

1 November 2012

Mr Simon Davies  
General Manager – Asset  
ANZ Stadium  
Sydney Olympic Park NSW 2127

**NOTICE OF DETERMINATION  
DA 16-09-2012**

Dear Mr Davies, *Simon*

I refer to the abovementioned development application (DA) received by Sydney Olympic Park Authority on 19 September 2012.

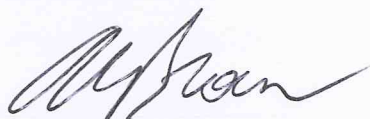
I am writing to inform you that the application has been granted consent, subject to conditions (refer to the attached consent).

Before construction works commence you must apply for a construction certificate from an Accredited Certifier. In addition, prior to works commencing, you may need to obtain a Works Permit from Sydney Olympic Park Authority for any works (e.g. storing materials, footpath occupancy etc.) in the public domain. All plans and information that form part of your detailed works must comply with the conditions of consent.

It is the responsibility of the applicant to carefully read all conditions of consent prior to commencement of building works.

Please note the development consent operates from the date of this notification. Should you have any enquiries regarding the above matter, please contact Dat Tran, on 9714 7139 or via email to [dat.tran@sopa.nsw.gov.au](mailto:dat.tran@sopa.nsw.gov.au).

Yours faithfully,



**Andrew Brown**  
Executive Manager, Urban Planning and Design

## Development Consent

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

I, the Executive Manager, Urban Planning and Design of the Sydney Olympic Park Authority, 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.



**Andrew Brown**  
Executive Manager, Urban Planning and Design  
Sydney Olympic Park Authority

Date: **1/11/2012**

### Schedule 1

<b>Development Application:</b>	DA 16-09-2012
<b>Application made by:</b>	ANZ Stadium (Simon Davies)
<b>To:</b>	Sydney Olympic Park Authority
<b>In respect of:</b>	Lot 4001 DP 1004512, ANZ Stadium Western Forecourt, Sydney Olympic Park
<b>For the following:</b>	To erect a Recreation Facility – Outdoor (multi-purpose training facility, including cricket nets).
<b>Determination:</b>	Consent granted subject to conditions in the attached Schedule 2
<b>Date of commencement of consent:</b>	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination
<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. 16-09-2012**

**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 plans & document:

<b>Architectural Drawings as prepared by POPULOUS for ANZ Stadium, Project No. 11.7192.00, dated 26.10.2012</b>
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<b>Landscape Drawings as prepared by Lat27 Pty Ltd for POPULOUS, Reference No. 12077.01, Revision C, dated 26.10.2012</b>
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<b>Arboricultural Impact Appraisal &amp; Method Statement prepared by Naturally Trees Arboricultural Consulting, dated 31 October 2012</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. as **amended in red** on the approved plan;
3. otherwise provided by the Conditions of this Consent;
4. 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 BCA.

## **A6 Critical Stage Inspections**

The *Environmental Planning and Assessment Act 1979* Section 109E (3) (d), requires that inspections be carried out by the Principle Certifying Authority (PCA) or another Accredited Certifier with the prior consent of the PCA.

## **A7 Standards and Codes**

All building works shall 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. In this regard, the design, installation and all civil works of the proposed development shall be designed and constructed under the direction of a practicing structural engineer. The design and construction shall be in accordance with the Building Code of Australia 2012 and all adopted Australian Standards in particular AS 1170.2-2002, Wind Actions.

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

### **B1 Construction Certificate**

Prior to commencement of any building works, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by the Consent Authority or an Accredited Certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this consent.

### **B2 Principle Certifying Authority**

Works shall not commence until a Principal Certifying Authority (PCA) has been appointed, as set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

### **B3 Construction Management Plan**

A Construction Management Plan (CMP) shall be submitted to and endorsed by SOPA's General Manager – Operations and Sustainability prior to the commencement of works. 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

#### **B4 Utility Services**

Prior to the commencement of works the proponent shall carry 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 relevant authorities 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 Stormwater Drainage & Irrigation**

Prior to the commencement of works, details of the proposed stormwater disposal / drainage and irrigation are to be designed to the satisfaction of SOPA's General Manager – Operations and Sustainability. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

#### **B6 Erosion and Sediment Control**

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 SOPA's General Manager – Operations & Sustainability, prior to the commencement of works.

