

# Consolidated Consent

## Sydney Football Stadium – Concept Proposal and Stage 1 (SSD-9249)

MOD 1 – Approved by the Director, Social and Other Infrastructure Assessments – 05 June 2019

MOD 2 – Approved by the Executive Director, Infrastructure Assessments – 05 August 2019

MOD 3 – Approved by the Director, Social and Other Infrastructure Assessments – 28 June 2019

MOD 4 – Approved by the Director, Social and Infrastructure Assessments – 03 April 2020

MOD 5 – Approved by the Director, Social and Infrastructure Assessments – 29 October 2020

MOD 6 – Approved by the Executive Director, Infrastructure Assessments – 11 July 2022

MOD 7 – Approved by the Deputy Secretary, Development Assessment – 15 December 2023

### SCHEDULE 1

Application Number:	SSD-9249
Applicant:	Infrastructure New South Wales
Consent Authority:	Minister for Planning
Site:	40-44 Driver Avenue, Moore Park ( <del>Part Lot 1528 and Part Lot 1530 DP 752011 and Lot 1 DP 205794</del> ) <b><u>(Lot 11, Part Lot 10 and Part Lot 12 in DP 1255013)</u></b>
Development:	<p>Concept development application for the redevelopment of Sydney Football Stadium including:</p> <ul style="list-style-type: none"><li>• A Concept Proposal comprising:<ul style="list-style-type: none"><li>○ a maximum building envelope for the stadium including basement and a roof over all permanent seating;</li><li>○ maximum stadium capacity of 45,000 seats (55,000 patrons in concert mode);</li><li>○ member areas, premium box/terrace, function lounge and corporate suite operations;</li><li>○ flood lighting, stadium video screens and ancillary fittings;</li><li>○ team, media and administration facilities, food and beverage areas;</li><li>○ new playing pitch and provision for ancillary uses;</li><li>○ public domain works and landscaping; and</li><li>○ identification of the existing Moore Park Carpark 1 (MP1) as the demolition and construction compound.</li></ul></li><li>• Concurrent Stage 1 works comprising:<ul style="list-style-type: none"><li>○ demolition of the existing stadium including the existing Sheridan, Roosters, Waratahs, Cricket NSW Administration Building and Indoor Wickets <del>to ground level (existing slab level)</del> <b><u>including demolition of on-ground slab paving and footings;</u></b></li><li>○ removal of 26 trees; and</li><li>○ use of the existing MP1 as the demolition compound;</li><li>○ <b><u>removal of top of the piles of the existing stadium; and</u></b></li><li>○ <b><u>diversion of an existing stormwater infrastructure with associated trenching.</u></b></li></ul></li></ul>

## DEFINITIONS

<b>Aboriginal object</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Aboriginal place</b>	Has the same meaning as the definition of the term in section 5 of the <i>National Parks and Wildlife Act 1974</i>
<b>Accredited Certifier</b>	Means the holder of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> acting in relation to matters to which the accreditation applies.
<b>Advisory Notes</b>	Advisory information relating to the consent but do not form a part of this consent
<b>Applicant</b>	Infrastructure NSW or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Certification of Crown building work</b>	Certification under section 6.28(2) of the EP&A Act
<b>Certifying Authority</b>	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.
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 and Schedule 3 of this document
<b>Construction</b>	<p>All physical works to enable development, including but not limited to the demolition and removal of buildings, the carrying out of works for the purposes of the development, and erection of buildings including the acoustic enclosure / shed to the concrete crusher and other infrastructure permitted by this consent, but excluding the following:</p> <ul style="list-style-type: none"> <li>• building and road dilapidation surveys;</li> <li>• investigative drilling, investigative excavation or Archaeological Salvage;</li> <li>• establishing temporary site offices (in locations identified by the conditions of this consent);</li> <li>• installation of environmental impact mitigation measures, fencing, enabling works; and</li> <li>• minor adjustments to services or utilities.</li> </ul>
<b>Council</b>	City of Sydney Council
<b>CCC</b>	Community Consultative Committee
<b>Day</b>	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures including <u>the piles and</u> soft strip on the site, crushing and other associated processing of demolition materials <del>above the existing finished slab / ground level.</del>
<b>Demolition – Soft strip</b>	<p>All physical works inside the building envelope of the exiting Sydney Football Stadium including:</p> <ul style="list-style-type: none"> <li>• soft strip of internal seating;</li> <li>• removal of bathroom fitout; and</li> <li>• removal of internal elements of the hospitality areas.</li> </ul>

