

# Development Consent – Key Sites

## ***Section 4.38 of the Environmental Planning and Assessment Act 1979***

As delegate of the Minister for Planning and Public Spaces, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



**Anthea Sargeant**  
**Executive Director**  
**Regions, Industry and Key Sites**

Sydney

27/3/2020

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### **SCHEDULE 1**

<b>Application Number:</b>	SSD 10342
<b>Applicant:</b>	Infrastructure New South Wales
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Lot 4000, DP 1004512 and part of Lot 401, DP 1004512 (Stadium Australia, 15 Edwin Flack Avenue, Sydney Olympic Park)
<b>Development:</b>	Redevelopment of Stadium Australia, including new northern and southern façades, redevelopment of the lower and middle seating bowl and changes to the roof.

## DEFINITIONS

<b>Accredited Certifier</b>	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies
<b>Applicant</b>	Infrastructure NSW, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Certifier</b>	Means a council or an accredited certifier
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
<b>Council</b>	City of Parramatta
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Industry and Environment
<b>Development</b>	The development described in the EIS and Response to Submissions, including the works and activities comprising the approved Stadium Australia redevelopment, as modified by the conditions of this consent
<b>EESG</b>	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage)
<b>EIS</b>	The Environmental Impact Statement titled Stadium Australia, 15 Edwin Flack Avenue, Sydney Olympic Park, prepared by Ethos Urban Pty Ltd dated September 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm.
<b>Feasible</b>	Means what is possible and practical in the circumstances
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>• results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>
<b>Minister</b>	Minister for Planning and Public Spaces (or delegate)
<b>Night</b>	The period from 10 pm to 7 am Monday to Saturday, and the period from 10 pm to 8 am Sunday and Public Holidays.
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent

<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Response to submissions (RTS)</b>	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
<b>SOPA</b>	Sydney Olympic Park Authority
<b>SSD</b>	State Significant Development
<b>Stadium</b>	Stadium Australia
<b>Subject Site</b>	Land referred to in Schedule 1
<b>TfNSW</b>	Transport for New South Wales
<b>TfNSW (RMS)</b>	Transport for NSW South Wales (RMS)

**SCHEDULE 2**  
**PART A ADMINISTRATIVE CONDITIONS**

**OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT**

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

**TERMS OF CONSENT**

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions and additional information;
- (d) in accordance with the approved plans in the table below:

<b>Architectural Drawings prepared by Populous</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
SAR-AD-18-0000	-	Demolition Plan Level 00	07/02/20
SAR-AD-18-0100	-	Demolition Plan Level 01	07/02/20
SAR-AD-18-0200	-	Demolition Plan Level 02	07/02/20
SAR-AD-18-0300	-	Demolition Plan Level 03	07/02/20
SAR-AD-18-0400	-	Demolition Plan Level 04	07/02/20
SAR-AD-18-0500	-	Demolition Plan Level 05	07/02/20
SAR-AD-18-0600	-	Demolition Plan Level 06	07/02/20
SAR-AD-18-0700	-	Demolition Plan Level 07	07/02/20
SAR-AD-18-0800	-	Demolition Plan Roof Plan	07/02/20
SAR-AD-20-0000	-	Proposed Floor Plan Level 00	07/02/20
SAR-AD-20-0100	-	Proposed Floor Plan Level 01	07/02/20
SAR-AD-20-0200	-	Proposed Floor Plan Level 02	07/02/20
SAR-AD-20-0300	-	Proposed Floor Plan Level 03	07/02/20
SAR-AD-20-0400	-	Proposed Floor Plan Level 04	07/02/20
SAR-AD-20-0500	-	Proposed Floor Plan Level 05	07/02/20
SAR-AD-20-0600	-	Proposed Floor Plan Level 06	07/02/20
SAR-AD-20-0700	-	Proposed Floor Plan Level 07	07/02/20
SAR-AD-26-0001	-	Proposed Roof Plan	07/02/20
SK-39-0003	-	Existing and Proposed Sections	07/02/20
SAR-AD-40-0001	-	Sections South North & East West	07/02/20

SAR-AD-42-0001	-	East & North Elevation	07/02/20
SAR-AD-42-0002	-	West & South Elevation	07/02/20

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - (b) the implementation of any actions or measures contained in any such document referred to in **Condition A3 (a)**.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in **Condition A2(c)**. In the event of an inconsistency, ambiguity or conflict between any of the documents listed in **Condition A2(c)** and **Condition A2(d)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

#### LIMITS ON CONSENT

- A5. This consent will lapse five years from the date of the consent unless the works associated with the development have physically commenced.

#### PRESCRIBED CONDITIONS

- A6. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

#### LONG SERVICE LEVY

- A7. 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.

#### LEGAL NOTICES

- A8. Any advice or notice to the consent authority must be served on the Planning Secretary.

#### DESIGN INTEGRITY

- A9. Necessary arrangements must be implemented by the Applicant to ensure Populous are engaged in the design documentation phase to ensure the integrity design quality of the approved development is maintained through the construction phase to completion of the building works.

