

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

13/08/2020

Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Sydney

2020

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

SCHEDULE 1

Application Number:	SSD 10354
Applicant:	Cricket NSW
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot C DP 421320 (Wilson Park, Silverwater Road, Sydney Olympic Park)
Development:	<p>Demolition of existing single-storey grandstand and construction and operation a new centre of excellence for Cricket NSW, including:</p> <ul style="list-style-type: none">• two-storey cricket centre building, including offices, and facilities for the community, sports science, and indoor training• two cricket ovals and associated seating• outdoor practice cricket wickets• associated car parking, storage building, landscaping and public domain works• signage zones.

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD- 10354-MOD-2	5 August 2022	Acting Team Leader	Modifications to the maintenance building and surrounds, and timing for an Operational Noise and Vibration Management Plan
SSD-10354-Mod-3	29 September 2023	Acting Director	Modifications to multipurpose building (formerly referred to as the community building)

DEFINITIONS

Accredited Certifier	The holder of a certificate of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies
Applicant	Cricket NSW, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Certifier	Means a council or an accredited certifier
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	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
Council	City of Parramatta
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising the approved Cricket NSW Centre of Excellence, as modified by the conditions of this consent
EESG	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage)
EIS	The Environmental Impact Statement titled NSW Cricket Centre, Wilson Park, Sydney Olympic Park, prepared by Ethos Urban dated 1 November 2019, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act
ESD	Ecologically Sustainable Development
Evening	The period from 6 pm to 10 pm
Fan day	An annual day for fans of the franchises associated with Cricket NSW (Sydney 6ers and Sydney Thunder) to attend and meet the players of these teams, with expected attendances of up to 1500.
Feasible	Means what is possible and practical in the circumstances
Incident	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
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Match day	A day accommodating cricket matches that will have spectator attendances ranging from approximately 50 patrons for community matches (hosted regularly during the cricket season) and up to 1500 patrons for Sheffield Shield matches (hosted a few times a year at most).
Material harm	Is harm that: <ul style="list-style-type: none"> • involves actual or potential harm to the health or safety of human beings or to

the environment that is not trivial, or

- 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)

Minister	NSW Minister for Planning and Public Spaces (or delegate)
Night	The period from 10 pm to 7 am Monday to Saturday, and the period from 10 pm to 8 am Sunday and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
Operation	The carrying out of the approved purpose of the development upon completion of construction
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	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
Response to submissions (RtS)	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
Revised Response to Submissions (RRtS)	The Revised Response to Submissions document titled Response to Submissions – NSW Cricket Centre – State Significant Development (SSD-10354), prepared by Ethos Urban dated 3 June 2020, including appendices
SOPA	Sydney Olympic Park Authority, or its successor
SSD	State Significant Development
Subject Site	Land referred to in Schedule 1
TfNSW	Transport for New South Wales
TfNSW (RMS)	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 management and mitigation measures;
 - (e) in accordance with the approved plans in the table below; **and**
 - (f) **the Section 4.55(1A) application prepared by Ethos Urban dated 7 April 2022, as amended by Response to Request Further Information prepared by Ethos Urban and dated 24 June 2022 and appendices**
 - (g) **the section 4.55(2) application prepared by Ethos Urban dated 28 April 2023 and appendices, as amended by Response to Request Additional Information prepared by Ethos Urban dated 24 August 2023 and appendices**

Architectural Drawings prepared by Cox Architecture			
Drawing No.	Revision	Name of Plan	Date
A0005	1	Location Plan	02/08/2019
A0010	1	Site Plan Existing	02/08/2019
A0015	1	Site Plan Existing Services	02/08/2019
A0020	2	Site Plan Demolition	02/08/2019
A0025	2	Site Plan Existing Services Demolition and Relocation	26/03/2020
A0100	D	Site Plan	21/09/2022
A0101	1	Grid Setout Plan	26/03/2020
A0102	1	Zone Key Plan	26/03/2020
A0110	1	Site Plan Detail 1/5	26/03/2020
A0120	1	Site Plan Detail 2/5	26/03/2020
A0130	1	Site Plan Detail 3/5	26/03/2020
A0140	B	Site Plan Detail 4/5	15/03/2022
A0150	1	Site Plan Detail 5/5	26/03/2020
A0204	B	Site Demolition Plan 4 of 5	15/03/2022
A1100	40 12	Overall Ground Floor General Arrangement Plan	26/03/2020 09/03/2023
A1150	5	North Nets General Arrangement Plan	26/03/2020
A1160	C	East Nets and Grounds Maintenance General Arrangement Plan	15/03/2022
A1200	9 11	Overall Level 1 General Arrangement Plan	26/03/2020 09/03/2023
A1300	40 11	Overall Roof General Arrangement Plan	26/03/2020 09/03/2023
A2101	1	GA Ground Floor – Zone A	26/03/2020
A2102	1	GA Ground Floor – Zone B	26/03/2020
A2103 A2107	4 2	GA Ground Floor – Zone C	26/03/2020 09/03/2023

A2104	1	GA Ground Floor – Zone D	26/03/2020
A2105	1	GA Ground Floor – Zone E	26/03/2020
A2106	D	GA Ground Floor – Zone F	15/03/2022
A2111	1	GA Level 1 Floor Plan – Zone D	26/03/2020
A2112	1	GA Level 1 Floor Plan – Zone E	26/03/2020
A2117	2	GA Level 1 Floor Plan – Zone C	09/03/2023
A2121	1	GA Roof Plan – Zone A	26/03/2020
A2122	1	GA Roof Plan – Zone B	26/03/2020
A2123	2	GA Roof Plan – Zone C	09/03/2023
A2124	1	GA Roof Plan – Zone D	26/03/2020
A2125	1	GA Roof Plan – Zone E	26/03/2020
A2126	C	GA Roof Plan – Zone F	15/03/2022
A3010	7	Typical Elevations East and West	26/03/2020
A3020	8	Typical Elevations North and South	26/03/2020
A3030	7 9	Community Centre Elevations	05/03/2020 09/03/2023
A3040	C	Maintenance Building Elevations	15/03/2022
A4100	6	Section North South	26/03/2020
A4110	6	Section East West	26/03/2020
A4120	6 9	Section Community Building – Phase 2	26/03/2020 09/03/2023
A4130	C	Section Maintenance Building	15/03/2022
A4200	1	Façade Sections – Cricket	26/03/2020
A4210	1	Façade Sections – Admin	26/03/2020
A4211	1	Façade Sections – Admin	26/03/2020

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- 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
 - 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 **Conditions A2(c)**, the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LAPSING OF APPROVAL

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

LIMITS ON CONSENT

- A6. This consent does not approve:
- fit-out of retail premises;
 - outdoor dining/seating areas;
 - works to the amenities block and surrounding area to the north of the outdoor cricket nets; and
 - signage (unless otherwise approved under this consent).

Separate development application(s) must be lodged, and consent obtained for the above works and uses (except where exempt and complying development applies).

DESIGN INTEGRITY

A7. Any modifications to the building design, fencing strategy or access points to the site that require consent must be reviewed by the State Design Review Panel, or alternatively, by SOPA's Design Review Panel.

PRESCRIBED CONDITIONS

A8. 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

A9. 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

A10. Any advice or notice to the consent authority must be served on the Planning Secretary.

EVIDENCE OF CONSULTATION

A11. 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

A12. 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.

OPERATION OF PLANT AND EQUIPMENT

A13. 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.

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 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 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 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.

REVISION OF STRATEGIES, PLANS AND PROGRAMS

A22. Within three months of:

- (a) the submission of a compliance report under **Condition C4** and **C5**;
- (b) the submission of an incident report under **Condition A17**;
- (c) the submission of an Independent Audit under **Condition C8** or **C10**;
- (d) the approval of any modification of the conditions of this consent; or
- (e) 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.