### **PART C – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**

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

Prior to the issue of a Construction Certificate, a Building Code of Australia Assessment Report shall be prepared by a suitably qualified person to the satisfaction of the Certifying Authority.

## **C2 Accessibility**

Prior to the issue of a Construction Certificate, the proposed construction plans shall demonstrate compliance with the requirements of the *Disability (Access to Premises – Buildings) Standards 2010*, and *SOPA's Access Guidelines (May 2011)*.

## **C3 No Obstruction of Public Domain without a Works Permit**

Prior to the issue of a Construction Certificate, a Work Permit shall be obtained 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: Information on Work Permits can be obtained from [www.sydneyolympicpark.com.au](http://www.sydneyolympicpark.com.au)

## **C4 Demolition and Urban Elements Salvage Plan**

Prior to the issue of a Construction Certificate, an "Existing Services Plan" and a "Demolition & Urban Elements Salvage Plan" shall be prepared by a suitably qualified person and submitted to the satisfaction of SOPA's General Manager – Operations & Sustainability.

## **PART D – DURING CONSTRUCTION**

### **D1 Compliance with Building Code of Australia & Australian Standards**

All works shall be carried out in accordance with the provisions of the Building Code of Australia, and to the appropriate Australian Standards.

### **D2 Work Health and Safety Act 2011**

All works shall be carried out in accordance with the *NSW Work Health and Safety Act 2011* and the *Regulation 2011*.

### **D3 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*.

### **D4 No Obstruction of Public Way without a Works Permit**

Prior to commencement of works, the proponent shall obtain a Work Permit 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.



#### **D5 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.

#### **D6 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.

#### **D7 Tree Protection**

All works shall be carried out in accordance with the Authority's "Tree Protection on Construction Sites" Guideline and to the satisfaction of SOPA's General Manager – Operations and Sustainability.

### **PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

#### **E1 Occupation Certificate**

An Occupation Certificate shall be obtained from the Principal Certifying Authority, upon completion of the new building works and prior to occupation, in accordance with the requirements of Section 109H and 109M of the *Environmental Planning and Assessment Act 1979*.

#### **E2 Plan of Management**

Prior to the issue of an Occupation Certificate, a Plan of Management to address various operational issues in detail including (but not limited to) security, crowd control, Major Event impacts, maintenance of facilities etc. shall be prepared by a suitably qualified person, and submitted to the satisfaction of SOPA's General Manager – Operations and Sustainability.

### **E3 New “Drop-Off” Area**

Prior to the issue of an Occupation Certificate, the final design of new “drop-off” area such as location, size, ingress/egress etc. shall be completed to the satisfaction of SOPA’s General Manager – Operations and Sustainability. The design and construction of the new “drop-off” area shall be completed at no cost to the Authority.

### **E4 Urban Design**

Prior to the issue of an Occupation Certificate, the urban elements e.g. fencing, seating etc. and materials/finishes shall to the satisfaction of SOPA’s General Manager – Operations and Sustainability.

## **PART F – DURING OCCUPATION**

### **F1 Lighting**

The lighting of the facility, for non-event use, shall be consistent with the ambient lighting levels of the forecourt.

### **F2 Hours of Operation**

The hours of opening of the development shall be consistent with the approved Plan of Management.

Note: The Proprietor must ensure that the operation of the development is carried out in a responsible manner and not to unduly interfere with precinct/ pedestrian function and/or amenity.

### **F3 Service Vehicles & Equipment**

All service vehicles & plant/ equipment used in connection with the operation of the development shall operate in accordance with the approved Plan of Management, and shall be stored within the Stadium when not in use. Storage of service vehicles and plant/equipment is not permitted within the multi-purpose facility.

### **F4 Waste Management**

No waste is to be stored on the footpaths or public domain areas of Sydney Olympic Park. All waste is to be stored and disposed from within the designated waste storage room.

Suitably constructed waste disposal containers with secure fittings must be kept on the property for the storage of any food and liquid waste prior to final disposal.

### **F5 Intruder Alarm**

Intruder alarm/s associated with the development is permitted to operate only in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2000*.



**F6 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.

**F7 Operation in accordance with Plan of Management**

The operation of the facility shall be carried out in accordance with the approved Plan of Management.

**F8 Previous Development Consents**

The operation of the facility, and the Stadium, shall be consistent with all relevant conditions of Development Consent No. S 38/2/96 granted by the Minister of Urban Affairs & Planning for the Stadium, dated 8 August 1996.