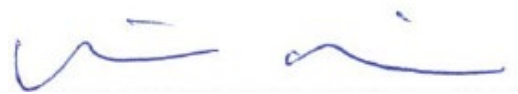


Development Consent

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

I, the Director, Urban Renewal and Environment of the Sydney Olympic Park Authority (the Authority), pursuant to sections 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 and to capture fire and life safety as well as health and amenity requirements.



Vivienne Albin

Director, Urban Renewal and Environment
Sydney Olympic Park Authority

Date: 28 March 2024

SCHEDULE 1

Development Application:	DA 01-01-2024
Application made by:	Western Sydney Football Club Limited
To:	Sydney Olympic Park Authority
In respect of:	Lots 10 and 12 DP 1217982
For the following:	Construction of a pool facility and kiosk substation at the Greater Western Sydney Giants Centre of Excellence.
Determination:	Consent granted subject to the conditions in the attached (Schedule 2)
Date of commencement of consent	This development consent commences on the date identified on this consent
Advisory Notes	<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> (EP&A Act 1979) and the <i>Environmental Planning and Assessment Regulation 2021</i> (as amended).</p>

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 01-01-2024

PART A – APPROVED DEVELOPMENT

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.

The conditions of this consent do not relieve the proponent of its obligations under the EP&A Act 1979 and any other Act.

A2 Development in Accordance with Plans

The Applicant shall carry out the development in accordance with the:

- a) *Statement of Environmental Effects*, prepared by Ethos Urban and dated 18 January 2024 and associated appendices;
- b) all information and drawings provided in response to the Request for Further Information, prepared by Ethos Urban dated 8 March 2024 and 25 March 2024;
- c) following drawings; and
- d) the conditions of this consent

Plans prepared by Populous			
Drawing No.	Revision	Name of Plan	Date
DA-16-0101	A	Proposed Site Plan	08/12/2023
DA-16-0102	A	Landscape Plan	08/12/2023
DA-18-0200	A	Demolition Plan	14/12/2023
DA-18-0201	A	External Signage Detail	14/12/2023
DA-20-0200	A	Ground Level GA Plan	08/12/2023
DA-20-0202	A	Area/Floor Space Plan	08/12/2023
DA-20-0300	A	Roof Layout Plan	08/12/2023
DA-23-0200	A	Floor Finishes Plan	08/12/2023
DA-25-0200	A	RCP Plan	08/12/2023
DA-40-0001	A	Overall Pool Hall Long Sections	08/12/2023
DA-40-0002	A	Overall Pool Hall Short Sections	08/12/2023
DA-40-0003	A	Airlock Short Section	14/12/2023
DA-60-0000	A	External Elevations	06/12/2023
DA-72-0000	A	Internal Elevations	06/12/2023

A3 Inconsistency Between Documents

In the event of any inconsistency between Conditions of this development Consent and the details referred to Condition 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 works associated with the development have physically commenced.

A5 Long Service Levy

For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

A6 Spectator Mound

This consent does not provide development consent for a spectator mound on site.

PART B – PRIOR TO CONSTRUCTION

B1 No works prior to Construction Certificate

Work must not commence until a relevant Construction Certificate has been issued. The Construction Certificate must be issued by an Accredited Certifier in accordance with the requirements set out in Sections 6.3, 6.4, 6.6 and 6.7 of the EP&A Act 1979. A copy of all Construction Certificates must be provided to SOPA's Director, Urban Renewal and Environment prior to the commencement of work.

B2 Approval from NSW EPA

Prior to the issue of any Construction Certificate, the applicant must seek and obtain the approval of the NSW Environment Protection Authority (NSW EPA) in accordance with the requirements set out under the *Contaminated Land Management Act 1997* (CLM Act 1997) Notice No 28040 and *Remediated Lands Management Plan* (Sydney Olympic Park Authority 2009) which applies to the site.

