CONSOLIDATED INSTRUMENT

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.

Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney

SCHEDULE 1

Application No.:	SSD 7745
Applicant:	New South Wales Rugby League Limited
Consent Authority:	Minister for Planning
Land:	Site 18, Dawn Fraser Avenue, Sydney Olympic Park
Development:	Construction of a building to accommodate the New South Wales Rugby League Centre of Excellence, comprising sports science, training and administration uses.

Summary of Modifications

SSD 7745	**Approved by Executive Director KSIA on 13 March 2017**
SSD 7745 MOD 1	**Approved by the Director KSA on 26 October 2018, for:** • **remove the northeast corner of the museum and convert void space into a store room on the ground floor (increasing the gross floor area (GFA) by 68 square metres (m2) to 4,070 m2)** • **reduce the height of a lift overrun** • **include solar panels** • **increase the finished floor and roof levels by 200 mm (resulting in a maximum building height of 15.5 m)** • **amend the approved materials and finishes.**

MODIFICATION KEY					
SSD 7745	**Approved 13/03/17**	**SSD 7745 MOD 1**	**Approved 26/10/18**		

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	New South Wales Rugby League Limited
Application	The development application and the accompanying drawings plans and documentation described in Condition A2
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	City of Parramatta Council
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)	*Environmental Impact Statement, Site 18, Dawn Fraser Avenue, Sydney Olympic Park – New South Wales Rugby League Centre of Excellence*, prepared by JBA Urban Planning Consultants and dated October 2016
EPA	Environment Protection Authority, or its successor
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Minister	Minister for Planning, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am 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)	*SSD 7745: Response to Submissions, Site 18, Dawn Fraser Avenue, Sydney Olympic Park*, prepared by JBA Urban Planning Consultants and dated December 2016
RMS	Roads and Maritime Services Division, Department of Transport or its 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	Lots 64 and 66 in DP 1191648
SOPA	Sydney Olympic Park Authority

SCHEDULE 2

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 shall carry out the development generally in accordance with the:

a) *Environmental Impact Statement, Site 18, Dawn Fraser Avenue, Sydney Olympic Park – New South Wales Rugby League Centre of Excellence,* prepared by JBA Urban Planning Consultants and dated October 2016;

b) *SSD 7745: Response to Submissions, Site 18, Dawn Fraser Avenue, Sydney Olympic Park*, prepared by JBA Urban Planning Consultants and dated December 2016;

c) The Section 4.55(1A) modification application SSD 7745 Mod 1, prepared by Ethos Urban Pty Ltd, dated 26 July 2018 and the Response to Submissions, dated 8 October 2018;

~~d)~~ **e)** following drawings, except for:

i) any modifications which are Exempt or Complying Development;

ii) as otherwise provided by the conditions of this consent; and

~~e)~~ **f)** the conditions of this consent.

Architectural (or Design) Drawings prepared by *Populous:*			
Drawing No.	**Revision**	**Name of Plan**	**Date**
AD.01.00.000	K	Site Plan	22/02/2017
AD.10.00.000	~~S~~ **JJ**	Public Facilities Street Level GA Plan Level 0	~~22/02/2017~~ **18.07.18**
AD.10.01.000	S	Sports Facilities Pitch Level GA Plan Level 1	22/02/2017
AD.10.02.000	R	Press Conference and Dining Level GA Plan Level 2	22/02/2017
AD.10.03.000	Q	Administration Level GA Plan Level 3	22/02/2017
AD.10.04.000	~~N~~ **CC**	Roof Level GA Plan Level 4	~~22/02/2017~~ **24.07.18**
AD.23.00.000	J	Car Park Street Level GA Plan Level 4	22/02/2017
AD.30.00.001	F	East-West Sections	22/02/2017
AD.30.00.002	F	North-South Section	22/02/2017
AD.31.00.001	~~J~~ **X**	North-East Elevations	~~22/02/2017~~ **08.10.18**
AD.31.00.002	~~H~~ **T**	South-West Elevations	~~22/02/2017~~ **08.10.18**
AD.74.00.000	C	ANZ Stadium Access Tunnel Signage – Graphics – Wayfinding	22/02/2017
SK.10.00.019	B	Bicycle Parking Facilities	22/02/2017

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.

Building Code of Australia Compliance

A4. All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as 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).

