activities on site;
- b) disposal of extracted groundwater to the satisfaction of SOPA, the EPA and Sydney Water; and
- c) on-going management requirements after construction.

No part of this approval provides any approval to pollute waters. The Applicant must ensure that all groundwater, surface water or stormwater discharge from the site meets the requirements of the *Protection of the Environment Operations Act 1997*. A copy of the approved CGMP must be provided to the PCA and the Secretary.

Construction Waste Management Plan

C14. Prior to the commencement of any works, the Applicant shall:

- a) submit a **Construction Waste Management Plan (CWMP)**, prepared by a suitably qualified person in consultation with the SOPA, to the PCA. The CWMP shall address, but not be limited to, the following matters:
 - i) recycling of demolition materials including concrete; and
 - ii) removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works;
- b) provide 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 Certifying Authority prior to the removal of any hazardous materials;
- c) submit a copy of the approved CWMP to the Department, City of Parramatta Council and to SOPA, prior to commencement of work;
- d) notify RMS 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; and
- e) detail the segregation and management of contaminated materials and spoil stockpiles during construction.

Construction Air Quality Management Plan

C15. Prior to the commencement of works, a **Construction Air Quality Management Plan (CAQMP)** must be prepared in consultation with, and approved by, SOPA. The CAQMP must detail how construction impacts on local air quality will be minimised and managed. The Plan must include identification of potential sources or airborne pollutants and how these will be monitored and managed. A copy of the approved CAQMP must be provided to the PCA and Secretary.

Major Events Management Plan

C16. Prior to the commencement of works, a **Major Events Management Plan (MEMP)** must be submitted to and approved by SOPA's Executive Director - Operations. The MEMP must detail how construction activities will be managed during major events held within Sydney Olympic Park.

Sydney Water Quick Check

C17. 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.

Asbestos Management Plan

C18. Prior to the commencement of excavation and construction works, the applicant shall engage suitably qualified independent experts to prepare a detailed Asbestos Management Plan.

Barricade Permit

- C19 Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the *Roads Act 1993* for a Barricade Permit is to be obtained prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant road authority.

Traffic Works

- C20 Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

Community Consultation

- C21 A **Community Consultation and Engagement Plan** shall be prepared and implemented prior to the commencement of works and shall include how notification of residents and complaints associated with the proposal will be managed.

Compliance Report

- C22 Prior to the commencement of works, the Applicant, or any party acting upon this approval, shall submit to the PCA a report addressing compliance with all relevant

Rail Corridor Inspection (Sydney Trains)

- C23. Prior to the commencement of works, or the completion of works, or at any time during the works period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from the requesting Agency and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Public Safety and Liability (Sydney Trains)

- C24. Prior to the commencement of works the Applicant shall peg-out the property boundary interfacing with the rail corridor. This work is to be undertaken by a registered surveyor.

Sydney Trains Access

- C25. Sydney Trains are entitled to inspect the site of the proposed development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principle contractor for the approved development or the owner or occupier of the part of the site to which access is sought

END OF PART C

PART D DURING CONSTRUCTION

Hours of Work

- D1. The hours of construction, including the delivery of materials to and from the Subject Site, shall be restricted as follows:
- a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
 - b) between 8:00 am and 3:00 pm, Saturdays; and
 - c) no work on Sundays and public holidays; or
 - 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; or
 - ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
 - iii) SOPA shall be advised in advance of any access for construction/delivery vehicles during major event periods.

Water Discharge Limits

- D2. Any water to be discharged from the site, including any groundwater, surface water or stormwater must comply with the following standards:

Total suspended solids (TSS)	<50mg / litre
pH	pH 6.5-8.5
Oil and grease	No visible sheen on released waters
All other contaminants	ANZSECC 95% limits for protection of ecosystem health

- D3. No approval is granted to pollute waters. All groundwater, surface water or stormwater discharge from the site must meet all requirements of the *Protection of the Environment Operations Act 1997*.

Disposal of Seepage and Stormwater

- D4. 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 EPA in accordance with the *Protection of the Environment Operations Act 1997*.

