

Development Consent

Section 4.16 of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director Asset Management & Environmental Services of the Sydney Olympic Park Authority (SOPA), pursuant to sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development 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 and to capture fire and life safety as well as health and amenity requirements.



John Ferguson

Executive Director, Asset Management and Environmental Services
Sydney Olympic Park Authority

Date: 27/07/2022

SCHEDULE 1

Development Application:	DA 03-05-2022
Application made by:	Endemol Shine Australia
To:	Sydney Olympic Park Authority
In respect of:	1 Showground Road, Sydney Olympic Park, NSW 2127
For the following:	<div>Erection of temporary structures for filming event comprising:<ul style="list-style-type: none">• on-site sleeping accommodation;• filming event for longer than 30 day period; and• erection of temporary structures</div>
Determination:	Consent granted subject to the conditions in the attached (Schedule 2)
Date of commencement of consent	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination.
Advisory Notes	<div>The Applicant is solely responsible for any additional consents and agreements that are required from other authorities.</div> <div>The Applicant has the right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the Environmental Planning and Assessment Regulations 2000 (as amended).</div>

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 03-05-2022

PART A – APPROVED DEVELOPMENT

A1 Development Description

Development Consent is granted only to carrying out of the development as described, and at the premises referred to in **Schedule 1** above.

The conditions of this consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979* and any other Act.

A2 Development in Accordance with Plans & Documentation

The development must be undertaken in accordance with the following plans, specifications, quality management plan and documents, stamped by SOPA:

Drawing/ Document No.	Revision	Name of Plan	Date
Sht-3	B	Master Site Plan	07/07/2022
Sht-1	B	Main Site Plan	07/07/2022
Sht-2	B	Arena Site Plan	07/07/2022
Sht-4	B	Hordern Site Plan	07/07/2022
J22063	Issue No. 4	Statement of Environmental Effects (SEE)	20/07/2022

These conditions of consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

Except for:

- Any modifications as may be necessary for the purpose of compliance with the current National Construction Code/Building Code of Australia (NCC/BCA) and any of the adopted Australian Standards under the provisions of the NCC/BCA;
- SOPA's current policies, guidelines and manuals;
- Otherwise as marked in red on the approved plans and/or provided by the Conditions of this Approval;
- Otherwise as necessary to comply with other NSW and Commonwealth legislation;
- Otherwise agreed to, or accepted by SOPA's Director, Environment and Planning.

A3 Inconsistency Between Documents

In the event of any inconsistency between Conditions of this Approval and the details referred to Condition No. A2, the Conditions of this consent prevail.

A4 Lapsing of Consent

The period during which the use is approved to operate is restricted to **1 year from the date of this consent**. The use must cease after that time. A further development application may be lodged before the expiration date for consideration of the continuation of the use.

A5 Prescribed Conditions

The development is to comply with the prescribed conditions of development consent under Section 69 of the Environmental Planning and Assessment Regulations 2021.

A6 Compliance with Management Strategies

The filming event shall be managed in accordance with the relevant Management Plans including:

- Series Risk Profile, Version 2, dated 12 April 2022, prepared by Paul Chivers;
- Emergency Management Plan, Version 2.1, dated 11 July 2022, prepared by Paul Chivers;
- Traffic Management Plan, Version 3.1, dated 08 July 2022, prepared by Traffic Plan Professionals Pty Ltd;
- Sound Management Plan, Revision D, dated 08 July 2022, prepared by Auditoria Pty Ltd;
- External Lighting Assessment; J22063(c) Version 1, dated 10 May 2022, prepared by Endemolshine Australia; and
- Waste Management Plan, Version 2, dated 07 July 2022, prepared by Endemolshine Australia.

A7 Access to Site

The applicant is to notify SOPA at the beginning of each month for confirmation that Gate 4 is available to use.

PART B – CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

B1 Appointment of A1 Accredited Certifier

Any new construction work is not to commence until an Accredited A1 Certifying Authority has been appointed for the Temporary Structures building works as set out in the *Environmental Planning and Assessment Act 1979*.

B2 On-site Sleeping Accommodation and Statement of Acceptance

All nominated proposed design plans to accommodate on-site sleeping areas and any associated spectator areas are to be assessed by an Accredited A1 Certifying Authority to be in accordance with the Performance Requirements of the current National Construction Code/Building Code of Australia (BCA) and the adopted Australian Standards. This assessment will be in the form of a “BCA Assessment Report” which demonstrates the compliance captured into the Event Temporary overlay. Such compliances will include but not limited to, Fire & Life Safety Requirements, and Health & Amenity Requirements. This BCA Assessment Report must be given to SOPA for review to enable an official “Statement of Acceptance” to be issued by SOPA on this BCA Assessment Report. This event is not to commence until the official Statement of Acceptance has been issued by SOPA.