Development Expenses

A5. 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.

Lapsing of Approval

A6. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

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.

Car Parking

A10. The layout and design of the car parking areas (including driveways, grades, turn paths, sight distance, aisle widths and lengths and parking bay dimensions) are to be in accordance with *AS 2890: Parking Facilities* parts 1, 2 and 6.

Number of Bicycle Spaces

A11. A minimum of 20 bicycle parking spaces are to be provided for the development.

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of *AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities*.

END OF SECTION A

MODIFICATION KEY					
SSD 7745	Approved 13/03/17	SSD 7745 MOD 1	Approved 26/10/18		

B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Amended Architectural Plans

B1. Detailed plans for the design of the footpath must be prepared to provide a four metre footpath width along Dawn Fraser Avenue that does not interrupt pedestrian movement during major events, but is also well designed and landscaped.

The detailed plans must be approved by SOPA and submitted for the Secretary's information prior to the issue of the relevant Construction Certificate.

B2. Prior to the issue of the relevant Construction Certificate, detailed plans must be submitted to and approved by SOPA showing how the development will achieve Water Sensitive Urban Design (WSUD) principles within the car park, driveways and other paved areas of the development consistent with the *SOPA Stormwater Management and Water Sensitive Urban Design Policy 2013*. A copy of the detailed plans must be submitted for the Secretary's information.

Signage Plan

B3. A **Signage Plan** must be prepared to detail the façade building identification signage. The signage must be consistent with the *Sydney Olympic Park Authority Guidelines for Outdoor Advertising, Identification and Promotional Signage* (October 2002) and be submitted to and approved by SOPA and a copy provided for the Secretary's information prior to the issue of the relevant Construction Certificate for signage installation.

Landscaping and Public Domain Plan

B4. A detailed **Landscaping and Public Domain Plan** prepared by a suitably qualified person in consultation with SOPA shall be submitted to the Certifying Authority for approval prior to the issue of a relevant Construction Certificate. The Plan shall be generally in accordance with the landscape drawings at Appendix E of the EIS and include the following:

a) a materials palette for landscaping infrastructure including pavement and pavement treatments;

b) details of outdoor lighting;

c) the design and materials of landscape furniture, lighting, landscape infrastructure;

d) suitable tree and plant species to be used including native species from relevant local vegetation communities; and

e) details of general maintenance of landscape areas;

Materials and Finishes

B5. 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 shall be prepared in consultation with SOPA and submitted to the Certifying Authority and the Secretary.

Ecologically Sustainable Development

B6. The project shall incorporate all design, operation and construction measures as identified in the Consultant Advice Notice – Power and Water Saving Measures, prepared by ADP Consulting Engineering. Details are to be submitted to the Certifying Authority prior to the issue of a relevant Construction Certificate.

Construction Environmental Management Plan

B7. a) Prior to the issue of a relevant Construction Certificate, a **Construction Environmental Management Plan** (CEMP) shall be submitted to the Certifying Authority. The CEMP shall address, but not be limited to, the following matters, where relevant:

i) hours of work;

ii) 24 hour contact details of site manager;

iii) traffic management, in consultation with SOPA and TfNSW;

iv) construction noise and vibration through the preparation of a **Construction Noise and Vibration Management Plan** (CNVMP), prepared by a suitably qualified person, which addresses the relevant provisions of *AS 2436 – 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites*, and the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009);

v) management of dust to protect the amenity of the neighbourhood;

vi) erosion and sediment control;

vii) procedures for encountering groundwater during construction works including contact with NSW Department of Primary Industries - Water;

viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;

ix) segregation and management of contaminated materials and spoil stockpiles; and

x) external lighting in compliance with *AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting* (noting also that lighting is to be designed and controlled to minimise artificial sky glow and adverse disturbance to fauna within Bicentennial Park and Badu Mangroves).

b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

c) The Applicant shall submit a copy of the CEMP to SOPA and the Secretary, prior to commencement of work.