Construction Noise Management

- D5. 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 CNVMP, approved as part of the CEMP required by condition:
- a) 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.

- b) 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 CNVMP:
 - i) 8 am to 12 pm, Monday to Friday;
 - ii) 2 pm to 5 pm Monday to Friday; and
 - iii) 9 am to 12 pm, Saturday.
- c) 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 CNVMP.
- d) 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

- D6. Unless otherwise outlined in the CNVMP, approved as part of the CEMP required by **Condition C9**, 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 – Effects of Vibration 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; and
 - 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.

Work Cover Requirements

- D7. 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

- D8. The following hoarding requirements shall be complied with:

- a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and
- 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

- D9. 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

- D10. In the event that surface disturbance identifies a new Aboriginal object, all works in the immediate vicinity must halt to prevent any further impacts to the object(s) as required by the *NSW National Parks and Wildlife Service Act, 1974* and the *NSW Heritage Act 1977* (as amended).

The NSW Heritage Council, 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 Applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

The archaeologist may need to consult with the Office of Environment and Heritage (OEH) regarding Aboriginal cultural heritage relics, or the NSW Heritage Division, Department of Planning concerning the significant of Historic cultural material unearthed.

Waste Classification

- D11. Waste classification of all material to be transported off the site for disposal is to be undertaken in accordance with the Department of Environment, Climate Change and Water (2009) *Waste Classification Guidelines*. In that regard all waste is to be disposed to a facility that can lawfully receive waste and all documentation including waste classification reports, receipts and weighbridge dockets for materials disposed off-site are to be made available to SOPA if requested.

General Tree Protection Measures

- D12. The Applicant shall ensure:

- a) no street trees are 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 are protected at all times during construction, in accordance with SOPA's *Tree Protection on Constructions Guidelines*. 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, to protect the root system, trunk and branches during construction. All works are to be undertaken in accordance with the protection and management measures recommended in the Arboricultural Impact Assessment prepared by Arboreport and dated 29 September 2016;
- d) any service connections within the tree protection zone must be supervised by a consulting Arborist and be aligned to minimise loss of root plate using manual trenching and/or boring; and
- e) any removal works are undertaken by a qualified arborist recognised within the Australian Qualification Framework, with a minimum five years of continual experience within the industry of operational amenity arboriculture, and covered by appropriate

and current types of insurance to undertake such works and in accordance with AS 4373:2007 *Pruning of Amenity Trees*.

D13. Tree Protection Fencing (TPF)

Prior to site establishment, tree protection fencing shall be installed to establish the TPZ for trees to be retained. Tree protection fencing shall be maintained entire for the duration of the construction program. Tree protection fencing shall be:

- a) to enclose as much of the TPZ as can reasonably be enclosed, allowing for pedestrian access and 1m offset around construction footprint and scaffolding;
- b) cyclone chain link wire fence or similar, with lockable access gates;
- c) certified and Inspected by the Project Arborist;
- d) installed prior to the commencement of the works; and
- e) prominently signposted with 300 mm x 450 mm boards stating
"NO ACCESS TO THIS AREA - TREE PROTECTION ZONE
CONTACT PROJECT ARBORIST 0407 006 852".

D14. Structural Root Zone (SRZ)

The SRZ is a radial area extending outwards from the centre of the trunk calculated as follows:

$$\text{SRZ (Radius)} = (D \times 50)^{0.42} \times 0.64$$

D15. Tree Protection Zone (TPZ)

The TPZ is a radial area extending outwards from the centre of the trunk equal to the DBH x 12. This area shall be protected by a TPF (*see below*). For all trees to be retained a TPZ is to be created and maintained.

The TPZ function is primarily to protect the root zone by restricting access however the canopy of the tree shall also be protected from damage or injury. The Project Arborist shall approve the extent of the TPZ.

The TPZ shall be mulched to a depth of 75 mm with an approved organic mulch. Supplementary watering shall be provided in dry periods to reduce water or construction stress, particularly to those trees which may have incurred root disturbance.

