

Development Consent

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

I, the Chief Executive Officer 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.



Charles Moore

Chief Executive Officer

Sydney Olympic Park Authority

Date: 3/08/17

Ref: DA 05-06-2017

(File No. F17/1104)

SCHEDULE 1

Development Application:

DA 05-06-2017

Application made by:

Ecove Group Pty Ltd

To:

Sydney Olympic Park Authority (the Authority)

In respect of:

Lot 9 in DP 1217982

For the following:

Fitout and use of the commercial tenancy (Levels 7 & 8) in the mixed use development at No. 3 Olympic Boulevard and installation of a 100kW photovoltaic array on the roof of the P3 Car Park

Determination:

Consent granted subject to conditions in the attached **Schedule 2**

Date of commencement of consent:

This development consent commences on the date as identified / signed above.

Advisory Notes

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

The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the *Environmental Planning and Assessment Act 1979*, and the *Environmental Planning and Assessment Regulation 2000* (as amended).

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION No. 05-06-2017

PART A – ADMINISTRATIVE CONDITIONS

A1 Development Description

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

Note: The conditions of this consent do not relieve the applicant 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 approved documents:

Architectural Drawings prepared by Bates Smart:			
Drawing Ref	Revision	Name of Plan	Date
DA01.001	A	Site Plan – Photovoltaic Cells plan	02.08.2016
DA03.007	A	Level 7 Fitout Plan	02.08.2016
DA03.008	A	Level 8 Fitout Plan	02.08.2016
Statement of Environmental Effects as prepared by JBA Urban Planning Consultants Pty Ltd, dated May 2017 (including all appendices)			

except for:

1. any modifications 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 Approval;
3. otherwise as necessary to comply with other NSW and Commonwealth legislation as relevant.

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 of determination date of DA 05-06-2017, unless the development has physically commenced.

A5 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of development consent under Part 6, Division 8A of the *Environmental Planning and Assessment Regulation 2000*.

PART B – PRIOR TO CONSTRUCTION

B1 Construction Certificate

Relevant Construction Certificates are to be issued for the commercial tenancy fitout (Levels 7 and 8, 3 Olympic Boulevard) and the photovoltaic solar array (P3 Car Park) by an Accredited Certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

B2 Principal Certifying Authority

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

B3 Fitout Plans

Six months prior to any internal fitout works commencing, the fitout plans are to be submitted to the Authority's Executive Director, Operations for confirmation and final endorsement.

B4 Access for People with Disabilities

Prior to issue of the relevant Construction Certificate, the proposed construction plans are to demonstrate compliance with the requirements of AS 1428.1, the recommendations contained in the Access Report by Access Solutions dated the 25th July 2016 and SOPA's *Access Guidelines 2015* also any other SOPA Guidelines that may be relevant from time to time as applicable to these two (2) levels.

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.

B5 Photovoltaic Array

- (a) Prior to issue of a relevant Construction Certificate, the Applicant shall submit, to the satisfaction of the Certifying Authority and the Authority's Executive Director, Operations, structural drawings for the photovoltaic array prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:
 - (i) the relevant Australian Standards;
 - (ii) the relevant clauses of the BCA; and
 - (iii) the development consent.
- (b) The detailed design documentation shall demonstrate that the PV array on the roof of the P3 Car Park will not result in any loss of parking spaces or impede vehicle manoeuvring.
- (c) All connections from the PV array to the electricity grid shall be designed to minimise visual impact, to the satisfaction of the Certifying Authority and the Executive Director, Operations.

B6 Building Code of Australia

Prior to issue of the relevant Construction Certificate the proposed construction plans are to demonstrate compliance with the non-compliances as identified in the Building Code of Australia (BCA/NCC) Assessment Report by McKenzie Group dated the 20th July 2016. These non-compliances must be captured as a Performance Solution to the Deemed-to-Satisfy descriptions and Performance Requirements as required by the BCA/NCC as applicable to these two (2) levels of the building.

PART C – DURING CONSTRUCTION

C1 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 this occurs 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: Further information about Work Permits can be obtained from www.sydneypolympicpark.com.au.

C2 Development in accordance with the *Building Code of Australia*

The fit-out is to be in accordance with the provisions of the current *Building Code of Australia* (BCA/NCC) and any relevant adopted *Australian Standards*, including but not limited to:

1. Compliance in accordance with the requirements of Section J Energy Efficiency of the *Building Code of Australia*,
2. 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 current *Building Code of Australia* and *Australian Standards*. 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 construction certificate and occupation certificate.

C3 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 *Work Health and Safety Regulation 2011*.

C4 Construction Hours

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) Between 7:00 am and 6:00 pm, Mondays to Fridays (inclusive);
- (2) Between 7:00 am and 4:00 pm, Saturdays;
- (3) No work on Sundays and Public Holidays.

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 adverse environmental harm; or
- (iii) The work is approved by the Authority's Executive Director, Operations.

C5 Waste Management During Construction

Prior to the commencement of any works on the Subject Site, a detailed Construction Waste Management Plan shall be prepared by a suitably qualified person to the satisfaction of the Certifying Authority.

C6 Fire Safety

All existing base building Essential Fire Safety measures including all the required exits are to be preserved within the base building areas and maintained or upgraded if required to accommodate the proposed new fit-out.

C7 Approved Plans to be On-Site

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 Authority or the Certifying Authority.

PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

D1 Occupation Certificate

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

D2 Fire Safety Measures

All fire safety measures serving the building are to be certified to the relevant local Consent Authority (Parramatta Council) as being maintained in accordance with the requirements of the Building Code of Australia and Environmental Planning and Assessment Act 1979 and Regulations on a yearly basis within 12 months after the date on which the initial Fire Safety Certificate is issued.

PART E – CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

E1 Signage

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

E2 Hours of Operation

The core hours of operation of the business shall be restricted to between:

DAY	START	FINISH
Monday – Friday (inclusive)	7:00am	8:00pm

Note: To ensure optimal level of service to the public and operation of Sydney Olympic Park, the access and operation of the office tenancy outside of these core office hours and on weekends / public holidays is only permitted for authorised Sydney Olympic Park Authority staff, contractors and the like. The relevant duty managers must ensure that the operation of the business is carried out in a responsible manner and not to unduly interfere with the building or neighbour function or amenity.

E3 Loading and Unloading

All loading and unloading service vehicles in connection with the use of the premises shall be carried out within the designated loading dock/bay only.

Loading and unloading of goods and waste to and from the business must be carried out in a responsible manner and not to unduly interfere with building, traffic or pedestrian function or amenity.

E4 Waste Management

No waste is to be stored on the footpaths or public domain areas of Sydney Olympic Park. All waste is to be stored and disposed from within the designated waste storage room.

E5 Intruder Alarm

Intruder alarm/s associated with the development is permitted to operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2000* under the *Protection of the Environment Operations Act 1997*.

E6 Signage Illumination

Illuminated signs associated with the premises shall not flash intermittently or cause significant glare or injury to the amenity of the public domain or persons.

PART F – ADVISORY MATTERS

F1 Pre-construction process

Prior to commencing any construction works, the following provisions of the *Environmental Planning and Assessment Act 1979* (the 'Act') are to be complied with:

- a) A relevant Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
- b) A Principal Certifying Authority (PCA) is to be appointed and the Authority is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- c) The Authority is to be given at least two days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
- d) The proposed works are to be designed, carried out and installed in accordance with the requirements of a suitably qualified Structural Engineer.

END OF CONSENT
