



Redevelopment of the Sydney Football Stadium

*State Significant
Development
Modification Assessment
(SSD-9249-Mod-1)*

June 2019

June 2019

© Crown Copyright, State of NSW through its Department of Planning and Environment 2019

Disclaimer

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in this document. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



Glossary

Abbreviation	Definition
Consent	Development Consent
Council	City of Sydney
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development



Contents

Glossary	iii
1. Introduction	1
1.1 Background	1
1.2 Approval History	2
2. Proposed Modification	3
3. Strategic Context	4
4. Statutory Context	5
4.1 Scope of Modifications	5
4.2 Environmental Assessment Requirements	5
4.3 Consent Authority	6
5. Engagement	7
5.1 Department's Engagement.....	7
6. Assessment.....	8
7. Evaluation	9
8. Recommendation	10
9. Determination	11
Appendices.....	12



1. Introduction

This report is an assessment of an application seeking to modify the State significant development (SSD) approval (SSD 9249) for the redevelopment of Sydney Football Stadium (SFS), located at 40 - 44 Driver Avenue, Moore Park within the City of Sydney Local Government Area (LGA). The approved concept development application for the redevelopment of the existing Sydney Football Stadium comprises:

- the Concept Proposal for maximum building envelope, design and operational parameters for a new rectangular stadium with up to 45,000 seats (55,000 patrons in concert mode).
- Stage 1 works including the demolition of the existing Sydney Football Stadium down to the slab / existing ground level, associated works and identification of the demolition and the construction compound.

The application has been lodged by Infrastructure NSW (the Applicant) pursuant to section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for modifications to amend the project boundary to exclude a small area (approx. 20m x 70m) from the site, comprising two tennis courts located in the south-western corner of the site.

1.1 Background

The SFS is located in the northern corner of the property at No. 40 – 44 Driver Avenue, Moore Park (refer to **Figure 1**). The project area (site) comprises the northern half of this property and is legally described as part Lots 1528 and 1530 DP 752011 and Lot 1 DP 205794. The site is located approximately 3km south-east of the Sydney Central Business District (CBD).



Figure 1 | Site Location (Base source: Nearmaps)

The site has an area of 8.7 hectares (ha) and is Crown land, with the Sydney Cricket and Sports Ground Trust designated as the sole trustee under the *Sydney Cricket and Sports Ground Act 1978*. The site has a frontage to Moore Park Road to the north, Paddington lane to the east and Driver Avenue to the west. The Sydney Cricket

Ground (SCG) abuts the site to the south. The site forms part of a larger entertainment and recreation precinct shared with Centennial and Moore Parks, Fox Studios, and the Entertainment Quarter as identified in **Figure 1**.

The property at No. 40 – 44 Driver Avenue, Moore Park also accommodates the following additional existing buildings, structures and facilities, which do not form a part of the site (project area):

- the Australian Rugby Development Centre (ARDC) and the Rugby League Central Building (RLCB), located along the north and south of the Moore Park Carpark 1 (MP1), respectively.
- the SCG, comprising a mix of stands, buildings, paved and landscaped spaces, with a capacity for 48,000 spectators.
- Cricket NSW Outdoor Wickets.

1.2 Approval History

On 6 December 2018, the Minister for Planning granted consent for the concept development application for the redevelopment of the existing Sydney Football Stadium comprising:

- A Concept Proposal comprising:
 - o a maximum building envelope for the stadium including basement and a roof over all permanent seating.
 - o maximum stadium capacity of 45,000 seats (55,000 patrons in concert mode).
 - o member areas, premium box/terrace, function lounge and corporate suite operations.
 - o flood lighting, stadium video screens and ancillary fittings.
 - o team, media and administration facilities, food and beverage areas.
 - o new playing pitch and provision for ancillary uses.
 - o public domain works and landscaping.
 - o identification of the existing MP1 as the demolition and construction compound.
- Concurrent Stage 1 works comprising:
 - o demolition of the existing stadium including the existing Sheridan, Roosters, Waratahs, Cricket NSW Administration Building and Indoor Wickets to ground level (existing slab level).
 - o removal of 26 trees.
 - o use of the existing MP1 as the demolition compound.

The Stage 1 works are currently under construction.



2. Proposed Modification

The modification application (SSD-9249-Mod-1) seeks to amend the project boundary to exclude a small area (approx. 20m x 70m) from the site, comprising two tennis courts located in the south-western corner of the site, as illustrated in **Figure 2**. The tennis courts adjoin the Cricket NSW Outdoor Wickets, which are located outside the project boundary.

