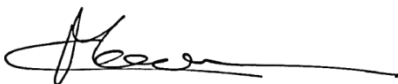


Development Consent

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

I, the Chief Executive Officer, of the Sydney Olympic Park Authority, pursuant to section 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.



Chief Executive Officer
Sydney Olympic Park Authority

Date: 5 March 2019

SCHEDULE 1

Development Application:	DA 02-02-2019
Application made by:	Cricket New South Wales
To:	Sydney Olympic Park Authority
In respect of:	6 Herb Elliott Avenue, Sydney Olympic Park
For the following:	Change of use to convert part of the existing building to a Recreation Facility (indoor) including ancillary spaces for a rehabilitation room and gymnasium
Determination:	Consent granted subject to conditions in the attached SCHEDULE 2
Date of commencement of consent	This development consent commences on the date of approval.
Advisory Notes	<p>The Applicant is solely responsible for any additional consents and agreements that are required from other authorities.</p> <p>The Applicant has the 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 Regulations 2000 (as amended).</p>

SCHEDULE 2
CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. 02-02-2019

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**.

These conditions of 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 and Documentation

The development shall be undertaken in accordance with the following stamped documents and drawings:

Plans prepared by Insight Projects Pty Ltd			
Drawing No.	Issue	Name of Plan	Date
GA02	L	General Arrangement Ground Floor Warehouse	21.01.19
Acoustic Report prepared by Koikas:			
Project No.	Issue	Name of Plan	Date
3625	V1	Acoustical Report	11.02.2019
Statement of Environmental Effects prepared by ddc, dated February 2019			

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, including amendments made in red on the stamped approved plans;
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 Critical Stage Inspections

The *Environmental Planning and Assessment Act 1979* Section 109E (3)(d), requires that inspections be carried out by the Principal Certifying Authority (PCA) or another Accredited Certifier with the prior consent of the PCA.

A8 Long Service Levy

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 14 41.

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1 Development in accordance with the *Building Code of Australia*

Prior to the issue of a relevant Construction Certificate, the Applicant must demonstrate to the satisfaction of the Certifying Authority that the works shall be in accordance with the current Building Code of Australia (BCA/NCC) and the adopted Australian Standards, including:

- The building works are to be in accordance with the requirements of Section J Energy Efficiency of the Building Code of Australia.
- Mechanical ventilation and exhaust systems are to be provided as required. These systems shall comply with the requirements of clause F4.5 of the NCC/Building Code of Australia, and the installation is to comply with AS1668.2-2012.
- 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.
- All existing Fire Safety Measures are to be preserved within the building and maintained or upgraded if required to accommodate the proposed new works. This includes considerations contained in the buildings existing Fire Engineers Report to the satisfaction of the certifying authority.

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.

B2 Structural Certification

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

- the relevant clauses of the Building Code of Australia (NCC/BCA); and
- the adequacy of the existing structure to accommodate the additional loads.

B3 Building Code of Australia (alternative solutions)

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 must be provided to SOPA's Senior Manager, Planning.

PART C – PRIOR TO COMMENCEMENT OF WORKS

C1 Construction Certificate

A Construction Certificate must be issued by an Accredited Certifier in accordance with the requirements set out in Section 6.6 of the *Environmental Planning and Assessment Act 1979*. A copy of the Construction Certificate must be provided to SOPA's Senior Manager, Planning prior to the commencement of work.

C2 Principal Certifying Authority

Works are not to commence until a Principal Certifying Authority (PCA) has been appointed, as set out in Section 6.6 of the *Environmental Planning and Assessment Act 1979*.

PART D – DURING CONSTRUCTION

D1 Development in accordance with the *Building Code of Australia*

The works must be in accordance with the current Building Code of Australia (BCA) and the adopted Australian Standards and relevant SOPA policies, guidelines and manuals.

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.

D2 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 2017*.

D3 Hours of Work

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

- 7.00am to 6.00pm on Monday to Fridays (inclusive)
- 7.00am to 3.00pm on Saturdays
- No work on Sundays and Public Holidays (except with the prior written consent of SOPA's Director – Environment and Planning).

D5 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.sydneyolympicpark.com.au

PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

E1 Occupation Certificate

An Occupation Certificate must be obtained from the Certifying Authority upon completion of the new building works and prior to commencement of use in accordance with Section 6.9 of the *Environmental Planning and Assessment Act 1979*. A copy of the Occupation Certificate must be submitted to SOPA's Senior Manager, Planning prior to the commencement of use.

E2 Structural Inspection Certificate

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 SOPA for specific electronic format) shall be submitted to SOPA's Manager, Building Services & Compliance after:

- 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
- the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

E3 Repair of Damage (Roads and Public Domain)

Any public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following any damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to the satisfaction of SOPA's Senior Manager, Engineering Services prior to the issue of any occupation certificate in respect of the development.

PART F – DURING OCCUPATION AND USE

F1 Hours of Operation

The hours of operation for the business shall be restricted to between 7am and 9pm, Monday to Sunday.

F2 Noise Control – General

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

F3 Waste Management

Waste must not be stored on the footpaths or public domain areas of Sydney Olympic Park. The Proprietor must ensure that the operation of the business, including daily management of waste, is carried out in a responsible manner and does not unduly interfere with building, shop or pedestrian function or amenity.

F4 Annual Fire Safety Certificate

All fire safety measures serving the building are to be certified to the relevant Local Council Authority (City of Parramatta Council) as being maintained in accordance with the requirements of the National Construction Code/Building Code of Australia and *Environmental Planning and Assessment Act 1979* on an annual basis, commencing within 12 months of the date on which the initial Final Fire Safety Certificate was issued.

F5 No Obstruction of Public Way

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

Note: further information on Work Permits can be obtained from www.sydneyolympicpark.com.au.

END OF CONSENT