<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in the EIS, Response to Submissions, and supplementary Response to Submissions, and the Section 4.55(1A) Modification Application dated 21 May 2019 <b>and the Section 4.55(1A) Modification Application dated 15 October 2021</b> including the works and activities comprising demolition and tree removal as modified by the conditions of this consent.
<b>DIA</b>	Design Integrity Assessment
<b>DIAP</b>	Design Integrity Assessment Panel
<b>EIS</b>	The Environmental Impact Statement titled <i>Environmental Impact Statement, State Significant Development Application Concept Proposal and Stage 1 Demolition Sydney Football Stadium Redevelopment</i> , prepared by Ethos Urban dated June 2018, including any additional information provided by the Applicant in support of the application.
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6pm to 10pm.
<b>Event</b>	A planned public or social occasion.
<b>Feasible</b>	Means what is possible and practical in the circumstances.
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Heritage Item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , 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.
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance. <i>Note: "material harm" is defined in this consent</i>
<b>ICNG</b>	<i>Interim Construction Noise Guidelines</i>
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act.
<b>Management and mitigation measures</b>	The management and mitigation measures set out in Appendix 2.
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial; or</li> <li>b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</li> </ul>

<b>Minister</b>	NSW Minister for Planning (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring.
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act.
<b>MP1</b>	Moore Park Carpark 1.
<b>Night</b>	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays.
<b>Non-compliance</b>	An occurrence set of circumstances or development that is a breach of this consent.
<b>OEH</b>	NSW Office of Environment and Heritage.
<b>OEMP</b>	Operational Environmental Management Plan.
<b>Operation</b>	The carrying out of the approved purpose of the development upon completion of construction.
<b>PA</b>	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act.
<b>Planning Secretary</b>	Planning Secretary under the EP&A Act, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
<b>Registered Aboriginal Parties</b>	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
<b>RAP</b>	Remedial Action Plan
<b>Response to submissions</b>	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
<b>Supplementary Response to Submissions</b>	The Applicant’s additional response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act.
<b>Sporting Event</b>	Means sport entertainment carried on outdoors where sound amplification equipment is used as part of the activity.
<b>RMS</b>	NSW Roads and Maritime Services.
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1.
<b>Site Auditor</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i> .
<b>Site Audit Report</b>	As defined in section 4 of the <i>Contaminated Land Management Act 1997</i> .
<b>Site Investigations</b>	Site investigation referred to in the Report on Preliminary Site Investigation (Contamination) prepared by Douglas Partners dated May 2018.
<b>Stadium</b>	Sydney Football Stadium.
<b>SCG</b>	Sydney Cricket Ground.
<b>TfNSW</b>	Transport for New South Wales.
<b>Urban Design Guidelines</b>	Sydney Football Stadium Urban Design Guidelines prepared by SJB and dated 6 June 2018 as amended by Attachment 4 of the Response to Submission Report – Sydney Football Stadium Urban Design Guidelines – Final dated 28 August 2018.
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the

POEO Act.

**Year**

A period of 12 consecutive months.

For information only

**SCHEDULE 2**  
**CONDITIONS OF CONSENT FOR CONCEPT DEVELOPMENT APPLICATION**  
**PART A ADMINISTRATIVE CONDITIONS**

**Obligation to Minimise Harm to the Environment**

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

**Terms of Consent**

- A2. The development may only be carried out:
- a) in compliance with the conditions of this consent;
  - b) in accordance with all written directions of the Planning Secretary authorised by this consent;
  - c) generally, in accordance with the EIS, the Response to Submissions, Supplementary Response to Submissions and consolidated mitigation measures provided in Appendix 2; and
  - d) **generally in accordance with amendments made in SSD-9249-Mod-1, SSD-9249-Mod-2, and SSD-9249-Mod-3, and SSD-9249-Mod-4, and SSD-9249-Mod-5, and SSD-9249-Mod-6, and SSD-9249-Mod-7;** and
  - e) in accordance with the approved plans in the table below:

