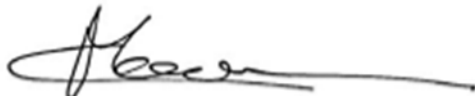


## Development Consent

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

I, the Chief Executive Officer of the Sydney Olympic Park Authority, pursuant to section 4.16 and 4.17 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.



Charles Moore  
**Chief Executive Officer**  
**Sydney Olympic Park Authority**

**Date: 29/10/2019**

### **SCHEDULE 1**

<b>Development Application:</b>	DA 10-09-2019
<b>Application made by:</b>	Charter Hall FLK Funds Management Limited
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	11 Murray Rose Ave, Sydney Olympic Park, NSW 2127
<b>For the following:</b>	Construction of a rooftop amenity space comprising pergola, timber decking and associated landscaping
<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 identified/signed above. The determination shall lapse <b>five years</b> from this date.
<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 <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. 10-09-2019**

**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**

The development shall be undertaken in accordance with the following stamped drawings:

Plans prepared by Bates Smart			
Name of Plan	Drawing Reference	Revision	Date
Site Plan	DA01.01	A	06/09/2019
Existing Roof Plan	DA01.02	A	06/09/2019
Proposed Roof Plan	DA01.03	A	06/09/2019
General Arrangement Plan level 06	DA03.06	A	06/09/2019
South Elevation	DA07.01	A	06/09/2019
North Elevation	DA07.02	A	06/09/2019
West Elevation	DA07.03	A	06/09/2019
Section 1	DA08.01	A	06/09/2019
Section 2	DA08.02	A	06/09/2019
Statement of Environmental Effects prepared by Milestone (AUST) Pty Limited September 2019			

Except for:

1. Any modifications as may be necessary for the purpose of compliance with the current Building Code of Australia (BCA, NCC) and any adopted Australian Standard in the BCA, NCC;
2. Otherwise provided by the conditions of this consent; and/or
3. Otherwise as necessary to comply with other NSW and/or Commonwealth Legislation

**A3 Inconsistency between documents**

In the event of any inconsistency between conditions of 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 development is to comply with the prescribed conditions of development consent under Clause 98 of the *Environmental Planning and Assessment Regulations 2000*.

### **END OF PART A**

## **PART B – PRIOR TO COMMENCEMENT OF CONSTRUCTION**

#### **B1 Construction Certificate**

A Construction Certificate is to be issued for the rooftop amenity space by an accredited certifier in accordance with the requirements set out in Section 6.4 and Section 6.7 of the *Environmental Planning and Assessment Act 1979*.

#### **B2 Principal Certifying Authority**

The 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*.

#### **B3 Structural Engineering**

The structural requirements for these building works are to be designed and certified upon completion by a competent Structural Engineer in accordance with the Structural provisions contained in the current NCC/ Building Code of Australia (BCA). Any existing structures are to be assessed and certified on the structural adequacy to accommodate any proposed additional new loads.

### **END OF PART B**

## **PART C – CONDITIONS TO BE SATISFIED DURING CONSTRUCTION**

#### **C1 Building Code of Australia**

The works associated with the roof terrace is to be undertaken in accordance with the current Building Code of Australia (BCA) and any relevant adopted *Australian Standards*, including but not limited to:

- a) All balustrading and waterproofing proposed for the development; and
- b) Compliance requirements in accordance with the Australia Standard, AS/NZS-3000:2007, Electrical installations (known as the Australian/New Zealand Wiring Rules).

**Note:** Sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the *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 certifying authority to discuss requirements prior to submission of the application for construction and occupation certificate.

## **C2 Work Health and Safety Act 2011**

All works are to be carried out in accordance with the *NSW Work Health and Safety Act 2011* & the *NSW Work Health and Safety Regulations 2017*.

## **C3 No Obstruction of Public Way**

The public way 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)

## **END OF PART C**

## **PART D – PRIOR TO COMMENCEMENT OF USE**

### **D1 Occupation Certificate**

An Occupation Certificate is to be issued by the Principal Certifying Authority (PCA) upon completion of the roof terrace in accordance with the requirements of Section 6.9 of the *Environmental Planning and Assessment Act 1979*.

### **D2 Soft Landscaping**

Plant species identified as weeds in the *Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022 (Appendix 1 Priority weeds for the Greater Sydney Local Land Services region and Appendix 2 Other weeds of regional concern)* are not permitted.

## **END OF PART D**

## **PART E - CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT**

### **E1 Hours of Use**

Other than for the purpose of escape, maintenance and/or repair the rooftop amenity space shall only be used between the hours of 07:00 and 22:00

### **E2 Outdoor Lighting**

All outdoor lighting shall comply with Australian Standard AS 4282-1997 *Control of obtrusive effects of outdoor lighting*.

END OF PART E

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END OF CONSENT