B3 Site Auditor

Prior to the issue of any Construction Certificate, the applicant must engage a Site Auditor, accredited by the NSW EPA under the CLM Act 1997 to provide independent advice on the suitability of the site for the proposed land uses as well as advice on appropriateness of the proposed engineering and management response to address the landfill gas issue. The following site audit statements and interim site audit services must be issued by the Site Auditor, and the applicant must provide copy to SOPA and the NSW EPA at each stage as set out below:

- a) a Section B Site Audit Statement, issued prior to commencement of construction works that certifies the appropriateness of the following relevant detailed plans: Remediation Action Plan (RAP), leachate management plan, landfill gas management plan and relevant environmental management plans developed for the site.
- b) a Section B Site Audit Statement, issued following remediation and construction works but prior to any Occupation Certificate being issued, certifying that the land can be made suitable for its uses subject to implementation of the above plans.
- c) Interim Site Audit Advice, issued annually until a Section A Site Audit Statement has been issued. The Interim Site Audit Statement should certify that the implementation of the above plans is appropriate and that the objective of the plans are being met.
- d) a Section A Site Audit Statement, issued three years after the first Interim Site Audit Advice has been issued. The Site Audit Statement should certify that the site is suitable for its uses subject to the ongoing implementation of above plans.

B4 Remediation Action Plan

Prior to the commencement of any construction works the applicant must engage a suitably qualified expert to prepare a Remediation Action Plan (RAP) in consultation with SOPA which includes a detailed landfill gas risk assessment that will form the basis for the detailed design of the landfill gas mitigation system. The RAP must be approved by the Site Auditor and a copy must be provided to SOPA and the NSW EPA. The RAP must include but not be limited to:

- a) a detailed analysis and assessment of risks associated with landfill gas, landfill/waste material and leachate/groundwater on the project site and a detailed design report including plans and drawings for the landfill gas mitigation system prepared by suitably qualified persons and submitted to the Site Auditor for approval.
- b) remediation works including landfill gas and gas vapour protection/mitigation measures, landfill gas risk management during construction and remedial works, management of asbestos, landfill material and unexpected finds, measures for maintaining the integrity of the landfill and associated infrastructure including leachate collection infrastructure, reinstatement of the clay cap and other landfill infrastructure elements to the condition prior to construction works.

B5 Construction Environmental Management Plan (CEMP)

Prior to the issue of any Construction Certificate, the Applicant must engage a suitable qualified expert to prepare a **Construction Environmental Management Plan (CEMP)**, in consultation with SOPA which must be submitted to the Site Auditor for approval. A copy must be provided to SOPA. The plan must include, but not be limited to:

- a) landfill gas management plan: environmental, human health and explosion risks associated with emissions and exposure to landfill gas and trace gases during construction works. Potential risks associated with landfill gas for each work step during construction works must be identified and appropriate preventative and/or action controls established. The plan including a monitoring schedule for construction works shall be prepared by a suitably qualified person in the field of landfill gas risk management and submitted to the Site Auditor and SOPA.
- b) groundwater/leachate management plan: details are to be provided on proposed dewatering activities on site, if applicable, interception of groundwater/leachate during excavation works, unexpected encounter of groundwater/leachate and removal of groundwater/leachate during piling works. The plan shall detail how groundwater/leachate will be managed on site given the management objective under *Remediated Lands Management Plan* (Sydney Olympic Park Authority 2009) that an inward hydraulic gradient within the landfill body has to be maintained and off-site migration of contaminants prevented.
- c) asbestos management
- d) unexpected finds management
- e) air quality management: including the management of air quality from construction activities to prevent impacts on sensitive receivers located near the site in relation to dust emissions.
- f) soil and water management: including soil and water impacts and associated management measures from each activity/section of the proposed works.
- g) noise impact management
- h) dangerous goods/chemical waste management
- i) dust and odour management
- j) occupational health & safety management
- k) community health & safety management

B6 Traffic and Pedestrian Management Plan

Prior to the issue of any Construction Certificate, a **Traffic and Pedestrian Management Plan** (TPMP) must be prepared by a suitably qualified person to the satisfaction of SOPA.