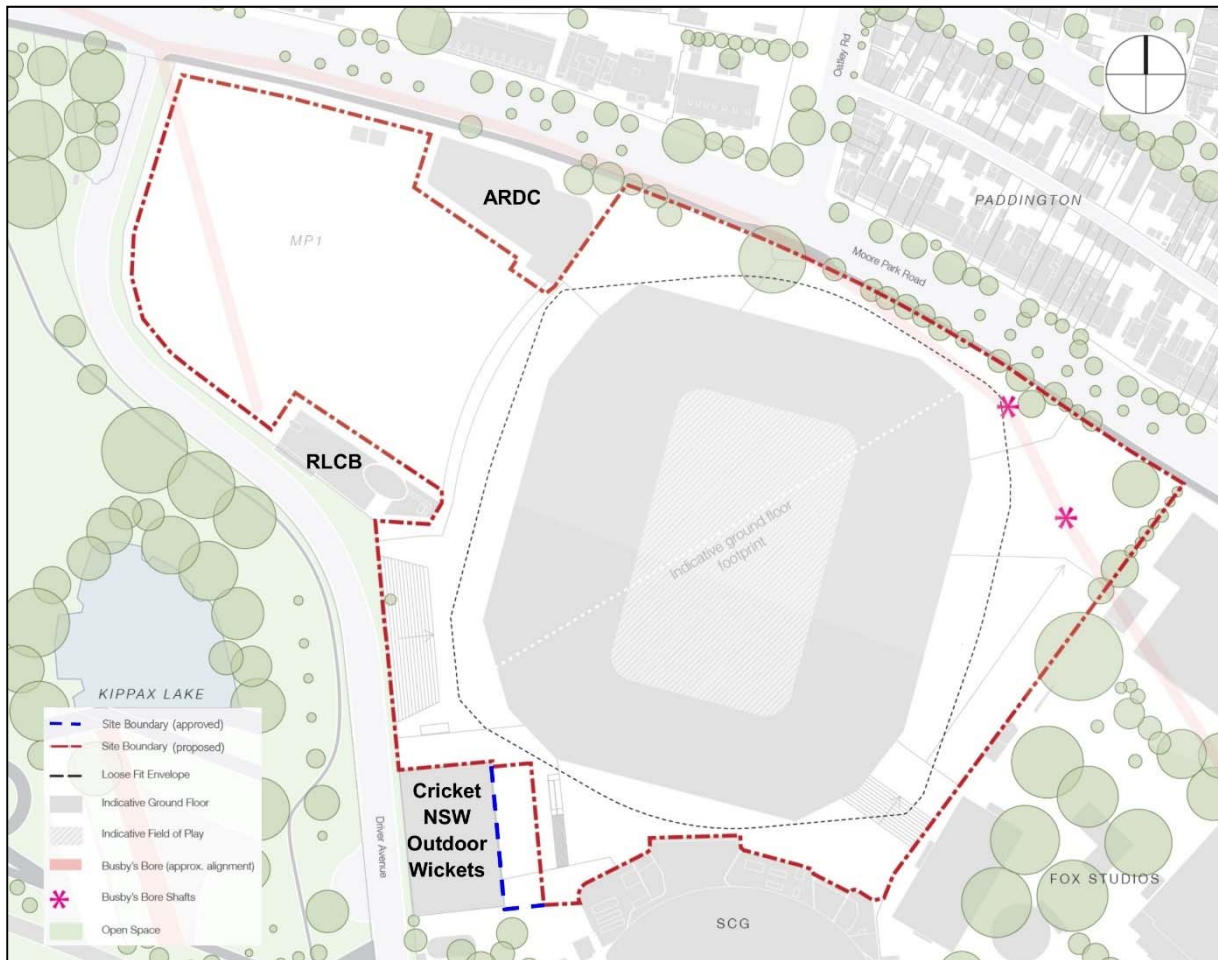


Figure 2 | Revised project boundary

As a consequence of the modification of the project boundary, the Applicant is seeking to modify the conditions of consent to include reference to revised drawings illustrating the amended project boundary.



3. Strategic Context

The development, as modified, continues to be consistent with the following as the minor boundary adjustment does not alter the key components or outcomes of the proposal:

- the NSW Stadia Strategy 2012 and 2015 Preliminary Sydney Cricket Ground Master Plan.
- Greater Sydney Commission's (GSC) A Metropolis of Three Cities - The Greater Sydney Plan.
- the vision outlined in the GSC Eastern City District Plan.
- the State Infrastructure Strategy 2018 – 2038 Building the Momentum.
- the City of Sydney's Sustainable Sydney 2030.
- the NSW Future Transport Strategy 2056.
- the TfNSW Sydney's Cycling Future 2013.

