

Development Consent

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

I, the Executive Manager, Urban Planning and Design 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.

Andrew Brown
Executive Manager, Urban Planning and Design
Sydney Olympic Park Authority

Date: 11/06/2013

Ref: DA 07-04-2013
(File No. F13/313)

Schedule 1

| | |
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| Development Application: | DA 07-04-2013 |
| Application made by: | Royal Agricultural Society of NSW |
| To: | Sydney Olympic Park Authority |
| In respect of: | Showground Road, Sydney Olympic Park Part of Lot 1121 DP 1142724 |
| For the following: | The construction of new exhibition space at the Southee Complex, including the removal of the Badgery Pavilion and Hume Street to create approximately 11,000m² of convention area. |
| Determination: | Consent granted subject to 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 | <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 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. 07-04-2013
(File No. 13/313)

PART A – ADMINISTRATIVE CONDITIONS

A1 Development Description

Development approval is granted only to carrying out of the development described below:

Construction of a new exhibition space at the Southee Complex, including the removal of Hume Street and the demolition of the Badgery Pavilion resulting in approximately 11,000m² of new enclosed floor space.

A2 Development in accordance with Plans

The development shall be generally in accordance with Development Application number 07-04-2013 received by the Authority 12 April 2013, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

| Plans prepared by | | | |
|--|-----------------|--|-------------|
| Drawing Ref | Revision | Name of Plan | Date |
| Survey – by SMEC Urban | | | |
| 77806.01.D01 | A | Detail Survey – Verification of Services | 05/03/2013 |
| 77806.01.D02 | A | Drainage | 05/03/2013 |
| 77806.01.D03 | A | Sewer, Water, Fire & Gas | 05/03/2013 |
| 77806.01.D04 | A | Electricity & Communications | 05/03/2013 |
| 77806.01.D05 | A | Detail Survey – Aerial | |
| Architectural – by Ladd Hudson Architects | | | |
| D-01 | 03 | Site Context Plan | 14.02.2013 |
| D-02 | 03 | Site Analysis Plan | 14.02.2013 |
| D-03 | 03 | Site Plan – Southee Complex 1, 2 and Link | 14.02.2013 |
| D-04 | 03 | Roof Plan | 14.02.2013 |
| D-05 | 03 | Elevations 1 | 14.02.2013 |
| D-06 | 03 | Elevations 2 | 14.02.2013 |
| D-07 | 03 | Sections A-A and B-B | 14.02.2013 |
| D-08 | 03 | Perspectives | 14.02.2013 |
| D-09 | 00 | Exhibition Precinct Strategic Planning | 14.02.2013 |
| D-010 | 00 | Colonnade Plan, Section and Schedule of Finishes | 14.02.2013 |
| D-011 | B - 01 | Public Domain Interface Plan | 14.02.2013 |
| Civil – by SMEC Urban | | | |
| 77806.01.SK001 | B | Draft Concept Drainage Plan | 19.03.2013 |

| Civil – by Ladd Hudson | | | |
|--|---|----------------------------------|------------|
| SKH-001 | A | Fire Hydrant Service | 14.02.2013 |
| SKH-002 | A | Water Service Layout | 14.02.2013 |
| SKH-003 | A | Grease Waste & Sanitary Drainage | 14.02.2013 |
| Statement of Environmental Effects prepared by SMEC Urban dated April 2013 | | | |
| Supplement to the Statement of Environmental Effects prepared by SMEC Urban dated 23 April 2013 | | | |

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 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.

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 Approval prevail.

A4 Commencement of works

The development must physically commence within 5 years and substantially commence within 7 years of determination date of DA 07-04-2013.

A5 Prescribed Conditions

The development is to comply with the prescribed conditions of development consent under Clause 98 of the *Environmental Planning and Assessment Regulations 2000*.

