

Development Consent

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

I, the Chief Executive Officer 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, 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.



Alan Marsh
Chief Executive Officer
Sydney Olympic Park Authority

Date: 18/2/2016

SCHEDULE 1

Development Application:	DA 15-12-2015
Application made by:	Mirvac Projects P/L (Amar Prashant)
To:	Sydney Olympic Park Authority (SOPA)
In respect of:	Lot 22 DP 787402 – 2 Figtree Drive (Site 53), part Lot 24 DP 787402, part 70 DP1134933, part Lot 2005 DP1192085, Sydney Olympic Park
For the following:	Demolition of all existing buildings and structures including the removal of existing trees
Determination:	Consent granted subject to conditions in the attached Schedule 2
Date of commencement of consent:	This development consent commences on the date identified / signed under delegation above
Advisory Notes	<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. 15-12-2015

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:

Statement of Environmental Effects titled 'Site 53, 2 Figtree Drive, Sydney Olympic Park', as prepared by Urbis P/L, dated December 2015
Demolition Plans, Project '2 Figtree Drive, Sydney Olympic Park', prepared by Mirvac,
Arboricultural Impact Assessment titled '2 Figtree Drive, Sydney Olympic Park', as prepared by Arboreport, dated 10/08/15
Construction & Environmental Management Plan titled '2 Figtree Drive, Sydney Olympic Park', as prepared by Mirvac Constructions P/L, dated 28/10/15
Phase 1 & 2 Environmental Site Assessment titled "SOPA Site 53, 2 Figtree Drive, Sydney Olympic Park", Ref 43567/58249, Rev O, as prepared by JBS&G P/L, dated 16 July 2014
Hazardous Materials Survey titled "SOPA Site 53, 2 Figtree Drive, Sydney Olympic Park", Ref 43567/58847, Rev A, as prepared by JBS&G P/L, dated 17 September 2014

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 Fire Safety

Provisions for fire safety are to be provided for the duration of the works being carried out.

PART B – PRIOR TO COMMENCEMENT OF WORKS

B1 Sediment and Erosion Control Plan

Prior to the commencement of any works, the proponent must prepare and submit a detailed Sediment and Erosion Control Plan for the demolition works to the satisfaction of the Sydney Olympic Park Authority. The plan must include diagrams showing the location of all Sediment and Erosion Control measures and access into and out of the site as well as an outline of the proposed inspection and maintenance of sediment and erosion control measures for the duration of the works. The Sediment and Erosion Control Plan must, as a minimum, be consistent with the requirements of the document titled "*Managing Urban Stormwater – Soils & Construction Volume 1 (2004)*" by Landcom and must address how sediment will be prevented from tracking onto roads and footpaths from all entry and exit points to the site.

B2 Asbestos Management Plan

Prior to the commencement of any works, the proponent must prepare an Asbestos Management Plan (AMP) and provide a copy of the AMP to the Sydney Olympic Park Authority. The AMP must acknowledge the possible presence of asbestos within the work site and outline measures to manage asbestos should it be encountered.

B3 Demolition Plan

Prior to the commencement of any demolition works, the proposed demolition plans and procedures are to demonstrate compliance with the provisions set out in Australian Standard, AS 2601-2001, The Demolition of Structures.

B4 Waste Management Plan

Prior to the commencement of any works, the proponent must prepare and submit a detailed Waste Management Plan for the demolition works to the satisfaction of the Sydney Olympic Park Authority. At a minimum, the following measures shall be implemented during the construction phase:

- a) A waste container of at least one cubic metre capacity shall be provided, maintained and regularly serviced from the commencement of works until the completion of works for the reception and storage of waste generated by the proposed works.
- b) The waste container is to be, at minimum, constructed with a 'star' picket (corners) and weed control mat (sides), or equivalent. The matting is to be securely tied to the pickets.
- c) Appropriate provision is to be made to prevent wind blown rubbish leaving the site.
- d) Footpaths, road reserves and public reserves are to be maintained clear of rubbish, building materials and all other items.

