

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, under delegation dated 16 February 2015, I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social 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.

David Gainsford
Executive Director
Priority Projects Assessments

Sydney

31 August 2017

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.

CONSOLIDATED CONSENT

SCHEDULE 1

Application No.:	SSD 8175
Applicant:	Venues NSW
Consent Authority:	Minister for Planning
Land:	Western Sydney Stadium 11-13 O'Connell Street, Parramatta (Lots 951-959 and 961-964 in DP 42643 and Crown Land Lot 80-3000 (part))
Development:	<p>Detailed design, construction and operation of Western Sydney Stadium, comprising:</p> <ul style="list-style-type: none">• construction of a 30,000 seat stadium and playing pitch, providing:<ul style="list-style-type: none">○ 27,000 general administration seats;○ 3,000 corporate box seats, ancillary function centre and associated kitchen facilities;○ general admission viewing areas, food and beverage outlets, amenities and associated facilities;○ player and coaching facilities, media and press conference rooms, security and stadium manager's facilities;• general stadium operations, including major sporting events and music concerts;• the independent use of the Western Sydney Stadium function centre for functions and events;• stadium lighting, signage zones, including a curved digital display entry sign, and ancillary stadium elements;• construction of a new signalised O'Connell Street and southern vehicle access point, closure of the existing vehicles access point at the O'Connell Street and Victoria Road intersection and construction of a new vehicle access point from O'Connell Street;• construction of an internal ring-road and provision of a maximum of 500 car parking spaces;• construction of the public domain, including public plazas, entertainment areas and pedestrian access and footpath upgrades;• associated landscaping, tree removal and infrastructure works; and• reconfiguration and resurfacing of the northern sections of Parramatta Park Trust southern car park.

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-8175-Mod-1	28 February 2019	Director, Social and Other Infrastructure Assessments	Amendments to reflect the correct timing requirement for the submission of the Biodiversity Operational Management Plan.
SSD-8175-Mod-2	17 April 2019	Director, Social and Other Infrastructure Assessments	Amendments to remove the Emergency Response and Evacuation Plan (EREP) from the Event Management Plan.
SSD-8175-Mod-3	17 December 2019	Director, Social and Other Infrastructure Assessments	Increase the number of sporting events and concerts and additional function spaces. Associated increase in function patrons and function operational hours.
SSD-8175-Mod-4	17 January 2025	Team Leader, Social Infrastructure	Correction of misdescription of timing in conditions.

CONSOLIDATED CONSENT

DEFINITIONS

Aboriginal object	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Aboriginal place	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	Consent holder or person with the benefit of the development consent, as defined under Schedule 1 of this consent
Application	The development application and the accompanying drawings plans and documentation described in Condition A2 of this consent
Approved disturbance area	The area identified as such on the development layout
BCA	Building Code of Australia
Major event concert	A musical entertainment performance carried out within Western Sydney Stadium for a period of no greater than five hours, during which sound amplification is used as part of that entertainment activity, but does not refer to incidental entertainment as part of a major sporting event permitted by this consent
Captain's Run	A training session, typically conducted on the day prior to the match, that is held separately by both teams on the match field prior to the fixture being played for the purpose of providing players with the experience of the match day surface.
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	All physical work required to construct the development, including but not limited to bulk earthworks, basement and inground works, erection of the stadium structure, services and finishes, landscaping and public domain works, signage and other infrastructure covered by this consent for Western Sydney Stadium Stage 2 works
Council	City of Parramatta
Certification of Crown Building works	Certification under s109R of the <i>Environmental Planning and Assessment Act 1979</i>
Certifying Authority	Professionals that are accredited by the Building Professionals Board to issue construction, occupation, subdivision, strata, compliance and complying development certificates under the EP&A Act, <i>Strata Schemes (Freehold Development) Act 1973</i> and <i>Strata Schemes (Leasehold Development) Act 1986</i> or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works.
Day time	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	The Department of Planning and Environment
Evening	The period from 6 pm to 10 pm
Environmental Impact Statement (EIS)	<i>Stage 2 State Significant Development Application, Environmental Impact Statement, 11-13 O'Connell Street, Parramatta, Western Sydney Stadium</i> , prepared by JBA, dated March 2017
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Feasible	Feasible relates to engineering considerations and what is practical to build
Harm	Harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, and harm will be material if: <ul style="list-style-type: none">a) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, orb) it 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 hard to the environment)

CONSOLIDATED CONSENT

Heritage item	An Aboriginal object, an Aboriginal place, or a place, building, work, relic, movable object, tree or precinct of heritage significance, that is listed under any of the following: the State Heritage Register under the Heritage Act, a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> , a Local Environmental Plan under the EP&A Act, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent.
Incident	An occurrence or set of circumstances that: <ul style="list-style-type: none"> causes, or threatens to cause material harm to the environment; or results in non-compliance with this consent. <p><i>NOTE: "Harm" is defined in this consent.</i></p>
Minister	Minister for Planning, or nominee
Night time	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
OEH	Office of Environment and Heritage, or its successor
Operation	The operation of the development for its approved purpose upon completion of construction
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Response to Submissions (RtS)	<i>Stage 2 State Significant Development Application, Response to Submissions, Western Sydney Stadium, 11-13 O'Connell Street, Parramatta</i> , prepared by JBA, dated 31 May 2017, inclusive of accompanying attachments and RtS Addendum submissions.
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the Applicant to respond in writing will be added to the one month period.
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility
Subject Site	11-13 O'Connell Street, Parramatta (Lots 951-959 and 961-964 in DP 42643 and Crown Land Lot 80-3000 (part))

CONSOLIDATED CONSENT

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Development Description

A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Condition A2.

Development in Accordance with Plans and Documents

A2. The Applicant must carry out the development in accordance with the conditions of consent and generally in accordance with the:

- a) *Stage 2 State Significant Development Application, Environmental Impact Statement, 11-13 O'Connell Street, Parramatta, Western Sydney Stadium*, prepared by JBA, dated March 2017;
- b) *Stage 2 State Significant Development Application, Response to Submissions, Western Sydney Stadium, 11-13 O'Connell Street, Parramatta*, prepared by JBA, dated 31 May 2017, accompanying attachments and addendum submissions;
- c) Response to Submissions – Addendum Submissions, prepared by JBA and dated 4 July 2017 and 6 July 2017 and Supplementary Noise Modelling Addendum Submission, prepared by Acoustic Logic, dated 10 July 2017; and
- d) **generally in accordance with the section 4.55(2) modification application (SSD 8175 MOD 3) documentation, including the documents titled Statement of Environmental Effects dated September 2019 and Response to Submissions Report dated December 2019 prepared by CW Strategic Planning Services on behalf of Venues NSW.**
- e) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.

Architectural Drawings prepared by <i>Populous</i>			
Dwg No.	Rev	Name of Plan	Date
AD_2.01.000	39	GA PLAN - Service Level, Level 00 – Overall	27.07.2017
AD_2.01.100	37	GA Plan - Concourse Level, Level 01	27.07.2017
AD_2.01.200	26	GA Plan - Club Level, Level 02 – Overall	05.05.2017
AD_2.01.300	26	GA Plan - Suite Level, Level 03 – Overall	05.05.2017
AD_2.01.400	26	GA Plan - Media Level, Level 04 – Overall	05.05.2017
AD_2.01.600	19	GA Plan - Roof Level, Level RL – Overall	10.05.2017
AD_3.01.000	8	Elevation - Overall	27.04.2017
AD_3.01.001	8	Elevation - Part North	27.04.2017
AD_3.01.002	8	Elevation - Part East	27.04.2017
AD_3.01.003	8	Elevation - Part South	27.04.2017
AD_3.01.004	8	Elevation - Part West	27.04.2017
AD_4.01.000	8	GA Sections - Overall	27.04.2017
AD_4.01.001	8	GA Sections - Part North South	27.04.2017
AD_4.01.002	8	GA Sections - Part East West	27.04.2017
AD_4.02.001	7	Bowl Sections - Part North and East	27.04.2017
AD_4.02.002	7	Bowl Sections - Part South and West	27.04.2017
AD_8.50.001	4	Exterior Finishes Schedule	28.02.2017
AD_2.30.000	3	WAYFINDING - Overall Signage Location Plan	17.02.2017

CONSOLIDATED CONSENT

AD_3.30.000	4	Elevation WAYFINDING - exterior building & branding signage	02.03.2017
AD_4.30.000	2	Bowl Sections - Digital signage overall	17.02.2017
AD_7.30.000	3	Wayfinding - Plaza sign types	17.02.2017