In the TPZ the following activities shall be excluded:

- a) excavation, compaction or disturbance of the existing soil;
- b) the movement or storage of materials, waste or fill;
- c) movement or storage of plant, machinery, equipment or vehicles;
- d) any activity likely to damage the trunk, crown or root system; and
- e) scaffolding.

D16. Trunk and Root Zone Protection

Other measures may be required in addition to tree protection fencing. These specific protection measures will be installed as directed by the Project Arborist to protect the canopy, trunk or branches from the risk of damage.

The Project Arborist shall be consulted if there is risk of damage to a retained tree. The Project Arborist may require:

- a) A 75 mm layer of approved mulch to be installed to the TPZ;
- b) A temporary drip irrigation system to be installed to the TPZ;
- c) Additional root protection to be installed; and

- d) Additional trunk and branch protection to be installed.

D17. Tree Damage

In the event of damage to a tree or the TPZ of a tree to be retained the Project Arborist shall be engaged to inspect and provide advice on remedial action. This should be implemented as soon as practicable and certified by the Project Arborist.

D18. Excavation within the TPZ

Excavation within the TPZ shall be avoided. All care shall be undertaken to preserve tree root systems. Excavation within the canopy drip line or TPZ shall be subject to the approval and supervision of the Project Arborist. Excavation shall be executed by hand to avoid damage to roots.

If excavation within the TPZ is required other than that anticipated in this report the Project Arborist shall be notified. A root mapping exercise may be required and should be certified by the Project Arborist. Root mapping shall be undertaken by either ground penetrating radar (GPR), air spade, water laser or by hand excavation. The purpose shall be to locate woody structural roots greater than 50 mm in diameter.

Where roots 50 mm diameter or greater are encountered, alternative construction method shall be considered to ensure roots are not severed. Adequate allowance must also be made for future radial root growth. In paved areas, consideration should be given to raising the proposed pavement level and using a porous fill material in preference to excavation.

Where the placing of services through the TPZ is unavoidable then excavation should take place outside the TPZ and then underbored below the root ball of the tree as directed by the Arborist.

D19. Fill

All fill material to be placed within the TPZ should be approved by Arborist and equal to 5-7mm Round River Pea Gravel to provide aeration and percolation to the root zone. Otherwise no fill should be placed within the TPZ of trees to be retained.

D20. Pavements

Proposed paved areas within the TPZ should be placed on or above grade to minimise excavation, and avoid root severance and/or damage. Pavements should be permeable or avoided otherwise.

D21. Pruning

All pruning work required (including root pruning) should be in accordance with Australian Standard No 4373 -2007 - *Pruning of Amenity Trees*.

If required, roots should be severed with clean sharp implement flush with the face of the excavation and maintained in a moist condition. Root pruning shall be performed under the supervision of the Project Arborist.

D22. Tree Removal

Tree removal work shall be carried out by an experienced tree surgeon in accordance with the NSW Work Cover *Code of Practice for the Amenity Tree Industry* (1998).

Care shall be taken to avoid damage to trees during the felling operation. Stumps shall be grubbed-out using a mechanical stump grinder to a minimum depth of 300 mm without damage to other retained root systems.

D23. Post Construction Maintenance

In the event of any tree deteriorating in health after the construction period, the Project Arborist shall be engaged to provide advice on any remedial action. Remedial action shall be implemented as soon as practicable and certified by the Project Arborist.

Tree protection fencing with additional trunk and root protection shall be removed following completion of construction. The mulch layer in the TPZ shall be retained and replenished where required to maintain a 75mm thickness.

Rail Corridor (Sydney Trains)

D24. The following restrictions apply during construction phase:

- a) no metal ladders, tapes and plant/machinery or conductive material are to be used within six horizontal metres of any live electrical equipment. This applies to train pantographs and 1500V catenary, contact and pull off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor;
- b) no rock anchors/bolts temporary or permanent are to be installed into Sydney Trains property or easements;
- c) unless advised by Sydney Trains in writing, the effect of construction induced settlement due to groundwater drawdown (potentially leading to track settlement) is to be avoided at all times;
- d) unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25 metres of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects;
- e) no hoarding or scaffolding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the Applicant will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection;
- f) drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains;
- g) during all stages of the development extreme care should be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant; and
- h) no work is permitted within the rail corridor at any time unless prior approval or an Agreement has been entered into with Sydney Trains. Where the Applicant proposes to enter the rail corridor, the Principle Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.

