

# Development Consent

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

I, the Executive Director, Asset Management & Environmental Services 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.



John Ferguson  
Executive Director, Asset Management & Environmental Services  
Sydney Olympic Park Authority

Date: 23 September 2022

## **SCHEDULE 1**

<b>Development Application:</b>	DA 04-08-2022
<b>Application made by:</b>	Zeid Al-Taiff
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Shop 4A/9-11 Australia Avenue, Sydney Olympic Park, NSW 2127 (Part Lot 102 in SP 86002)
<b>For the following:</b>	Use of the site as a hairdresser shop with associated signage.
<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 of approval.
<b>Advisory Notes</b>	The Applicant is solely responsible for any additional consents and agreements that are required from other authorities.

The Applicant has the 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.

**SCHEDULE 2**  
**CONDITIONS OF CONSENT**

**DEVELOPMENT APPLICATION NO. DA 04-08-2022**

**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 and Documentation**

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

<b>Architectural Drawings prepared by: Sun Engineering Building Consultants</b>			
<b>Drawing No.</b>	<b>Sheet No.</b>	<b>Description</b>	<b>Date</b>
4A-9 SHOP/22	1/3	Location of Waste Disposal	29.06.2022
4A-9 SHOP/22	2/3	Proposed Floor Plans	29.06.2022
4A-9 SHOP/22	3/3	Front Elevation/ Section A-A	29.06.2022
4A-9 SHOP/22	1/1	Front Elevation/ Section A-A	29.06.2022
4A-9 SHOP/22	1/1	Front Elevation	26.07.2022
<b>Statement of Environmental Effects dated 30 June 2022 submitted by Zeid Al-Taiff</b>			

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;  
or
4. As agreed in writing by SOPA's Director, Environment and Planning.

### **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 must 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 BCA.

### **A6 Critical Stage Inspections**

The *Environmental Planning and Assessment Act* 1979, section 6.53)(d), requires that inspections be carried out by an Accredited Certifier with relevant experience unless specified in the quality control plan prior to the consent of the PCA.

### **A7 Standards and Codes**

All building works must be constructed in accordance with safe work practices and complying with the relevant adopted Australian Standards, Codes of Practice and the current Building Code of Australia requirements.

## **PART B – CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

### **B1 Fit-out in accordance with the *Building Code of Australia***

The fit-out must be in accordance with the provisions of the *Building Code of Australia* (BCA) and any relevant *Australian Standards*, including, but not limited to:

- a) Compliance in accordance with the requirements of Section J (Energy Efficiency) of the BCA,
- b) New pedestrian areas are to be constructed in accordance with *AS/NZS 4586:2004 Slip resistance classification of new pedestrian surface materials*.

**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.

### **B2 Access**

Prior to issuing a construction certificate the proposed construction plans are to demonstrate compliance requirements for persons with a disability (Access Requirements) as contained in the Commonwealth Disability Discrimination Act-1992, Current Building Code of Australia (NCC/BCA), AS-1428 Series and the Sydney Olympic Park Authority (SOPA's) Access & Inclusion Requirements 2021, First Edition. Steps and ramps are to be avoided at grade levels between pedestrian areas if this can be achieved.

### **B3 Fire Safety Measures (including Emergency Exits)**

All existing Fire Safety Measures (including Emergency Exits) are to be preserved within the building and maintained or upgraded if required to accommodate the proposed new works. This includes considerations contained in any existing or new Fire Engineers Reports for the building. The existing Fire Safety Measures to the building are not to be compromised in any way. This must be carried out to the satisfaction of the Certifying Authority.

### **B4 Hours of Works**

All fitout/construction works (including site deliveries) must only be carried out between the following hours:

- 7.00am to 5.00pm on Monday to Fridays (inclusive)
- 8.00am to 12.00 midday on Saturdays
- No work on Sundays and Public Holidays (except with the prior written consent of SOPA's Director – Environment and Planning).

**Note:** Sufficient information must be forwarded to the Certifying Authority illustrating/demonstrating compliance with the relevant requirements of the NCC/Building Code of Australia and the 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 Certificates.

## **B5 Approved Plans to be On-Site**

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Subject Site at all times and must be readily available for perusal by any officer of SOPA or the Certifying Authority.

## **PART C – CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT**

### **C1 Hours of Operation**

The hours of operation or trading of the premises and outdoor dining area are to be not more than from:

<b>DAY</b>	<b>START</b>	<b>FINISH</b>
Monday	9:00am	5:00pm
Tuesday	9:00am	5:00pm
Wednesday	9:00am	5:00pm
Thursday	9:00am	8:00pm
Friday	9:00am	5:00pm
Saturday	10:00am	5:00pm
Sunday	10:00am	3:00pm

Unless a separate application to vary the hours of operation or trading has been submitted to and approved by the relevant authority.

### **C2 Waste Management**

Waste must not be stored on the footpaths or public domain areas of Sydney Olympic Park. All waste (except special waste) must be stored and disposed from within the base building's waste storage room.

All waste service vehicles in connection with the use of the premises must use the designated loading/service area within the premises only. All vehicles must enter/exit the site in a forward direction.

### **C3 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).

#### **C4 Noise Control – General**

The use of the premise must not cause nuisance, or an offensive noise as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.

#### **C5 Noise – amplified music**

Music and other amplified sound played on the premises must not give rise to offensive noise as defined under the provisions of the *Protection of the Environment Operations Act 1997*. The sound level output must not exceed 5 dB(A) above the ambient background level at the boundary of the premises.

#### **C6 Occupation Certificate**

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

#### **C7 Fire Safety Measures**

Any fire safety measures serving the existing Retail Tenancies are to be certified to the relevant Local Consent Authority (Parramatta City Council) as being maintained in accordance with the requirements of the NCC/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.

### **PART D – ADVISORY MATTERS**

#### **D1 Public utilities**

Any necessary alterations to public utility installations are to be at the developer/demolisher's expense and to the requirements of both SOPA and any other relevant authorities. SOPA and other service authorities should be contacted for specific requirements prior to the commencement of any works.