Landscape Drawings prepared by <i>Aspect Studios</i>			
Dwg No.	Rev	Name of Plan	Date
WSS_L_MP_1.11.100	E	Stage 2 Design Approval, Landscape Plan	Undated
WSS_L_MP_1.10.100	A	Stage 2 Design Approval, Precinct Connections Diagram	Undated
WSS_L_MP_1.20.100	G	Stage 2 Design Approval, Tree Removal Plan	Undated
WSS_L_MP_4.10.100	B	Stage 2 Design Approval, Section 01	Undated
WSS_L_MP_4.11.100	B	Stage 2 Design Approval, Section 02	Undated
WSS_L_MP_4.12.100	B	Stage 2 Design Approval, Section 03	Undated
WSS_L_MP_4.13.100	B	Stage 2 Design Approval, Section 04	Undated
WSS_L_MP_4.14.100	B	Stage 2 Design Approval, Section 05	Undated
Civil and Stormwater Drawings prepared by <i>Aurecon</i>			
Dwg No.	Rev	Name of Plan	Date
WSS_CD_1.00.015	A	Site Drainage Plan	30.05.2017
WSS_CD_1.01.108	3	Civil General Arrangement Sheet 1 of 7	30.05.2017
WSS_CD_1.01.109	3	Civil General Arrangement Sheet 2 of 7	30.05.2017
WSS_CD_1.01.110	3	Civil General Arrangement Sheet 3 of 7	30.05.2017
WSS_CD_1.01.111	3	Civil General Arrangement Sheet 4 of 7	30.05.2017
WSS_CD_1.01.112	3	Civil General Arrangement Sheet 5 of 7	30.05.2017
WSS_CD_1.01.113	3	Civil General Arrangement Sheet 6 of 7	30.05.2017
WSS_CD_1.01.114	3	Civil General Arrangement Sheet 7 of 7	30.05.2017

Terms of Consent

A3. The Secretary may make written direction to the Applicant:

- a) arising from the Department's assessment of any strategies, plans, programs, reviews, audits, notification, reports or correspondence that are submitted in accordance with this consent (including any stages of these documents);
- b) arising from the Department's assessment of any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with this consent or in relation to an incident (whether notified to the Department or not); and
- c) in relation to the implementation of any actions or measures contained in any of the documents listed in (a) or (b) of this condition.

Major Events

A4. The operation of Western Sydney Stadium allowed by this approval is limited to the following major events (per annum) and operational hours as follows:

- a) Event type:
 - i) **65 major sporting events once Stadium Australia becomes operational**, including but not limited to National Rugby League games, Australian Rugby Union games, and A-League and W-League Soccer games and/or international soccer games;
 - ii) **80 major sporting events up until Stadium Australia becomes operational, including but not limited to National Rugby League games, Australian Rugby Union games, and A-League and W-League Soccer games and/or international soccer games;**

CONSOLIDATED CONSENT

- iii) 5 music concerts.
- b) The limitations to major sporting events, as prescribed in condition A4.a)i), does not restrict the carrying out of training activities associated with those events, including any associated 'Captain's Run';
- c) Event operational hours:
 - i) concerts – 12 pm to 10:30 pm;
 - ii) amplified sound tests or rehearsals **may be undertaken between 10 am and 7 pm**, on the same day **or day immediately preceding** the planned major event;
 - iii) **notwithstanding part ii), where** amplified sound tests or rehearsals **are to be** undertaken on a school day, **they will be restricted to 3:30 pm to 7 pm**, on the same day **or day immediately preceding** the planned major event;
 - iv) pyrotechnics – 10 am to 10:30 pm;
 - v) sporting events – 10 am to 10:30 pm;
- d) Notwithstanding the limitations prescribed by condition A4.c)iv), the use of pyrotechnics may be extended to 12:15 am for events of cultural significance where written notification is provided to the Secretary seven days prior to the planned cultural event;
- e) Where a sound test or rehearsal permitted by condition A4.c) is audible or is likely to be audible at any nearby noise sensitive land use (such as a residence, school, places of public worship, child care establishment or public recreation area), that:
 - i) the sound test is limited to a period not exceeding one hour;
 - ii) the rehearsal is limited to a period not exceeding one hour;
 - iii) if the sound test and rehearsal are undertaken together they are limited to a combined period not exceeding two hours; and
- f) This approval does not consent to the use of the surrounding Western Sydney Stadium precinct and associated public domain for any event, other than activities defined as being ancillary to the use of Western Sydney Stadium for a major event (approved under condition A4 a)).

Design Quality Excellence

- A5. Prior to the commencement of above ground works associated with this consent, evidence must be submitted to the satisfaction of the Secretary demonstrating that a Design Integrity Panel has been established, including details of the panel members and design review stages throughout the construction of Western Sydney Stadium and the surrounding public domain.
- A6. To ensure the design quality excellence of the project is retained:
 - a) the design architects (Populous and Aspect Studios) are to have direct involvement in the design documentation, contract documentation and construction stages of the project;
 - b) the design architects is to have full access to the site and is to be authorised by the Applicant to respond directly to the consent authority where information of clarification is required in the resolution of design issues throughout the life of the project; and
 - c) evidence of the design architect's commission is to be provided to the Department prior to the commencement of works associated with this consent, except for site preparatory works.

CONSOLIDATED CONSENT

Inconsistency between documents

- A7. If there is any inconsistency between the plans and documentation referred to above the most recent document must prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Development Expenses

- A8. It is the responsibility of the Applicant to meet all expenses incurred in undertaking the development, including expenses incurred in complying with conditions imposed under this consent.

Limits of Approval

- A9. Separate approval for the fitout and use of the café must be obtained from the relevant authority prior to its fitout or use commencing.
- A10. Separate approvals for the use of the Western Sydney Stadium precinct and associated public domain for events must be obtained from the relevant authority prior to such uses commencing.

Lapsing of Approval

- A11. This consent will lapse five years from the date of consent unless the works associated with the development have physically commenced.

Prescribed Conditions

- A12. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

Dispute Resolution

- A13. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter must be binding on the parties.

Notice of Commencement of Works

- A14. The Applicant must notify the Department in writing of the date of commencement of each of the following phases of the development, at least 48 hours prior to that date:
- a) construction; and
 - b) operation.

Evidence of consultation

- A15. Where consultation with any stakeholder identified in the conditions of this consent is required by any conditions of this consent, the Applicant must:
- a) consult with the relevant stakeholder prior to submitting the required document for approval;
 - b) submit evidence of such consultation as part of the relevant document;
 - c) describe how matters raised by the stakeholder have been addressed and identify any matters that have not been resolved; and
 - d) include details of any outstanding issues raised by the stakeholder and an explanation of disagreement between any stakeholder and the Applicant.

CONSOLIDATED CONSENT

Long Service Levy

A16. For work costing \$25,000 or more, a Long Service Levy must be paid. For further information please contact the Long Service Payments Corporation Helpline on 131 441.

Legal Notices

A17. Any advice or notice to the consent authority must be served on the Secretary.

Compliance

A18. The Applicant must ensure that all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

Revision of Strategies, Plans and Programs

A19. Within two months of:

- a) the submission of an annual review/compliance report required by conditions of this consent;
- b) the submission of an incident report required by conditions of this consent;
- c) the submission of an audit under required by conditions of this consent; and
- d) the approval of any modification to the conditions of this consent/approval; or
- e) a direction of the Secretary under condition A3 of this consent:

The Applicant must review and if necessary revise, the strategies, plans and programs required under this consent/approval to the satisfaction of the Secretary.

Where this review leads to revisions in any such document, then within six weeks of the review the revised document must be submitted to the Secretary for approval, unless otherwise agreed with the Secretary.

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

Incident Notification, Reporting and Response

A20. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident.

A21.

- a) A written incident notification must also be emailed to the Department at the following address: compliance@planning.nsw.gov.au within 24 hours after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant forms the view that an incident has not occurred.
- b) Written notification of an incident must:
 - i) identify the development/project and application number;
 - ii) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - iii) identify how the incident was detected;
 - iv) identify when the applicant/proponent became aware of the incident;
 - v) identify any actual or potential non-compliance with conditions of consent/approval;
 - vi) describe what immediate steps were taken in relation to the incident;
 - vii) identify further action(s) that will be taken in relation to the incident; and
 - viii) identify a project contact for further communication regarding the incident.

CONSOLIDATED CONSENT

A22.

- a) Within 7 days of the date on which the incident occurred or as otherwise agreed to by the Secretary, the Applicant must provide the Secretary and any relevant public authorities (as determined by the Secretary) with a detailed report on the incident addressing all requirements for such reporting set out in Appendix [x] of this consent, and such further reports as may be requested.
- b) The Incident Report must include:
 - i) a summary of the incident;
 - ii) outcomes of an incident investigation, including identification of the cause/s of the incident;
 - iii) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - iv) details of any communication with other stakeholders regarding the incident.

A23. Any written requirements of the Secretary or relevant public authority (as determined by the Secretary) which may be given at any point in time, to address the cause or impact of an incident must be complied with and within any timeframe specified by the Secretary or relevant public authority.

A24. If statutory notification is provided to the EPA as required under the POEO Act in relation to the project, such notification must also be provided to the Secretary within 24 hours after the notification was provided to the EPA.

A25. Incidents are to be notified as part of monitoring the carrying out of the Development to provide data on compliance with this consent or the environmental impact of the Development. Accordingly, Division 2B of Part 6 of the EP&A Act applies.

PART B PRIOR TO COMMENCEMENT OF WORKS

Design Modifications

- B1. Prior to the commencement of landscaping and public domain works associated with this consent, the Applicant must submit to the satisfaction of the Design Integrity Panel additional information and design modifications that address the following:
- a) a revised southern entry staircase layout, design and appearance that improves its presentation to the surrounding public domain and pedestrian approach from O'Connell Street (south);
 - b) how the design, including materials and landscaping minimises the impact of urban heat;
 - c) a revised design and setback of the River Terrace to ensure:
 - i) no works are located within the 20-metre inner riparian zone of the western bank of Parramatta River;
 - ii) any works located in the 20-metre outer riparian corridor of the western bank of Parramatta River have been appropriately offset within the development site; and
 - iii) all riparian corridor land within the development site is appropriately revegetated in accordance with a Vegetation Management Plan prepared in consultation with the Parramatta Park Trust.
- B2. A copy of the Design Integrity Panel's approval must be provided to the Department prior to the commencement of works required in accordance with by condition B1 of this consent.