#### REVISION OF STRATEGIES, PLANS AND PROGRAMS

- A10. Within three months of:
- (a) the submission of a compliance report under **Conditions B10** and **B12**;
  - (b) the submission of an incident report under **Condition A17**;
  - (c) the approval of any modification of the conditions of this consent; or
  - (d) the issue of a direction of the Planning Secretary under **Condition A2** which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.
- A11. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

**Note:** *This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

#### EVIDENCE OF CONSULTATION

- A12. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

## STRUCTURAL ADEQUACY

A13. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

**Notes:**

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

## APPLICABILITY OF GUIDELINES

A14. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

A15. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## MONITORING AND ENVIRONMENTAL AUDITS

A16. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent environmental auditing.

**Note:** For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

## INCIDENT NOTIFICATION, REPORTING AND RESPONSE

A17. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

A18. Subsequent notification must be given and reports submitted in accordance with the requirements set out in **Appendix 1**.

## NON-COMPLIANCE NOTIFICATION

A19. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Department in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.

A20. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

A21. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

## OPERATION OF PLANT AND EQUIPMENT

A22. All plant and equipment used on site, or to monitor the performance of the development must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

## PART B PRIOR TO COMMENCEMENT OF WORKS

### CROWN BUILDING WORK

- B1. Crown building work cannot be commenced unless the Crown Building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:
- (a) the date of the invitation for tenders to carry out Crown building work; or
  - (b) in the absence of tenders, the date on which the Crown building work commences.

### ASSET PROTECTION AND RESTORATION STRATEGY

- B2. The Applicant must prepare an Asset Protection and Restoration Strategy, including but not necessarily limited to the following:
- (a) confirmation of the construction site area and boundaries;
  - (b) identification of vehicle access gates and haul routes;
  - (c) a pre-construction dilapidation report;
  - (d) preparation of a register of assets at risk of damage or deterioration from construction works and an assessment of the type and likelihood of risks;
  - (e) processes for protecting local authority assets during the construction works;
  - (f) details of any proposed temporary removal and storage of local authority assets during the construction period;
  - (g) process for replacing and reinstating local authority assets at the conclusion of construction.

The Strategy must be prepared in consultation with SOPA. A copy of the Strategy must be submitted to the Certifier and SOPA prior to the commencement of any demolition works at the site.

### NOTIFICATION OF COMMENCEMENT

- B3. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- B4. If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### BUILDING CODE OF AUSTRALIA (BCA) COMPLIANCE

- B5. The approved works must comply with the applicable performance requirements of the BCA to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- (a) complying with the deemed to satisfy provisions; or
  - (b) formulating an alternative solution which:
    - i) complies with the performance requirements; or
    - ii) is shown to be at least equivalent to the deemed to satisfy provision; or
    - iii) a combination of (a) and (b).

### EXTERNAL WALLS AND CLADDING

- B6. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- B7. Prior to the commencement of works, the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.
- B8. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

### ACCESS TO INFORMATION

- B9. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - (i) the documents referred to in **Condition A2** of this consent;

- (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated monthly;
  - (ix) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;
  - (x) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

### COMPLIANCE REPORTING

- B10. A **Pre-Construction Compliance Report** must be prepared for the development and submitted to the Certifier before the commencement of construction. A copy of the compliance report must be provided to the Department at [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) before the commencement of construction.
- B11. The Pre-Construction Compliance Report must include:
- (a) details of how the terms of this consent that must be addressed before the commencement of construction have been complied with; and
  - (b) the expected commencement date for construction.
- B12. Construction Compliance Reports must be submitted to the Department at [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) for information every six months from the date of the commencement of construction, for the duration of construction. The Construction Compliance Reports must provide details on the compliance performance of the development for the preceding six months and must be submitted within one month following the end of each six-month period for the duration of construction of the development, or such other timeframe as required by the Planning Secretary.
- B13. The Construction Compliance Reports must include:
- (a) a results summary and analysis of environmental monitoring;
  - (b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;
  - (c) details of any review of the **Construction Environmental Management Plan (CEMP)** and the Environmental Management Strategy and associated sub-plans as a result of construction carried out during the reporting period;
  - (d) a register of any modifications undertaken and their status;
  - (e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;
  - (f) a summary of all incidents notified in accordance with this consent; and
  - (g) any other matter relating to compliance with the terms of this consent or requested by the Planning Secretary.

### COMPLIANCE

- B14. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

### COMPLAINTS AND ENQUIRIES PROCEDURE

- B15. Prior to the commencement of construction works, or as otherwise agreed by the Planning Secretary, the following must be made available for community enquiries and complaints for the duration of construction:
- (a) a toll-free 24-hour telephone number(s) on which complaints and enquiries about the carrying out of any works may be registered;
  - (b) a postal address to which written complaints and enquiries may be sent; and
  - (c) an email address to which electronic complaints and enquiries may be transmitted.

### STRUCTURAL DETAILS

- B16. Prior to the commencement of the relevant works, the Applicant shall submit to the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that demonstrates compliance with:



- (a) the relevant clauses of the BCA; and
- (b) the development consent.

#### **SCHEDULE OF MATERIALS**

B17. Prior to the commencement of the relevant works, a list of the final schedule of materials shall be submitted to the Planning Secretary. The Applicant shall also submit a copy of the schedule of materials to the Certifier with the application for the relevant Crown Building Works Certificate.

#### **COMPLIANCE WITH ACOUSTIC ASSESSMENT**

B18. All performance parameters, requirements, engineering assumptions and recommendations contained in the Noise and Vibration Assessment, prepared by Arup, dated 2 September 2019, must be implemented as part of the detailed design assessment and implemented into the design drawings prior to the commencement of the use of the stadium, in accordance with the requirements of (b) below. Details demonstrating compliance must be submitted to the Certifier.