A23. 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.*

PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

NO WORKS PRIOR TO CONSTRUCTION CERTIFICATE

B1. Work must not commence until a Construction Certificate in respect of the work has been issued.

EXTERNAL WALLS AND CLADDING

B2. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

B3. Before the issue of a Construction Certificate and an Occupation Certificate, 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.

B4. The Applicant must provide a copy of the documentation given to the Certifier under **Condition B3** to the Planning Secretary within seven days after the Certifier accepts it.

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).

REFLECTIVITY

B6. The visible light reflectivity from building materials used on the facility 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 issue of the relevant Construction Certificate.

NO OBSTRUCTION OF PUBLIC DOMAIN WITHOUT A WORKS PERMIT

B7. Prior to the issue of a Construction Certificate, if required, the Applicant must obtain a Works Permit from SOPA to occupy the public way, footpaths, road reserves and the like, which must not be obstructed by any mobile cranes, materials, vehicles, refuse, skips or the like, under any circumstances, unless in accordance with the Works Permit. Non-compliance with this requirement will result in the issue of a notice by SOPA to stop all work on the site.

STRUCTURAL DETAILS

B8. Prior to the issue of a Construction Certificate, the Applicant must submit to the Certifier, the relevant 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

B9. Prior to the issue of the relevant Construction Certificate, a list of the final schedule of materials shall be submitted to the Planning Secretary and Certifier.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

B10. The building must incorporate all design, operation and construction measures as identified in the ESD Report – Cricket NSW Centre of Excellence Revision 01, prepared by LCI Consultants, dated 31 October 2019. Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the relevant Construction Certificate.

SYDNEY WATER REQUIREMENTS

B11. An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, section 73 of the *Sydney Water Act 1994* (Compliance Certificate) prior to the issue of a Construction Certificate.

INSTALLATION OF WATER EFFICIENT FIXTURES AND FITTINGS (NON-RESIDENTIAL USES)

B12. All toilets 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 issue of the relevant Construction Certificate being issued for above ground works.

- B13. All taps and shower heads 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 issue of the relevant Construction Certificate for services and finishes works.
- B14. New urinal suites, urinals and urinal flushing control mechanisms installed within the non-residential components of the development must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS). Details are to be submitted to the Certifier prior to the issue of the relevant Construction Certificate.
- B15. 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 issue of the relevant Construction Certificate.

SANITARY FACILITIES FOR DISABLED PERSONS

- B16. The Applicant shall ensure that the provision of sanitary facilities for disabled persons complies with Section F2.4 of the BCA. Prior to the issue of the relevant Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person must be provided to the Certifier.

ACCESS FOR PEOPLE WITH DISABILITIES

- B17. Access and facilities for people with disabilities must be designed in accordance with the BCA. Prior to the issue of the relevant Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person must be provided to the Certifier.

MECHANICAL PLANT NOISE MITIGATION

- B18. Details of noise mitigation measures for all mechanical plant are to be detailed on the Construction Certificate drawings. Certification from an appropriately qualified acoustic engineer that the proposed measures will achieve compliance with the requirements of the NSW Noise Policy for Industry is required to be submitted to the Certifier prior to the issue of the relevant Construction Certificate.

REQUIREMENTS OF PUBLIC AUTHORITIES

- B19. The Applicant must comply with the requirements of any public authorities (e.g. Sydney Trains, Ausgrid, Sydney Water, Telstra Australia) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed development. Any costs in the relocation, adjustment or support of services are the responsibility of the Applicant. Details of compliance with the requirements of any relevant public authorities must be submitted to the Certifier prior to the issue of a Construction Certificate.

MECHANICAL VENTILATION

- B20. 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 issue of a Construction Certificate.

NUMBER OF CAR PARKING SPACES

- B21. The maximum number of car parking spaces to be provided for the development is **235**, comprised of 111 spaces in the foreshore car park in the north-western corner of the site and 110 spaces in the car park accessed off Newington Road in the south-eastern corner of the site. Of this total, 4 accessible car parking spaces are to be provided in the north-western car park, and 2 spaces in the south-eastern car park, as indicated on the drawings.

Details confirming the parking numbers must be submitted to the Certifier prior to the issue of the relevant Construction Certificate. The existing 22 boat trailer parking spaces that service the existing boat ramp on Parramatta River are not to be included within these car parking spaces.

CAR PARK AND SERVICE VEHICLE LAYOUT

- B22. Plans demonstrating compliance with the following traffic and parking requirements must be submitted to the Certifier prior to the issue of the relevant Construction Certificate:
- all vehicles should enter and leave the site in a forward direction;
 - car parking associated with the proposal (including queuing areas, grades, turn paths, sight distance requirements, aisle widths, and parking bays) must be in accordance with AS 2890.1-2004, AS2890.6 for accessible spaces and AS 2890.2-2002 for heavy vehicle usage;
 - appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - all works/regulatory signposting associated with the proposed developments shall be at no cost to the relevant roads authority;
 - the swept path of the longest vehicle (including garbage trucks) entering and exiting the Site, as well as manoeuvrability through the Site, must be in accordance with AUSTROADS; and
 - the loading and servicing area must be sufficiently designed to accommodate servicing by garbage trucks.

NUMBER OF BICYCLE PARKING SPACES

B23. The minimum number of bicycle parking spaces to be provided for the development is 20. Details confirming the parking numbers must be submitted to the Certifying Authority prior to the issue of the relevant Construction Certificate.

FACILITIES FOR CYCLISTS

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 and *Cycling Aspects to Austroads Guides* Appendix I, including that the location of these facilities should be secure, convenient and accessible areas, incorporating adequate lighting and surveillance. Staff bicycle parking should be provided according to the security level B as specified AS 2890.3:2015. Storage, change room and shower facilities for use by employees shall be provided.

B25. Details demonstrating compliance with this condition shall be submitted to the Certifier prior to the issue of the relevant Construction Certificate.

OUTDOOR LIGHTING

B26. Prior to the issue of a Construction Certificate, the Applicant must prepare a detailed **Lighting Plan** in consultation with, and approved by, SOPA. The **Lighting Plan** must address the following:

- (a) luminaire design, post height, placement and operation;
- (b) avoidance of the direct illumination of sensitive areas including the Parramatta River, artificial wetlands, retained vegetation and replacement plantings;
- (c) appropriate measures must be incorporated into the lighting design which minimise indirect light spill in the 50 m and 100 m buffer zone around such respective areas;
- (d) glare shields must be used where appropriate to further reduce the indirect impact of light spill on habitat within the site;
- (e) warm spectrum (3000k) lighting must be used to reduce the impact on nocturnal animals such as microchiropteran bats and the Green and Golden Bell Frog; and
- (f) external security and way-finding lighting must be designed and operated in accordance with the lighting management principles of the SOPA Parklands Plan of Management.

All new outdoor lighting (including any signage illumination) shall comply with the recommendations of the External Lighting Strategy Report – CNSW COE Revision 03 dated 31 October 2019 and Response to Lighting Matters dated 10 March 2020, prepared by LCI Consultants 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*. No lighting is to be provided to the two ovals.

Details demonstrating compliance with these requirements are to be submitted to the Certifier prior to the issue of the relevant Construction Certificate.

BIODIVERSITY

B27. In accordance with the NSW Biodiversity Offsets Policy for Major Projects and the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy, a total of 21 ecosystem credits and 35 species credits must be retired prior to the commencement of any vegetation clearing. Details confirming compliance must be provided to the Certifier and Planning Secretary.