Certified Plans

- B3. Plans certified in accordance with section 109R of the EP&A Act must be submitted to the Certifying Authority and the Department prior to commencement of each stage of the construction works and must include details as required by any of the following conditions.

Community Consultative Committee

- B4. The Applicant must establish a Community Consultative Committee (CCC) for the development prior to the commencement of construction, unless otherwise agreed by and to the satisfaction of the Secretary. The CCC must commence operation prior to the commencement of construction and be operated in accordance with the Department's Community Consultative Committee Guidelines, November 2016 (as may be updated or replaced from time to time) for the duration of construction and for at least two years from the commencement of operations.

Notes: The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Applicant complies with this consent.

In accordance with the guidelines, the Committee should comprise an independent chair and appropriate representation from the Applicant, Council and the local community.

Community Communication Strategy

- B5. A Community Communication Strategy (CCS) must be prepared to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction of the development.

The CCS must:

CONSOLIDATED CONSENT

- a) identify people to be consulted during the design and construction phases;
 - b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
 - c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
 - d) set out procedures and mechanisms:
 - i) through which the community can discuss or provide feedback to the Applicant;
 - ii) through which the Applicant will respond to enquiries or feedback from the community; and
 - iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.
- B6. The CCS must be submitted to the Secretary for approval no later than one month prior to commencement of any work.
- B7. Work for the purposes of the development must not commence until the CCS has been approved by the Secretary, or within another timeframe agreed with the Secretary.
- B8. The CCS, as approved by the Secretary, must be implemented for the duration of the development and for 12 months following the completion of construction.

Ecologically Sustainable Development

- B9. Prior to commencement of relevant works, the Applicant must submit details of the chosen ESD measures incorporated into the final design to achieve LEED v4 Gold certification, as identified in the LEED Summary report prepared by Aurecon dated 20 February 2017. Details must be submitted to the satisfaction of the Certifying Authority.

Public Domain Works

- B10. Prior to commencement of any footpath or public domain works, the Applicant must consult with Council and Transport for NSW and demonstrate to the satisfaction of the Certifying Authority, that the streetscape design and treatment meets the requirements of these authorities, including addressing pedestrian management. The Applicant must submit documentation of approval for each relevant stage from Council and Transport for NSW to the satisfaction of the Certifying Authority.
- B11. Prior to the commencement of any footpath or public domain works on Council's land associated with this consent, the Applicant must consult with Council to prepare a Public Domain Lighting Plan and demonstrate to the satisfaction of the Certifying Authority that the plan addresses Council's requirements.

Design of Food Premises

- B12. The fitout of any food premises must be carried out in accordance with Australia Standard AS 4674 Design, construction and fit-out of food premises. Details of compliance with the relevant provisions of the food code must be prepared by a suitably qualified person and submitted to the satisfaction of the Certifying Authority prior to the commencement of food premises works associated with this consent.

Reflectivity

- B13. The building materials used on the facades of Western Sydney Stadium must have a maximum normal specular reflectivity of visible light of 20 per cent and must be designed so as not to result in glare that causes any discomfort or threatens the safety of

pedestrians or drivers. A statement demonstrating compliance with these requirements or where compliance cannot be met a report that demonstrates that the exceedance would not result in glare that causes any discomfort or threatens the safety of pedestrians or drivers must be submitted to the satisfaction of the Certifying Authority prior to the commencement of the relevant works associated with this consent.

Outdoor Lighting

B14. All outdoor lighting within the Subject Site must comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-1997 Control of the obtrusive effects of outdoor lighting. Details demonstrating compliance with these requirements must be submitted to the satisfaction of the Certifying Authority.

Bicycle Parking and End-of-Trip Facilities

B15. Plans demonstrating compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Certifying Authority prior to the commencement of the relevant works associated with this consent:

- a) the provision of a minimum 200 bicycle parking spaces, including an appropriate number designated for staff-only usage;
- b) the location of a minimum 25 bicycle parking spaces adjacent to both the northern and southern ticket gate entrances and appropriately weather protected;
- c) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 *Parking facilities - Bicycle parking*, and be located in easy to access, well-lit areas that incorporate passive surveillance; and
- d) the provision of end-of-trip facilities for staff, including a minimum 24 showers and 82 lockers for both male and female staff.

Site Access, Car Parking and Service Vehicle Layout

B16. Prior to the finalisation of the detailed design of the public domain and car parking works associated with this consent, the Applicant must assess the demand for:

- a) the incorporation of bus infrastructure in the design of Western Sydney Stadium in consultation with Transport for NSW; and
- b) coach parking, service vehicle parking, pick-up/drop-off area/s and taxi parking.

B17. Details must be submitted to the satisfaction of the Secretary prior to the commencement of public domain and car parking works associated with this consent that demonstrate the demand assessed and identified in accordance with condition B16 has sufficiently been catered for on-site.

B18. In consultation with Council and Parramatta Park Trust, the Applicant must submit detailed plans to the satisfaction of the Secretary prior to the commencement of site access arrangement works and/or public domain works associated with this consent, demonstrating the following upgrades:

- a) the widening of the western footpath on O'Connell Street to a minimum three metres, between the northern end of the O'Connell Street bridge and the northern extent of the Site;
- b) a three metre wide shared pedestrian and bicycle pathway from Western Sydney Stadium to Parramatta River between the Parramatta Park Trust southern car park and O'Connell Street, with lighting subject to agreement with Parramatta Park Trust;

CONSOLIDATED CONSENT

- c) pedestrian, cycle and emergency vehicle access from the north-west of the Parramatta River bridge to the Western Sydney Stadium concourse level;
 - d) two shared path connections from the riverside trail and southern Parramatta River bridge into the Western Sydney Stadium shared path loop;
 - e) linking the pedestrian path from north-west of the Parramatta River bridge to the existing Parramatta Leagues Club pedestrian path;
 - f) the provision of a new pedestrian circuit around Western Sydney Stadium, linking O'Connell Street north and south with the western part of the stadium;
 - g) installation of lights under the O'Connell Street bridge; and
 - h) lighting upgrades in the Parramatta Park Trust southern car park, subject to the agreement of Parramatta Park Trust.
- B19. Where any road closures are proposed, prior to the finalisation of the detailed design of the public domain and car parking works associated with this consent, the Applicant must submit to details to the satisfaction of the Secretary demonstrating:
- a) alternatives to any road closures in detail and in consultation with Transport for NSW, Roads and Maritime Services and Council have been investigated;
 - b) traffic and transport reports have been submitted for approval to Transport for NSW and Roads and Maritime Services that demonstrate the proposed changes to O'Connell Street or any other roads would not have an impact on the general traffic and bus operation and pedestrian and cyclist safety; and
 - c) that electronic copies of the SIDRA files have been submitted to the Roads and Maritime Services for review.
- B20. Plans demonstrating compliance with the following traffic and parking requirements must be submitted to the satisfaction of the Certifying Authority prior to the commencement of relevant works associated with this consent:
- a) all vehicles should enter and leave the Subject Site in a forward direction. If site constraints do not permit heavy rigid vehicles to enter and leave in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - b) the on-site location of a maximum 500 car parking spaces and sufficient coach parking, service vehicle parking, mobility parking, pick-up/drop-off area/s and taxi parking for event and non-event operations;
 - c) all demolition and construction vehicles must be contained wholly within the site and vehicles must enter the site before stopping;
 - d) appropriate pedestrian advisory signs must be provided at the egress from the car park;
 - e) all works/ regulatory signposting associated with the proposed development must be at no cost to the relevant roads authority; and
 - f) the swept path of the longest vehicle entering and exiting the Subject Site in association with the new work, as well as manoeuvrability through the Subject Site, must be in accordance with AUSTROADS.
- B21. Plans indicating line marking and signage, of public roads and footways must be submitted to the relevant roads authority for approval where required.
- B22. A **Road Safety Audit (RSA)**, prepared by suitably qualified consultant, must be undertaken of the vehicle and pedestrian access arrangements to Western Sydney

CONSOLIDATED CONSENT

Stadium in accordance with Austroads Guide to Road Safety Audit Part 6: Road Safety Audit by an independent Transport for NSW accredited road safety auditor and submitted to the satisfaction of the Certifying Authority prior to finalisation of the detailed design of the public domain and car parking works associated with this consent.

- B23. Based on the results of the **RSA**, the Applicant may be required to modify the vehicle and pedestrian access arrangements to Western Sydney Stadium.

Access for People with Disabilities

- B24. The works that are the subject of this application must be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA and Disability Discrimination Act 1992. Prior to the commencement of relevant works associated with this consent, the Certifying Authority must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on any certified plans.

Erosion and Sedimentation Control

- B25. Soil erosion and sediment control measures must ensure that no runoff or spillage of concrete, adhesives or other waste from the site will result in a negative impact on heritage values of the environment generally and must be designed in accordance with Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of works associated with this consent.

Pre-Construction Dilapidation Reports

- B26. Prior to the commencement of work associated with this consent, the Applicant is to engage a suitably qualified person to prepare a **Pre-Construction Dilapidation Report** detailing the current structural condition of all retained existing and adjoining buildings within the site, infrastructure and roads within the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land must include details of the whole building where only part of the building falls within the 'zone of influence'. The report must be submitted to the satisfaction of the Certifying Authority prior to the commencement of any works. A copy of the report is to be forwarded to Council.

