

## 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.



Sam Romaniuk  
Chief Executive Officer  
Sydney Olympic Park Authority

Date: 15 December 2020

### SCHEDULE 1

<b>Development Application:</b>	DA 07-08-2020
<b>Application made by:</b>	Dreamtime Australia Design
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Shop 1, No.1 Burroway Road, Sydney Olympic Park, 2127
<b>For the following:</b>	Installation of no.2 Mezzanine floors and increase in capacity of ancillary café
<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. 07-08-2020**

**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
New Mezzanine Floor Plan	FC 1004	C	26/11/2020
GL General Arrangement Plan	FC 1001	F	26/11/2020
Statement of Environmental Effects prepared by Dreamtime Australia Design August 8 2020			

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 mezzanine 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;
- b) Compliance requirements in accordance with the Australia Standard, AS/NZS-3000:2007, Electrical installations (known as the Australian/New Zealand Wiring Rules); and
- c) Compliance with AS 4674–2004 *Construction and fit-out of food premises*

**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.sydneypark.com.au](http://www.sydneypark.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 mezzanines in accordance with the requirements of Section 6.9 of the *Environmental Planning and Assessment Act 1979*.

## **END OF PART D**

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

#### **E1 Ancillary Use**

The café use permitted by this permission shall be ancillary to the use of the supermarket in perpetuity.

#### **E2 Seating Capacity**

Notwithstanding the submitted plans, the seating capacity of the café shall not exceed 100 seats in total.

## **END OF PART E**

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## **END OF CONSENT**