B3 Structural Requirements

The structural requirements (Anchorage and Bracing) for any Temporary Structure building works are to be designed and certified upon completion/installation by a competent Structural Engineer as being in accordance with the Structural provisions contained in the current NCC/ Building Code of Australia (BCA), publication by ABCB Standard - Temporary Structures and the SOPA publication, *Safety Guidelines of Organisers of Events at Sydney Olympic Park, 3rd Edition, 2020*.

B4 Temporary Structures

The structural requirements (Anchorage, Tie Downs and Bracing) for the proposed Temporary Structure building works are to be designed and certified upon completion/installation by a competent Structural Engineer as being in accordance with the Structural provisions contained in the current NCC/ Building Code of Australia, publication by ABCB Standard - Temporary Structures 2015 and the SOPA publication, *Safety Guidelines of Organisers of Events at Sydney Olympic Park, 3rd Edition, 2020*.

The final building designs are to accommodate health and amenity requirements as set out in the ABCB Publication Temporary Structures Standard 2015.

PART C –DURING CONSTRUCTION

C1 Construction Works

Any construction works are to be in accordance with the current NCC/Building Code of Australia (BCA), the adopted Australian Standards and the publication by ABCB Standard, Temporary Structures Standard – 2015.

C2 Compliance with Management Strategy Reports

All works are to be carried out in accordance with the relevant filming event, Series Risk Profile and Emergency Management Plan. These mentioned Plans are to be prepared to be consistent with the existing Sydney Showground Emergency Management Plan, (EMP).

- Series Risk Profile, Version 2, dated 12 April 2022, prepared by Paul Chivers; Emergency Management Plan

C3 Compliance with Relevant Policies, Regulations and Legislation

- a) All works to be in accordance with the *NSW, Work Health and Safety Act -2011* and the *Regulation 2017*;
- b) New pedestrian areas are to be constructed in accordance with AS/NZS 3661.2-1994 Slip resistance of pedestrian surfaces- Guide to reduction of slip hazards and AS 4586-2013, Slip resistance classification of new pedestrian surface materials;
- c) Fire Safety Measures are to be installed into the Temporary Building Structures as required by the current NCC/ Building Code of Australia (BCA) and the publication by the ABCB Standard, Temporary Structures Standard – 2015 to the satisfaction of the Certifying Authority; and
- d) Relevant SOPA Policies.

C4 Public Liability Insurance

This Major Event must have current Public Liability Insurance in place to the value of minimum \$20 Million Dollars.

Note: Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the NCC/Building Code of Australia (BCA), ABCB Standard – Temporary Structures Standard – 2015 & relevant Australian Standards, and the SOPA publication, Safety Guidelines of Organisers of Events at Sydney Olympic Park, 3rd Edition, 2020. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant Certifying Authority to discuss requirements prior to submission of the application for Certificate of Completion for the Temporary Structure Building Works.

C5 Hours of work for construction

All works (including site deliveries) must only be carried out between the following hours:

- 7.00am to 5.00pm on Monday to Fridays (inclusive)
- 8.00am to 12.00 midday on Saturdays
- No work on Sundays and Public Holidays (except with the prior written consent of SOPA's Director – Environment and Planning).

C6 Site Notice

A site notice(s) must 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 consulting engineers. The notice(s) must satisfy all but not be limited to, the following requirements:

- a) minimum dimensions of the notice are to measure 841 mm x 594 mm (A 1) with any text on the notice to be a minimum of 30 point type size;
- b) the notice must be durable and weatherproof and must 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) must be mounted at eye level on the perimeter hoardings/fencing and must state that unauthorised entry to the Subject Site is not permitted.

C7 Approved Plans to be On-Site

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

C8 Development compliance requirements

The works must be in accordance with the current Building Code of Australia (BCA/NCC), the adopted Australian Standards and relevant SOPA's policies, guidelines and manuals, including:

- a) Compliance in accordance with the requirements of stormwater disposal; and
- b) Safe and adequate hoardings, and earth retaining requirements are to be provided and maintained in a safe manner; and
- c) Provisions for fire safety are to be provided for during the construction phase of the approved development.

Note: Sufficient information must be forwarded to the PCA illustrating compliance with the relevant requirements of the current *Building Code of Australia* and adopted *Australian Standards*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant PCA to discuss requirements prior to submission of the application for Construction and Occupation Certificates.

C9 Construction Noise Management

The development must 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 must be implemented and any activities that could exceed the construction noise management levels must be identified and managed.

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.

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.

C10 Erection of Temporary Structures

All temporary structures provided must be installed in a structurally sound condition. Any temporary structures, other than moveable dwellings, must be installed in accordance with the 'Section 9 - Guidelines for safe usage of temporary structures within Sydney Olympic Park' contained in SOPA's publication *Safety Guidelines for organisers of events being held within Sydney Olympic Park Third Edition 2020*.