<b>Drawings provided in the <i>Urban Design Guidelines</i> prepared by <i>SJB Architects</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
SK21	05	Site Analysis	23 April 2019 (as marked)
SK22	05	Indicative Building Outline Plan	23 April 2019 (as marked)
SK25	02	Section A1	23 April 2019 (as marked)
SK26	05	Section B1	23 April 2019 (as marked)
SK27	06	Building Envelope Plan	23 April 2019 (as marked)
SK28	06	Demolition Plan	23 April 2019 (as marked)
<b>Drawings prepared by <i>COX Architecture</i></b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
SK-23	06	Sydney Football Stadium Access Plan Stage 2 with SFF	15 October 2020
SK-23-SECTIONS	01	Access Plan Stage 2 with SFF	15 October 2020
SK-24	06	Sydney Football Stadium Landscape Plan Stage 2 with SFF	15 October 2020
SK-29	<b><u>A</u></b> <b><u>B</u></b>	Sydney Football Stadium Project Boundary Plan – Stadium Fitness Facilities <b><u>Precinct Village and Car Park</u></b>	<del>8 April 2020</del> <b><u>1 September 2021</u></b>
SK-30	A	Sydney Football stadium Section C1 & D1 – Stadium Fitness Facilities	1 July 2020
SK-31	<b><u>A</u></b> <b><u>B</u></b>	Building Envelope and Footprint – Undercroft/Ground	<del>1 July 2020</del> <b><u>1 September 2021</u></b>
SK-32	<b><u>A</u></b> <b><u>B</u></b>	Building Envelope and Footprint – Upper Levels	<del>1 July 2020</del> <b><u>1 September 2021</u></b>

<b>SK-33</b>	<b>A</b>	<b>SSD Precinct Village and Car Park Section 4.55 Modification</b>	<b>1 September 2021</b>
--------------	----------	--	-------------------------

**[SSD-9249-Mod-6]**

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

**[SSD-9249-Mod-1]**

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless the Stage 1 works, identified in Schedule 1 of this development consent, have physically commenced.
- A6. This approval does not allow any components of the Concept Proposal, to be carried out without further approval or consent being obtained from the relevant consent authority, except the 'Concurrent Stage 1 works', identified in Schedule 1 of this development and in accordance with the list of plans approved under Schedule 3 condition A2.
- A7. Events at the Sydney Football Stadium will **may** host a maximum of 45,000 patrons for all events except concert events where a maximum of 55,000 patrons, **and the Mardi Gras after-party where a maximum of 40,000 patrons**, will be permitted.

**[SSD-9249-Mod-7]**

#### **Prescribed Conditions**

- A8. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

#### **Planning Secretary as Moderator**

- A9. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

#### **Legal Notices**

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

#### **Evidence of Consultation**

- A11. Where conditions of this consent require consultation with an identified party, the Applicant must:
- a) consult with the relevant party prior to submitting the subject document to the Planning Secretary; and
  - b) provide evidence and details of the consultation undertaken including:
    - (i) methods of consultation;
    - (ii) the outcome of that consultation, matters resolved and unresolved; and

- (iii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

### **Staging, Combining and Updating Strategies, Plans or Programs**

A12. With the approval of the Planning Secretary, the Applicant may:

- a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- c) update and submit to the Planning Secretary any strategy, plan or program required by this consent within one month of a change being required or identified (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A13. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A14. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

### **ADVISORY NOTES**

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.



## PART B CONDITIONS TO BE SATISFIED PRIOR TO LODGEMENT OF FUTURE DEVELOPMENT APPLICATIONS

### Planning Secretary's Environmental Assessment Requirements

- B1. Prior to the lodgement of future Development Application(s) related to this consent the Applicant must seek Planning Secretary's Environmental Assessment Requirements (SEARs).

### Community Consultative Committee

- B2. The Community Consultative Committee (CCC), required by Schedule 3 condition B9, must be operative and functional prior to the lodgement of the future development application for the detailed design and operation of the stadium on the Site.

### Competitive Design Process

- B3. Prior to lodgement of the future development application, the Applicant will undertake a 'design alternatives' competitive process in accordance with clause 4.1 of City of Sydney Competitive Design Policy (City of Sydney, 2013) and the approach outlined in the *SFS Design Excellence Strategy* provided as Appendix D of the EIS.
- B4. Prior to the lodgement of the future development application a Competitive Design Alternatives Report must be prepared, as described by the SFS Design Excellence Strategy at Appendix D of the EIS including the following:
- a) each of the design alternatives considered;
  - b) an assessment of the design merits of each alternative;
  - c) the rationale for the choice of preferred design and clearly demonstrate how this best exhibits design excellence in accordance with the provisions of Clause 6.21(4) of the Sydney Local Environmental Plan 2012 and the approved *SFS Design Excellence Strategy* at Appendix D of the EIS;
  - d) demonstrate how this design and the overall site layout is consistent with the *Sydney Football Stadium Urban Design Guidelines*; and
  - e) a copy of the brief issued to the architectural firms.
- B5. The Competitive Design Alternatives Report must be signed by the members of the assessment panel responsible for selecting the winning design through the Competitive Design Process.
- B6. Prior to the lodgement of the future application, the Competitive Design Alternatives Report must:
- a) be presented to the CCC;
  - b) be submitted to the Planning Secretary for endorsement at least six weeks prior to lodgement of the development application, unless otherwise agreed by the Planning Secretary; and
  - c) include evidence of any feedback provided by the CCC as a result of the presentation.
- B7. Prior to the lodgement of the future development application the designer of the winning scheme (as chosen via the 'competitive design process') is to be appointed as the Design Architect to:
- a) prepare a Development Application for the preferred design; and
  - b) prepare the design drawings for the contract documentation.
- Note:** The winning architect may work in association with other architectural practices but is to retain a leadership role over design decisions.
- B8. Prior to the lodgement of the future development application, a Design Integrity Assessment Panel (DIAP) must be established. The members of the DIAP must comprise of the members of the assessment panel responsible for selecting the winning design through the Competitive Design Process.
- B9. Any reports endorsed by the DIAP, prior to the lodgement of a future development application, must be presented to the CCC and be referenced in any minutes.