END OF PART D

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificate

- E1. An **Occupation Certificate** must be obtained from the PCA prior to commencement of occupation or use of the whole or part of the new building. A copy of the certificate shall be submitted to the Secretary, SOPA and Council.

Public Domain Works

- E2. All public domain works including connections to adjacent sites are to be completed to the satisfaction of SOPA prior to issue of the Final Occupation Certificate.

Travel Access Guide

- E3. A **Travel Access Guide**, as referred to in the Transport and Traffic Impact Assessment prepared by GTA Consultants and dated 23 November 2016, is to be prepared and submitted to the satisfaction of the PCA prior to the issue of the Final Occupation Certificate.

Acoustic Compliance

- E4. Prior to the issue of a relevant Occupation Certificate, evidence shall be submitted to the Certifying Authority demonstrating compliance with all recommendations of the Noise and Vibration Assessment, prepared by Renzo Tonin, submitted as part of the EIS and the development achieves compliance with the requirements of State Environmental Planning Policy (Infrastructure) 2007 and other guidelines applicable to the development.

Mechanical Ventilation

- E5. 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 the Final Occupation Certificate, that the installation and performance of the mechanical systems complies with:
- a) the BCA;
 - b) the use of *AS1668 Ventilation and Air-conditioning in buildings Set* and other relevant codes;
 - c) the development consent and any relevant modifications; and
 - d) any dispensation granted by the Fire and Rescue NSW.

Road Damage

- E6. 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 the Final Occupation Certificate.

Sydney Water Compliance

- E7. 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 Final Occupation Certificate.

Groundwater Seepage and Disposal

- E8. The Applicant must engage a suitably qualified expert to prepare and implement a **Groundwater Seepage and Disposal Strategy** to the satisfaction of the EPA, SOPA and Sydney Water. The Strategy must outline long-term / on-going arrangements for the appropriate treatment and disposal of groundwater seepage during use of the development.

Documentation demonstrating the EPA, SOPA and Sydney Water are satisfied with the Strategy must also be provided. The Strategy must be approved by the Secretary, prior to the issue of any Occupation Certificate.

Post-construction Dilapidation Report

- E9. The Applicant shall prepare a **Post-Construction Dilapidation Report**, prepared by a suitably qualified person, to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the Certifying Authority at the completion of construction works, and prior to the issue of the Final Occupation Certificate. A copy shall also be forwarded to SOPA.

In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
- b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

Fire Safety Certification

- E10. Prior to the issue of any 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

- E11. A **Structural Inspection Certificate** or a **Compliance Certificate** must be submitted to the satisfaction of the Certifying Authority 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; and
- b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

Utility Providers

- E12. Prior to the issue of a relevant Occupation Certificate 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.

Drainage Plan

- E13. Prior to the issuing of the Final Occupation Certificate for the development, the Applicant shall submit to SOPA and the PCA a **Works-as-Executed Drainage Plan (WEDP)** prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer.

Waste Management

- E14. The Applicant shall prepare a final **Waste Management Plan (WMP)** to be submitted to the PCA for approval prior to occupation. The WMP shall provide details of the operational waste management measures for the site and 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 requirements for the waste area are as follows:
- a) all internal walls of the storage area are to be finished to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning; and
 - b) include provision for the separation and storage in appropriate categories of material suitable for recycling.

Sewerage Plan

- E15. Prior to the issuing of the Final Occupation Certificate, a **Works-as-Executed Sewerage Plan (WESP)** prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer shall be submitted to SOPA and the PCA.