CONSTRUCTION AND FIT OUT OF FOOD PREMISES

B28. The construction, fit-out and finishes of any food premises 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

B29. Any cool room(s), refrigerated chambers or strong-rooms must be constructed in accordance with G 1.2 of the BCA.

GREASE TRAPS

B30. 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.

LANDSCAPING AND PUBLIC DOMAIN

B31. Prior to the issue of a Construction Certificate, an **updated Public Domain Plan** including landscape drawing(s) detailing all landscaped elements, are to be prepared by a suitably qualified person in consultation with, and for approval by SOPA and submitted to the Planning Secretary. **The Public Domain Plan must include, but not necessarily be limited to:**

- (a) **landscaping adjoining the hardstand/ramp area south of the Multipurpose Building and the western elevation of the Multipurpose Building.**

A copy shall be submitted to the Certifier.

B32. The **Public Domain Plan** must be prepared in accordance with the requirements in Section 1.10 of the Urban Elements Design Manual (UEDM) and Infrastructure Engineering and Construction Manual (IECM). The plan must be generally consistent with the design expressed on the approved landscape drawings approved in **Condition A2**, and should also include, but not necessarily be limited to:

- (a) a Landscape Report providing an integrated approach with the Project Arborist and Ecologist for the proposed planting palette and landscape embellishment to the site, supported by underpinning detailed Landscape Plans for all landscaping works;
- (b) the proposed extent and type of hard and soft landscape treatments and materials;
- (c) details of proposed plantings, including species and container size;
- (d) alignment and dimensioned widths of publicly accessible through-site link pathways (minimum 1.8m wide) linking Oval 2 in the south-west corner of the site to the River Walk and Bus Only Access way;
- (e) pram ramps and bollards (as required);
- (f) wayfinding signage (in accordance with SOPA's Parklands Elements Design Manual (PEDM));
- (g) rest-stop seating (minimum 100m spacing in accordance with the PEDM);
- (h) furniture, shade trees and seating structures;
- (i) details of all fencing, including the location, height, structure, style and materiality and access points. Fencing is to be kept to a minimum;
- (j) all landscape interface areas to be managed by SOPA are to be irrigated to SOPA's Irrigation Specification in accordance with the SOPA Infrastructure Design & Construction Manual (IDCM);
- (k) demonstration that the proposal is sympathetic to the existing and future Parramatta River foreshore edge, including that the proposed new public toilets in the community building should be visible and universally accessible, including from the foreshore path;
- (l) provision of a path on the western boundary adjacent to the road that is safe and adequately lit;
- (m) further investigation of the safe integration of pedestrians and cyclists into the existing network, to ensure that that crossing activity occurs at a safe distance from the intersection at the interface (bend) at the termination of Newington Road; and
- (n) provision of an off-road shared pedestrian/cycle connection between Clyde Street and the foreshore, or as agreed by SOPA.
- (o) **incorporation of landscaping adjoining the hardstand/ramp area south of the Multipurpose Building and adjoining the western elevation of the Multipurpose Building.**

TREE MANAGEMENT

B33. Prior to a Construction Certificate being issued, the Applicant must engage a Level 5 Arborist ('the Project Arborist') to provide an Existing Tree Protection Plan to incorporate tree protection measures in accordance with AS4970-2009 (Protection of Trees on Development Sites) and a Tree Removal Plan. The Project Arborist must supervise all construction works, including demolition and site management, within five metres of any existing tree to be retained. These documents must adhere to the following:

- (a) trees assessed by the Project Arborist as medium-high retention value should be retained where possible (particularly semi-mature and mature trees), with collaboration between the Landscape Architect and Project Arborist in making the final determination in relation to tree retention; and
- (b) the proposed tree planting is recommended to meet a minimum 12% site coverage and to maintain the existing urban tree canopy after five years

A copy of this information must be provided to SOPA, Council and the certifier.

DRAINAGE EASEMENT WORKS

B34. Prior to the issue of a Construction Certificate, details of all proposed works with the drainage easement shall be submitted to Council for approval and include:

- (a) pre and post construction survey and CCTV inspection of all existing piped infrastructure;

- (b) details to show adequate cover is maintained over existing pipes and/or culverts;
- (c) details of the proposed connections to the existing pits, pipes and/or culverts; and
- (d) plans to show that the drainage easement will remain clear of any infrastructure not associated with the existing drainage system.

A copy of this information must be provided to SOPA and the Certifier.

STORMWATER MANAGEMENT PLAN

B35. Prior to the issue of the relevant Construction Certificate, a **Stormwater Management Plan** must be prepared in consultation with SOPA and the EPA, and be approved by SOPA. This Plan must be prepared in accordance with SOPA's Water Sensitive Urban Design (WSUD) Policy and must include the following information:

- (a) an integrated water cycle management plan including a water balance report, to ensure that the harvest and reuse of roof-water is maximised to meet the development's non-potable demand;
- (b) consideration of the minimisation of the volume and frequency of stormwater discharge from hardstand areas, which in lieu of on-site detention could be achieved by alternative pavement treatments in new hardstand areas and increased stormwater harvesting and reuse;
- (c) details of the provision of maintenance of overland flow paths, required to be designed in consultation with SOPA;
- (d) all stormwater catchments for the site;
- (e) all stormwater drainage system elements for the site including location of the stormwater discharge from the site, long sections for all drainage elements, hydraulic grade line calculations;
- (f) all elements of the detention system including sufficient sections, flood freeboards, and details demonstrating how the system operates. The entire site must be included in the detention sizing calculations;
- (g) all elements of the stormwater treatment system including sufficient sections and details demonstrating how the system must operate and the diversion flow rate into the treatment system **including but not limited to the washdown bay**;
- (h) details of all stormwater connections to the existing culvert;
- (i) details of the overland flow system and calculations to demonstrate the capacity to safely convey flow through the site including depth x velocity calculations; and
- (j) an establishment, handover, operation and maintenance plan for WSUD assets, including the maintenance and inspection schedule for the rainwater tank and Jellyfish water treatment system.

The Stormwater Management Plan shall include an intensive monitoring program to characterise key pollutants in liquid waste inflows to and discharges associated with the development to ensure this waste is treated to an acceptable level.

A copy of the approved plan must be provided to the Secretary, Certifier and Council prior to the commencement of works.

FLOOD RISK MANAGEMENT PLAN

B36. Prior to the issue of a Construction Certificate, a **Flood Risk Management Plan** shall be prepared detailing measures to address the flood risk of the development and include:

- (a) details of measures to mitigate any flood risk and impact of the development including excavation, fencing and signage;
- (b) consideration of velocity afflux, particularly at the outlet over the proposed overland flow channel. Any afflux will need to be managed wholly on site without any detrimental impacts elsewhere specially the leachate ponds and include adequate erosion control to prevent damage to the existing soil contamination containment measures (e.g. existing capping layers);
- (c) any bridges or culverts that form part of the proposal are to be considered with appropriate blockage factors consistent with 2019 AR&R and their role in potential flood evacuation routes within the site to the point of refuge within the building; and
- (d) a further site emergency flood response plan shall be prepared prior to the issue of an occupation certificate for implementation with the facilities emergency response measures (see **Condition E24**).

A copy of the plan shall be submitted to Council, SOPA and the Certifier.

WATER SUPPLY FOR IRRIGATION

B37. Prior to the issue of the relevant Construction Certificate, the Applicant must demonstrate, in consultation with and approved by with SOPA, that the site has access to adequate water supply for irrigation purposes, including a calculation of the average daily water demand and peak flow rates required to irrigate the two playing fields, practice wickets and soft landscaped areas within the sites. The source of the water supply must also be

documented including any approvals to obtain the quantities of supply required. Water recycled from onsite collection sources should be included as part of the assessment.