### **Review of pedestrian connections**

B10. Prior to lodgement of the future development application, a comprehensive review of a pedestrian connections between the site and the adjoining lands on the eastern and south eastern boundary of the site, must be undertaken, to assess the suitability of such a connection having regard to:

- a) safety of pedestrian movements between the site and the adjoining lands;
- b) consideration of the positive and negative impacts of the increased permeability between the residential developments on the eastern side and the public use of the stadium; and
- c) resultant environmental amenity impacts on the adjoining or nearby residents on the eastern side in terms of noise, privacy and crime prevention / anti-social behaviour.

This review must be undertaken in consultation with the CCC, the owners / occupiers of businesses and residents (where relevant) within the identified adjoining land, the Council and be made available on the Applicant's website.

### **Alternative Noise Management Framework**

B11. Prior to the lodgement of the future development application, any proposed alternative noise management framework and quantitative noise impact assessment related to the future operation of the proposed stadium must be prepared in consultation with EPA and the Department.

### **Moore Park Masterplan 2040**

B12. Prior to the lodgement of the future development application for detailed design and operation of the stadium, a comprehensive review of the Moore Park Masterplan 2040 must be undertaken to identify:

- a) specific principles, moves, opportunities and strategies within the plan which can be supported either directly or indirectly by the development; and
- b) how the development on the site can contribute positively towards and support the principles, moves, opportunities and strategies within the Masterplan.

B13. This review required by Schedule 2 condition B12 must be undertaken in consultation with Centennial Parklands and Moore Park Trust and the CCC.

B14. Details of the evidence of consultation and the feedback must be included in the review in Schedule 2 condition B12. The report in relation to the review must be made available on the Applicant's website.

### **Stormwater and flooding**

B15. Prior to the lodgement of the future development application, Sydney Water must be consulted to determine the location of the stormwater assets and in the preparation of the stormwater plans and flood reports, plans for relocating Sydney Water assets and the protection of relevant assets.

### **Consultation regarding traffic matters**

B16. Prior to the lodgement of the future development application relevant traffic impact assessment reports for construction and operational stages, pedestrian management, bicycle network and parking impacts, and relevant design solutions must be prepared in consultation with the Sydney Coordination Office, Transport Management Centre and Sydney Light Rail team within TfNSW, the Council and Roads and Maritime Services and be presented to the CCC.