Infrastructure Asset Maintenance

- E16. All Water Sensitive Urban Design (WSUD) assets must be properly maintained on an ongoing basis. An establishment, handover (from the developer to the strata management) and **Operation and Maintenance Plan (OMP)** must be developed and implemented for all WSUD assets and integrated water cycle management, including rainwater reuse assets, for the life of the asset. The OMP must address the following:
- a) an establishment, handover (from the developer to the strata management) and operation and maintenance plan and evidence of a maintenance contract for the maintenance of the stormwater management measures with a reputable and experience maintenance contractor must be approved by SOPA's Executive Director – Operations prior to any application for an Occupation Certificate;
 - b) WSUD assets to be included include: rainwater tank, OSD storage tank, landscape WSUD features including the bioretention system, and proprietary treatment systems (humeceptor, jellyfish and the like). Any proprietary treatment systems must use SOPA approved MUSIC nodes;
 - c) the establishment, handover and operation and maintenance plan is to be prepared by the designer(s) of the system stormwater treatment, detention and reuse systems. The final plan must include a written signoff from the design engineer(s) responsible for the construction drawings of the system that the system has been constructed in accordance with the construction drawings or, where modified, has not adversely affected the performance of the system;
 - d) the plan must include routine checking, cleaning and servicing of all devices in accordance with the manufacturer's and/or designer's recommendations. Records of all maintenance activities undertaken must be kept and provided to the Authority annually by 30 June each year, and at any other times upon request;

- e) the maintenance contract must be an executed contract, and for a minimum of 2 years. Should the contract be terminated for any reason during this period, a new contract covering these works must be established for the remainder of the period;
- f) the maintenance contract must include quarterly maintenance visits. Records of the visits are to be submitted to Sydney Olympic Park Authority;
- g) the maintenance contract must be supplemented by an annual independent audit undertaken by a suitably qualified WSUD professional. The audit is to verify the condition of the treatment system(s), verify and document that the system(s) is working as intended, verify the system(s) has been cleaned adequately, verify there is no excessive build up of material in the system(s) and identify any issues with the treatment system(s) which require rectification for the system(s) to adequately perform its intended function. The Audit Report is to be submitted to the Authority by 30 June each year;
- h) the pollution retention efficiency of structural stormwater treatment measures must be maintained up to the design discharge and must not decrease with build- up of materials; and
- i) where necessary system components become unavailable, an alternative system is required to be retrofitted into the development to achieve an equivalent pollutant reduction and water management outcome.

Details demonstrating compliance with this condition must be submitted to the satisfaction of the Certifying Authority prior to the issue of the Final Occupation Certificate.

Roofwater Harvesting

- E17. Roofwater shall be harvested into a tank with a minimum active storage volume of 150kL. This tank is to be used as the primary source for all non-potable uses within the development site (including toilet flushing, washing machines, fire-hose, wash down, landscape irrigation, and seepage water dilution). Back-up to the rainwater tank is to be WRAMS.

Apartment Water Metering

- E18. Individual water metering must be provided to each unit within the development for portable cold and hot water services.

Water Sensitive Urban Design Assets

- E19. Prior to the issuing of a Final Occupation Certificate the Applicant is to submit for approval an **Establishment, Handover, Operation and Maintenance Plan (EHOMP)** to SOPA and the PCA for all water sensitive urban design assets (for the life of the asset) including evidence of a maintenance contract covering the period up to the first annual general meeting of the body corporate. The Applicant must submit a renewed maintenance contract at the first annual general meeting of the body corporate for consideration.

Road Safety Audit

- E20. A detailed design road safety audit (RSA) shall be undertaken on the proposed road works (half of New Street) by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans and be submitted to the PCA and SOPA prior to the commencement of works.

Prior to the issue of the Final Occupation Certificate the PCA shall ensure that the recommendations of the RSA have been addressed in any plans.

Road Plan

- E21. Prior to the issuing of the Final Occupation Certificate for the development, the Applicant shall submit to SOPA and the Certifying Authority a **Works-as-Executed Road Plan** (WERP) (for the new street for which the Applicant is responsible) prepared by a registered surveyor and approved by a suitably qualified and experienced design engineer. The WERP shall be to the satisfaction of SOPA and the PCA.