PRE-CONSTRUCTION DILAPIDATION REPORT

- B38. If not already prepared, the Applicant is to engage a qualified structural engineer to prepare a **Pre-Construction Dilapidation Report** detailing the current structural condition of all retained existing and adjoining buildings, infrastructure and roads within the 'zone of influence'. The report shall be prepared in accordance with SOPA's Infrastructure Engineering and Construction Manual (IECM). The report shall be submitted to the Certifier prior to issue of a Construction Certificate or any works commencing, whichever is earlier. A copy of the report must be forwarded to SOPA, Council and each of the affected property owners.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- B39. To minimise the opportunity for crime in accordance with CPTED principles, the relevant recommendations provided in the Crime Prevention Through Environmental Design Report Revision FINAL, prepared by Ethos Urban, dated 15 October 2019, shall be demonstrated on the architectural plans (in consistency with **Condition E12**) prior to the issue of the relevant Construction Certificate.

CONTAMINATION

- B40. 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 and SOPA. The UFP must be consistent with the SOPA Remediated Land Management Plan implemented for the duration of construction works.
- B41. Prior to the commencement of any works, the Site Contamination Investigation Report must be updated in consultation with SOPA and a copy provided to the Certifier and EPA.
- B42. Prior to the issue of a Construction Certificate the Applicant must engage a Site Auditor, accredited under the *Contaminated Land Management Act 1997* (CLM Act) to provide:
- (a) a **Section B Site Audit Statement**, issued prior to remediation works and prior to commencement of construction works that certifies the appropriateness of the following detailed plans: **Contamination Management Plan, Construction Environment Management Plan, Soil Vapour / Hazardous Ground Gas Mitigation System Design and Soil Vapour / Hazardous Ground Gas Management Plan** for the site. This **Section B Site Audit Statement** must also certify that the site can be made suitable for the proposed use if the site is remediated or managed in accordance to the detailed plans mentioned in this condition;
 - (b) The applicant must adhere to the management measures stipulated in the plans that have been reviewed and approved by the Site Auditor. Any variations to the approved plans in **Condition B42(a)** must be approved in writing by the Site Auditor;
 - (c) If work is to be completed in stages, the Site Auditor must confirm satisfactory completion of each stage by the issuance of Interim Audit Advice/s;
- B43. Copies of all Interim Site Audit Advices, Site Audit Statements and Site Audit Reports must be provided to SOPA, the EPA and the Planning Secretary within 14 days of being issued by the Site Auditor.
- B44. Prior to the issue of a Construction Certificate, a Final Validation Plan shall be prepared by a suitably qualified person and submitted to the EPA accredited Site Auditor for approval. A copy shall be submitted to SOPA and the Certifier for information.
- B45. Prior to the issue of a Construction Certificate, the architectural and services plans must be reviewed by SOPA to ensure that structures do not encroach into any area of the Sydney Olympic Park Remediated Lands beyond the area assessed and considered as able to be made suitable for the proposed development by the NSW EPA Site Auditor as described in the Site Audit Statement and Site Audit Report (FM-120) issued by AECOM and dated 24 October 2019. The Authority must be satisfied that the location of any services and structures within the proposed development site will not conflict with the ongoing function or maintenance of the remediated lands infrastructure regulated under the Contaminated Land Management Act Notice issued to SOPA.

GROUND GAS MITIGATION SYSTEM

- B46. Prior to the issue of a Construction Certificate, the Applicant shall prepare a **Soil Vapour / Hazardous Ground Gas Mitigation System Design** for the proposed development. The system shall be prepared by a suitably qualified independent expert taking into account all site-specific conditions which may impact on the efficiency and performance of the proposed system element, and including full justification for the design and all relevant plans, drawings and material specifications. The Applicant shall submit a copy of the design to SOPA, the EPA and the Certifier.

HAZARDOUS GROUND GAS MANAGEMENT PLAN

- B47. Prior to the issue of a Construction Certificate, the Applicant shall prepare a **Soil Vapour / Hazardous Ground Gas Management Plan** for the proposed development. The plan must be prepared by a suitably qualified person in the field of landfill gas risk management, and address environmental, human health and explosion risks associated with emissions and exposure to landfill gas and trace gases during construction works and provide appropriate preventative and/or action controls.

The Plan must take into account all site-specific conditions which may impact on the efficiency and performance of the proposed system element, and include full justification for the design and all relevant plans, drawings and material specifications. This shall include an ongoing hazardous ground gas/soil vapour monitoring and management plan to monitor and manage long-term risks. The Applicant shall submit a copy of the design to SOPA, the EPA and the Certifier.

ACID SULFATE SOIL MANAGEMENT PLAN

- B48. An **Acid Sulfate Soil Management Plan** shall be prepared by a suitably qualified person in accordance with the Acid Sulfate Soil Assessment Guidelines (Acid Sulfate Soil Management Advisory Committee, 1998). The Management Plan shall be submitted to the Certifier prior to the issue of a Construction Certificate.

HAZARDOUS MATERIALS SURVEY

- B49. Prior to the issue of a Construction Certificate or any demolition and/or site preparation works, the Applicant shall engage a suitably qualified independent expert to prepare a detailed Hazardous Material Survey of all existing structures and infrastructure. A copy shall be submitted to SOPA, the EPA, the Planning Secretary and the Certifier.

COMPLIANCE WITH ACOUSTIC ASSESSMENT

- B50. All performance parameters, requirements, engineering assumptions and recommendations contained in the Acoustic Assessment, prepared by Acoustic Logic Revision 4, dated 16 January 2020, 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.
- B51. 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.

PARKLANDS APPROVAL PERMIT

- B52. Prior to the issue of a Construction Certificate, a Parklands Approval Permit must be obtained from SOPA in accordance with requirements of the Plan of Management for the Parklands at Sydney Olympic Park 2010 and the *Sydney Olympic Park Authority Act 2001*. An application for a Parklands Permit must address the matters listed at Appendix 4.2 - Parkland Uses Compliance Test of the Parklands Plan of Management 2010.

MULTIPURPOSE BUILDING

- B53. **Prior to the issue of a Construction Certificate, the Applicant must submit detailed plans to the Planning Secretary for approval. The detailed plans must demonstrate the following:**
- (a) **any lights, speakers or other services are restricted to the fascia or datum and are not located on the roof soffit**
 - (b) **the rooftop plant is screened by a louvered wall**

PART C PRIOR TO COMMENCEMENT OF WORKS

NOTIFICATION OF COMMENCEMENT

- C1. The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.
- C2. 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.

ACCESS TO INFORMATION

- C3. 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:
 - (b) the documents referred to in **Condition A2** of this consent;
 - (c) all current statutory approvals for the development;
 - (d) all approved strategies, plans and programs required under the conditions of this consent;
 - (e) 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;
 - (f) 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;
 - (g) a summary of the current stage and progress of the development;
 - (h) contact details to enquire about the development or to make a complaint;
 - (i) a complaints register, updated monthly;
 - (j) 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;
 - (k) any other matter required by the Planning Secretary; and
 - (l) keep such information up to date, to the satisfaction of the Planning Secretary.

COMPLIANCE REPORTING

- C4. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Requirements outlined in the Compliance Reporting Post Approval Requirements (2020).
- C5. Compliance Reports must be submitted to the Department in accordance with the timeframes set out in the Compliance Reporting Post Approval Requirements (2020), unless otherwise agreed to by the Planning Secretary.
- C6. The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- C7. Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (2020), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- C8. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020).
- C9. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- C10. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified above, upon giving at least 4 weeks' notice (or timing) to the Applicant of the date upon which the audit must be commenced.
- C11. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (2020), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under **Condition C8** of this consent, or **Condition C10** where notice is given by the Planning Secretary;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available 60 days after submission to the Planning Secretary.