## PART C CONDITIONS TO BE SATISFIED IN FUTURE DEVELOPMENT APPLICATIONS

### Design Excellence and Urban Design Guidelines

- C1. The future development application must demonstrate design excellence having regard to the following matters:
- a) a high standard of architectural design, materials and detailing appropriate to the building type and location;
  - b) the form and external appearance of the proposed development to improve the quality and amenity of the public domain;
  - c) how the proposed development addresses the following matters:
    - i) any heritage and archaeological issues and streetscape constraints or opportunities;
    - ii) an increased appreciation and integration of heritage values of the site into the design and operation of the development;
    - iii) the bulk, massing and modulation of buildings within the approved envelope including street frontage heights;
    - iv) environmental impacts such as acoustic privacy, solar access to adjoining buildings and public spaces, noise, wind impacts on surrounding areas and reflectivity;
    - v) the achievement of the principles of ecologically sustainable development;
    - vi) pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of any pedestrian network;
    - vii) the impact on, and any proposed improvements to, the public domain;
    - viii) achieving appropriate interfaces at ground level between the building and the public domain;
    - ix) innovation in design and delivery;
    - x) future proofing the development so that it can adapt to foreseeable changes in events, patronage, transport, access etc; and
    - xi) excellence and integration of landscape design.
- C2. The future development application must be supported by a Design Integrity Assessment (DIA) to inform whether the proposal is equivalent to or is an improvement upon the design excellence qualities of the winning competition scheme. The DIA must be prepared, and the DIA report signed by the members of DIAP required by Schedule 2, condition B8.
- C3. Details of the presentation of the DIA report to CCC, as required by Schedule 2 condition B9, and feedback as a result of the presentation, must be submitted as part of the future development application.
- C4. The future development application must include artist's perspectives and photomontages.
- C5. The building envelope of the stadium proposed in the future development application must be consistent with the approved plans listed in Schedule 2, condition A2.
- C6. The building envelope of the stadium proposed as part of the future development application is restricted to a maximum height of RL 85m Australian Height Datum (AHD) and a maximum depth of RL 39.3m AHD.
- C7. The future development application must include details addressing the following strategies (but not be limited to) outlined in Section 8.4 of the *Sydney Football Stadium Urban Design Guidelines* in relation to:
- a) the public activities and associated design elements within the four 'open spaces' Driver Avenue Terraces, Moore Park Road Plaza, Oatley Road Place and Sydney Live Plaza;
  - b) separation of commercial activities integrated within the stadium structure and the identified public spaces Moore Park Road Plaza and Oatley Road Place so that these areas can be predominantly used for public purposes;

- c) scheduling of public facing commercial activities on the event days so that such activities do not have detrimental impacts on the amenity of the surrounding residents.

### Landscaping, public domain and open space

- C8. The future development application must be supported by landscape plans including (but not limited to) the following requirements:
- a) a tree removal plan identifying the exact number of trees that are likely to be lost as a result of the development;
  - b) a planting schedule which demonstrates that the lost tree canopy will be replaced by new trees at a ratio of 1(tree lost):1.5 (trees replaced);
  - a) ~~95% of the new or replaced vegetation is to be Australian native species from the relevant native vegetation community~~ **new or replaced vegetation should predominantly comprise of Australian native species with emphasis on species that are endemic;** and
  - b) native vegetation must pre-dominantly consist of suitable foraging species for Grey-Headed Flying Fox.

**[SSD-9249-Mod-3]**

### Operation of the Stadium

- C9. The future development application must estimate the maximum number of events. The development application must identify and assess all impacts of additional number of events and concerts in excess of 52 events per year and six concerts (with an average of four per year over any rolling five-year period between the Sydney Football Stadium and the Sydney Cricket Ground) including (but not limited to):
- a) social and economic impacts on the surrounding residents and the wider region;
  - b) impacts on the built environment of the locality including (but not limited to) traffic and noise;
  - c) impacts on the natural environment of the locality including (but not limited to) bio-diversity; and
  - d) impacts on the environmental amenity of the surrounding residents and occupiers / users of other existing land uses.
- C10. The future development application must include details of all operational time restrictions including (but not limited to) sporting events, concerts, sound-testing, other outdoor events with sound amplification, non-event day operations and timings for waste collection vehicle, goods delivery vehicles and other heavy vehicles utilising Paddington Lane. The development application must identify and assess all impacts on the environmental amenity of the surrounding residents and occupiers / users of other existing land uses in the instances where alterations are proposed to the time restrictions identified in the *Sydney Football Stadium Redevelopment Stage 1 SSDA - Noise and Vibration Impact Assessment Report* prepared by ARUP dated 15 June 2018 as follows:
- a) sporting events: 8am – 11pm;
  - b) concerts **events (excluding the Mardi Gras after-party): 10am – 11pm (maximum length 5 hours, with a maximum of two of the 20 concert events per calendar year allowed to run for up to 10 hours during concert operational hours between 10am and 11pm;**
  - c) ~~rehearsals on the day of the event: 10am – 7pm~~ **(after 7pm only in exceptional circumstances);**
  - d) ~~sound tests on the day of the event: 10am – 7pm~~ **(after 7pm only in exceptional circumstances)** (maximum 60 minutes of continuous testing);
  - e) other outdoor events with sound amplification: 10am – 8pm (days preceding working days);
  - f) other outdoor events with sound amplification: 10am – 10:30pm (days not preceding working days); and

- g) waste collection vehicles, goods delivery vehicles and other heavy vehicles utilising Paddington Lane: 7am – 10pm.

~~The assessment must also include a comparative analysis against the total number of, and time restrictions for sporting events and concerts including rehearsals and sound tests as prescribed in the statutory Notice of Preventive Action 1003904 (as at the date of the development application and as varied from time to time).~~

**[SSD-9249-Mod-7]**

### **Pedestrian Connection Strategy**

- C11. The future development application must include a Pedestrian Connection Strategy, with specific recommendations regarding the pedestrian connections to the adjoining lands on the eastern and south eastern boundary of the site.
- C12. The Strategy must be based on the outcome of the review required by Schedule 2, condition B10 and must include the details of the consultation process.