The development, as modified, also continues to provide direct investment in the region of approximately \$674 million, which would support 30 jobs for Stage 1 demolition works and up to 300 additional operational jobs upon completion.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Environmental Assessment Requirements

Section 4.55 of the EP&A Act requires the following matters to be assessed in respect of all applications which seek modifications to approvals:

Table 1: Matters to be considered under section 4.55 of the EP&A Act

Matter	Consideration
Whether the proposed modification is of minimal environmental impact	The proposed modification seeks to vary the site boundary and does not propose any physical changes or alter the uses envisaged under the concept proposal. Accordingly, the proposed amendments would result in minimal environmental impacts.
Whether the development to which the consent as modified relates is substantially the same development	The proposed modification does not seek to significantly amend development and only seeks to vary the site boundary to exclude an area of land that was not being redeveloped or used as part of the approved development. The approved development, as proposed to be modified, will remain substantially the same.
Whether notification has occurred and any submissions have been considered	In accordance with the EP&A Act and the EP&A Regulations, the modification request does not need to be notified. The application was made publicly available on the Department's website and referred to Council, who raised no objections to the modification.
Any submission made concerning the proposed modification has been considered.	The Department received a submission from Council, which advised that Council raises no objection to the proposed modifications. Details of the consultation are provided in Section 5 of this report.

Matter	Consideration
Any relevant provisions of section 4.15(1) of the EP&A Act	The relevant provisions of section 4.15(1) of the EP&A Act are considered in this section and the assessment section of this report. The modification would not alter the development's existing compliance with the relevant planning instruments.
Consideration of the reasons for the granting of the consent that is sought to be modified	The Department has considered the findings and recommendations in the Department's Assessment Report for SSD 9249, including the key reasons for granting consent outlined in the Notice of Decision. The Department is satisfied that the key reasons for the granting of consent continue to be applicable to the development, as modified.

4.3 Consent Authority

The Minister will be the consent authority under s. 4.5(a) of the Act unless the Independent Planning Commission is the consent authority under cl.8A(2) of the SRD SEPP.

Minister's delegate as consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Other Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are no public submissions by way of objection.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation for section 4.55(1A) applications do not apply to State significant development. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 7 May 2019, and was referred to City of Sydney Council for comment.

Council raised no objections to the proposed modifications.



6. Assessment

The key consideration is administrative changes required to address the proposed modified project boundary.

The modified project boundary does not result in any additional environmental impacts as the area to be excluded did not include any works or uses under the concept proposal. The excision of this area from the project site will ensure that the land can continue to be used by the Sydney Cricket and Sports Ground Trust for operations of the SCG.

The land is not intended to be used for any access or landscaping purposes under the concept proposal. It does not form part of the public domain for the future stadium and therefore the removal of this land from the project boundary has no material impact on the approved and future development.

The modified boundary would require the conditions of consent to be modified to reference revised plans illustrating the revised boundary and minor administrative amendments. The modified conditions are detailed in **Appendix C**.

Accordingly, the Department considers the amendment would have negligible impacts and recommends that the proposed modifications be approved.



7. *Evaluation*

The Department has reviewed the proposed modification and assessed the merits of the modified proposal, and all environmental issues associated with the proposal have been thoroughly addressed.

The concept proposal and approved Stage 1 works will not significantly change, and the Department's conditions of consent as amended would ensure that the conditions of consent reflect the adjusted project boundary. The proposed modifications would not impact the environmental amenity of the surrounding area.

The Department considers that the application is consistent with the objects of the EP&A Act and continues to be consistent with strategic directions for the State.

The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest and the modification application should be approved.



8. Recommendation

It is recommended that the Director, Social and Other Infrastructure Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD-9249-Mod-1 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(c) of the *Biodiversity Conservation Act 2016* that a biodiversity development assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values of the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application.
- **modify** the consent SSD 9249.
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:

Megan Fu

Principal Planner

Social Infrastructure Assessments

Recommended by:

David Gibson

Team Leader

Social Infrastructure Assessments



9. Determination

The recommendation is: **Adopted by:**



Karen Harragon

Director

Social and Other Infrastructure Assessments

5/6/2019



Appendices

Appendix A – List of Documents

<https://www.planningportal.nsw.gov.au/major-projects/project/11906>

Appendix B – Environmental Assessment

<https://www.planningportal.nsw.gov.au/major-projects/project/11906>

Appendix C – Instrument of Approval