- C12. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the Independent Audit Post Approvals Requirements (2020) unless otherwise agreed by the Planning Secretary.
- C13. Notwithstanding the requirements of the Independent Audit Post Approvals Requirements (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

COMPLIANCE

- C14. 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

- C15. 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 1300 24-hour telephone number(s) on which complaints and enquiries about the carrying out of any works may be registered;
 - a postal address to which written complaints and enquiries may be sent; and
 - an email address to which electronic complaints and enquiries may be transmitted.

HOARDINGS

- C16. A separate application under section 138 of the *Roads Act 1993* is to be made to the relevant road authority to erect any hoarding and/or scaffolding in a public road and such application is to include:
- architectural, construction and structural details of the design as well as proposed artwork; and
 - structural certification prepared and signed by an appropriately qualified practising structural engineer.

Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of construction works on site.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C17. 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, and approved by, SOPA. The CEMP must:
- describe the relevant stages and phases of construction, including work program outlining relevant timeframes for each stage/phase;
 - include plans demonstrating the boundary of the construction site and any associated areas to be fenced or closed to the public;
 - describe all activities to be undertaken on the site during site establishment and construction of the development;
 - clearly outline the stages/phases of construction that require ongoing environmental management monitoring and reporting;
 - 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;
 - include specific consideration of measures to address any requirements of relevant agencies during site establishment and construction;
 - describe the roles and responsibilities for all relevant employees involved in the site establishment and construction of the works;
 - 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;
 - include measures to ensure adequate groundwater entitlement is sourced in order to account for groundwater flows into the construction excavations, unless any exemption applies;
 - provide details on any proposed dewatering activities on site, interception of groundwater/leachate and removal of groundwater/leachate when constructing piles for the building foundations;
 - dangerous goods/chemical waste management;
 - workplace and community health and safety management;

- (m) stormwater management, including an Erosion and Sediment Control Plan and systems, processes and procedures for the implementation, operation and management of:
 - (i) temporary boundary treatment and stormwater overland flow paths;
 - (ii) procedures for management of any spills; and
 - (iii) management of all excess spoil and construction wastes.
- (n) biodiversity management, including flora and fauna protection measures, such as frog-exclusion fencing, pre-clearance surveys and allowance for fauna dispersal to neighbouring habitats, and offsetting of hollow bearing tree removals;
- (o) include a Contamination Management Plan, which is to apply to all construction activities associated with the proposed development and including but not limited to filling, excavations, piling works, re-instatement of the capping layer, spoil management, contamination and soil vapour management measures, leachate management, stockpile management, spoil disposal and waste tracking, unexpected finds, monitoring, validation plan, WHS management and contingency measures are to be undertaken in accordance with the Contamination Management Plan Rev 0 prepared by Douglas Partners dated 23 October 2019 and the Site Auditors recommendations (AECOM Site Audit Report – FM120 NSW Cricket Association Wilson Park, Silverwater, NSW Rev 0 dated 24 October 2019) unless otherwise agreed in writing by the Planning Secretary and SOPA;
- (p) include a Stockpile Management Plan – including identification, segregations and management of contaminated spoil;
- (q) 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
- (r) 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

- C18. 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) and SOPA. The CPTMP shall address (but not be limited to):
- (a) location of the proposed work zone;
 - (b) location of any crane(s);
 - (c) haulage routes;
 - (d) construction vehicle access and traffic control arrangements;
 - (e) proposed construction hours;
 - (f) estimated number of construction vehicle movements and detail of vehicle types, noting vehicle movements are to be minimised during peak periods;
 - (g) measures to avoid construction worker vehicle movements;
 - (h) any changes required to on-street parking;
 - (i) construction program;
 - (j) consultation strategy for liaison with surrounding stakeholders;
 - (k) any potential impacts to general traffic, cyclists, pedestrians, bus and light rail services within the vicinity of the site from construction vehicles during the construction;
 - (l) cumulative construction impacts of the development. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network;
 - (m) measures to ensure construction vehicles do not arrive at the site or surrounding areas outside approved hours;
 - (n) measures proposed to mitigate any associated general traffic, public transport, pedestrian access and cyclist impacts/conflicts;
 - (o) details of special event and clearway conditions on surrounding roads in the vicinity of the site during special events;
 - (p) management of loading and unloading of materials;
 - (q) changes to existing car parking provision as a result of the development including boat parking;

- (r) a major events management strategy, detailing how construction activities will be managed during major events; and
- (s) measures to encourage public transport use and other non-car travel options by construction workers.
- (t) **the recommendations provided in the Traffic Management Plan prepared by TRAFFIX dated 23 June 2022 to be implemented.**

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

CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN

C19. 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 be endorsed by SOPA, and address the relevant requirements of the EPA. The CNVMP shall (including but not 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) include details of all reasonable and feasible management and mitigation measures to be implemented to minimise construction noise and vibration;
- (f) address the relevant provisions of Australian Standard 2436-2010 Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites;
- (g) be consistent with and incorporate all relevant recommendations and noise and vibration mitigation measures outlined in the Preliminary Construction Noise and Vibration Management Plan Revision 0, prepared by Acoustic Logic, dated 17 October 2019;
- (h) 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
- (i) 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

C20. 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; and
- (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.

AIR QUALITY AND ODOUR MANAGEMENT PLAN

C21. Prior to the commencement of works, a **Construction Air Quality and Odour Management Plan** must be prepared by a suitably qualified person shall be submitted to the EPA for review and submitted to the Certifier. A copy must be provided to the Planning Secretary.

GEOTECHNICAL REPORT

C22. Prior to the commencement of works, a detailed Geotechnical Investigation must be prepared by a suitably qualified and experienced practitioner, and a copy provided to the Certifier. The report must be generally consistent with the *Report on Preliminary Geotechnical Investigation*, Revision 0, prepared by Douglas Partners, dated 27 September 2019. The recommendations of the report are to be implemented during the course of the works.

CONSTRUCTION COMPOUND

- C23. Prior to the commencement of any works at the site, the Applicant must enter into an agreement with SOPA to occupy or otherwise use areas outside of the Site for a construction site and compound.

PART D DURING CONSTRUCTION

DEMOLITION

- D1. 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

- D2. 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.
- D3. No work may be carried out on Sundays or public holidays.
- D4. 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; or
 - (b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.
- D5. Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.
- D6. 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.

IMPLEMENTATION OF MANAGEMENT PLANS

- D7. The Applicant shall ensure that the requirements of all environmental management sub-plans required by Part C of this consent are implemented during construction.

NOISE AND VIBRATION MANAGEMENT

- D8. 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**.
- D9. 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.
- D10. 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.
- D11. Any noise generated during the construction of the development must not be offensive noise within the meaning of the *Protection of the Environment Operations Act 1997* or exceed approved noise limits for the Subject Site.
- D12. All work, including demolition, excavation and building work must comply with the *Australian Standard 2436-1981 'Guide to Noise Control on Construction, Maintenance and Demolition Sites'*.
- D13. 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**.
- D14. 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.

APPROVED PLANS TO BE ON-SITE

D15. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Site at all times and shall be readily available to any officer of the Department, Council, SOPA or the Certifier.

DISPOSAL OF SEEPAGE AND STORMWATER

D16. 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.

D17. All approved details in accordance with **Condition C17** for the disposal of stormwater and drainage are to be implemented in the development.

SITE NOTICE

D18. 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:

- (a) 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;
- (b) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (c) 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
- (d) 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

D19. All remediation work must be undertaken in accordance with the remediation action plan and site auditor's section B Site Audit Statement.

