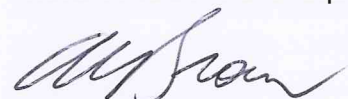


## Development Consent

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: 23/07/2012

Ref: DA 09-07-2012  
(File No. F12/637)

### Schedule 1

<b>Development Application:</b>	DA 09-07-2012
<b>Application made by:</b>	Tim Bainbridge FDC Pty Ltd
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Level 1-5, 7 Murray Rose Avenue, Sydney Olympic Park Lot 201 DP1147230
<b>For the following:</b>	Use and fitout of Level 1 to 5 as a commercial office
<b>Determination:</b>	Consent granted subject to conditions in the attached Schedule 2
<b>Classification of Building under BCA 2012</b>	Class 5, Office
<b>Date of commencement of consent</b>	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination
<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 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. 09-07-2012**

**(FILE NO. 12/637)**

**PART A – ADMINISTRATIVE CONDITIONS**

**A1 Development Description**

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

- 1 The use and fitout of Level 1-5, 7 Murray Rose Avenue, Sydney Olympic Park as a commercial office. The works would be carried out in accordance with the plans prepared by DesignInc Pty Ltd.

**A2 Development in accordance with Plans**

The development shall be generally in accordance with Development Application number 09-07-2012 received by the Authority 16 July 2012, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Plans prepared by DesignInc Pty Ltd			
Drawing Ref	Revision	Name of Plan	Date
A01.00	A	Location Plan	26.10.11
A01.10	B	Public Domain Interface Plan	14.12.11
AD-L1-1.01	4	Level 1 Furniture Plan	29.06.12
AD-L2-1.01	3	Level 2 Furniture Plan	04.07.12
AD-L3-1.01	3	Level 3 Furniture Plan	29.06.12
AD-L4-1.01	3	Level 4 Furniture Plan	29.06.12
AD-L5-1.01	4	Level 5 Furniture Plan	29.06.12
Statement of Environmental Effects prepared by FDC Pty Ltd dated 06.07.2012			

**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 09-07-2012.

**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 – PRIOR TO CONSTRUCTION****B1 Construction Certificate**

A Construction Certificate is to be issued for the new building work by an accredited certifier in accordance with the requirements set out in Section 81A of the Environmental Planning and Assessment Act 1979.

**B2 Principle Certifying Authority**

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

**B3 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 AS 1428.1 and *SOPA's Access Guidelines 2011*.

**B4 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](http://www.sydneyolympicpark.com.au).

**B5 Essential Fire Safety**

The fit-out is required to be in accordance with the provisions of the Building Code of Australia 2012 (BCA). 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.

**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 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 on Work Permits can be obtained from [www.sydneyolympicpark.com.au](http://www.sydneyolympicpark.com.au).

**C2 Fit out in accordance NSW Work Health and Safety Act 2011**

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

**C3 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 12.00 midday on Saturdays
3. No work on Sundays and Public Holidays (except with the prior written consent of SOPA's General Manager – Operations and Sustainability).

**C4 Australian Standards**

All building works are to be carried out in accordance with the provisions of all relevant Australian Standards

**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.

**PART D – PRIOR TO OCCUPATION****D1 Occupation certificate**

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

**D2 Fire Safety Certificate**

Prior to issuing of a Final Occupation Certificate, a Final Fire Safety Certificate must be issued in accordance with Environmental Planning and Assessment Act 1979 and its Regulations. Once issued, a copy of the Final Fire Safety Certificate must be given to the Fire Commissioner and it must be prominently displayed in the building.

**D3 Proponent to pay for any damage to footpath or public assets**

The cost of repairing any damage caused to Sydney Olympic Park Authority or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the Proponent/developer prior to the issue of the final Occupation Certificate.

**D4 Workplace Travel Plan**

Prior to the issue of an Occupation Certificate, a Workplace Transport / Travel Plan prepared by a suitably qualified person, detailing transport and parking arrangements for staff/ persons associated with the subject development shall be submitted to the satisfaction of SOPA's General Manager – Operations and Sustainability.



**PART E – DURING OCCUPATION****E1 Annual Fire Safety Statement**

All fire safety measures serving the building are to be certified to the relevant local Consent Authority (Auburn 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.

**E2 Hours of Operation**

The hours of opening for the General Core Business shall be restricted to between 7.00 am to 7.00 pm (Monday to Friday).

Note: The Proprietor must ensure that the operation of the business is carried out in a responsible manner and not to unduly interfere with building, shop or pedestrian 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 only.

Loading and unloading of goods and waste to and from the shop must be carried out in a responsible manner and not to unduly interfere with building, shop 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 base building's 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. If, in the opinion of Sydney Olympic Park Authority, injury is likely to be caused, the intensity, period of intermittency and hours of illumination may be varied to the satisfaction of Sydney Olympic Park Authority.

**E7 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](http://www.sydneyolympicpark.com.au).

**E8 No 3<sup>rd</sup> party advertising or shop product promotional display on shop front windows**

The shop front window is to remain free of any 3<sup>rd</sup> party advertising and shop product promotional displays.

**E9 Workplace Travel Plan**

Transport and parking arrangement for staff/ persons associated with the subject premises shall be generally consistent with the relevant Workplace Travel/ Transport Plan (see Condition D4).