In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the Secretary that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.

Heritage

- B27. Prior to commencement of above ground stadium building works and public domain works associated with this consent, a report endorsed by a suitably qualified and experienced excavation director who fulfils the Heritage Council's Excavation Director Criteria for the excavation of state significant archaeology must be submitted to the satisfaction of the Secretary demonstrating that the detailed design of Western Sydney Stadium, and all proposed interpretation, landscaping and tree planting works have been sensitively designed to avoid impact on identified archaeological items of significance.
- B28. Where approved remedial action works and archaeological testing program identifies that avoidance of significant archaeological in whole or in part is not possible to achieve, a detailed archaeological salvage of the proposed impacted areas must be undertaken. Prior to the salvage works commencing, a corresponding archaeological research design and excavation methodology must be prepared to the satisfaction of the Heritage Council

CONSOLIDATED CONSENT

of NSW (or its delegate). The archaeological program must be directed by a suitably qualified and experienced excavation director who fulfils the Heritage Council's Excavation Director Criteria for the excavation of state significant archaeology.

Aboriginal Cultural Heritage Management Plan

B29. Prior to the commencement of construction (unless otherwise agreed by the Secretary), the Applicant must prepare and submit an **Aboriginal Cultural Heritage Management Plan** (ACHMP) for the development. This plan must:

- a) be prepared by suitably qualified and experienced persons;
- b) be prepared in consultation with identified Registered Aboriginal Parties;
- c) demonstrate that Aboriginal archeologically test and salvage excavation works have been completed in accordance with the Archaeological Research Design and Aboriginal Archaeological Management Plan approved by SSD 7534;
- d) include updated baseline mapping of the Aboriginal objects and Aboriginal places within and adjoining the development disturbance area;
- e) include a description of the measures to be implemented to:
 - i) protect Aboriginal objects and Aboriginal places located outside the development disturbance area;
 - ii) minimise and manage the impacts of the development on Aboriginal objects and Aboriginal places within the disturbance footprint;
 - iii) ensure the long-term management of any Aboriginal objects and Aboriginal places or material collected during the test excavation or salvage works;
 - iv) ensure workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
 - v) ensure ongoing consultation with Registered Aboriginal Parties during the implementation of the plan;
- f) a program to monitor and report on the effectiveness of these measures and any impacts on Aboriginal objects and Aboriginal places as a result of the development; and
- g) a contingency plan and reporting procedure (that is consistent with obligations under conditions of this consent) if:
 - i) Aboriginal objects and Aboriginal places outside the approved disturbance area are damaged; or
 - ii) previously unidentified Aboriginal objects or Aboriginal places are found or suspected to be on site.

B30. The ACHMP must be approved by the Secretary prior to the commencement of construction, unless otherwise agreed by the Secretary.

B31. The Applicant must implement the most recent version of the ACHMP approved by the Secretary for the duration of development's construction and operation.

Unexpected Finds Protocol

B32. Prior to commencement of construction, the Applicant must prepare an Unexpected Finds Protocol for the development in consultation with Registered Aboriginal Parties, and to the satisfaction of Office of Environment and Heritage, and must implement the Protocol for the duration of the development.

Discovery of Human Remains or Aboriginal Objects of Places

CONSOLIDATED CONSENT

- B33. If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must immediately notify NSW Police and Office of Environment and Heritage, and work must not recommence in the area until authorised by NSW Police and Office of Environment and Heritage.
- B34. If any new Aboriginal object or Aboriginal place is identified on site, or suspected to be on site:
- a) all work in the immediate vicinity of the object or place must cease immediately;
 - b) a 10m buffer area around the object or place must be cordoned off; and
 - c) the OEH must be contacted immediately.
- B35. Work in the immediate vicinity may only recommence if:
- a) the object or place is confirmed by Office of Environment and Heritage upon consultation with the Registered Aboriginal Parties not to be an Aboriginal object or Aboriginal Place; or
 - b) the Aboriginal Cultural Heritage Management Plan is revised to include the object or place and appropriate measures in respect of it, to the satisfaction of the Secretary; or
 - c) the Secretary is satisfied as to the measures to be implemented in respect of the object or place and makes a written direction in that regard.

Structural Details

- B36. Prior to the commencement of stadium structural building works associated with this consent, the Applicant must submit to the satisfaction of the Certifying Authority 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.

Mechanical Ventilation

- B37. All mechanical ventilation systems must be installed in accordance with Part F4.5 of the BCA and must comply with the AS 1668.2-2012 The use of airconditioning in buildings – Mechanical ventilation in buildings and AS/NZS 3666.1:2011 Air handling and water systems of buildings–Microbial control to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details must be submitted to the satisfaction of the Certifying Authority prior to the commencement of stadium mechanical building works associated with this consent.

Stormwater and Drainage Works Design

- B38. Final drainage design plans of the stormwater drainage and management systems must be prepared by a suitably qualified practicing professional, and be generally in accordance with the Site drainage plan, drawing number WSS_CD_1.00.015, Revision A dated 30/05/2017, prepared by Aurecon. Detailed design plans must be submitted to the satisfaction of the Certifying Authority prior to the commencement of stormwater drainage works associated with this consent. The hydrology and hydraulic calculations must be based on models described in the current edition of Australian Rainfall and Runoff 2016. All stormwater outlets into the Parramatta River are to be designed in accordance with NSW Office of Water 'Guidelines for Outlet Structures' to provide a stable transition from a constructed drainage system to a natural flow regime.

Storage and Handling of Waste

B39. The building plans and specifications accompanying the relevant plans submitted to the Certifying Authority prior to the commencement of relevant works associated with this consent must demonstrate that an appropriate area will be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. Requirements of these storage areas must be designed in consultation with Council and must:

- a) ensure all storage areas are covered and bunded;
- b) ensure all internal walls of the storage area are rendered to a smooth surface, coved at the floor/wall intersection, graded, appropriately drained with a tap in close proximity to facilitate cleaning and drained to sewer via an approved treatment device;
- c) include provision for the separation and storage, in appropriate categories, of material suitable for recycling; and
- d) include provision for separate storage and collection of organic/food waste.

Road Design and Traffic Facilities

B40. All changes to traffic signal arrangements along O'Connell Street, roads and traffic facilities must be designed to meet the requirements of Council or RMS (whichever is applicable). The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works associated with this consent.

Construction Environmental Management Plan

B41.

- a) Prior to the commencement of construction, a **Construction Environmental Management Plan** (CEMP) must be prepared to the satisfaction of the Secretary, having regard to the Final Mitigation Measures contained in the RtS. The CEMP must also address, but not be limited to, the following matters, where relevant:
 - i) hours of work;
 - ii) 24-hour contact details of site manager;
 - iii) traffic management, in consultation with Council and Transport for NSW;
 - iv) construction noise and vibration management plan (CNVMP), prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites, and the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009);
 - v) protection of the existing Grey-headed Flying-fox in accordance with the mitigation measures outlined in the report titled, Western Sydney Stadium Stage 2: Biodiversity Assessment, prepared by AMBS Ecology and Heritage, dated February 2017;
 - vi) management of dust and odour to protect the amenity of the neighbourhood;
 - vii) erosion and sediment control;
 - viii) procedures for encountering groundwater during construction works including contact with NSW Office of Water;
 - ix) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - x) stormwater control and discharge;
 - xi) waste storage and recycling control;
 - xii) construction material storage;
 - xiii) litter control;

CONSOLIDATED CONSENT

- xiv) unexpected finds protocol; and
- xv) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent prevails.
- c) The Applicant must submit a copy of the CEMP to the Department and Council prior to commencement of works associated with this consent.

B42. The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Noise and Vibration Management Plan

B43.

- a) Prior to the commencement of construction, a **Construction Noise and Vibration Management Plan** (CNVMP) must be prepared to the satisfaction of the Secretary. The CNVMP must address, but not be limited to, the following matters where relevant:
 - i) be prepared by a suitably qualified expert and in accordance with the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009) and *Western Sydney Stadium Demolition, Excavation and Construction Noise and Vibration Management Plan*, prepared by Acoustic Logic and dated 17 January 2017;
 - ii) be prepared in consultation with Council and all noise sensitive receivers where noise levels exceed the construction noise management level, in accordance with EPA guidelines;
 - iii) describe the measures that would be implemented to ensure:
 - best management practice is being employed;
 - compliance with the relevant conditions of this consent;
 - iv) describe the proposed noise and vibration management measures in detail;
 - v) include strategies that have been developed to address impacts to noise sensitive receivers where noise levels exceed the construction noise management level, for managing high noise generating works;
 - vi) describe the consultation undertaken to develop the strategies in v) above;
 - vii) evaluates and reports on the effectiveness of the noise and vibration management measures; and
 - viii) include a complaints management system that would be implemented for the duration of the project.
- b) The Applicant must submit a copy of the CNVMP to the Department and Council, prior to commencement of work associated with this consent.