D20. If unexpected contamination or unexpected soil vapour/hazardous ground gas conditions are found during construction, a risk assessment and a remediation action and strategy should be prepared by a suitably qualified independent expert and submitted to the EPA accredited Site Auditor for approval, and a copy submitted to SOPA and the Certifier. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, the Planning Secretary must be immediately notified, and works must cease. Works must not recommence on site until the Planning Secretary confirms works can recommence.

IDENTIFICATION AND REMOVAL OF HAZARDOUS MATERIALS

D21. Any hazardous materials, including asbestos, must be identified before demolition work commences and be removed in a safe manner.

D22. 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.

COMPLIANCE WITH SOPA REMEDIATED LAND MANAGEMENT PLAN AND CONTAMINATED LANDS MANAGEMENT ACT

D23. The Applicant must ensure that all works undertaken on remediated lands are in accordance with the Contaminated Lands Management Act Notice Number 28040 and SOPA's Remediated Land Management Plan.

SAFEWORK NSW REQUIREMENTS

D24. 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

D25. The following hoarding requirements must be complied with:

- (a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing; and

- (b) the removal of all graffiti from any construction hoarding/fencing or the like within the construction area within 48 hours of its application.

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

- D26. 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 Heritage NSW 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

- D27. 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 Heritage NSW is received by the Applicant. This protocol must be included in the induction for all construction workers on the site.
- D28. The Aboriginal Cultural Heritage Assessment Version 2 prepared by Ethos Urban, dated 6 November 2019 should be submitted for registration on the AHIMS register within three months of completion.

WASTE MANAGEMENT

- D29. Notwithstanding the WMP referred to in **Condition C20**, 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; and
 - (d) the wheels of any vehicle, trailer or mobilised plant leaving the site and cleaned of debris prior to leaving the premises.

COVERING OF LOADS

- D30. 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

- D31. 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

- D32. 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

- D33. 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

- D34. 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

D35. The Applicant must ensure:

- (a) the three hollow trees identified for removal in the Biodiversity Development Assessment Report Final, Version 2.3 prepared by Cumberland Ecology dated 2 June 2020 are protected for re-standing;
- (b) no street trees on any 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;
- (c) 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
- (d) 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

D36. 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

D37. 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

D38. 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

D39. 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

D40. 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.

ROAD OCCUPANCY LICENCE

D41. A Road Occupancy Licence (ROL) must 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>.

LOADING AND UNLOADING DURING CONSTRUCTION

D42. The following requirements apply:

- (a) all loading and unloading associated with construction must be accommodated on-site;
- (b) a Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to the relevant road authority at least 8 weeks prior to commencement of works on the site. Consent for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The consent will be reviewed periodically for any adjustment necessitated by the progress of the construction activities; and

- (c) the structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

DEMOLITION AND CONSTRUCTION VEHICLES

- D43. All demolition and construction vehicles must be wholly contained within the site and vehicles must enter the site before stopping.

ACID SULFATE SOILS

- D44. The Applicant must ensure that any acid sulfate soil (ASS) and potential acid sulfate soil (PASS) excavated or otherwise disturbed during construction is managed in accordance with:
- (a) the *Acid Sulfate Soils Manual 1988* (NSW Acid Sulfate Soil Management Advisory Committee);
 - (b) the EPA's Waste Classification Guidelines (Part 4: Acid Sulfate Soils); and
 - (c) the Acid Sulfate Soils Management Plan required under **Condition B48**.

PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

PROTECTION OF PUBLIC INFRASTRUCTURE

- E1. 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.

OCCUPATION CERTIFICATE

- E2. An Occupation Certificate must be obtained from the Certifier prior to commencement of occupation or use of the whole or any part of the development.
- E3. Within 12 months of the commencement of occupation or use of the whole or any part of the development, or as otherwise agreed to in writing by the Planning Secretary, Oval 2 must be completed for use.

EXTERNAL WALLS AND CLADDING FLAMMABILITY

- E4. Prior to the issue of any Occupation Certificate, evidence shall be submitted to the Certifier demonstrating all external walls of the building, including cladding, comply with the relevant requirements of the BCA, consistent with the requirements of **Condition B2**.

OPERATIONAL PLAN OF MANAGEMENT

- E5. Prior to the occupation or commencement of use, the Applicant must develop an **Operational Plan of Management (OPM)**. The **OPM** shall address (but not be limited to):
- (a) community consultation and complaint management;
 - (b) management of public access to the foreshore and community oval, including specifying a minimum number of cricket nets and minimum number of hours for the community oval to be allocated to local cricket clubs and the wider community;
 - (c) event typologies and venue capacity for each type of event;
 - (d) event scheduling;
 - (e) hours of operation;
 - (f) access arrangements, including ticketing, public transport and parking;
 - (g) alcohol management;
 - (h) security and staff management;
 - (i) working with stakeholders during events, including teams and players, emergency services and transport authorities;
 - (j) access;
 - (k) loading and unloading;
 - (l) emergency management/evacuation and incident response protocols;
 - (m) occupational health and safety;
 - (n) waste management;
 - (o) water management;
 - (p) wayfinding and signage; and
 - (q) lighting.

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

OPERATIONAL NOISE AND VIBRATION MANAGEMENT PLAN

- E6. **Prior to occupation of commencement of use**, an **Operational Noise and Vibration Management Plan (ONVMP)** prepared by a suitably qualified person shall be submitted to and approved by the Planning Secretary. The **ONVMP** must be prepared in consultation with Council, SOPA and the EPA. The **ONVMP** shall (including but not limited to):
- (a) be prepared in accordance with the EPA's Noise Policy for Industry;
 - (b) identify nearby sensitive receivers and land uses;
 - (c) identify the noise limits applying to the development;
 - (d) identify all key sources of operational noise and vibration;
 - (e) provide details of all reasonable and feasible management and mitigation measures to be implemented to minimise noise and vibration;

- (f) be consistent with and incorporate all relevant recommendations and mitigation measures outlined in the 'Cricket NSW Centre of Excellence, Sydney Olympic Park Acoustic Assessment' Rev 5, prepared by Acoustic Logic, dated 16 January 2020;
- (g) address community consultation and complaint management; and
- (h) include a suitable proactive noise and vibration monitoring program (including a reporting at a minimum of half-yearly intervals) which aims to ensure the noise and vibration criteria in this approval are not exceeded.

A copy of the approved **ONVMP** must be submitted to Council and the EPA.

REPAIR OF DAMAGE (ROADS AND PUBLIC DOMAIN)

- E7. Prior to occupation or commencement of use, 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. Full restoration of the damage must be carried out to the satisfaction of SOPA.

DAMAGE TO PUBLIC AUTHORITY ASSETS

- E8. The cost of repairing any damage caused to Council 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/developer prior to the issue of an Occupation Certificate (see also **Condition E7**).

MECHANICAL VENTILATION

- E9. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the Certifier, prior to the issue of any Occupation Certificate, that the installation and performance of the mechanical systems complies with:
- (a) the BCA;
 - (b) Australian Standard AS1668 and other relevant codes;
 - (c) the development consent and any relevant modifications; and
 - (d) any dispensation granted by the New South Wales Fire Brigade.

WATER AUTHORITY COMPLIANCE

- E10. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. The Section 73 Certificate must be submitted to the Certifier prior to the commencement of use.

UTILITY PROVIDERS

- E11. Prior to occupation or commencement of the use, written advice shall be obtained from the relevant water supply authority, wastewater disposal authority, electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

- E12. Prior to the commencement of use, evidence shall be submitted to the Certifier demonstrating the recommendations of the Crime Prevention Through Environmental Design Report Revision FINAL, prepared by Ethos Urban, dated 15 October 2019 (**Condition B39**) have been fulfilled.

