

# Department of Planning, Industry and Environment

## Development Consent

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

I, the Director, Key Site Assessments of the Department of Planning, Industry and Environment, pursuant to section 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979* 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.



**Anthony Witherdin**

Director, Key Sites Assessments  
Department of Planning, Industry and Environment

**Date: 4 June 2020**

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### **SCHEDULE 1**

<b>Development Application:</b>	DA 03-02-2020
<b>Application made by:</b>	Ecove Site 9 Pty Ltd
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Boomerang Towers, 3-5 Olympic Boulevard, Sydney Olympic Park, NSW 2127, Sydney Olympic Park
<b>For the following:</b>	Alteration to level 39 and level 40 to provide roof access for maintenance
<b>Determination:</b>	Consent granted subject to conditions in the attached <b>SCHEDULE 2</b> .
<b>Date of commencement of consent</b>	This development consent commences on the date of approval.
<b>Advisory Notes</b>	<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>

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**SCHEDULE 2**  
**CONDITIONS OF CONSENT**

**DEVELOPMENT APPLICATION NO. 03-02-2020**

**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 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 approved documents:

<b>Architectural Drawings prepared by Turner:</b>			
<b>Drawing No.</b>	<b>Issue</b>	<b>Description</b>	<b>Date</b>
SK-1652	-	L40 Balustrade and Spiral Stair	03.03.2020
A03_039	V	General Arrangement Plan – overlay	02.09.19
A03_040	M	General Arrangement Plan – roof plan	22.08.19
A09_001	D	Elevation	04.10.18
A09_002	F	Elevation	04.10.18
A09_003	C	Elevation	04.10.18
<b>Statement of Environmental Effects dated 03.03.2020</b>			

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.

#### **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 Structural Details**

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 demonstrates compliance with:

- 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.

#### **B2 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.

### **PART C – PRIOR TO COMMENCEMENT OF WORKS**

#### **C1 Construction Certificate**

A Construction Certificate is to 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 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 NCC and Building Code of Australia (BCA) and the adopted Australian Standards. In particular, all requirements for balustrading, stairs and waterproofing proposed for the 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.

## **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 within compliance with the *Environmental Planning and Assessment (COVID-19 Development – Construction Work Days) Order 2020* or any order amending, revoking and re-enacting that Order; or with the prior written consent of SOPA's Executive Director – Operations.

## **D4 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.sydneolympicpark.com.au](http://www.sydneolympicpark.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.

## **PART F – DURING OCCUPATION AND USE**

### **F1 Rooftop Furniture**

Free-standing furniture and any other objects that are not securely fixed to the building are not permitted on the rooftop at any time in order to safeguard pedestrian safety.

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**END OF CONSENT**