B19. Prior to the commencement of construction work, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with the requirements of the aforementioned Report.

#### **COMPLIANCE WITH WIND IMPACT ASSESSMENT**

B20. Prior to the issue of commencement of relevant construction work, plans shall be submitted to the Certifier demonstrating compliance with the recommendations of the Environmental Wind Assessment, prepared by Arup, dated 26 August 2019.

#### **ENVIRONMENTAL SUSTAINABILITY**

B21. The Applicant shall ensure the detailed design of the development incorporates the environmental sustainability objectives, measures and initiatives outlined in the Environmentally Sustainable Design Strategy, prepared by Aurecon, dated 27 August 2019. Details demonstrating compliance with this condition must be submitted to the Certifier prior to the commencement of the relevant works.

#### **REFLECTIVITY**

B22. The visible light reflectivity from building materials used on the facades/roof of the stadium shall not exceed 20 per cent and shall be designed so as to minimise glare. A report/documentation demonstrating compliance with these requirements is to be submitted to the Certifier prior to the commencement of the relevant works.

#### **BICYCLE PARKING**

B23. A minimum of 80 bicycle parking spaces are to be provided for staff within the stadium.

B24. The layout, design and security of all bicycle facilities must comply with the minimum requirements of AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities. Staff bicycle parking should be provided according to the security level B as specified AS 2890.3:2015.

Documentation demonstrating compliance with this condition shall be submitted to the Certifier prior to the commencement of the relevant works.

#### **OUTDOOR LIGHTING**

B25. All new outdoor lighting (including any signage illumination) shall comply with the recommendations of the Best Practices for the Mitigation of Environmental and Obtrusive Light Pollution Statement, prepared by Aurecon (Appendix BB of the EIS) and, where relevant, AS 1158.3.1-2005 *Pedestrian Area (Category P) Lighting* and AS 4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*.

Details demonstrating compliance with these requirements are to be submitted to the Certifier prior to the commencement of the relevant works.

#### **BARRICADE PERMIT**

B26. Where construction/building works require the use of a public place including a road or footpath, approval under section 138 of the *Roads Act 1993* for a Barricade Permit is to be obtained prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of the relevant road authority.

#### **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

B27. Prior to the commencement of works, the Applicant shall prepare and implement a **Construction Environmental Management Plan** (CEMP) for the development and be submitted to the Certifier. The CEMP must be prepared in consultation with SOPA. The CEMP must:

- a) describe the relevant stages and phases of construction, including work program outlining relevant timeframes for each stage/phase;
- b) include plans demonstrating the boundary of the construction site and any associated areas to be fenced or closed to the public;
- c) describe all activities to be undertaken on the site during site establishment and construction of the development;
- d) include a Dust Management Plan, incorporating the mitigation measures outlined in the Air Quality Impact Assessment, prepared by Wilkinson Murray, dated August 2019
- e) clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting;
- f) detail statutory and other obligations that the Applicant is required to fulfil during site establishment and construction, including approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- g) include specific consideration of measures to address any requirements of relevant agencies during site establishment and construction;
- h) describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works;
- i) detail how the environmental performance of the site preparation and construction works will be monitored, and what actions will be taken to address identified potential environmental impacts, including but not limited to noise, traffic and air impacts;
- j) include measures to ensure adequate groundwater entitlement is sourced in order to account for groundwater flows into the construction excavations, unless any exemption applies;
- k) management of groundwater during construction;
- l) document and incorporate all relevant sub environmental management plans (Sub-Plans), control plans, studies and monitoring programs required under this part of the consent; and
- m) include arrangements for community consultation and complaints handling procedures during construction.

In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

Prior to the commencement of works, a copy of the CEMP must be submitted to SOPA and the Planning Secretary.

#### **CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN**

B28. Prior to the commencement of works, a **Construction Pedestrian and Traffic Management Plan (CPTMP)** prepared by a suitably qualified person shall be endorsed by TfNSW (Sydney Coordination Office) and submitted to the Certifier. The CPTMP must be prepared in consultation with Council, TfNSW (Sydney Coordination Office), TfNSW (RMS), SOPA and the Head of Project Development at the Royal Agricultural Society of NSW. The CPTMP shall address (but not be limited to):

- a) location of the proposed work zone;
- b) haulage routes;
- c) construction vehicle access and traffic control arrangements;
- d) proposed construction hours;
- e) estimated number of construction vehicle movements;
- f) any changes required to on-street parking;
- g) construction program;
- h) any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction;
- i) cumulative construction impacts of projects considering any traffic and pedestrian management plans prepare for these projects to ensure that work activities are coordinated and managed to minimise impacts on the road network;
- j) measures to ensure construction vehicles do not arrive at the site or surrounding areas outside approved hours;
- k) measures proposed to mitigate any associated general traffic, public transport, pedestrian access and cyclist impacts/conflicts;

- l) details of special event and clearway conditions on surrounding roads in the vicinity of the site during special events;
- m) a major events management strategy, detailing how construction activities will be managed during major events; and
- n) measures to encourage public transport use and other non-car travel options by construction workers.

A copy of the CPTMP must be submitted to Council, TfNSW (RMS), SOPA, the Royal Agricultural Society of NSW and the Planning Secretary.

