

## Development Consent

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

I, the Director, Industry, Key Sites and Social Projects, of the NSW Department of Planning & Infrastructure, 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 & Infrastructure, 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.

  
**Dan Keary**

Director – Industry, Key Sites and Social Projects  
NSW Department of Planning & Infrastructure

Date: 4 / 2 / 2014

### Schedule 1

<b>Development Application:</b>	DA 20-12-2013
<b>Application made by:</b>	Mr Ross Coggan (Sydney Olympic Park Authority)
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Lot 3 DP 883215 – Newington Armory, Sydney Olympic Park
<b>For the following:</b>	Use of Buildings No. 8 & 139 within the Newington Armory as an Indoor Recreation Facility
<b>Determination:</b>	Consent granted subject to conditions in the attached Schedule 2
<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 <i>Environmental Planning and Assessment Act 1979</i>, and the <i>Environmental Planning and Assessment Regulations 2000</i> (as amended)</p>

**SCHEDULE 2**  
**CONDITIONS OF CONSENT**  
**DEVELOPMENT APPLICATION No. 20-12-2013**

**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:

<b>Statement of Environmental Effects titled 'Proposed Use of Buildings 8 &amp; 139 Newington Armory Precinct', as prepared by Helen Mulcahy Urban Planning P/L, for Sydney Olympic Park Authority, dated November 2013</b>
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<b>Heritage Impact Statement titled 'Buildings 8 &amp; 139 Newington Armory', as prepared by Graham Brookes &amp; Associates P/L, for Sydney Olympic Park Authority, dated October 2013</b>
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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 Heritage**

The development shall be in accordance with the Heritage Council of NSW's Standard Exemption approval letter dated 17 December 2013

## **PART B – PRIOR TO OPERATION**

### **B1 Building Certificate**

A Building Certificate is to be issued for the existing building work by the Sydney Olympic Park Authority Building Services Unit in accordance with the requirements set out in Section 149B-149E of the Environmental Planning and Assessment Act 1979. All essential active fire safety measures are to be certified as being installed in a functioning condition compliant with the current required Australian Standards.

**Note:** Sufficient information must be forwarded to the Sydney Olympic Park Authority Building Services Unit demonstrating 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.

### **B2 Building Code of Australia**

All works shall be in accordance with the provisions of the Building Code of Australia (BCA) and any relevant Australian Standards.

### **B3 Occupational Health and Safety Act 2000**

All works are to be carried out in accordance with the *NSW Occupational Health and Safety Act 2000*.

### **B4 Accessibility**

Disabled access in the form of a "drop-in ramp" shall be provided when persons with a disability require access to Building 8. In this regard, the "drop-in ramp" shall be stored within close proximity to Building 8.

### **B5 Parklands Approval Permit**

A Parklands Approval Permit and a Parklands Statutory Compliance Statement must be obtained prior to entering into a licence agreement with any external party and prior to conduct of any kind of sporting activity within the buildings.

## **PART C – DURING OPERATION**

### **C1 Fire Safety Certificate**

All fire safety measures serving the building are to be certified to the relevant Local Council 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 was issued.

**C2 Fire Safety Certificate**

The maximum number of patrons for Building 8 shall not exceed 60 people. Any request for a higher patron limit will be considered on merit by SOPA on a case by case basis.

**C3 Hours of Operation**

The operating hours for the Indoor Recreation Facility shall be restricted to between 8.00 am to 11.00 pm (Monday to Sunday). The operator must ensure that the operation of the facility is carried out in a responsible manner.

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END OF CONDITIONS