Note: Fines may be issued for pollution/littering offences under the *Protection of the Environment Operations Act 1997*.

B5 Demolition Management Plan

Prior to the commencement of any demolition works, a Demolition Management Plan (DMP) shall be submitted to the satisfaction of the Certifying Authority. The DMP 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. **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. **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 works 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.

B6 Utility Services

Prior to the commencement of any demolition works, the Applicant shall carried 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 utility authorities (e.g. AUSGRID, Sydney Water and Telecommunications Carriers) 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.

B7 No Obstruction of Public Domain without a Works Permit

Prior to the commencement of any demolition works, the proponent is to obtain a Work Permit (if required) 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: Further information on Work Permits can be obtained from www.sydneypark.com.au.

B8 Stormwater & Drainage

Prior to the commencement of any demolition works, details of the proposed stormwater disposal and drainage, and details of the provision and maintenance of overland flow paths are to be designed to the satisfaction of the Certifying Authority. All approved details for the disposal of stormwater and drainage are to be implemented.

B9 Demolition and Excavation Impacts

During demolition and excavation, there is a need to ensure that there will be no adverse impact on the integrity of Sydney Trains facilities, or the operation of the network. Accordingly, the following shall be satisfied:

- Prior to the commencement of any works a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on the rail corridor. The Principal Certifying Authority shall not permit any works to commence until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

PART C – DURING DEMOLITION

C1 No Obstruction of Public Way

The public way and road reserves 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.

C2 Development in accordance with the *Building Code of Australia*

The works shall be in accordance with the provisions of the BCA & relevant Australian Standards, including:

- Compliance in accordance with the requirements of Stormwater disposal,
- Safe and adequate hoardings are to be provided and maintained in a safe manner,

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.

C3 Work Health and Safety Act 2011

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

C4 Hours of Work

The hours of works, 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 8:00 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.

C5 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*.

C6 Removal of Waste & Excess Spoil

All waste materials and excess spoil shall be disposed of at an approved disposal facility that can lawfully receive those materials in accordance with the requirements of the relevant legislation, codes, standards and guidelines. The proponent shall ensure that all weighbridge dockets are retained and made available to SOPA if requested.

C7 Need for hoarding

If construction / demolition work is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the need to enclose a public place, a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

C8 Application for hoarding

An application is to be made to and approved by SOPA for the erection of a hoarding or part closure of the footway prior to construction being commenced. Such overhead structure or protective fence shall comply with the *Occupational Health and Safety Act 2000*, the *Occupational Health and Safety Regulation 2001* and any relevant approved industry code of practice. Notice of intention of commencement must be given to WorkCover New South Wales.

C9 Work site lighting

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

C10 Site signage

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a) showing the name, address and telephone number of the principal certifying authority (PCA) for the work, and
- b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

C11 Toilets during works

Toilet facilities are to be available or provided at the work site before works begin and be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site. Each toilet is to:

- a) be a standard flushing toilet connected to a public sewer, or
- b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- c) be a temporary chemical closet approved under the *Local Government Act 1993*.

C12 Tree protection / preservation

All existing trees on the site and in the immediate vicinity of the site are to be preserved, unless identified for removal by the Arboricultural Impact Assessment, dated 10/08/15. Tree protection zones are to be erected in accordance with SOPA 'Guidelines for Protection of Trees on Construction Sites' for any trees likely to be impacted during the works.

PART D – CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION**E1 Repair of footpath damage**

All public footways, footpaving, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles. Full restoration of the damage is to be carried out to SOPA's satisfaction prior to occupation.

E2 Works-as Executed plans

Works-as Executed plans in both PDF and CADD formats of the works providing details of the location of services and any existing external infrastructure that has been deleted or modified is to be submitted to SOPA within 3 months of completion.

END OF CONSENT