### **CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN**

B29. Prior to the commencement of works, a **Construction Noise and Vibration Management Plan (CNVMP)** prepared by a suitably qualified person shall be submitted to the Certifier. The CNVMP must be prepared in consultation with, and address the relevant requirements of, Council and the EPA. The CNVMP shall address (but not be limited to):

- a) be prepared in accordance with the EPA's *Interim Construction Noise Guideline*;
- b) identify nearby sensitive receivers and land uses;
- c) identify the noise management levels for the project;
- d) identify the construction methodology and equipment to be used and the key sources of noise and vibration;
- e) details of all reasonable and feasible management and mitigation measures to be implemented to minimise construction noise and vibration;
- f) be consistent with and incorporate all relevant recommendations and noise and vibration mitigation measures outlined in the Noise and Vibration Assessment, prepared by Arup, dated 2 September 2019;
- g) ensure all potentially impacted sensitive receivers are informed by letterbox drops prior to the commencement of construction of the nature of works to be carried out, the expected noise levels and duration, as well as contact details for a construction community liaison officer; and
- h) include a suitable proactive construction noise and vibration monitoring program which aims to ensure the construction noise and vibration criteria in this consent are not exceeded.

Prior to the commencement of works, a copy of the CNVMP must be submitted to Council and the Planning Secretary.

### **WASTE MANAGEMENT PLAN**

B30. Prior to the commencement any construction (including demolition), a **Waste Management Plan (WMP)** must be prepared and submitted to the Certifier. The WMP must:

- 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 Subject Site, is covered before leaving the Subject 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 Subject Site, is removed before the vehicle, trailer or motorised plant leaves the Subject Site.

### **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

B31. To minimise the opportunity for crime in accordance with CPTED principles, the relevant recommendations provided in the CPTED Report, prepared by Ethos Urban, dated 13 September 2019, shall be demonstrated on the architectural plans (in consistency with **Condition D8**) prior to the commencement of the relevant works.

### **CONTAMINATION**

B32. Prior to the commencement of any works, an Unexpected Contamination Finds Protocol (UFP) prepared by a suitably qualified and experienced expert shall be submitted to the satisfaction of the EPA and a copy provided to the Certifier. The UFP must be implemented for the duration of construction works.

## INSTALLATION OF WATER EFFICIENT FIXTURES AND FITTINGS

- B33. All toilets installed as part of the approved works must be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted to the Certifier prior to the commencement of the relevant works.
- B34. All taps and shower heads installed as part of the approved works must be water efficient with at least a 3-star rating under the Water Efficiency and Labelling Scheme (WELS), where available. The details must be submitted to the Certifier prior to the commencement of the relevant works.
- B35. New urinal suites, urinals and urinal flushing control mechanisms installed as part of the approved works must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted to the Certifier prior to the commencement of the relevant works.
- B36. Systems must include 'smart controls' to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to the Certifier prior to the commencement of the relevant works.

## SANITARY FACILITIES FOR DISABLED PERSONS

- B37. The Applicant shall ensure that the provision of sanitary facilities for disabled persons complies with Section F2.4 of the BCA. Plans demonstrating compliance with this condition shall be submitted to the Certifier prior to the commencement of the relevant works.

## ACCESS FOR PEOPLE WITH DISABILITIES

- B38. Access and facilities for people with disabilities must be designed in accordance with the BCA. Prior to the commencement of the relevant works, a certificate certifying compliance with this condition from an appropriately qualified person must be provided to the Certifier.

## HAZARDOUS MATERIALS MANAGEMENT PLAN

- B39. Prior to the commencement of demolition works, a **Hazardous Materials Management Plan** (HMMP) prepared by a suitably qualified person, shall be submitted to the Certifier. The HMMP must be prepared in consultation with the EPA and SafeWork NSW. The HMMP must:
- ensure the development complies with the *NSW Occupational Health and Safety Regulation 2001* and Part 7 of the *Protection of the Environment Operations (Waste) Regulation 2014*;
  - be consistent with Safe Work Australia's codes of practice *How to Safely Remove Asbestos 2011* and *How to Manage and Control Asbestos in the Workplace 2011*;
  - identify any known or potential areas of concern on site for hazardous and asbestos containing materials;
  - outline the procedures for identification, handling and disposal of hazardous materials;
  - include an Asbestos Management Plan;
  - ensure that all hazardous materials would be handled and disposed of by suitably qualified and licensed experts in accordance with the relevant guidelines and legislation;
  - ensure an induction process is in place for site workers and visitors regarding the identification of hazardous and asbestos containing materials and the formal procedures to be followed if such materials are identified on site;
  - include a suitable airborne asbestos fibre monitoring program for all asbestos removal works areas; and
  - outline the procedures for validation and inspection following the completion of asbestos removal works and issuing of asbestos clearance certificates.

Prior to the commencement of works, a copy of the **HMMP** must be submitted to the EPA, SafeWork NSW and the Department.

- B40. The Applicant shall comply with any notification requirements to SafeWork NSW concerning the handling and removal of any asbestos.
- B41. Prior to the commencement of any work, the Applicant is required to satisfy the requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with particular reference to Part 7 'asbestos wastes'.

## **COORDINATION OF FINISHED LEVELS**

- B42. Detailed design of the new stadium entrances must be coordinated with the levels and finishes of the public domain. Details demonstrating compliance must be submitted to the Certifier prior to issue of the relevant Crown Building Work Certificate.

