

## Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Manager, Urban Planning of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) 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.

**Darren Troy**

Manager, Urban Planning  
Sydney Olympic Park Authority

Date: **12/06/2014**

### **SCHEDULE 1**

<b>Development Application:</b>	DA 05-05-2014
<b>Application made by:</b>	Ms Debra Dawson (Sydney Harbour Foreshore Authority)
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Fig Grove near Dawn Fraser Avenue, Sydney Olympic Park (Lot 161 DP 1155500)
<b>For the following:</b>	Installation of Public Art (Millennium Athlete)
<b>Determination:</b>	Consent granted subject to conditions in the attached <b>Schedule 2</b>
<b>Advisory Notes</b>	<p>The Applicant is solely responsible that all additional consents and agreements are obtained from other authorities as relevant</p> <p>The Applicant has 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 <i>Environmental Planning and Assessment Regulations 2000</i> (as amended)</p>

**SCHEDULE 2**  
**CONDITIONS OF CONSENT**  
**DEVELOPMENT APPLICATION No. 05-05-2014**

**PART A – ADMINISTRATIVE CONDITIONS**

**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.

These 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 shall be undertaken in accordance with the following documents:

<b>Statement of Environmental Effects titled ‘Installation of Millennium Athlete Sculpture’, as prepared by Helen Mulcahy Urban Planning P/L dated May 2014</b>
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except for:

1. any modifications which are ‘Exempt and Complying Development’ as identified in the relevant State Environmental Planning Policy (SEPP) or as may be necessary for the purpose of compliance with the Building Code of Australia (BCA) and any Australian Standard (AS) incorporated in the BCA;
2. otherwise provided by the Conditions of this Consent;
3. otherwise as necessary to comply with other NSW and Commonwealth legislation.

**A3 Inconsistency between documents**

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

**A4 Lapsing of Consent**

This consent will lapse five (5) years from the date of this consent unless the development has physically commenced.

**A5 Prescribed Conditions**

The Proponent shall comply with the prescribed conditions of development consent under Clause 98 of the *Environmental Planning and Assessment Regulations 2000* in relation to the requirements of the BCA.

## **A6 Standards and Codes**

All works shall be constructed in accordance with safe work practices and complying with the relevant adopted Australian Standards, Codes of Practice and the current Building Code of Australia requirements.

## **A7 Engineering Compliance**

The works are to be designed, carried out and installed in accordance with the Consulting Structural Engineers requirements.

## **PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

### **B1 Construction Certificate**

Prior to commencement of any works, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by the Consent Authority or an Accredited Certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this consent.

### **B2 Principle Certifying Authority**

Works is not to commence until a Principal Certifying Authority (PCA) has been appointed, as set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

### **B3 No Obstruction of Public Domain without a Works Permit**

Prior to issuing a Construction Certificate, the proponent is to obtain a Work Permit to occupy the public way, footpaths, road reserves and the like, which must not be obstructed by any mobile cranes, materials, vehicles, refuse, skips or the like, under any circumstances, unless in accordance with the Works Permit. Non-compliance with this requirement will result in the issue of a Notice by the Authority to stop all work on the site.

Note: Information on Work Permits can be obtained from [www.sydnevolympicpark.com.au](http://www.sydnevolympicpark.com.au)

### **B4 Excavation & Utility Services**

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that there are no services or the like that would be compromised during the excavation of the footings that will accommodate this structure.

If applicable, the proponent is to negotiate with the relevant authorities in connection with the relocation and/or adjustment of the services affected by the development. Any costs in the relocation, adjustment or support of services shall be borne by the proponent.

### **B5 Erosion and Sediment Control**

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

## **PART C – DURING CONSTRUCTION**

### **C1 Pollution Management**

All noise, water, waste or air pollution activities generated by the development shall be managed in general accordance with the most recent NSW Office of Environment and Heritage guidelines and policies and relevant NSW legislation, including but not limited to, the *Protection of the Environment Operations Act, 1997*.

### **C2 No Obstruction of Public Way**

The public way and road reserves must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a Works Permit. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop **all** work on the site.

Note: Information on Work Permits can be obtained from [www.sydneolympicpark.com.au](http://www.sydneolympicpark.com.au)

### **C3 Works in accordance with the *Building Code of Australia***

The works shall be in accordance with the provisions of the Building Code of Australia (BCA) 2011 and any relevant Australian Standards including:

- Compliance in accordance with the requirements of Section J Energy Efficiency of the *Building Code of Australia*,
- Compliance with AS 1170 series for structural stability and adequacy, AS 3000 Australian Wiring Standard, AS/NZS 1158.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
- New pedestrian areas are to be constructed in accordance with AS/NZS 4586:2004 *Slip resistance classifications of new pedestrian surface materials*.

Note: Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the BCA and *Australian Standards*. Sufficient information may include (but not limited to) reports or certifications issued by an appropriately qualified person.

### **C4 Work Health and Safety Act 2011**

All works are to be carried out in accordance with the *NSW Work Health and Safety Act 2011* and the *Regulation 2011*.

### **C5 Hours of Work**

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

1. 7.00am to 5.00pm on Monday to Fridays (inclusive)
2. 7.00am to 3.00pm on Saturdays
3. No work on Sundays and Public Holidays (except with the prior written consent of SOPA's General Manager – Operations and Sustainability).

## **PART D – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

### **D2 Occupation Certificate**

Occupation Certificate is to be issued by the Principal Certifying Authority (PCA) upon completion of the new signage works in accordance with the requirements of Section 109H and 109M of the Environmental Planning and Assessment Act 1979.