B44. The CNVMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Draft Event Management Plan

B45. The draft **Event Management Plan** (EMP) must be updated in consultation with Transport for NSW, Roads and Maritime Services, and Council, to include:

- a) crowd modelling for pre-game and post-game peaks that includes:
 - i) separate assessments for the period between the opening of Western Sydney Stadium and the commencement Parramatta Light Rail operations:

- Phase 1: without Parramatta Light Rail;
 - Phase 2: during the construction of Parramatta Light Rail;
 - Phase 3: with Parramatta Light Rail operational;
 - ii) an analysis of all pedestrian movements to/from the site, in particular the Parramatta Transport Interchange, future light rail stops and bus stops located in close proximity to Western Sydney Stadium;
 - iii) an analysis in detail of the area between the Western Sydney Stadium entrances and O'Connell Street where pedestrians will congregate prior to games for security screening processes;
 - iv) a level of service analysis for the public domain surrounding Western Sydney Stadium, footpath network located adjacent to Western Sydney Stadium, to/from future light rail stops and the Parramatta Transport Interchange;
 - b) infrastructure required to support bus operations within the Western Sydney Stadium precinct, including stop locations and kerb side space;
 - c) measures to enhance the capacity of the pedestrian network and safety at identified 'squeeze' points, including the need for grade separation of pedestrian movements and traffic movements along O'Connell Street;
 - d) a preferred option that recommends no road closures (particularly O'Connell Street) and no event related vehicles using O'Connell Street for parking and pick-up/drop-off activities;
 - e) estimation of expected service volumes on the Parramatta Light Rail and assessment of impacts on system performance;
 - f) details of the following:
 - i) bus routes impacted and level of special event buses that would be required, and the level of reliability of service;
 - ii) pick-up and drop-off locations for point to point transport including taxis and ride share services within the Western Sydney Stadium precinct;
 - iii) pedestrian management controls along key pedestrian desire lines before and after events;
 - iv) parking and traffic management measures on the surrounding road network and off-street parking facilities;
 - g) management measures to be implemented during three distinct phases of Western Sydney Stadium operations; and
 - h) performance levels and targets that measures the success of implementation of the plan.
- B46. The Applicant must submit the updated draft EMP to the satisfaction of the Secretary prior to the finalisation of the detailed design of the public domain and car parking works.

Construction Traffic and Pedestrian Management Plan

B47.

- a) Prior to the commencement of construction, a **Construction Traffic and Pedestrian Management Plan** (CTPMP) must be prepared by a suitably qualified expert and in consultation with Council, Transport for NSW and Roads and Maritime Services. The CTPMP must specify, but not be limited to, the following:
 - i) identification of construction traffic and haulage routes including any known road closures and consideration of alternate routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes;

CONSOLIDATED CONSENT

- ii) details of construction vehicle movements including parking, dedicated vehicle turning areas, and ingress and egress points;
 - iii) discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts;
 - iv) discussion of potential cumulative construction impacts on the surrounding road network as a result of the simultaneous construction of adjoining developments;
 - v) details of management measures to minimise traffic impacts, including temporary road work traffic control measures and measures to minimise peak period congestion;
 - vi) details of measures to maintain or provide alternative safe and accessible routes for pedestrians and cyclists throughout the duration of construction;
 - vii) details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists, including measures address the closure of the existing cycling routes through or in proximity to the site;
 - viii) details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists;
 - ix) an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and
 - x) mechanisms for the monitoring, review and amendment of the CTPMP.
- b) The Applicant must submit a copy of the CTPMP to the Department and Council, prior to commencement of work associated with this consent.

B48. The CTPMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Construction Waste Management Plan

B49.

- a) Prior to the commencement of works associated with this consent, a **Construction Waste Management Plan** (CWMP), prepared by a suitably qualified person in consultation with the Council, must be prepared for the project. The CWMP must address, but not be limited to, the following matters:
- i) recycling of demolition materials including concrete;
 - ii) removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works; and
 - iii) details of methods to be used to prevent spill, escape of any dust, waste or spoil from the vehicles or trailers used to transport waste or excavation spoil from the site.
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, must be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials.
- c) The Applicant must notify the RMS Traffic Management Centre of the truck route(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Site.

CONSOLIDATED CONSENT

- d) The Applicant must submit a copy of the CWMP to the Department and Council, prior to commencement of work associated with this consent.

B50. The CWMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction work.

Utility Services

B51. Prior to the commencement of relevant work associated with this consent the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and telecommunication carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the building structure.

B52. Prior to the commencement of the relevant above ground works associated with this consent written advice must be obtained from the electricity supply authority, an approved telecommunications carrier and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provisions of adequate services.

Complaints and Enquiries Procedure

B53. Prior to the commencement of works associated with this consent, or as otherwise agreed by the Secretary, the following must be made available for community enquiries and complaints for the duration of construction:

- a) a toll-free 24-hour telephone number(s) on which complaints and enquiries about the application may be registered;
- b) a postal address to which written complaints and enquires may be sent; and
- c) an email address to which electronic complaints and enquiries may be transmitted.

B54. A **Complaints Management System** must be prepared before the commencement of any works and be implemented and maintained for the duration of works.

The **Complaints Management System** must include a **Complaints Register** to be maintained recording information on all complaints received about the development during the carrying out of any works associated with the development. The **Complaints Register** must record the:

- a) number of complaints received;
- b) number of people affected in relation to a complaint; and
- c) nature of the complaint and means by which the complaint was addressed and whether resolution was reached, with or without mediation.

The **Complaints Register** must be provided to the Secretary upon request, within the timeframe stated in the request.

Pre-Construction Compliance Reporting

B55. A **Pre-Construction Compliance Report** must be prepared and submitted to the Secretary for information before the commencement of construction associated with this consent. The **Pre-Construction Compliance Report** must include:

- a) details of how the terms of this approval that must be addressed before the commencement of construction have been complied with; and
- b) the commencement date for construction.

Works associated with this consent must not commence until the **Pre-Construction Compliance Report** has been submitted to the Secretary.

FOR INFORMATION

PART C DURING CONSTRUCTION

Hours of Work

C1. The hours of construction, including the delivery of materials to and from the Subject Site, must be restricted as follows:

- a) between 7 am and 6 pm, Mondays to Fridays inclusive;
- b) between 8 am and 1 pm, Saturdays;
- c) between 1 pm and 5 pm, Saturdays, where construction activities do not emit noise:
 - i) that exceeds 10 dBA above the measured rating background noise level at the boundary of the most affected residences; or
 - ii) that exceeds the construction noise 'management levels' set out in Table 3 in the *Interim Construction Noise Guideline* for sensitive land uses (other than residences); or
 - iii) that exhibits tonal, intermittent, impulsive or low frequency characteristics, as defined in the *New South Wales Industrial Noise Policy*; and
- d) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- i) the delivery of materials is required outside these hours by the Police or other authorities; or
- ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm; or
- iii) variation is approved in advance in writing by the Secretary or her nominee.

Construction Lighting

C2. The intensity of lighting of the site, the hours of illumination and the location of lighting must not cause objectionable glare or injury to the amenity of surrounding sensitive receivers and Grey-headed Flying-fox camp. If in the opinion of the Certifying Authority or the Secretary, injury or harm is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause injury or harm.

Construction Traffic

C3. All demolition and construction vehicles (including concrete agitator trucks) are not to arrive at the site or surrounding residential areas prior to the approved start time of works for the day.

Site Contamination Issues During Construction

C4. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination, then the Certifying Authority and EPA accredited site auditor must be immediately notified and works must cease. The Certifying Authority must seek advice from the EPA accredited site auditor to determine whether further investigation, or the need for remediation, is required before construction works can recommence.

Heritage

C5. The Applicant must ensure that any contaminated material stored on-site is not stored in areas of archaeological sensitivity identified by the supporting archaeological assessment and any additional areas identified during excavation.

Erosion and Sediment Control

- C6. All erosion and sediment control measures, must 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 have been stabilised and rehabilitated so that it no longer acts as a source of sediment.

Disposal of Seepage and Stormwater

- C7. Any seepage or rainwater collected on-site during construction or groundwater must not be pumped to the street stormwater system unless separate prior approval is given in writing by the Environment Protection Authority in accordance with the *Protection of the Environment Operations Act 1997* and Council approval has been granted for connection to public stormwater drainage infrastructure.

Approved Plans to be On-site

- C8. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Subject Site at all times and must be readily available for perusal by any officer of the Department, Council or the Certifying Authority.

Construction Noise Management

- C9. 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) and *Western Sydney Stadium Demolition, Excavation and Construction Noise and Vibration Management Plan*, prepared by Acoustic Logic and dated 17 January 2017. All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the CNVMP.
- C10. 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.
- C11. The Applicant must schedule intra-day 'respite periods' for construction activities identified in the *Interim Construction Noise Guideline* as being particularly annoying to surrounding residents and other noise sensitive receivers or where construction activities result in those residents and sensitive receivers being exposed to construction noise levels above 75 dB(A) (i.e. "highly noise affected").
- Respite periods must be scheduled at the same time each day (e.g. 8 am to 11 am Monday to Saturday, 12 pm to 3 pm Monday to Friday and 4 pm to 6 pm Monday to Friday) unless otherwise negotiated with the most affected noise sensitive receivers.
- C12. 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 a CNVMP.
- C13. 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.

Vibration Criteria

CONSOLIDATED CONSENT

- C14. Vibration caused by construction at any residence or structure outside the Subject Site must be limited to:
- a) for structural damage vibration, German Standard DIN 4150-3 Structural Vibration – Effects of vibration on structures; and
 - b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472-1:2008 Guide to evaluation of human exposure to vibration in buildings. Vibration sources other than blasting (1 Hz to 80 Hz) for low probability of adverse comment.
- C15. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified above.