## **MECHANICAL VENTILATION**

- B43. All mechanical ventilation systems shall be installed in accordance with the BCA and shall comply with Australian Standards AS1668.2 and AS3666 - Microbial Control of Air Handling and Water Systems of Building, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the Certifier prior to the commencement of relevant works.

## **CONSTRUCTION AND FIT OUT OF FOOD PREMISES**

- B44. The construction, fit-out and finishes of any food premises within the stadium must comply with Standard 3.2.3 of the *Australian and New Zealand Food Standards Code* under the *Food Act 2003*, all relevant Australian Standards including AS 4674 – 2004: *Design, Construction and Fit-out of Food Premises*, and the provisions of the BCA. Details of compliance with the relevant provisions shall be prepared by a suitably qualified person and submitted to the Certifier and Council prior to the construction and fit-out of any food premises.

## **COOL ROOMS**

- B45. Any cool room(s), refrigerated chambers or strong-rooms must be constructed in accordance with G 1.2 of the BCA.

## **GREASE TRAPS**

- B46. A grease trap (if required by Sydney Water) must not be installed in any kitchen, food preparation or food storage area. Installation of the grease trap must comply with the requirements of Sydney Water.  
Note: Sydney Water Authority also have requirements for grease arrestors that you need to comply with.

## PART C DURING CONSTRUCTION

### DEMOLITION

- C1. Demolition work must comply with *Australian Standard AS 2601-2001* The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifier before the commencement of works.

### HOURS OF CONSTRUCTION

- C2. Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:
- (a) between 7.00 am and 6.00 pm, Mondays to Fridays inclusive; and
  - (b) between 7.30 am and 3.00 pm, Saturdays.
- C3. No work may be carried out on Sundays or public holidays.
- C4. Activities may be undertaken outside of these hours if required:
- (a) by the Police or a public authority for the delivery of vehicles, plant or materials;
  - (b) tower crane delivery, installation or removal; or
  - (c) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- C5. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- C6. Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:
- (a) 9.00 am to 12.00 pm, Monday to Friday;
  - (b) 2.00 pm to 5.00 pm Monday to Friday; and
  - (c) 9.00 am to 12.00 pm, Saturday.

### NOISE AND VIBRATION MANAGEMENT

- C7. The development must be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise and vibration mitigation measures shall be implemented and any activities that could exceed the construction noise or vibration management levels shall be identified and managed in accordance with the **CEMP** and **CNVMP**.
- C8. If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the *NSW Industrial Noise Policy*), 5 dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise management levels
- C9. The Applicant must schedule intra-day 'respite periods' for construction activities predicted to result in noise levels in excess of the "highly noise affected" levels, including the addition of 5 dB to the predicted levels for those activities identified in the *Interim Construction Noise Guideline* as being particularly annoying to noise sensitive receivers.
- C10. Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required, they must only be installed where outlined in the **CEMP**.
- C11. Vibration caused by construction at any residence or structure outside the subject site must be limited to:
- (a) for structural damage vibration to buildings (excluding heritage buildings), *British Standard BS 7385 Part 2-1993 Evaluation and Measurement for Vibration in Buildings*;
  - (b) for structural damage vibration to heritage buildings, *German Standard DIN 4150 Part 3 Structural Vibration in Buildings Effects on Structure*;
  - (c) for human exposure to vibration, the evaluation criteria presented in *British Standard BS 6472- Guide to Evaluate Human Exposure to Vibration in Buildings* (1Hz to 80 Hz) for low probability of adverse comment; and
  - (d) these limits apply unless otherwise outlined in the **CEMP**.

## DISPOSAL OF SEEPAGE AND STORMWATER

- C12. Any seepage or rainwater collected on-site during construction shall be either re-used or disposed of, so as not to cause pollution. Seepage or rainwater shall not be pumped to the street stormwater system unless separate prior approval is given in writing by the relevant authority.

## APPROVED PLANS TO BE ONSITE

- C13. 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 the Department, Council or the Certifier.

## SITE NOTICE

- C14. A site notice(s) must be prominently displayed at the boundaries of the Subject Site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Certifier and Structural Engineer. The notice(s) is to satisfy all, but not be limited to, the following requirements:
- minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
  - the notice is to be durable and weatherproof and is to be displayed throughout the works period;
  - the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
  - the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

## CONTAMINATION

- C15. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, the Department must be immediately notified and works must cease. Works must not recommence on site until the Department confirms works can recommence.

## SAFework NSW REQUIREMENTS

- C16. To protect the safety of work personnel and the public, the work site must be adequately secured to prevent access by unauthorised personnel, and work must be conducted at all times in accordance with relevant SafeWork NSW requirements.

## HOARDING/FENCING REQUIREMENTS

- C17. The following hoarding requirements must be complied with:
- no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and
  - the removal of all graffiti from any construction hoarding/fencing or the like within the construction area within 48 hours of its application.

## IMPLEMENTATION OF MANAGEMENT PLANS

- C18. The Applicant must ensure the requirements of the **CEMP**, **CNVMP**, **CPTMP**, **WMP**, **SMP** and **HMMP** required by **Part B** of this consent are implemented during construction.

## IMPACT OF BELOW GROUND (SUB SURFACE) WORKS – NON-ABORIGINAL OBJECTS

- C19. If during the course of construction, the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) must cease immediately and the Heritage Division must be notified immediately and consulted with regard to the recommencement of works. This protocol must be included in the induction for all construction workers on the site.