Railway Corridor - Sydney Trains

- E22. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Consent Authority. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easement. The Principle Certifying Authority is not to issue the Occupation certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Contamination

- E23. The Applicant must engage a Site Auditor, accredited by the EPA under the *Contaminated Land Management Act 1997* (CLM Act) to review the adequacy of all investigation and management plans and actions for the proposed development. A Section A Site Audit Statement certifying the site is suitable for the proposed use must be provided to the PCA prior to the issue of any Occupation Certificate.

END OF PART E

PART F POST OCCUPATION

Travel Access Guide

- F1. The Travel Access Guide, required by **Condition E3**, shall be displayed in all common areas throughout the site for residents.

Contamination

- F2. Prior to the issue of an Occupation Certificate, a **Long-Term Site Management Plan** prepared by a suitably qualified person with proven experience in landfill gas management shall be submitted to the EPA's accredited Site Auditor for approval and a copy to be provided to SOPA's Executive Director – Operations for information. The Long-Term Site Management Plan shall give consideration to, but not be limited to, details on:
- a) sub slab monitoring;
 - b) indoor air monitoring;
 - c) gas monitoring and alarm system(s) in lift shafts;
 - d) operation of permanent gas (including landfill gas) monitoring and alarm systems;
 - e) trigger and alarm levels;
 - f) alarm response and contingency procedures;
 - g) landfill gas venting/mitigation system maintenance requirements (if a landfill venting/gas mitigation system is found to be required – refer to **Condition B5**); and
 - h) contingency plans for unexpected finds and for unacceptable risks that are detected or encountered (e.g. for landfill gas or leachate).

The Long-Term Site Management Plan must be legally enforceable.

No Pollution of Waters

- F3. No part of this approval provides any approval to pollute waters. The Applicant must ensure that all groundwater, surface water or stormwater discharge from the site meets the requirements of the *Protection of the Environment Operations Act 1997*.

Establishment, Handover, Operation and Maintenance Plan

- F4. The EHOMP required by **Condition E19** is to include routine checking, cleaning and servicing of all devices in accordance with manufacturers recommendations and a record of all maintenance activities are to be provided to SOPA by 30 June each year.

All water sensitive design assets must be maintained on an ongoing basis, in accordance with the Establishment, Handover, Operation and Maintenance Plan. Where any component of these assets are replaced, any alternative system must achieve an equivalent pollution reduction and water management outcome.

Vehicular Access

- F5. All vehicles entering and exiting the car parking area must do so in a forward direction.

Unobstructed Driveways and Parking Areas

- F6. 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.

Public Way to be Unobstructed

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

Loading/Unloading

- F8. All loading and unloading, including deliveries to and from the site in connection with the use must be carried out in a manner so as not to cause inconvenience to the public or detrimentally impact the amenity of the locality.

Signage

- F9. Any signage that does not form part of this approval is subject to a separate Development Application to be submitted to SOPA.

Ecologically Sustainable Development

- F10. The operation of the building shall implement the ESD principles and design measures outlined within the EIS.

Annual Fire Safety Certificate

- F11. An annual **Fire Safety Statement** must be given to SOPA and the Fire & Rescue NSW commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued. This must ensure that the essential services installed in the building for fire safety have been inspected and at the time of inspection can operate to the required minimum standard.

Noise Control – General

- F12. The use of the premise shall not cause nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.

Noise Control – Plant and Machinery

- F13. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:
- a) transmission of "offensive noise" as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy;
 - b) a sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute; or
 - c) notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12.00 midnight and 7.00 am.

END OF PART F

ADVISORY NOTES

Appeals

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation (as amended).

Other Approvals and Permits

AN2. The Applicant shall apply to SOPA for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits and footpath occupation permits.

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 (Miscellaneous Consent Provisions) 2007 must be obtained from the Authority for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the BCA.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Authority with the application under State Environmental Planning Policy (Miscellaneous Consent Provisions) 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 EP&A Act. 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 BCA 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* (EPBC Act) 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 EP&A Act. 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 EPBC Act does not have application. The EPBC 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.

Sydney Water Servicing

AN9 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. Make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au >Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

AN10 You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see plumbing, building and developing then building over or next to assets).

END OF ADVISORY NOTES