### **Visual Impact Assessment**

- C13. The future development application must be supported by a Visual Impact Assessment Report to identify and assess all impacts of the proposed stadium on the visual catchment of the Site. The Visual Impact Assessment must be based on the identified view locations in the Visual Impact Assessment Report and Addendum prepared by Ethos Urban dated June 2018 and September 2018

The Visual Impact Assessment report must consider the impact of the future stadium design on the settings, view lines and heritage significance of the Sydney Cricket Ground (SCG) Members Stand and Lady Members Stand and include appropriate management and mitigation measures to minimise adverse visual impacts (where relevant).

### **Solar Access**

- C14. The future development application must be supported by solar access diagrams to address whether adequate solar access is provided, between 9am and 3pm during winter solstice, to the SCG playing field (immediately south of the proposed building footprint) and all other adjoining buildings including the public open spaces adjoining the site at Moore Park.

### **Community use of the Sydney Football Stadium Site**

- C15. The future development application must address the details of the proposed public and community uses of the Site in accordance with the *Sydney Football Stadium Urban Design Guidelines - "Public Realm and Open Spaces"*. This should include (but not be limited to) opportunities for:
- a) community access to the identified public areas on event and non-event days;
  - b) dedicated spaces with activities for the community;
  - c) enhancement of the public domain and open spaces within the site and integration of the uses with the design of the stadium; and
  - d) additional features / facilities that form part of the site and the stadium and can be shared with the community on non-event days.

### **Moore Park Masterplan 2040 – Stadium Implementation Plan**

- C16. The future development application must include a strategy of physical works and / or implementation plans and programmes to address how the development can contribute to the delivery of the identified principles, moves, opportunities and strategies of the Moore Park Masterplan 2040.

The strategy and the implementation plan must be based on the conclusions of the review of the Moore Park Masterplan 2040 and the consultation required by Schedule 2 condition B12 and B13.

## Noise and Vibration

- C17. The proposed future stadium on the site must be designed, and mitigation and management measures proposed, to minimise noise emissions from events and 'outdoor entertainment activities'. Events and activities in relation to the future stadium should not exceed the noise level limits prescribed in the statutory Notice of Preventive Action 1003904 (as at the date of the development application and as varied from time to time).
- C18. The future development application can include an alternate quantitative noise impact assessment and noise management framework, not included in Schedule 2, C17. The noise impact assessment must be supported by evidence of consultation with EPA and the Department, as required by Schedule 2, condition B11.
- C19. The alternate quantitative noise impact assessment must include a representative 'worst case' impact of amplified music and announcements to surrounding sensitive receivers from 'outdoor entertainment activities' undertaken at the stadium.

The impact of noise from amplified music and announcements to surrounding sensitive receivers from 'outdoor entertainment activities' undertaken at the stadium must be assessed at intermediate locations in both Leq(5 minute) dB(A) and Leq(5 minute) dB(lin) in the 63 hertz 1/1 octave band metrics. ~~The levels at the intermediate compliance points must be calculated so that they represent the extrapolated equivalence of the receiver-based levels prescribed in Notice of Preventive Action 1003904 (as at the date of the development application and as varied from time to time).~~

### **[SSD-9249-Mod-7]**

- C20. The future development application must include a Noise Management Plan (NMP) prepared in consultation with the EPA and the Department. The NMP shall describe, but not be limited to:
- a) hours of operation, number and type of event;
  - b) the events that will be deemed-to-comply and those for which an Event Acoustic Report is required;
  - c) a definition of non-compliance and a breach of conditions;
  - d) a chain of responsibility for management of noise in relation to the stadium activities;
  - e) measures to minimise impacts of sound checks, rehearsals, 'bump-in' and 'bump-out' activities, goods delivery, post event clean-up activities, and waste collection services (including the noise impact of associated vehicular movements particularly any such movements occurring during the 'night period' or likely to activate reversing alarms, and stadium precinct grounds maintenance; and
  - f) a procedure and guidance on the frequency, time of occurrence and duration of pyrotechnic displays, including a community notification strategy.
- C21. The future development application must include a strategy (such as monitoring programmes) to validate the performance of and the predicted results in any adopted alternate compliance methodology, when the future stadium commences operation.
- C22. Each of the noise impacts assessments required by Schedule 2, conditions C17 to C21, may take into consideration of instances where identified sensitive receivers are not in use at the time the event occurs, have been mitigated for environmental noise impacts, have agreements to receive higher levels of noise, or have been designed for higher noise environments.