## IMPACT OF BELOW GROUND (SUB SURFACE) WORKS – ABORIGINAL OBJECTS

- C20. If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) must cease immediately and EESG informed in accordance with section 89A of the *National Parks and Wildlife Act 1974*. Relevant works must not recommence until written authorisation from the Heritage Division is received by the Applicant. This protocol must be included in the induction for all construction workers on the site.

## WASTE MANAGEMENT

- C21. Notwithstanding the WMP referred to in **Condition B30**, the Applicant must ensure that:

- a) all waste generated by the development is classified and managed in accordance with the EPA's *Waste Classification Guidelines Part 1: Classifying Waste 2009*;
- b) all waste generated by the development is treated and/or disposed of at a facility that has sufficient capacity to and may lawfully accept that waste;
- c) any vehicle used to transport waste or excavation spoil from the site is covered before leaving the premises;
- d) the wheels of any vehicle, trailer or mobilised plant leaving the site are cleaned of debris prior to leaving the premises.

#### **IDENTIFICATION AND REMOVAL OF HAZARDOUS MATERIALS**

- C22. Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.
- C23. Removal of asbestos and other hazardous building materials must be undertaken by a suitably licensed contractor and an asbestos clearance certificate must be provided before waste classification, disposal or site validation is undertaken.

#### **COVERING OF LOADS**

- C24. All vehicles involved in the excavation and / or demolition process and departing from the property with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

#### **VEHICLE CLEANSING**

- C25. Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

#### **STOCKPILE MANAGEMENT**

- C26. The Applicant must ensure:
- a) stockpiles of material do not exceed 4 metres in height;
  - b) stockpiles of material are constructed and maintained to prevent cross contamination; and
  - c) suitable erosion and sediment controls are in place for stockpiles.

#### **EROSION AND SEDIMENT CONTROL**

- C27. All erosion and sediment control measures are to be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.

#### **DUST CONTROL MEASURES**

- C28. Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures should be adopted:
- a) physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from generating dust emissions;
  - b) earthworks and scheduling activities shall be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed;
  - c) all materials shall be stored or stockpiled at suitable locations and stockpiles shall be maintained at manageable sizes which allow them to be covered, if necessary, to control emissions of dust and/or VOCs/odour;
  - d) the surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs;
  - e) all vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material;
  - f) all equipment wheels shall be washed before exiting the site using manual or automated sprayers and drive-through washing bays;
  - g) gates shall be closed between vehicle movements and shall be fitted with shade cloth; and
  - h) cleaning of footpaths and roadways shall be carried out regularly.

#### **PROTECTION OF TREES**

- C29. The Applicant must ensure:
- (a) no street trees on public land are trimmed or removed unless it forms a part of this development consent or is required in an emergency to avoid the loss of life or damage to property;
  - (b) all trees that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures to protect the root systems, trunk and branches during construction, in accordance with AS 4970:2009; and



- (c) any removal works are to be undertaken by a qualified arborist recognised within the Australian Qualification Framework, with a minimum five years of continual experience within the industry of operational amenity arboriculture and covered by appropriate and current types of insurance to undertake such works and in accordance with AS 4373:2007.

#### **NO OBSTRUCTION OF THE PUBLIC WAY**

- C30. Unless otherwise authorised, the public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the Planning Secretary to stop all work on site.

#### **DAMAGE TO THE PUBLIC WAY**

- C31. Any damage to the public way, including trees, footpaths, kerbs, gutters, road carriageway and the like, must immediately be made safe and functional by the Applicant.

#### **BUNDING**

- C32. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/or EPA's *Storing and Handling Liquids: Environmental Protection – Participants Handbook*.

#### **SETTING OUT OF STRUCTURES**

- C33. The building shall be set out by a registered surveyor to verify the correct position of the structure in relation to property boundaries and the approved alignment levels. The registered surveyor shall submit a plan to the Certifier certifying that structural works are in accordance with the approved development application.

#### **CONTACT TELEPHONE NUMBER**

- C34. The Applicant shall ensure that the 24-hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

## PART D PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

### PROTECTION OF PUBLIC INFRASTRUCTURE

- D1. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

### STADIUM EVENTS MANAGEMENT PLAN

- D2. Prior to the commencement of use, the Applicant must develop a detailed **Stadium Events Management Plan** (SEMP). The SEMP must include:
- (a) event typologies and venue capacity for each type of event
  - (b) event scheduling
  - (c) hours of operation
  - (d) access arrangements, including ticketing, public transport and parking
  - (e) alcohol management
  - (f) security management
  - (g) working with stakeholders during events, including teams and players, emergency services and transport authorities.

A copy of the final SEMP must be submitted to the Planning Secretary and SOPA.

### STORMWATER MANAGEMENT

- D3. The on-site stormwater detention system is to be upgraded in accordance with the 'Civil Works – Stormwater Drainage Layout' drawing SAR-SD-20-0100-02 (revision 2), prepared by Maffeis Engineering, dated 31 January 2020. Prior to the commencement of use, details confirming compliance shall be submitted to the Certifier and SOPA.