C11 Operational Compliance

During construction:

- a) All building works are to be in accordance with the current NCC/Building Code of Australia (BCA), the adopted Australian Standards and the publication by ABCB Standard, Temporary Structures Standard - 2015.
- b) Any fenced compounds are to be provided with alternative exits evenly positioned around the fencing compound to allow for the alternative exits to be easily identified. All Emergency Exits are to be provided with accompanying compliant Exit Signage.
- c) All works are to be carried out in accordance with the relevant filming event, Site Safety/Emergency Management Plan, Build Risk Assessment Plan and the Site Security Management Plan. These mentioned Plans are to be prepared to be consistent with the existing Sydney Showground Emergency Management Plan, (EMP).
- d) All works to be in accordance with the NSW, Work Health and Safety Act 2011 and the Regulation 2017.
- e) New pedestrian areas are to be constructed in accordance with AS/NZS 3661.2-1994 Slip resistance of pedestrian surfaces- Guide to reduction of slip hazards and AS 4586-2013, Slip resistance classification of new pedestrian surface materials.
- f) Fire Safety Measures are to be installed into the Temporary Building Structures as required by the current NCC/ Building Code of Australia (BCA) and the publication by the ABCB Standard, Temporary Structures Standard – 2015 to the satisfaction of the Certifying Authority.
- g) This Filming Event must have current Public Liability Insurance in place to the value of minimum \$20 Million Dollars.

Note: Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the NCC/Building Code of Australia (BCA), ABCB Standard – Temporary Structures Standard – 2015 & relevant Australian Standards, and the SOPA publication, *Safety Guidelines of Organisers of Events at Sydney Olympic Park, 3rd Edition, 2020*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant Certifying Authority to discuss requirements prior to submission of the application for Certificate of Completion for the Temporary Structure Building Works.

PART D - POST CONSTRUCTION

D1 Post Construction Certificate of Completion

As “Land Owner” of the filming precinct, SOPA requires a building works “Certificate of Completion” to be issued by the Certifying Authority upon completion of the newly constructed Temporary Structure buildings. This Certificate of Completion is to state that the final filming compound and associated structures are safe and fit for occupation in accordance with the performance requirements of the current National Construction Code (NCC)/Building Code of Australia (BCA).

PART E – Site Operation

E1 Exits

Any fenced compounds are to be provided with alternative exits (no more than 20m apart) evenly positioned around the fencing compound to allow for the alternative exits to be easily identified. All Emergency Exits are to be provided with accompanying compliant Exit Signage.

E2 Acoustic Controls During Production

a) The noise level emitted must comply with the NSW Noise Policy for Industry 2017 and the noise assumptions in the acoustic report as outlined in Planning Condition A6.

b) There is to be no audience after 10.30pm;

c) During filming when there is an audience of 100 or more and during the hours between 22:00 and 07:00, a suitably qualified acoustic consultant shall be appointed to measure and verify noise levels during the filming at the event, from the nearest affected residential boundary and to ensure that the activity does not exceed noise criteria detailed in subclause (a).

d) Where noise monitoring finds that noise levels exceed the noise criteria detailed in subclause (a), noise limiting devices must be implemented and noise emissions must be reduced to meet the noise criteria detailed in subclause (a). A copy of the findings and recommendations prepared by a suitably qualified acoustic consultant must be provided to SOPA within 48 hours of the data being collected.

E3 Drone Flight Areas

The use of the drone shall be restricted to the area as set out in the Drone Statement prepared by EndemolShine. No drone flying is to occur over the Parklands.

E4 CASA Regulations

The Drone operation, including take off, landing and flight shall be wholly in accordance with the requirements as set out by the Commonwealth's Civil Aviation Safety Authority (CASA).

E5 Lighting

External lighting must be directed onto the event site and must be designed to minimise light spill beyond the site perimeter as far as practical.

E6 Public Gatherings

The filming event shall comply with all relevant public health orders and restrictions made under section 7 of the *Public Health Act 2010* or any revocation and re-enacting of this act.

E7 Compliance

The Applicant must provide SOPA with a 24 hour contact phone number so that any enquiries outside of office hours can be promptly dealt with. All queries shall be investigated,

remedied and recorded. A copy of this reporting must be provided to SOPA's Director, Environment and Planning upon request.

E8 Water Extraction

Water extraction shall not be drawn from SOPA's assets and will be borne at the expense of the applicant.

E9 Wastewater Release

All wastewater, including, but not limited to the treated wastewater from the water pool structure must be appropriately disposed of and not released into the stormwater system and/or over the paved areas or roadways.

E10 Sleeping Accommodation Areas and Spectator Areas

All Sleeping Accommodation areas and any Spectator areas are to be used and operated in accordance with the "BCA Assessment Report" prepared by an Accredited A1 Certifying Authority. This is required to achieve adequate Fire & Life Safety and Health & Amenity during this event use.

END OF CONSENT