A6 Critical stage inspections

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

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

B1 Building Accessibility

Prior to issuing a construction certificate the proposed construction plans are to demonstrate compliance of the provisions for persons with a disability with the requirements of Building Code of Australia, AS 1428.1 and SOPA's Access Guidelines 2011. Accessible means of travel is to be provided from Olympic Boulevard to the premises.

B2 Work Health and Safety

All works to be in accordance with the NSW, Work Health and Safety Act -2011 and the Regulation 2011.

B3 Work to comply with BCA

All construction is to be in accordance with the provisions of the current Building Code of Australia (BCA) and any relevant Australian Standards, including:

1. Compliance in accordance with the requirements of Section J Energy Efficiency of the Building Code of Australia; and
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 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 and occupation certificate.

B4 Garbage

Adequate facilities are to be provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements being made for regular removal and disposal of same. The required garbage facility is to be suitable for the accommodation of Auburn Council approved wheel type bins or bulk waste containers. Full details are to be included in documentation for a Construction Certificate application.

B5 No Obstruction of Public Domain without a Works Permit

Prior to issuing a Construction Certificate, if required, 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: further information on Work Permits can be obtained from www.sydneyolympicpark.com.au

PART C – CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK AND DURING THE CONSTRUCTION PHASE

C1 Demolition standard

Building demolition is to be planned and carried out in accordance with Australian Standard AS 2601: 2001 - The Demolition of Structures.

C2 Demolition requirements

The demolition works are to be undertaken in accordance with Australian Standard AS2601: 2001 - The Demolition of Structures and the following requirements:

- a) The removal, handling and disposal of any asbestos material is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by the WorkCover Authority of NSW;
- b) A copy of all waste disposal receipts are to be kept on-site for the duration of the proposed development and made available to authorised Officers upon request;
- c) Seven working days notice in writing is to be given to SOPA, Auburn Council and the owners/occupiers of neighbouring premises prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number(s) and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor. Notification to owners/occupiers of neighbouring premises shall also the Workcover Authority of NSW telephone number; and
- d) On sites where asbestos materials are to be removed, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent position during asbestos removal works.

C3 Demolition – services disconnection

The demolisher is to ensure that all services (ie water, telecommunications, gas, electricity, sewerage etc), are disconnected in accordance with the relevant authority's requirements prior to demolition.

C4 Demolition waste containers

Any waste containers used in association with the proposed demolition are to be located on the site where possible.

Note: Where this is not feasible, application must be made for SOPA's approval to position the container on the adjacent public road.

C5 Waste management plan

Waste management shall be implemented in accordance with the approved Waste Management Plan. At a minimum, the following measures shall be implemented during the construction phase:

- a) A waste container of at least one cubic metre capacity shall be provided, maintained and regularly serviced from the commencement of operations until the completion of the building for the reception and storage of waste generated by the construction of the building and associated waste.
- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets.

- c) Appropriate provision is to be made to prevent wind blown rubbish leaving the site.
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the Protection of the Environment Operations Act 1997.

C6 Need for hoarding

If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

C7 Application for hoarding

An application is to be made to and approved by SOPA for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence shall comply with the Occupational Health and Safety Act 2000, Occupational Health and Safety Regulation 2001 and any relevant approved industry code of practice. Notice of intention of commencement must be given to WorkCover New South Wales.

C8 Work site lighting

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

C9 Site signage

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifying authority for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

C10 Construction traffic plan

Prior to commencement of site works the developer is to submit to SOPA for approval a Construction Traffic Management Plan addressing traffic control measures to be utilised in the public road reserve during the construction phase.

C11 Hours of Construction/Demolition work

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

- a) 7.00am to 5.00pm on Monday to Fridays (inclusive)
- b) 8.00am to 12 midday on Saturdays

- c) No work on Sundays and Public Holidays (except with the prior written consent of SOPA's General Manager – Operations and Sustainability).

C12 Removing excavated material

Any excavated material to be removed from the site is to be assessed, classified in accordance with the Department of Environment and Climate Change's (DECC) 'Waste Classification Guidelines Part 1: Classifying Waste' and transported and disposed of at a facility that can lawfully receive that waste.