### SECURITY RISK MANAGEMENT

- D4. Prior to the commencement of use, evidence shall be submitted to the Certifier demonstrating a detailed Security Risk Assessment has been developed to establish the performance requirements of all necessary security improvements, as defined by the Security Statement, prepared by Intelligent Risks Pty Ltd, dated 28 August 2019.
- D5. Prior to the commencement of use, the Applicant must provide a copy of the final Security Risk Assessment to the Planning Secretary and SOPA.

### TREE REPLACEMENT

- D6. The planting of four replacement trees, comprising four advance-size specimens in accordance with AS 2303, must be completed prior to the commencement of use. In consultation with SOPA, the trees are to be planted within Sydney Olympic Park and be of a species characteristic of street trees within Sydney Olympic Park.

### REPAIR OF DAMAGE (ROADS AND PUBLIC DOMAIN)

- D7. All public footways, paving, sub-surface infrastructure, 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.

### CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- D8. Prior to the commencement of use, evidence shall be submitted to the Certifier demonstrating the recommendations of the CPTED Report, prepared by Ethos Urban, dated 13 September 2019 (**Condition B31**) have been fulfilled.

### FIRE SAFETY CERTIFICATION

- D9. Prior to the occupation or commencement of use of the development, a **Fire Safety Certificate** shall be obtained for all the Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and be prominently displayed in the building.

### ENVIRONMENTAL SUSTAINABILITY

- D10. Prior to occupation or commencement of the use, the Applicant is to provide documentation to the Certifier demonstrating the development has incorporated, and would operate in accordance with, the environmental

sustainability objectives, measures and initiatives outlined in the Environmentally Sustainable Design Strategy, prepared by Aurecon, dated 27 August 2019.

- D11. Prior to the occupation or commencement of use, the Applicant must demonstrate the stadium will achieve a minimum 5-Star Green Star Design and As Built rating.

#### **STRUCTURAL INSPECTION CERTIFICATE**

- D12. A **Structural Inspection Certificate** or a **Compliance Certificate** must be submitted to the Certifier prior to the use of the development and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the Department and Council after:

- a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and
- b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

#### **POST CONSTRUCTION DILAPIDATION REPORT**

- D13. Prior to occupation or commencement of the use:

- a) the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report. This report must ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads.
- b) the report is to be submitted to the Certifier. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifier must:
- c) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions;
- d) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads; and
- e) a copy of this report is to be forwarded to the Certifier, SOPA, the Planning Secretary and each of the affected property owners.

#### **GREEN TRAVEL PLAN**

- D14. Prior to occupation or commencement of use, a detailed Green Travel Plan (GTP) prepared by a suitably qualified person, shall be endorsed by TfNSW and submitted to the Certifier. The GTP is to be prepared outlining practical measures and initiatives to ensure that the refurbished stadium supports and works towards the greater use of sustainable modes of transport. The GTP should:

- a) identify current employee journey to work patterns including current mode share, trip origin and shift start/finish times. This can be informed by analysis of Australian Bureau of Statistics Census data and/or by conducting a staff travel survey. This information should be used to inform sustainable transport strategies for Stadium employees in the GTP;
- b) include a Travel Access Guide (TAG) which provides information about how to travel to the site during both event and non-event periods. The TAG should be updated on an event-by-event basis and provided to both Stadium employees and event patrons through appropriate channels; and
- c) include a Travel Demand Management Strategy that considers opportunities to spread or stagger network demand, such as through strategies that encourage stadium patrons and employees to stay in the precinct pre- and post-event, where appropriate.

#### **BICYCLE AND FACILITIES FOR CYCLISTS' CERTIFICATION**

- D15. Prior to occupation or commencement of use, details shall be provided to the Certifier demonstrating compliance with the approved number of bicycle spaces required under **Condition B23**, and facilities for cyclists required under **Condition B24**.

#### **MECHANICAL VENTILATION**

- D16. Following completion of the works, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the Certifier, prior to the use of the development, that the installation and performance of any new mechanical systems complies with:

- a) the Building Code of Australia;
- b) Australian Standard AS1668 and other relevant codes;
- c) the development consent and any relevant modifications; and
- d) any dispensation granted by the Fire and Rescue NSW.

## COMPLIANCE WITH FOOD CODE

- D17. Prior to commencement of food handling operations, the Applicant is to obtain a certificate from a suitably qualified person, certifying any food premises within the Stadium have been fitted in accordance with AS 4674 – 2004: *Design, Construction and Fit-out of Food Premises* and satisfy Food Safety Standards 3.2.2 (Food Safety Practices and General Requirements) and 3.2.3 (Food Premises and Equipment). The Applicant shall provide evidence of receipt of the certificate to the Certifier prior to the commencement of use.
- D18. Prior to commencement of food handling operations, food premises are to be registered with City of Parramatta Council.

## FOOD PREMISES – HEALTH REGISTRATION DATABASE

- D19. Prior to the commencement of food handling operations, the proprietor/operator of each food premises must notify and register the food premises with Council and the NSW Health Department at [www.foodnotify.nsw.gov.au](http://www.foodnotify.nsw.gov.au).

## SANITARY FACILITIES FOR DISABLED PERSONS

- D20. Prior to commencement of the use, details must be provided to the Certifier demonstrating that the provision of sanitary facilities for disabled persons within the premises complies with Section F2.4 of the BCA and **Condition B37**.

## PART E POST OCCUPATION – DURING OPERATION

### STADIUM OPERATION

E1. Operation of the stadium must be in accordance with the SEMP (**Condition D2**).