Tree Protection

- C16.
- a) Street trees must not be trimmed or removed unless it forms a part of this development consent or prior written approval from Council is obtained or is required in an emergency to avoid the loss of life or damage to property.
 - b) All street trees must be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, must be replaced, to the satisfaction of Council.
 - c) All trees on the Subject Site that are not approved for removal must be suitably protected during construction as per recommendations of the Arborist Report, prepared by Dr. Treegood dated May 2017 and in accordance with Australian Standard AS 4373-1966 'Pruning of Amenity Trees' and WorkCover Code of Practice for Amenity Tree Industry, 1998.
 - d) Any works to significant trees and other vegetation on-site must be carried out in accordance with current best practice in arboriculture by or under the direct supervision of appropriately qualified arborists and in accordance with the Arboriculture Australia Code of Ethics. All tree works should be performed in accordance with Australian Standard AS 4373-1966 'Pruning of Amenity Trees' and WorkCover Code of Practice for Amenity Tree Industry, 1998.
 - e) If access to the area within any protective barrier is required during the works, it must be carried out under the supervision of a qualified arborist. Alternative tree protection measures must be installed, as required. The removal of tree protection measures, following completion of the works, must be carried out under the supervision of a qualified arborist and must avoid both direct mechanical injury to the structure of the tree and soil compaction within the canopy or the limit of the former protective fencing, whichever is the greater.

Landscaping

- C17. Any trees planted as part of the approved Landscape Plan must be of a suitable advanced stage.

Waste

- C18. Waste Management provisions must be implemented in general accordance with the approved CWMP.
- C19. The body of any vehicle or trailer used to transport waste or excavation spoil must be covered before leaving the premises to prevent any spillage or escape of any dust, waste or spoil. Mud, splatter, dust and other material likely to fall from or be cast off the

CONSOLIDATED CONSENT

wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.

Site Notice

C20.

- a) 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, Certifying Authority and Structural Engineer.
- b) The site notice(s) is to satisfy all but not be limited to, the following requirements:
 - i) minimum dimensions of the notice must measure 841 mm x 594 mm (A1) with any text on the notice to be a minimum of 30-point type size;
 - ii) the notice is to be durable and weatherproof and is to be displayed throughout the works period;
 - iii) 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 must be displayed on the site notice; and
 - iv) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the Subject Site is not permitted.

SafeWork Requirements

C21. 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 requirements.

Hoarding Requirements

C20. The following hoarding requirements must be complied with:

- a) no third-party advertising is permitted to be displayed on the subject hoarding/fencing;
- b) the construction site manager must be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application; and
- c) the Applicant must submit a hoarding application to Council for the installation of any hoardings over Council footways or road reserve.

No Obstruction of Public Way

C21. The public way (outside of any construction works zone) must not be obstructed by any materials, vehicles, refuse, skips or the like, under and circumstances. Non-compliance with this requirement will result in the issue of a notice by the relevant Authority to stop all works on site.

Impact of Below Ground (sub-surface) Works – Non-Aboriginal Relics

C22. If any unexpected archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area and the Heritage Office contacted. Depending on the possible significance of the relics, an archaeological assessment and management strategy may be required before further works can continue in that area. Works may only recommence with the written approval of the Heritage Office.

Discovery of Aboriginal Heritage

C24. In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and OEH to develop and implement management strategies for all projects/sites. Works may only recommence with the written approval of the Office of Environment and Heritage.

Regular Reporting

C26. The Applicant must provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

Access to Information

C27. Within six months of the date of this consent the Applicant must make the following information publicly available on its website and keep the information up to date:

- a) the EIS;
- b) current statutory approvals for the Development;
- c) approved strategies, plans or programs (subject to their specific approval);
- d) a complaints register, updated following the receipt of a complaint in respect of an event held at Western Sydney Stadium; and
- e) any other matter required by the Secretary.

Notes: This condition does not require any confidential information to be made available to the public.

Compliance – General

C28. The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

C29. The Applicant must be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

C30. **Construction Compliance Reports** must be prepared and submitted to the Secretary for information every six months from the date of the commencement of construction or within another timeframe agreed with the Secretary, for the duration of construction.

C31. The **Construction Compliance Reports** must include:

- a) a results summary and analysis of environmental monitoring;
- b) the number of any complaints received, including a summary of main areas of complaint, action taken, response given and proposed strategies for reducing the recurrence of such complaints;
- c) details of any review of, and minor amendments made to, the CEMP as a result of construction carried out during the reporting period;
- d) a register of any consistency assessments undertaken and their status;

CONSOLIDATED CONSENT

- e) results of any independent environmental audits and details of any actions taken in response to the recommendations of an audit;
- f) a summary of all incidents notified in accordance with this approval; and
- g) any other matter relating to compliance with the terms of this approval or as requested by the Secretary.

Excavation on Public Land

C32. All excavations and backfilling on public land associated with the development must be executed in accordance with the appropriate safety standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life and property.

PART D PRIOR TO COMMENCEMENT OF USE

Operational Management Plan

D1. An **Operational Management Plan** (OMP) must be prepared prior to the commencement of use of Western Sydney Stadium and/or surrounding public domain to the satisfaction of the Secretary that includes, but is not limited to:

- a) operational arrangement arrangements for typical daily non-event modes;
- b) operational and management arrangements for the independent use of the Western Sydney Stadium function centre spaces, subject to the following limitations:
 - i) **(deleted)**
 - ii) restricted to a maximum of **2,514** patrons across the **Cumberland Lounge, Field Club, Directors Club, Open Suites and Open Terraces at any one time on non-event days**;
 - iii) Sunday to **Saturday 7 am to midnight**;
- c) maintenance arrangements for the stadium and public domain;
- d) a **Landscaping and Vegetation Management Plan** that includes, but is not limited to:
 - i) details of the revegetation of the Parramatta River riparian corridor within the Site;
 - ii) details of landscaping treatments, with particular attention to minimising the visibility of the project from Parramatta Parkland Old Government House and Government Domain;
 - iii) ensure that the project is undertaken in accordance with the approval landscape plans approved under condition A2(d) of this consent;
 - iv) describe ongoing maintenance measures that would be implemented to maintain landscaping and vegetation on the site for the life of the project; and
- e) management of community uses, including procedures for notifying community events that are likely to cause concern due to noise, congestion or other issues;
- f) management of Council and community uses, including a fully executed memorandum of understanding (MOU) between Western Sydney Stadium operator and Council to outline the principles of concessional access to facilities;
- g) public transport, traffic and crowd management and pedestrian safety measures, and access for emergency vehicles; and
- h) a **Service Area and Loading Dock Management Plan**, detailing:
 - i) allocation of loading spaces;
 - ii) delivery times;
 - iii) controls on duration of stays;
 - iv) controls on the placement of skips, pallets, etc.;
 - v) procedures for tradesman access and parking;
 - vi) operating times; and
 - vii) truck access routes.

D2. Details must be provided to the satisfaction of the Secretary demonstrating that the OMP has been prepared in consultation with Council, Parramatta Park Trust, Transport for NSW, NSW Police, Fire and Rescue NSW and other emergency services and relevant major event stakeholders, including but not limited to, the National Rugby League, Football Federation of Australia and community.

- D3. The OMP (as revised from time to time) must **reflect current operations all at times and** be implemented by the Applicant for the life of the project.

Event Management Plan

- D4. A final **Event Management Plan** (EMP) must be prepared prior to the commencement of use of Western Sydney Stadium to the satisfaction of the Secretary that includes, but is not limited to:

- a) details of the draft EMP required by condition B45 of this consent;
- b) details of major events at Western Sydney Stadium, including the number and type of events and activities per year, including projected spectator numbers;
- c) details of strategies to mitigate risks at points of crowd swell (i.e. pedestrian crossing/refuge points, circulation around the stadium, and approach and departure points);

d) (deleted)

- e) a **Flood Emergency Response Plan** (FERP) that is prepared in accordance with industry best practice to address protection of people using Western Sydney Stadium and the surrounding precinct in the event of a severe flood of Parramatta River up to the Probable Maximum Flood. The FERP must
 - i) address evacuation, emergency access, flood warning and awareness, any refuge requirements within the site and any other relevant matters;
 - ii) be based on flood levels supplied by Council and any additional local flood and flow path modeling that may be required.
 - iii) be prepared in consultation with Council, the NSW State Emergency Services and NSW Fire and Rescue;
 - iv) be fully operational prior to the commencement of use and must be maintained in operation in perpetuity;
- f) a **Parking Management Strategy** that identifies measures to manage parking behaviours generated by the project, satisfactory on-site pick-up/drop-off, coach and taxi parking arrangements and address any road safety and any congestion impacts.
- g) a **Traffic and Pedestrian Management Plan** that monitors public transport and associated infrastructure requirements to support the operations of Western Sydney Stadium, including:
 - i) bus stop locations, kerb side space and associated infrastructure requirements;
 - ii) event management options that do not include road closures and no event related vehicles using O'Connell Street for parking and pick-up/drop-off activities;
 - iii) estimation of expected service volumes on the Parramatta Light Rail and an assessment of impacts on system performance;
 - iv) bus routes impacted and level of special event buses required, and the level of reliability and service;
 - v) pedestrian management controls along key pedestrian desire lines before and after events;
 - vi) traffic management measures on the surrounding road network and off-street parking facilities.

vii) a review of traffic flow, Variable Message Sign (VMS) management, and the event Rideshare Geo-fence when both O'Connell St is closed for

CONSOLIDATED CONSENT

Stadium event bump-out and Church St is closed during construction of the Parramatta Light Rail;

viii) details of ongoing consultation with the TfNSW Sydney Coordination Office during the construction of the Parramatta Light Rail; and

ix) details of ongoing consultation with the operators of the Parramatta Light Rail once the infrastructure is operational.