The Plan must address, but not be limited to, the following matters:

- a) construction hours
- b) ingress and egress of vehicles to the site
- c) loading and unloading, including construction zones
- d) predicted traffic volumes, types and routes
- e) pedestrian and traffic management methods
- f) construction activities during major events
- g) details of special event and clearway conditions on surrounding roads in the vicinity of the site during special events
- h) potential impacts to pedestrian access and public transport infrastructure including bus services and measures to mitigate impacts including temporary relocation of services; and
- i) access for owners and occupiers during special events.

B7 Waste Management Plan

Prior to the issue of any Construction Certificate, the Applicant must prepare a **Waste Management Plan (WMP)** in consultation with SOPA, to:

- a) demonstrate that an appropriate area will be provided for the storage of garbage bins and recycling containers and all waste and recyclable material generated by the works.
- b) provide details demonstrating compliance with the relevant legislation, particularly with regard to the removal of asbestos and hazardous waste, the method of containment and control of emission of fibres to the air.
- c) require that all waste generated during the project is assessed, classified and managed in accordance with the EPA's *Waste Classification Guidelines Part 1: Classifying Waste*
- d) require that the body of any vehicle or trailer used to transport waste or excavation spoil from the site, is covered before leaving the site to prevent any spill, or escape of any dust, waste, or spoil from the vehicle or trailer
- e) require that mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site, is removed before the vehicle, trailer or motorised plant leaves the site.

B8 Excavated Material

No excavated material is to be re-used on site without further testing or approval from SOPA. Any excavated waste must be classified in accordance with the EPA's *Waste Classification Guidelines* and disposed of accordingly at a licensed facility.

B9 Stormwater Management Plan

Prior to the issue of any Construction Certificate, the Applicant shall prepare a detailed **Stormwater Management Plan (SMP)** to the satisfaction of SOPA. The SMP must include:

- a) details of the proposed stormwater disposal and drainage from the development
- b) all stormwater catchments for the site
- c) details of all stormwater connections to the existing SOPA stormwater system
- d) evidence the pool dewatering and backwash disposal will enter the sewerage system and not the stormwater system

B10 Landscape Plan

Prior to the issue of any Construction Certificate, a detailed **Landscape Plan** must be prepared by a suitably qualified person to the satisfaction of SOPA. The plan shall include the following:

- a) location of replacement trees (minimum of 8 trees at 400 litre size)
- b) updated landscaping surrounding the kiosk substation
- c) details of the interface of the pool facility with the planted bank
- d) details on how the pool plant and equipment will be visually screened

B11 Materials and Finishes

Prior to the issue of a Construction Certificate, detailed schedules/plans and a sample board of all external materials including finishes and colours must be prepared in consultation with SOPA and submitted to the Certifying Authority.

B12 Access and Inclusion

Prior to the issue of a Construction Certificate, the proposed construction plans are to demonstrate compliance requirements for persons with a disability as contained in the Commonwealth Disability Discrimination Act-1992, Current Building Code of Australia (NCC/BCA), Section D - Access & Egress, AS 1428.1 and the Sydney Olympic Park Authority (SOPA's) *Access Guidelines* - 2017, Fifth Edition.

B13 No Obstruction of Public Domain

The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a relevant SOPA 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.

B14 Pre-construction Dilapidation Report

Prior to the issue of a Construction Certificate, a **Pre-Construction Dilapidation Report**, prepared by a suitably qualified person, in accordance with the requirements of SOPA's IECM, must be submitted to SOPA. The Report is to include the current structural condition of all existing adjoining buildings, infrastructure and roads.

B15 Installation of Electricity Substation Kiosk

The Kiosk Substation must be accommodated entirely within the site. No isolation pillars or cabinets are permitted on footpaths, in the public domain or publicly accessible areas.

The Applicant must locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Dial Before You Dig.

Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable and the anchors must not pass over the top of any cable.

The Applicant must continue discussions with Ausgrid's Contestability Group prior to and during the construction of the Kiosk Substation.

Details of compliance must be shown on the relevant Construction Certificate plans and evidence provided to SOPA.

B16 Structural Certification

All structural requirements for these building works are to be designed and certified upon completion by a competent Structural Engineer as being in accordance with the Structural provisions contained in the current NCC/BCA, Section B - Structure. The Structural Engineer is to carry out an assessment of any existing structures to establish if the building has the ability to accommodate the new use.