## Contamination, Site Investigations and Remedial Action Plan

- C23. The future development application must be accompanied by detailed environmental site investigations to identify contaminants of potential concern and any potential sources of contamination within the ground, groundwater and infrastructure beneath the site. These investigations must be completed in line with the NSW Sampling Design Guidelines (EPA, 1995). These investigations must include a consideration of contaminated soils, fill etc. and groundwater as appropriate and identify any contaminants of potential concern. The record of these investigations is to be accompanied by Phase 2 Environmental Site Assessment report detailing the contaminants of potential concern and any potential sources of contamination

within the ground, groundwater and infrastructure beneath the site and recommending the process to manage or resolve potential contamination risks.

- C24. The Phase 2 Environmental Site Assessment report is to be reviewed by an EPA accredited Site Auditor to confirm the adequacy of the investigations to date, the required unexpected finds protocol, the proposed approach to managing or resolving potential contamination risks and/or to confirm the suitability of the proposed land use.
- C25. If the Phase 2 Environmental Site Assessment report recommends that remediation of the site is required, then a detailed Remedial Action Plan (RAP) must be provided as part of the future development application for the design and construction of the stadium. The RAP is to be prepared in accordance with the Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2011). The RAP must be approved by an EPA accredited site auditor and submitted as a part of the future development application for consideration by the Department and EPA.

### **Groundwater**

- C26. The future development application must include an assessment against the NSW Aquifer Interference Policy 2012, if it potentially involves dewatering.

### **Ecologically Sustainable Development**

- C27. The future development application must include a detailed report which address the key principles and recommendations identified in the *Sydney Football Stadium Redevelopment Environmentally Sustainable Design Strategy* prepared by Aurecon dated 2018 have been incorporated in principle into the design, construction and on-going operation of the new buildings.
- C28. The future development application must include the results of a whole of life assessment (Life Cycle Assessment) undertaken to identify material impacts and opportunities for improvement, in accordance with the Response to Submissions. The report must identify, the extent to which sustainability measures have been incorporated to address any identified hotspots informed by the whole of life assessment.
- C29. The future development application must include a report identifying the extent to which the proposal can comply with the greenhouse gas, energy and carbon targets identified in Sustainable Sydney 2030.
- C30. The future development application must include a report which addresses how the proposed development is capable of achieving Gold Leadership in Energy and Environmental Design (LEED) rating using the existing stadium as the “reference building” for the assessment or any other equivalent sustainability rating tool as listed in section 5.3 of the *Sydney Football Stadium Redevelopment Environmentally Sustainable Design Strategy* prepared by Aurecon dated 2018.
- C31. The future development application is required to address the implementation of water sensitive urban design and energy conservation and efficiency measures, including but not limited to:
- a) rainwater harvesting and re-use;
  - b) water efficient fixtures;
  - c) installation of rooftop solar photovoltaic arrays for on-site electricity generation;
  - d) storage of surplus energy generated by rooftop solar photovoltaic arrays;
  - e) use of electric vehicles for dedicated on site transport tasks (where possible); and
  - f) energy efficient electrical equipment, fittings and fixtures.

### **Utilities**

- C32. The future development application must address the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure through the preparation of an Infrastructure Management Plan and Water Reuse Management Strategy Plan in consultation with relevant agencies and service providers. This plan must be based on the conclusions of the *Sydney Football Stadium Redevelopment Infrastructure Management Strategy* prepared by Aurecon, 2018.

- C33. The future development application must provide details of any fuel storage for back-up emergency generator above ground and that all associated pipes, fittings and equipment are located above ground.
- C34. The future development application must provide evidence of consultation and the agreed approach with Sydney Water regarding the proposed design and its potential impact on their stormwater assets.

### **Stormwater and Flooding**

- C35. The future development application must be accompanied by a Stormwater Management Plan detailing an assessment of any flood risk on site, the future buildings and the users including the patrons and staff. The stormwater management plans and associated reports must comply with any relevant provisions of the NSW Floodplain Development Manual 2005. The plans for stormwater and drainage infrastructure, and details must demonstrate that water sensitive urban design measures have been incorporated into the future development.

Evidence of consultation with Sydney Water required by Schedule 2, condition B15, and Council in preparing the stormwater management plans must be submitted as part of the future development application.

- C36. The future development application must include:

- a) a 2D Flood Model using Council's flood model for this catchment to address whether the asset causes flooding; and
- b) a detailed hydraulic design to address whether the design performs with no surcharges.