C13 Fill – quality

Any fill material imported into the site is to be Virgin Excavated Natural Material or material subject to a Resource Recovery Exemption that is permitted to be used as a fill material, in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the Protection of the Environment (Waste) Regulation 2005.

C14 Toilets during works

Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet is to:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- c) be a temporary chemical closet approved under the Local Government Act 1993.

C15 Sediment control

Erosion and sediment control measures are to be implemented prior to the commencement of works and be maintained during the period of construction in accordance with the details set out on the Erosion and Sediment Control Plan submitted with the application, and with the below requirements:

- a) Control over discharge of stormwater and containment of run-off and pollutants leaving the site must be undertaken through the installation of erosion control devices such as catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams and sediment basins.
- b) Controls are not to be removed until the site is stable with all bare areas supporting an established vegetative cover. Erosion and sediment control measures are to be designed in accordance with the requirements of the Managing Urban Stormwater: Soils and Construction 4th Edition – Vol. 1 (the "Blue Book") published by Landcom, 2004.

C16 Survey monuments

Where the proposed development involves the destruction or disturbance of any existing survey monuments, those monuments affected are to be relocated at no cost to SOPA by a Surveyor registered under the Surveyor's Act.

C17 Tree protection/preservation

All existing trees on the site, outside the envelope of the proposed building, are to be preserved where practicable. Tree protection zones are to be erected in accordance with SOPA 'Guidelines for Protection of Trees on Construction Sites'.

PART D – CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

D1 Repair of footpath damage

All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the 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 SOPA's satisfaction prior to the issue of any occupation certificate in respect of the development.

D2 Stormwater – works as executed

A copy of the stormwater drainage design plans approved with the Construction Certificate with 'work as executed' levels indicated, shall be submitted to the Principal Certifying Authority and to SOPA prior to the issue of an Occupation Certificate. The plans shall be prepared by a Practising Professional Engineer or Registered Surveyor experienced in the design of stormwater drainage systems.

D3 As built plans

'As-built' plans in both PDF and CADD formats of the building and any existing external infrastructure that has been deleted or modified is to be submitted to SOPA within 3 months of obtaining an Occupation Certificate.

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

E1 Restriction – no flashing lights

No flashing, chasing or scintillating lighting or promotional material of a visually intrusive nature is to be installed or displayed on the exterior of the premises.

E2 Restriction – flags/bunting etc

Any flags, bunting or other promotional material of a like nature are to be arranged and properly maintained in a manner which does not detract from the appearance of the premises or the streetscape and which does not represent a hazard to the public.

E3 Restriction – no goods on footpath

No goods or advertising signs are to be displayed or allowed to stand on the public footpath or street.

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 Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
- b) A Principal Certifying Authority is to be appointed and SOPA is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
- c) SOPA 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.

F2 Occupation Certificate

Prior to the occupation or use of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the proposed development. An application for an Occupation Certificate must contain the information set out in Clause 149 of the Environmental Planning and Assessment Regulations.

F3 Fire Safety Certificate

A copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and a further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

F4 Annual Fire Safety Statement

An annual Fire Safety Statement in the form described in Clause 175 of the Environmental Planning and Assessment Regulation 2000 is to be submitted to Auburn Council and a copy (together with a copy of the current fire safety schedule) is to be given to the Commissioner of New South Wales Fire Brigades. A further copy of the Statement (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.

F5 Separate DA – signage

Any proposed business identification sign or advertising sign, other than submitted with this application, should be designed in accordance with the provisions of the Sydney Olympic Park Guidelines for Outdoor Advertising Identification and Promotional Signage and be the subject of a separate Development Application and approved prior to erection or placement in position.

F6 Public utilities

Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both SOPA and any other relevant authorities. SOPA and other service authorities should be contacted for specific requirements prior to the commencement of any works.