Traffic and Pedestrian Management Plan

B8. a) Prior to the issue of a relevant Construction Certificate, a **Traffic and Pedestrian Management Plan** (TPMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The TPMP must be prepared in consultation with SOPA.

b) The Plan shall address, but not be limited to, the following matters:

i) ingress and egress of vehicles to the Subject Site;

ii) loading and unloading, including construction zones;

iii) predicted traffic volumes, types and routes;

iv) pedestrian and traffic management methods;

v) construction activities during major events;

vi) details of special event and clearway conditions on surrounding roads in the vicinity of the site during special events;

vii) potential impacts to pedestrian access and public transport infrastructure including bus services and measures to mitigate impacts including temporary relocation of services; and

viii) access for owners and occupiers during special events.

c) The Applicant shall submit a copy of the final Plan to SOPA and the Secretary, prior to the commencement of work.

Stormwater Management

B9. 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 2013* and prepared by a suitably qualified person, shall be submitted to and approved by SOPA and a copy provided for the Secretary's information. The SMP shall show:

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 2013 is met;
f) details of all stormwater connections to the existing SOPA stormwater system; and
g) details of the overland flow system and calculations to demonstrate the capacity to safely convey flow through the site including depth x velocity calculations.

Erosion and Sedimentation Control

B10. Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater–Soils & Construction Volume 1 (2004)* by Landcom.

B11. Prior to the issue of a relevant Construction Certificate, a **Soil and Water Management Plan** shall be prepared by a suitably qualified person in consultation with SOPA, approved by the Certifying Authority and a copy provided for the Secretary's information. This plan shall show:

a) the location and extent of all necessary sediment and erosion control measures for the site;
b) sediment basin(s) locations including details showing how runoff from the entire site will be directed to the sediment basin(s);
c) all relevant details and calculations of the sediment basins including sizes in accordance with the Managing Urban Stormwater – Soils & Construction Volume 1 (2004), flocculation, outlet design, all relevant sections, pump out systems, and depths;
d) identification and management of any stormwater run-on to the site from adjacent sites;
e) location of any temporary stockpiles (soil, spoil, top soil or otherwise) and accompanying sediment and erosion control measures; and
f) location and details of all vehicle wash down bays and associated erosion and sediment control measures such as earthen bunds.

Outdoor Lighting

B12. 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

B13. 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, DDA Access to Premises Standards (including DDA Access Code) and SOP Master Plan 2030 and the recommendations contained in the Access Review prepared by Morris Goding dated 9 September 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.

Building Code of Australia (alternative solutions)

B14. 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.

Structural Details

B15. Prior to the issue of a relevant Construction Certificate, the Applicant shall submit to the satisfaction of the Certifying Authority structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:

a) the relevant clauses of the BCA; and

b) the development consent.

Mechanical Ventilation

B16. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the Building Code of Australia 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.

Waste Management Plan

B17. Prior to the issue of a relevant Construction Certificate, the Applicant shall prepare a **Construction Waste Management Plan (CWMP)** to be submitted to the Certifying Authority and a copy provided for SOPA's and the Secretary's information. The WMP shall demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The 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.

Utility Services

B18. Prior to the issue of a relevant Construction Certificate the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure.

Sydney Water Assets

B19. Building plans must be stamped and approved by Sydney Water prior to the issue of a Construction Certificate, due to the proximity of works to Sydney Water assets.

For further assistance, please visit www.sydneywater.com.au or telephone 13 20 92.

Pre-construction Dilapidation Report

B20. The Applicant is to engage a suitably qualified person to prepare a **Pre-Construction Dilapidation Report** detailing the current structural condition of all existing adjoining buildings, infrastructure and roads within the 'zone of influence'. This zone is to be defined as the horizontal distance from the edge of the excavation to twice the maximum depth.

END OF SECTION B

C PRIOR TO COMMENCEMENT OF WORKS

Notice of Commencement of Works

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

Waste Management Plan During Construction

C2. 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 Certifying Authority. 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 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 Plan to the Department 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.

Contamination

C3. Prior to the commencement of any works, a hazardous material survey should be undertaken. The survey should detail any unexpected finds and appropriate management measures.

END OF SECTION C

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;

c) no work on Sundays and public holidays; and

d) works may be undertaken outside these hours where:

i) the delivery of materials is required outside these hours by the Police or other authorities;

ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or

iii) a variation is approved, in advance, in writing, by SOPA's General Manager Operations and Sustainability.

SOPA shall be advised in advance of any access for construction/delivery vehicles during major event periods.

Erosion and Sediment Control

D2. All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Water Discharge

D3. 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

D4. 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*.

Approved Plans to be On-Site

D5. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Department, SOPA or the Certifying Authority.