- h) a **Service Area and Loading Dock Management Plan**, detailing:
 - i) allocation of loading spaces;
 - ii) delivery times;
 - iii) controls on duration of stays;
 - iv) controls on the placement of skips, pallets, etc.;
 - v) procedures for tradesman access and parking;
 - vi) operating times; and
 - vii) truck access routes.
 - i) a program for review of the EMP, including ongoing assessment and improvement of the EMP. The program must address the effectiveness of:
 - i) community consultation (consultation prior to, during (complaints handling and response) and after major events and consultation and part of the plan review process);
 - ii) the use of real time mitigation measures to mitigate or prevent impacts associated with the operation of Western Sydney Stadium, including but not limited to crowd management, flooding, parking and traffic impacts; and
 - j) the program of review must also provide an Implementation Strategy, that commits to specific management actions, including operational procedures to be implemented along with timeframes.
- D5. Details must be provided to the satisfaction of the Secretary demonstrating that the EMP has been prepared in consultation with Council, Parramatta Park Trust, Transport for NSW (including the Transport Management Centre and Parramatta Light Rail office), Roads and Maritime Services, NSW Police, Fire and Rescue NSW and other emergency services and relevant major event stakeholders, including but not limited to, the National Rugby League and Football Federation of Australia and community.
- D6. The EMP (as revised from time to time) must be implemented by the Applicant for the life of the project.

Operational Noise Management Plan

- D7. An **Operational Noise Management Plan** (ONMP) must be prepared prior to the commencement of use of Western Sydney Stadium to the satisfaction of the Secretary that includes, but is not limited to:
- a) a description of each type of major event, including a description of permanent amplification systems and the types of activities to be undertaken;
 - b) identification of noise sensitive receivers, existing and proposed, likely to be adversely affected by activities at Western Sydney Stadium;
 - c) details of a noise monitoring program that monitors sound levels from major events and retains records of the results and details of the monitoring equipment used, including its location and settings;
 - d) clearly defined noise management objectives for each major event, including the maximum allowable sound levels and limitation level of excessive low frequency

CONSOLIDATED CONSENT

- (bass) noise, restrictions on pyrotechnics from igniting at or above the highest seating tier, and restrictions on day time sound checks to a period no greater than one hour unless otherwise agreed to in consultation with sensitive receivers (including nearby educational establishments);
- e) a procedure or noise model (or other means of assessment) that allows for the prediction and assessment of noise levels for proposed major events;
 - f) details of a noise complaints handling procedure and actions to be taken at the time of each complaint to monitor and minimise noise impacts. The procedures must include:
 - i) the time and date each complaint was received;
 - ii) how the complaint was received;
 - iii) the contact details of the person lodging the complaint;
 - g) details of the community consultation procedures used after the event to obtain additional information relating to the noise impact as well as to provide the complainant with information on proposed actions to prevent a reoccurrence of the impact;
 - h) identification and prioritisation of noise management problems and issues, including a summary of the outcomes from monitoring and community consultation, undertaken in preparing the ONMP;
 - i) a mechanism for reporting the effectiveness of the ONMP to stakeholders, including the local community, the EPA, Parramatta Park Trust and Council;
 - j) a program for review of the ONMP, including ongoing assessment and improvement of the ONMP. The program must address the effectiveness of:
 - i) community consultation (consultation prior to, during (complaints handling and response) and after major events and consultation and part of the plan review process);
 - ii) the use of technology or the setup of equipment prior to events to mitigate or prevent noise impact;
 - iii) the use of real time mitigation measures to mitigate or prevent noise impact;
 - iv) the use of monitoring programs, the monitoring data records and community consultation information to prevent or mitigate noise impacts from major events; and
 - k) the program of review must also provide an Implementation Strategy, that commits to specific management actions, including operational procedures to be implemented along with timeframes. The specific management actions must incorporate best management practice that adequately addresses the identified problems and issues with both non-structural and structural aspects of noise management, such as community consultation, equipment setup, use of technology, real time noise mitigation measures, and monitoring program.
- D8. Details must be provided to the satisfaction of the Secretary demonstrating that the ONMP has been prepared in consultation with Council, Parramatta Park Trust, NSW Environment Protection Authority, NSW Police, relevant major event stakeholders, including but not limited to, the National Rugby League and Football Federation of Australia and identified sensitive receivers.
- D9. The ONMP (as revised from time to time) must be implemented by the Applicant for the life of the project.

CONSOLIDATED CONSENT

D9a The Operational Noise Management Plan must be revised prior to **the first time a fourth concert event is held in a calendar year** at the Western Sydney Stadium. The revised Operational Noise Management Plan must be prepared in accordance with the requirements of conditions D7 to D9 and must include detail of the following:

- a) a description of the real time noise monitoring system including acoustic specifications, technical performance criteria, calibration regime and data storage for the proposed noise monitoring system which includes the use of identified and specific noise monitoring points;
- b) a protocol for validating the performance of the noise monitoring system to demonstrate that a reliable and repeatable assessment of noise at receiver locations can be obtained through measurement at the specified noise monitoring locations. The protocol must include reporting of the empirical and theoretical measurements/calculations used to determine the noise levels to the EPA and the Department;
- c) definition of a period during which the noise monitoring system as proposed within documentation listed at condition A2d) and detailed in accordance with parts a) and b) of this condition, is to be validated. This must be of a duration to enable a sufficient number of different types of concert events to establish relationships between the $L_{eq,5min}$ A-weighted/linear 63 Hertz noise levels emitted from events and the L_{Amax} levels currently approved;
- d) a protocol for notification of events to the adjoining sensitive receivers (i.e. the school and church) at least five days prior to an event; and
- e) a chain of responsibility for management of noise in relation to concerts held at the stadium and nomination of responsible persons and contact details.

D9b The revised Operational Noise Management Plan must be submitted and approved by the Planning Secretary prior to **the first time a fourth concert event is held in a calendar year** at the Western Sydney Stadium.

Stadia Precinct Activation Strategy

D10. A **Stadia Precinct Activation Strategy** (SPAS) must be prepared in consultation with Council and Parramatta Park Trust prior to the commencement of use of Western Sydney Stadium to the satisfaction of the Secretary that includes, but is not limited to, details of the potential types and extent of planned events and activities for plaza activation during game day operations.

Stadium Signage and Way-finding Strategy

D11. A **Stadium Signage and Way-finding Strategy** (SSWS) must be prepared in consultation with and endorsed by Council and Parramatta Park Trust prior to the commencement of use of Western Sydney Stadium and provided to the Secretary, that includes, but is not limited to:

- a) final design details of all stadium and way-finding signage, including proposed content, dimensions, signage finishes, including car and bicycle parking signage for staff and visitors and 'Do not drink' signage on non-potable water used for toilet flushing and to new hose taps and irrigation systems for landscaped areas;
- b) details of signage illumination, including management details and measures to mitigate any unacceptable light spillage, glare impacts and light pollution to surrounding green spaces of Parramatta Parklands;
- c) the display and operation of the curved digital display sign above the northern entry is restricted to the day prior to an event/game (up to 10 pm) and on the day of the event/game (until the end of the event/game); and

CONSOLIDATED CONSENT

- d) a comprehensive way-finding strategy, including details of signage locations, materials and finishes and measures, promotes safe and equitable access throughout Western Sydney Stadium and surrounding precinct, promotes movements between other destinations external to the site, including transport nodes and tourist destinations.

D12. All signage shall be installed to the satisfaction of the Certifying Authority prior to the commencement of use of Western Sydney Stadium and surrounding public domain.

Biodiversity Operational Management Plan

D13. A **Biodiversity Operational Management Plan** (BOMP) must be prepared by a suitably qualified consultant who has experience with the management of Grey-headed Flying-fox camps in consultation with the Office of Environment and Heritage and to the satisfaction of the Secretary prior to the commencement of use of Western Sydney Stadium. The BOMP must include, but is not limited to:

- a) the mitigation measures outlined in the Biodiversity Impact Assessment titled Western Sydney Stadium Stage 2: Biodiversity Assessment, prepared by AMBS Ecology and Heritage Pty Ltd and dated February 2017;
- b) measures for the on-going management and monitoring of the health of the Grey-headed Flying-fox camp, including the installation of sensors that monitor noise levels reaching the camp;
- c) the requirement for regular monitoring surveys to be undertaken that assess the behaviour of Grey-headed Flying-foxes and the camp. This monitoring should include mapping of the camp, and detailed Grey-headed Flying-fox counts including species present, numbers, condition of animals, and presence of pregnant females or females with young. Surveys should be undertaken at least once per quarter, concurrently with the monitoring undertaken as part of the National Flying-Fox Monitoring Program
<http://www.environment.gov.au/biodiversity/threatened/species/flying-fox-monitoring>;
- d) the requirement for results from measurements/monitoring of noise levels associated with concerts and major events, undertaken in accordance with the Operational Noise Management Plan, to be incorporated into management and mitigation measures; and
- e) details of mitigation measures and actions to be taken if signs of disturbance are detected, including the identification of specific sites for habitat augmentation.