### WASTE MANAGEMENT

E2. The measures contained in the Waste Management Strategy, prepared by Infrastructure NSW, dated 27 August 2019, must be implemented to ensure the effective management of operational waste associated with the stadium. No waste materials are to be stored outside the stadium or approved waste storage areas at any time.

### ANNUAL FIRE SAFETY CERTIFICATE

E3. The owner of the building shall certify to Council or the relevant authority every year that the essential services installed for the purposes of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

### OPERATIONAL MECHANICAL PLANT NOISE

E4. Noise generated by new mechanical plant at the premises must not exceed the noise limits at the times and locations in the table below. The noise limits apply at all residential receivers within the nominated noise catchment area (NCA) in the table below. The area of each NCA is defined in Figure 4 and Table 2 of *Infrastructure New South Wales Stadium Australia Redevelopment SSDA – Noise and Vibration Assessment*, Issue 2, prepared by Arup (dated 04.12.19).

Location – Residential receivers within noise catchment area	Noise limit dB(A)			
	Day	Evening	Night	Night
	L <sub>Aeq</sub> , 15min	L <sub>Aeq</sub> , 15min	L <sub>Aeq</sub> , 15min	L <sub>Amax</sub>
NCA 1	52	43	38	55
NCA 2	53	43	38	61
NCA 3	47	43	38	56
NCA 4	46	46	43	54

### NOISE ENHANCING METEOROLOGICAL CONDITIONS

E5. a) The noise limits set out in **Condition E4** apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C, D and E with wind speeds up to and including 3 m/s at 10 m above ground level.
Evening	Stability Categories A, B, C, D and E with wind speeds up to and including 3 m/s at 10 m above ground level.
Night	Stability Categories A, B, C, D and E with wind speeds up to and including 3 m/s at 10 m above ground level; or Stability Category F with wind speeds up to and including 2 m/s at 10 m above ground level.

b) For those meteorological conditions not referred to in **Condition E5(a)**, the noise limits that apply are the noise limits in **Condition E4** plus 5 dB.

E6. For the purposes of **Condition E5**, the meteorological conditions are to be determined from meteorological data obtained from the nearest, representative Bureau of Meteorology weather station.

E7. For the purpose of demonstrating compliance with the noise limits in **Condition E4**, the noise monitoring equipment must be located at the reasonably most affected external point at the location, but no closer than 3 m to a vertical reflecting surface and between 1.2 to 1.5 m above ground level for single storey residences and at a height between 1.2 to 1.5 m above the finished floor level for multi-storey residences.

- E8. For the purpose of determining compliance with **Condition E4**, the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.
- E9. Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

#### **LOADING AND UNLOADING**

- E10. All loading and unloading operations associated with the site must be carried out:  
(a) within the confines of the site, at all times and must not obstruct other properties/units or the public way.
- E11. At all times the driveway and loading/unloading area must be kept clear of goods and must not be used for storage purposes, including garbage storage.
- E12. All vehicles must enter and exit the site in a forward direction.
- E13. All vehicles are to be wholly contained on-site before being required to stop.

#### **NO OBSTRUCTION OF THE PUBLIC WAY**

- E14. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

#### **OUTDOOR LIGHTING**

- E15. All new outdoor lighting (including any signage illumination) shall operate in compliance with the recommendations of the Best Practices for the Mitigation of Environmental and Obtrusive Light Pollution Statement, prepared by Aurecon (Appendix BB of the EIS) and, where relevant, AS 1158.3.1-2005 *Pedestrian Area (Category P) Lighting* and AS 4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting (Condition B25)*.
- E16. All external feature lighting shall only operate between 7 am and midnight.

#### **FIRE SAFETY CERTIFICATION**

- E17. The development shall operate in accordance with the Fire Safety Certificate obtained in accordance with **Condition D9** of this consent.

#### **TREATMENT OF RUN-OFF**

- E18. Any run-off from the playing surface, either from stormwater or irrigation systems, must be captured and treated on-site to ensure that chemical products are not discharged to the stormwater network.

#### **BUNDING**

- E19. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/or EPA's *Storing and Handling Liquids: Environmental Protection – Participants Handbook*.

## ADVISORY NOTES

### APPEALS

AN1. The Applicant has the right to appeal to the Land and Environment Court in the manner set out in the EP&A Act and the EP&A Regulation.

### OTHER APPROVALS AND PERMITS

AN2. The Applicant shall apply to the relevant authority for all necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under section 68 (Approvals) of the *Local Government Act 1993* or section 138 of the *Roads Act 1993*.

### ROAD OCCUPANCY LICENCE

AN3. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the surrounding state road network during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

### RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS

AN4. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

### TEMPORARY STRUCTURES

AN5.

- a) An approval under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 must be obtained from the Authority for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the BCA.
- b) Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Authority with the application under State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007 to certify the structural adequacy of the design of the temporary structures.

### DISABILITY DISCRIMINATION ACT

AN6. This application has been assessed in accordance with the EP&A Act. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the BCA which references *AS 1428.1 - Design for Access and Mobility*. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

### COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

AN7.

- a) The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.
- b) This application has been assessed in accordance with the EP&A Act. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the EPBC Act does not have application. The EPBC Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

### BUILDING PLAN APPROVAL

AN8. You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see plumbing, building and developing then building over or next to assets).

## APPENDIX 1 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under **Condition A19** or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.