Site Notice

D6. 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.

Trees

D7. 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 not removed as part of this consent are protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of SOPA.

c) all trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures, are to be provided to protect root system, trunk and branches, during construction, in accordance with the Arboricultural Impact Assessment prepared by New Leaf Arboriculture and dated 21 October 2016.

d) the removal works are undertaken by a qualified aborist 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.

Construction Noise Management

D8. a) The development shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the CNVMP, approved as part of the CEMP required by condition B7.

b) If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW *Industrial Noise Policy*), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels.

c) The Applicant shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the 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.

d) Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a CNVMP.

e) Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the Subject Site.

Vibration Criteria

D9. Unless otherwise outlined in the CNVMP, approved as part of the CEMP required by condition B7, 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

D10. 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

D11. The following hoarding requirements shall be complied with:

a) no third party advertising is permitted to be displayed on the subject hoarding/fencing, with the exception of New South Wales Rugby League (NSWRL) sponsors. Third party advertising of NSWRL sponsors will require the approval of SOPA if required.

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

D12. If substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Discovery of Aboriginal Heritage

D13. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.

Waste Classification

D14. A 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 made available to SOPA if requested.

Contamination

D15. 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.

END OF SECTION D

E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Occupation Certificate

E1. An Occupation Certificate must be obtained from the Certifying Authority 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 Department and SOPA.

Public Domain Works

E2. Any public domain works within the zone of influence including connections to adjacent sites are to be completed to the satisfaction of SOPA prior to issue of the Final Occupation Certificate.

Major Events Operations Plan

E3. A **Major Events Operations Plan** to manage vehicular and pedestrian movements to the site during major events at the Sydney Olympic Park is to be submitted to and approved by SOPA and a copy provided for the Secretary's information prior to the issue of the Final Occupation Certificate.

Green Travel Plan

E4. A **Green Travel Plan** to promote non-private vehicle transport for employees and visitors is to be submitted to the satisfaction of the Certifying Authority and a copy provided for SOPA's and the Secretary's information prior to the issue of the Final Occupation Certificate.

Mechanical Ventilation

E5. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the Certifying Authority, prior to the issue of the Final Occupation Certificate, that the installation and performance of the mechanical systems complies with:

a) the Building Code of Australia;

b) Australian Standard AS1668 and other relevant codes;

c) the development consent and any relevant modifications; and

d) any dispensation granted by the 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 Certifying Authority prior to issue of the Final Occupation Certificate.

Post-construction Dilapidation Report

E8. 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 Certifying Authority 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

E9. 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

E10. 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

E11. 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

E12. 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 Drainage Plan** (WEDP) prepared by a registered surveyor and approved by a suitably qualified and experienced civil engineer. The WEDP shall be to the satisfaction of the Certifying Authority.

Waste Management

E13. Prior to the issue of the Final Occupation Certificate, a detailed **Operational Waste Management Plan** (OWMP) for the operation of the site shall be submitted to the Certifying Authority.

Sewerage Plan

E14. Prior to the issuing of the Final Occupation Certificate, a works-as-executed sewerage plan prepared by a registered surveyor and approved by a suitably qualified and experienced Hydraulic Engineer shall be submitted to SOPA and the Certifying Authority. The works-as-executed sewerage plan shall be to the satisfaction of the Certifying Authority.

END OF SECTION E

F POST OCCUPATION

Green Travel Plan

F1. The Green Travel Plan, required by condition E4, shall be displayed throughout the site.

Vehicular Access

F2. All vehicles entering and exiting the site must do so in a forward direction.

Unobstructed Driveways and Parking Areas

F3. 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

F4. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

Loading/Unloading

F5. 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. All vehicles using the loading dock shall enter and exit the site in a forward motion.

Ecologically Sustainable Development

F6. The operation of the building shall implement the ESD principles and design measures outlined within the EIS.

Annual Fire Safety Certificate

F7. An annual Fire Safety Statement must be given to Council 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 the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard.

Noise Control – General

F8. 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

F9. 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 SECTION 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 the relevant authority for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act 1993* or Section 138 of the *Roads Act 1993*.

Responsibility for other consents / agreements

AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Temporary Structures

AN4. a) An approval under State Environmental Planning Policy (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"

END OF ADVISORY NOTES