FIRE SAFETY CERTIFICATION

- E13. 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.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

- E14. Prior to the issue of an Occupation Certificate, evidence shall be submitted to the Certifier demonstrating compliance with the recommendations and principles highlighted within the ESD Report – Cricket NSW Centre of Excellence Revision 01, prepared by LCI Consultants, dated 31 October 2019 (see **Condition B10**).

TREE PLANTING, LANDSCAPING AND PUBLIC DOMAIN WORKS

- E15. All tree planting, landscaping and public domain works approved by **Condition A2**, must be completed in accordance with the approved plans, including the revised detailed **Public Domain Plan** (see **Condition B32**), prior to the issue of the relevant Occupation Certificate.

PRESERVATION AND RE-STANDING OF HOLLOW TREES

- E16. The three hollow trees identified for removal in the Biodiversity Development Assessment Report Final, Version 2.3 prepared by Cumberland Ecology dated 2 June 2020 must be preserved for re-standing within the site. Where it is not feasible to re-stand the trees within the site, the hollows must be salvaged when trees are felled and then

installed securely in suitable locations on retained trees within Wilson Park for use by fauna. Placement of trees or salvaged hollows is to be guided by an ecologist with demonstrated experience in nest box or tree hollow management, and approved by SOPA. Final details are to be provided to the Certifier.

COMPENSATORY HABITAT BOXES

E17. Prior to the issue of an Occupation Certificate a minimum of six bat boxes, six red-rumped parrot boxes and three possum boxes are to be installed on retained trees within the Wilson Park precinct. Design and placement of such boxes is to be in accordance with best practice, in consultation with a suitably experienced ecologist with demonstrated expertise in nest box management. The design and placement of the boxes shall be approved by SOPA prior to installation. Final details are to be provided to the Certifier.

STRUCTURAL INSPECTION CERTIFICATE

E18. 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 Planning Secretary 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

E19. 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. This report must be prepared in accordance with the requirements of SOPA's Infrastructure Engineering and Construction Manual (IECM); and
- (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:
 - (i) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
 - (ii) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to the Certifier, SOPA, the Planning Secretary and each of the affected property owners.

TRAVEL PLAN

E20. Prior to occupation or commencement of use, a detailed **Travel Plan** prepared by a suitably qualified person, shall be endorsed by the Coordinator General, Transport Coordination within TfNSW and submitted to the Certifier. The **Travel Plan** must:

- (a) support staff and visitors to prioritise access the site by public and active transport and minimise the proportion of single-occupant car journeys to the site;
- (b) include a Travel Access Guide (TAG) which must specify matters including, but not limited to:
 - (i) suitable nearby drop-off/pick-up locations;
 - (ii) identify areas where drop-off/pick-up is prohibited and instruct staff and visitors to avoid use of these areas;
 - (iii) suitable nearby taxi zones;
 - (iv) public transport options in the vicinity of the site;
 - (v) pedestrian access to the site;
 - (vi) bicycle parking and cycleway networks to the site;
 - (vii) access to the site for vehicles including parking arrangements; and
 - (viii) servicing and loading arrangements.
- (c) establish mode share targets for staff and visitors for occupation and outline robust actions to achieve these targets;
- (d) appoint a Travel Plan Coordinator to oversee the implementation of the Travel Plan;
- (e) nominate the party/parties responsible for implementing the actions in the Travel Plan and its ongoing monitoring and review, including the delivery of actions and associated mode share targets; and

- (f) include an annual monitoring, reporting and review process, supported by a Travel Survey to determine if mode share targets and other actions of the Travel Plan are being achieved.

EVENT TRAFFIC MANAGEMENT PLAN

- E21. Prior to occupation or commencement of use, an **Event Traffic Management Plan** prepared by a suitably qualified person, shall be submitted to the Certifier. The **Event Traffic Management Plan** must address traffic impacts associated with events with 1000 attendees or more, including demonstration that peak parking demand associated with special events can be accommodated without reliance on on-street parking or other parking facilities provided within SOP, including reliance on the adjacent Council car park.

BICYCLE AND FACILITIES FOR CYCLISTS CERTIFICATION

- E22. 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**.

REGISTRATION OF EASEMENTS

- E23. Prior to the issue of an Occupation Certificate, the Applicant shall provide evidence to the Certifier that a covenant on the title of the land has been lodged for registration or registered at the NSW Land and Property Information that makes reference to any Long Term Environmental Management Plan produced in association with this development, to ensure that it is carried out in perpetuity.

FLOOD MANAGEMENT

- E24. Prior to occupation or the commencement of use, a Site Emergency Flood Response Plan shall be prepared for implementation with the facilities emergency response measures (see **Condition B36**). A copy of the plan shall be submitted to Council, SOPA and the Certifier.

MECHANICAL VENTILATION

- E25. 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

- E26. 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 facility 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.
- E27. Prior to commencement of food handling operations, food premises are to be registered with Council.

FOOD PREMISES – HEALTH REGISTRATION DATABASE

- E28. 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.

SANITARY FACILITIES FOR DISABLED PERSONS

- E29. 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 B16**.

WASTE AND RECYCLING COLLECTION

- E30. Prior to the issue of any Occupation Certificate and/or commencement of the use, whichever is the earlier, the building owner must ensure that there is a contract with a licensed contractor for the removal of all trade waste. No garbage is to be placed on the public way e.g. the roadways, footpaths, plazas, and reserves at any time.

ACOUSTIC COMPLIANCE

- E31. Prior to the issue of an Occupation Certificate, evidence shall be submitted to the Certifier demonstrating compliance with all noise mitigation measures required under **Condition B18** and to ensure the development achieves compliance with the requirements of the NSW Noise Policy for Industry and other guidelines applicable to the development.

CONTAMINATION

- E32. Following remediation and construction works but prior to issue of an Occupation Certificate, the Applicant must engage a Site Auditor, accredited under the *Contaminated Land Management Act 1997* (CLM Act) to provide:
- (a) a **Section A1 Site Audit Statement** – or a **Section A2 Site Audit Statement** accompanied by an Environmental Management Plan – from an EPA-accredited Site Auditor must be submitted to the Department. The **Site Audit Statement** must certify the site is suitable for the proposed use. Additionally, the **Site Audit Report** which accompanies the **Site Audit Statement** must comment on:
 - (i) the suitability of the engineering (e.g. subsurface drainage system) and management response in addressing any potential risks associated with the contamination caused by the former gasworks activity and hazardous ground gases/soil vapours; and
 - (ii) the conditions at the site following validation, including contamination and any unexpected ground gases if encountered, and management thereof;
- E33. Copies of all Interim Site Audit Advices, Site Audit Statements and Site Audit Reports must be provided to SOPA, the EPA and the Planning Secretary within 14 days of being issued by the Site Auditor.

COMPLIANCE REPORT

- E34. Prior to the issue of any Occupation Certificate, the Applicant, or any party acting upon this approval, shall submit to the Certifier a report addressing compliance with all relevant conditions of this Part.

PART F POST OCCUPATION – DURING OPERATION

FACILITY OPERATION

F1. Operation of the facility must be in accordance with the OMP (**Condition E5**).

HOURS OF OPERATION

F2. The hours of operation shall be as specified in the table below:

Land use/activity	Hours of Operation
Offices, general administration, security	24-hours
Indoor facilities, café and community facilities	6 am to 10 pm
Outdoor facilities	7 am to 10 pm

Occasional activities may be carried out outside these hours for match day events, including general preparations for match day use, such as curating wickets, preparing pitches and the ovals, preparing café food for sale during matches, and preparation by administrative staff for scoring matches.