D14. The Applicant must submit a copy of the BOMP to the Department and Council, prior to commencement of **use of Western Sydney Stadium**.

D15. The BOMP (as revised from time to time) must be implemented by the Applicant, and/or the operator of the venue, for the life of the project.

Site Contamination

D16. Prior to the commencement of use, the Applicant must submit to the satisfaction of the Certifying Authority a **Site Audit Report** and **Site Audit Statement** prepared by an EPA accredited site auditor. The **Site Audit Report** and **Site Audit Statement** must certify that the land is suitable for the uses proposed as part of this approval.

Mechanical Ventilation

D17. Following completion, installation and testing of all the mechanical ventilation systems, the Applicant must provide evidence to the satisfaction of the Certifying Authority, prior

CONSOLIDATED CONSENT

to the final commencement of use of the stadium, that the installation and performance of the mechanical systems complies with:

- a) the BCA;
- b) AS 1668.2-2012 *The use of airconditioning in buildings – Mechanical ventilation in buildings* and other relevant codes;
- c) the development consent and any relevant modifications; and
- d) any dispensation granted by the NSW Fire Brigade.

Road Damage

D18. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the Subject Site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to the occupation of the new development.

Sydney Water Compliance

D19. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone 13 20 92 for assistance.

The Section 73 Certificate must be submitted to the Certifying Authority prior to the commencement of use.

Post-construction Dilapidation Report

D20.

- a) Prior to commencement of use of the development, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings or infrastructure.
- b) The report is to be submitted to the Certifying Authority. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority 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.
- c) A copy of this report is to be forwarded to Council.

Fire Safety Certification

D21. Prior to the commencement of use, a **Fire Safety Certificate** must 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 Council. The Fire Safety Certificate must be prominently displayed in the building.

Structural Inspection Certificate

D22. A **Structural Inspection Certificate** or a **Compliance Certificate** must be submitted to the satisfaction of the Certifying Authority prior to the occupation of the relevant

parts of any new or refurbished buildings. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) must be submitted to the approval authority and the Council after:

- a) the site has been periodically inspected and the Certifying Authority 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.

Stormwater Quality Management Plan

D23. A **Stormwater Operation and Maintenance Plan** (SOMP) is to be prepared to ensure proposed stormwater quality measures remain effective. The SOMP must contain the following:

- a) maintenance schedule of all stormwater quality treatment devices;
- b) record and reporting details;
- c) relevant contact information; and
- d) Work Health and Safety requirements.

Details demonstrating compliance must be submitted to the Certifying Authority prior to occupation.

Pre-operation Compliance Report

D24. A **Pre-Operation Compliance Report** must be prepared and submitted to the Secretary for information no later than one month before the commencement of operation or within another timeframe agreed with the Secretary. The Pre-Operation Compliance Report must include:

- a) details of how the terms of this approval that must be addressed before the commencement of operation have been complied with; and
- b) the commencement date for operation.

Operation of the building must not commence until the Pre-Operation Compliance Report has been submitted for information to the Secretary.

Public Domain and Landscaping

D25. The public domain and landscaping works required by this approval must be completed to the satisfaction of the Certifying Authority prior to the commencement of use of Western Sydney Stadium and/or the surrounding public domain.

Heritage

D26. The Heritage Interpretation Strategy for Western Sydney Stadium (HIS), prepared by MUSEcape, dated 6 March 2017, must be developed in tandem with the detailed design of Western Sydney Stadium and must include details of the archaeological investigation of the site and how the results will be incorporated into the project. The final HIS must be prepared in consultation with the community and relevant stakeholders and details submitted to the satisfaction of the Secretary prior to the commencement of use of Western Sydney Stadium and/or associated public domain.

Compliance with Food Code

D27. The Applicant is to 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 AS 4674 *Design, construction and fit-out of food premises*. The Applicant shall provide

CONSOLIDATED CONSENT

evidence of receipt of the certificate to the satisfaction of the Certifying Authority prior to occupation.

Ecologically Sustainable Development

- D28. Prior to the occupation of the development, the Applicant shall submit details, prepared by a suitability qualified person, to the Certifying Authority demonstrating that ESD initiatives identified under condition B10 have been incorporated in the new buildings.

Works as Executed (Drawings)

- D29. The Applicant must submit to Council an electronic copy of the **Works-As-Executed** information in AutoCAD and PDF format. All data is to be on MGA zone 56 coordinates and AHD for levels. Separate drawings shall be provided for roads, water, sewer and stormwater drainage. The Applicant must be deemed to have indemnified all persons using such drawings against any claim or action in respect of breach of copyright.

Works as Executed (Asset Listing)

- D30. In connection with the Works-As-Executed drawings, the Applicant must submit to Council an electronic listing of all road, stormwater, water and sewer assets generated by the development. Electronic listings of all water and sewer assets generated by the development must be submitted to Sydney water. Copies of the Asset spreadsheet are available from Council's website.

Emergency Response and Evacuation Plan (EREP)

- D31. The Applicant must prepare an Emergency Response and Evacuation Plan (EREP) for Western Sydney Stadium, which details stadium emergency and evacuation procedures, and addresses issues of public and crowd safety and behaviour management, and emergency vehicle access. The EREP must be prepared in consultation with NSW Police, Fire and Rescue NSW, NSW Ambulance (and any other relevant emergency services). Prior to the commencement of use of Western Sydney Stadium, the Applicant must provide evidence to the Secretary that the EREP has been prepared in consultation with, and finalised to, the satisfaction of the relevant emergency services.
- D32. The EREP (as revised from time to time) must be implemented by the Applicant and/or operator of the venue, for the life of the project.
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PART E POST OCCUPATION

Parking Management Strategy

- E1. The **Parking Management Strategy** required under condition D4 of this consent must be updated and reviewed annually and implemented accordingly.

Operation Noise Management

- E2. The project must at all times comply with the approved Operational Noise Management Plan required under condition D7 of this consent.

Unobstructed Driveways and Parking Areas

- E3. All driveways, footways and parking areas must be unobstructed at all times. Driveways, footways and car spaces must not be used for the manufacture, storage or display of goods, materials, refuse, skips or any other equipment and must be used solely for vehicular and/or pedestrian access and for the parking of vehicles associated with the use of the premises.

Noise Control – Plant and Machinery

- E4. The Applicant shall ensure that the operation of any plant and machinery (including air conditioners, chillers, cooling fans and emergency back-up generator) or any other mechanical equipment used during operation of the project:
- a) does not exceed 5 dB(A) above the background noise level when measured at the boundary of the sensitive receiver;
 - b) is installed and operated such that the cumulative noise level of all mechanical plant and machinery do not exceed 45dBL_{aeq}, 15minute; and
 - c) does not exhibit tonal or other characteristics warranting the application of 'modifying factor' adjustments as specified under Chapter 4 of the Industrial Noise Policy (EPA, 2000).
- E5. Within 6 months of commencement of use, the Applicant must provide details of plant and machinery compliance noise monitoring undertaken at the nearest sensitive receiver (residential). The compliance noise monitoring is to ensure the project is being operated in accordance with the requirements of condition E4 of this consent. Details of the noise monitoring shall be submitted to the satisfaction of the Certifying Authority.

Noise Control – Grounds Maintenance

- E6. Grounds maintenance involving the use of power equipment, including lawn mowers and leaf blowers, is restricted to between 7 am and 6 pm, Mondays to Fridays inclusive and 8 am and 4 pm, Saturdays and Sundays.

Loading Zone and Support Unit Drop-Off Zone

- E6. All loading and unloading of service vehicles in connection with the use of the premises must be carried out wholly within the Subject Site at all times.
- E7. All vehicles must enter and leave the Subject Site in a forward direction.

Public Way to be Unobstructed

- E8. The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.

CONSOLIDATED CONSENT

External Lighting

- E9. External Lighting must comply with AS 4282-1997 *Control of the obtrusive effects of outdoor lighting* and must not be directed or cause nuisance to the existing Grey-headed Flying-fox camp. Upon installation of lighting, but before it is finally commissioned, the Applicant must submit to the Certifying Authority evidence from a qualified practitioner demonstrating compliance in accordance with this condition.

Fire Safety Certificate

- E10. The owner must submit to Council an Annual Fire Safety Statement, each 12 months after the final Safety Certificate is issued. The certificate must be on, or to the effect of, Council's Fire Safety Statement.

Public Domain and Landscaping

- E11. The public domain and landscaping must be maintained at all times following its installation in accordance with the approved Landscape Plan.

Signage

- E12. Signage must be provided within the Site in accordance with the SSWS required by condition D11 of this consent, including signage to other destinations external to the site, including transport nodes and tourist destinations.
-

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 (as amended).

Other Approvals and Permits

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

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.

Use of Mobile Cranes

AN4. The Applicant must obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works associated with this consent. In particular, the following matters must be complied with:

- a) 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 Council will create minimal traffic disruptions, and
 - ii) At least four weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- b) The use of mobile cranes must comply with the approved hours of construction and must not be delivered to the site prior to 7 am without the prior approval of Council.

Temporary Structures

AN5.

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

Disability Discrimination Act

AN6. This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Applicant 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. AS 1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

AN7.

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

Asbestos Removal

AN8. All excavation and demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".