

Development Consent

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

I, the Director, Industry & Key Sites, of the NSW Department of Planning & Environment, 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.



Ben Lusher
A/Director

Industry and Key Sites
Department of Planning & Environment

Date: 30/1/2015

SCHEDULE 1

Development Application:	DA 12-10-2014
Application made by:	Mr David Young (Sydney Olympic Park Authority)
To:	Sydney Olympic Park Authority (SOPA)
In respect of:	Lot 201 DP 1041758 – Boundary Creek Precinct, Sydney Olympic Park
For the following:	Construction & Operation of former Golf Driving Range Sustainable Leachate Treatment Wetlands
Determination:	Consent granted subject to conditions in the attached Schedule 2
Date of commencement of consent:	This development consent commences on the date identified / signed under delegation above
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. 12-10-2014

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.

These conditions of this 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 & Documentation

The development shall be undertaken in accordance with the following approved documents:

Statement of Environmental Effects titled ‘Proposed Construction, Use and Operation of Sustainable Leachate Treatment Wetlands’, as prepared by Helen Mulcahy Urban Planning P/L, for Sydney Olympic Park Authority, dated October 2014
Feasibility Report and Plans titled ‘Sustainable Landfill Leachate Treatment and Disposal System at the former Golf Driving Range’, Project No. 3-13370d, as prepared by the Australian Wetlands Consulting (AWC), for Sydney Olympic Park Authority
Correspondence titled ‘Review of Sustainable Leachate Treatment Former Golf Driving Range at Sydney Olympic Park’, as prepared by AECOM, for Sydney Olympic Park Authority, dated 23 October 2014

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 Building Code of Australia (BCA).

A6 Detailed Design Report

The development shall be undertaken in accordance with a Detailed Design Report to be developed in consultation with the NSW Environment Protection Authority (EPA), consistent with the requirements of Contaminated Land Management Act 1997 Notice No 28040. The Detailed Design Report shall address the EPA's recommendations in its correspondence to SOPA dated 29 August 2014 and AECOM's recommendations in its correspondence to SOPA dated 23 October 2014.

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 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 Construction Management Plan

Prior to the issue of a Construction Certificate, a Construction Management Plan (CMP) shall be submitted to the satisfaction of the Certifying Authority. The CMP shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

1. **Hours of work**, which must be in accordance with the conditions of this approval;
2. **Contact details** of the site manager and all principle contractors;
3. **Traffic management**, which is to be developed in consultation with SOPA, and is to include:
 - a. ingress and egress of vehicles to the site;
 - b. number and frequency of vehicles accessing the site;
 - c. the times vehicles are likely to be accessing the site;
 - d. management of loading and unloading of materials;
 - e. changes to on-street parking restrictions on local roads;
 - f. management of construction traffic and car parking demand;
 - g. management of existing vehicular and pedestrian movements / routes around the site (if applicable);
4. **Construction noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436-2010 *Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites*;
5. **Construction waste management**, identifying options for minimising waste; reuse and recycling of materials; the storage, control and removal of construction waste;

6. **Dust control** – measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed and covered as required; and
7. **Flora & Fauna** – measures to be implemented to prevent the Green & Golden Bell Frogs from entering the site throughout the construction process i.e. erection of frog fence

B4 Utility Services

Prior to the issue of a Construction Certificate, the Applicant shall carried out a survey of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.

If applicable, the proponent is to negotiate with the utility authorities (e.g. AUSGRID, Sydney Water and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the development. Any costs in the relocation, adjustment or support of services shall be borne by the proponent.

B5 No Obstruction of Public Domain without a Works Permit

Prior to the issue of a Construction Certificate, the proponent is to obtain a Work Permit (if required) 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.

B6 Stormwater & Drainage

Prior to the issue of a Construction Certificate, details of the proposed stormwater disposal and drainage from the development, and details of the provision and maintenance of overland flow paths are to be designed to the satisfaction of the Certifying Authority. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

B7 Erosion and Sediment Control

Prior to the issue of a Construction Certificate, soil erosion and sediment control measures shall be designed in accordance with the document titled "*Managing Urban Stormwater – Soils & Construction Volume 1 (2004)*" by Landcom. Details are to be submitted to the satisfaction of the Certifying Authority.

B8 Biodiversity Management

Prior to commencement of any works, vegetation management shall comply with the Sydney Olympic Park Authority's Biodiversity Management Plan Standard Procedure 4 – Frog Clearance, and plant selection shall comply with the Site Planting Strategy and reflect the current planting regime of Boundary Creek.

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.

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

The works shall be in accordance with the provisions of the BCA & relevant Australian Standards.

Note: Sufficient information must be forwarded to the Certifying Authority illustrating compliance with the relevant requirements of the BCA 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.

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*.

C4 Hours of Work

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 3:00 pm, Saturdays;
- (3) No work on Sundays and Public Holidays.

Works may be undertaken outside these hours where:

- (1) The delivery of materials is required outside these hours by the Police or other authorities; or
- (2) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent adverse environmental harm; or
- (3) The work is approved by SOPA's General Manager, Operations and Sustainability.

C5 Pollution Management

All noise, water, waste or air pollution activities generated by the development shall be managed in general accordance with the most recent NSW Office of Environment and Heritage guidelines and policies and relevant NSW legislation, including but not limited to, the *Protection of the Environment Operations Act, 1997*.

C6 Removal of Waste

All waste materials shall be disposed of at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines.

PART D – PRIOR TO OPERATION

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 Management Plans

An 'environmental management plan' and an 'operations and maintenance manual' that address relevant provisions of the Protection of the Environment Operations Act 1997, Contaminated Lands Management Act 1997, and National Parks & Wildlife Act 1974 is prepared to satisfaction of SOPA General Manager Operations & Sustainability prior to commencement of operation of the wetland treatment system.