B17 Signage

All proposed Signage is to be certified upon installation by a practicing Structural Engineer stating that the Signage and Fixings are in accordance with AS-1170, Wind Actions.

B18 Fire Safety

All existing Fire Safety Measures in the proposed development are to be preserved within the building and maintained or upgraded if required to accommodate the proposed new use. This includes considerations contained in any existing or new Fire Engineers Reports for the existing building. This must be carried out to the satisfaction of the Certifying Authority.

B19 Mechanical Ventilation

Mechanical ventilation and exhaust are to be reviewed and upgraded if required. These systems shall comply with the requirements of Part F6, Light & Ventilation of the Building Code of Australia, NCC/BCA and the installation is to comply with AS1668.2 – 2012.

B20 Construction of pool

Construction of the swimming pool is to be in accordance with NCC/BCA, Volume 2, Part H7, Ancillary provisions and additional construction requirements (Swimming Pools) and the AS-1926 Series for Swimming Pool Safety provisions.

PART C – DURING CONSTRUCTION WORKS

C1 In accordance with National Construction Code/Building Code of Australia and Australian Standards

All building works are to be in accordance with the current NCC, BCA and the adopted Australian Standards.

Sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the NCC/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.

C2 Work Health and Safety Act 2011

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

C3 Pedestrian Areas

New pedestrian areas are to be constructed in accordance with AS/NZS 3661.2-1994 Slip resistance of pedestrian surfaces - Guide to reduction of slip hazards and AS 4586-2013, Slip resistance classification of new pedestrian surface materials.

C4 Artificial Lighting

Artificial Lighting is to be reviewed and upgraded if required. These systems shall comply with the requirements of Part F6, Light & Ventilation of the BCA, NCC/BCA and the installation is to comply with AS/NZS1680.0 – 2009.

C5 No Obstruction of Public Domain

The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a relevant SOPA 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.

C6 Arboricultural Method Statement

All works are to be carried out in accordance with the **Arboricultural Method Statement** (AMS), prepared by Naturally Trees dated 12 September 2023.

A suitably qualified Project Arborist must be appointed to certify compliance with the AMS at each of the hold points identified in Appendix 7 of the AMS.

PART D – PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

D1 Occupation Certificate

An Occupation Certificate must be obtained from the Certifying Authority prior to commencement of occupation or use of the whole or part of the new building. A copy of the certificate shall be submitted to SOPA.

D2 Fire Safety

All fire safety measures serving the existing and proposed areas of the development are to be certified to the relevant Local Authority (City of Parramatta Council) as being maintained in accordance with the requirements of the BCA, relevant Australian Standards and the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, Part 12, Fire Safety Statements on an annual basis within 12 months after the date on which the initial Final Fire Safety Certificate was issued under Part 11, Fire Safety Certificates of this Regulation.

D3 Road Damage

The cost of repairing any damage cause to SOPA or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to the issue of an Occupation Certificate.

D4 Post-construction Dilapidation Report

Prior to the issue of an Occupation Certificate, a **Post-Construction Dilapidation Report** must be prepared by a suitably qualified person and submitted to SOPA to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the Certifying Authority at the completion of construction works.

D5 Long Term Environmental Management Plan

Prior to the issue of an Occupation Certificate, the Applicant must prepare and implement a **Long-Term Environmental Management Plan** to manage the ongoing residual landfill risks on the site.

The plan must be prepared by a suitably qualified expert in consultation with SOPA for the approval of the Site Auditor.

A copy must be provided to SOPA and the NSW EPA.

D6 Damages to Sydney Olympic Park Authority assets

The cost of repairing any damage caused to SOPA's assets in the vicinity of the subject site as a result of construction or operation of works associated with the development is to be met in full by the Applicant.

D7 No Obstruction of Public Domain

The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a current 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.

PART E – DURING OPERATION

E1 Signage

The sign on the pool facility must only be backlit during operating hours (8.30am to 5pm, Monday to Friday).

E2 Operation

The pool facility must be operated in accordance with the development consent granted for the wider GWS Centre of Excellence facility (DA 10-07-2012 and DA 01-01-2013).

END OF CONSENT