MAXIMUM PATRON CAPACITY

F3. The maximum number of persons (including staff and patrons) permitted at the facility at any one time is as follows:

- (a) 1500 persons for a fan day; and
- (b) 1500 persons for a match day.

Management is responsible for ensuring the number of patrons in the premises does not exceed the approved capacity.

NOISE CONTROL – PLANT AND MACHINERY

F4. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- (a) transmission of “offensive noise” as defined in the *Protection of the Environment Operations Act 1997* to any place of different occupancy;
- (b) a sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute; and
- (c) notwithstanding compliance with (1) and (2) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12.00 midnight and 7.00 am.

NOISE LIMITS - INTRUSIVENESS

F5. The Applicant must ensure that the noise generated by the development does not exceed the noise limits at the residential receivers identified in the table below. Receivers are identified in the Acoustic Assessment, Revision 4, prepared by Acoustic Logic, dated 16 January 2020.

Noise receiver	Noise limit dB(A)		
	Day	Evening	Night
	LAeq, 15min	LAeq, 15min	LAeq, 15min
R1 – R4: Northern Boundary residences	53	55	60

Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry.

NOISE LIMITS - AMENITY

F6. The Applicant must ensure that the noise generated by the development does not exceed 63 dB(A) LAeq, 15min for commercial receivers surrounding the site (when in use) and the noise limits at the residential receivers identified in the table below. Receivers are identified in the *Acoustic Assessment*, Revision 4, prepared by Acoustic Logic, dated 16 January 2020.

Noise receiver	Noise limit dB(A)		
	Day	Evening	Night
	L _{Aeq} , 15min	L _{Aeq} , 15min	L _{Aeq} , 15min
R1 – R4: Northern Boundary residences	58	53	43

Note: Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry.

ANNUAL FIRE SAFETY CERTIFICATE

- F7. 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.

FIRE SAFETY CERTIFICATION

- F8. The development shall operate in accordance with the Fire Safety Certificate obtained in accordance with **Condition E13** of this consent.

LOADING AND UNLOADING

- F9. All loading and unloading operations associated with the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.
- F10. 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.
- F11. All vehicles must enter and exit the site in a forward direction.
- F12. All vehicles are to be wholly contained on-site before being required to stop.

NO OBSTRUCTION OF THE PUBLIC WAY

- F13. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

OUTDOOR LIGHTING

- F14. All new outdoor lighting (including any signage illumination) shall operate in compliance with the recommendations of the External Lighting Strategy Report – CNSW COE Revision 03 dated 31 October 2019 and Response to Lighting Matters dated 10 March 2020, prepared by LCI Consultants 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 B26**).

TREATMENT OF RUN-OFF

- F15. 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.

ACCESS TO WILSON PARK REMEDIATION PONDS

- F16. The fencing and security strategy for the site must allow 24-hour-a-day access to the Wilson Park remediation ponds for SOPA staff and contractors for maintenance purposes.

HAZARDOUS MATERIALS SURVEY

- F17. The applicant must update the site's Hazardous Materials Survey (see **Condition B49**) on a regular basis.

BUNDING

- F18. 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*.

WASTE MANAGEMENT

- F19. Waste Management shall be undertaken in accordance with the Waste Management Plan Revision C, prepared by Elephants Foot and dated 8 October 2019, and **Condition E30**.

ANTI-GRAFFITI

- F20. Where possible all ground level surfaces are to be treated with anti-graffiti coating to minimise the potential of defacement. In addition, any graffiti evident on the exterior facades and visible from a public place is to be removed within 48 hours.

DRONES

- F21. Any drones associated with the use of the facility must not enter into any area that would compromise security at the Silverwater Correctional Complex.

BUILT STRUCTURES AND OPEN AREAS

- F22. All buildings, structures, open areas and perimeter fencing of the site must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

HABITAT BOX MONITORING

- F23. The Applicant must engage a qualified ecologist to monitor the habitat boxes bi-annually for a period of 25 years, assessing the use by target fauna, and box maintenance requirements. Damaged boxes and attachments are to be duly repaired or replaced. Monitoring records are to be provided to SOPA on 30 June each year, or as requested.

CONTAMINATION

- F24. The Applicant must engage a Site Auditor, accredited under the *Contaminated Land Management Act 1997* (CLM Act) to provide the following:
- (a) for a minimum period of 3 years following construction, Interim Site Audit Advice issued by the Site Auditor must be submitted to the Department annually. The Interim Site Audit Advice/s should certify that the implementation of the above plans mentioned in **Condition B42(a)** is appropriate and that the objectives of the plans are being met; and
 - (b) following construction and after the first three years of monitoring, a new **Section B Site Audit Statement** issued by the Site Auditor determining the appropriateness of the approved plans in ongoing management of the vapour mitigation system to ensure hazardous ground gases do not pose an unacceptable risk to users of the site or pose a potential risk to off-site receptors, must be submitted to the Planning Secretary.
- F25. Copies of all Interim Site Audit Advices, Site Audit Statements and Site Audit Reports must be provided to SOPA, the EPA and the Planning Secretary within 14 days of being issued by the Site Auditor.

PUBLIC TOILETS

- F26. **External-facing toilets in the maintenance building shall be publicly accessible during daylight hours (sunrise to sunset) and during major events.**

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 Council or the relevant authority for all necessary permits including temporary structures, 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*.

RESPONSIBILITY FOR OTHER CONSENTS / AGREEMENTS

AN3. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

REQUIREMENTS OF PUBLIC AUTHORITIES

AN4. Public authorities (e.g. Ausgrid, Sydney Water, Telstra Australia, AGL, etc.) may have requirements in regard to the connection to, relocation or adjustment of services affected by the construction of the development.

TEMPORARY STRUCTURES

AN5. 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.

AN6. 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

AN7. 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.

FURTHER APPROVALS

AN8. The following shall be subject of separate development applications to Council under Part 4 of the Act (except where exempt and complying development applies):

- (a) Fit-out and use of the retail tenancies (with the exception of the public amenities) - the Applicant shall seek development consent prior to occupation and use of individual retail tenancies. Development applications for any food premises shall comply with the requirements of *AS 4674 Design, Construction and Fit-out of Food Premises, The Food Act 2003* and *Food Safety Standards*.
- (b) The Applicant shall obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the *National Code for the Construction and Fit-out of Food Premises*. The Applicant shall provide evidence of receipt of the certificate to the Certifier prior to the occupation of the building(s) or commencement of the use.

USE OF MOBILE CRANES

AN9. The Applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied and submitted to the Certifier:

- (c) (For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on-site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council:
 - (i) at least 48 hours prior to the works for partial road closures which, in the opinion of the relevant road authority will create minimal traffic disruptions; and
 - (ii) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of the relevant road authority, will create significant traffic disruptions.
- (d) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7 am without the prior approval of the relevant authority.

ROADS ACT 1993

AN10. A separate approval under Section 138 of the *Roads Act 1993* is required to undertake any of the following:

- (a) erect a structure or carry out a work in, on or over a public road;
- (b) dig up or disturb the surface of a public road;
- (c) remove or interfere with a structure, work or tree on a public road;
- (d) pump water into a public road from any land adjoining the road; or
- (e) connect a road (whether public or private) to a classified road.

COMMONWEALTH ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

AN11. 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.

AN12. 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 Agriculture, Water and the Environment 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

AN13. 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).

WORKS AND SIGNPOSTING

AN14. All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

ASBESTOS REMOVAL

AN15. All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current SafeWork NSW Asbestos or "Demolition Licence" and a current SafeWork "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".

END OF ADVISORY NOTES

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 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.