Evidence of consultation with Sydney Water required by Schedule 2, condition B15, and Council in preparing the flood management plans must be submitted as part of the future development application.

### **Disability Access**

- C37. Where relevant, the future development application must include a Disability Access Review to address an appropriate degree of accessibility in accordance with the *Disability (Access to Premises - buildings) Standards 2010* (the Premises Standards).

### **Waste**

- C38. The future development application must include a Waste Management Plan to address storage, collection, and management of waste and recycling within the development. The Waste Management Plan must include identifying opportunities for the reduction, re-use and recycling of waste, including food waste.

### **Traffic, Access and Car Parking**

- C39. ~~The future development application must maintain the number of car spaces currently available at the MP1 car park and maintain the same access point.~~

**[SSD-9249-Mod-6]**

- C40. The future development application must be accompanied by a detailed assessment of the traffic and transport impacts associated with the proposed use including:
- a) impact on the operation of the road network and footpaths, with emphasis on road user safety before, during and after events and suitable management and mitigation measures;
  - b) cumulative impacts on traffic and road safety of simultaneous events in the precinct and suitable management and mitigation measures;
  - c) design solutions and/or management and mitigation measures to address traffic and pedestrian conflicts at the junction of Driver Avenue and the entry to MP1 car park;
  - d) analysis of the post-event traffic movements around the site, the resultant traffic conflicts due to post-event closure of Driver Avenue and use of alternate vehicular routes and supporting design solutions or management measures; and
  - e) an integrated ticketing strategy to be introduced to promote public transport and alternate modes of transport.



- C41. The future development application must include a Construction Pedestrian and Traffic Management Plan detailing the management of construction traffic and the likely impacts on the surrounding road network during future construction works.
- C42. Evidence of consultation in relation to Schedule 2 condition C41 with the relevant public authorities and presentation to CCC as required by Schedule 2, condition B15 must be provided as a part of the future development application.

### **Pedestrian, Public Transport and Bicycle networks**

- C43. The future development application, must be accompanied by the following plans and associated documentation to ensure that the future development satisfactorily caters for the patrons on the site:
- a) a plan which details adequate and dedicated passenger pick-up/drop-off facilities for point to point transport services are provided for the development;
  - b) a plan which details adequate dedicated coach passenger pick-up/drop-off and layover facilities are provided for the development;
  - c) a plan identifying all pedestrian routes between the nearby public transport nodes and the site;
  - d) a pedestrian route analysis plan which assesses whether the existing pedestrian routes are of adequate capacity and in satisfactory condition to support the anticipated pedestrian movement to and from the stadium during events within the future stadium and also taking into consideration simultaneous events within the Moore Park precinct;
  - e) a plan of alternative proposed pedestrian routes or improvements to surrounding pedestrian infrastructure (public) to support the pedestrian movements between the site and the nearby transport nodes, in case the existing pedestrian route analysis plan, required by condition Schedule 2 C43(d), concludes that the existing routes are not satisfactory to cater for the future development on the site;
  - f) a plan which details how the Moore Park Road separated cycleway is integrated appropriately with the future site layout and operational plans for the site (subject to availability of detailed plans at the time of lodgement of the future development application);
  - g) a site plan identifying adequate number of bicycle parking facilities (designed per Austroads guidelines) within the site, located in secure, convenient and accessible areas close to the proposed formalised entrances, with adequate lighting and passive surveillance opportunities; and
  - a) a Wayfinding and Signage Strategy, including a lighting strategy, to improve wayfinding and signage between public transport nodes and from within the Moore Park Precinct.
- C44. Evidence of consultation with the relevant public authorities and presentation to CCC as required by Schedule 2, condition B16, and with other stakeholders and landowners in the Moore Park Precinct, in the preparation of the plans under Schedule 2 condition C43, must be provided as a part of the future development application.

### **Moore Park Precinct Event Transport Operations Plan amendment**

- C45. The future development application must be supported by a proposed amendment to the Moore Park Precinct Event Transport Operations Plan. The amended Plan must incorporate the proposed development, including its infrastructure and operation, and the planned traffic and transport infrastructure improvements in the Moore Park Precinct, to address the safe and efficient management of event traffic and transport.

The amendment is to be proposed in consultation with the Sydney Coordination Office and Transport Management Centre within TfNSW, Roads and Maritime Services, NSW Police, the Council, Sydney Cricket and Sports Ground Trust and Centennial Park and Moore Park Trust and evidence provided as part of the future development application.

## **Green Travel Plan and Travel Demand Management Strategy**

- C46. The future development application must include a Travel Demand Management Strategy and Green Travel Plan to increase the mode share of public transport and active transport for the development in conjunction with other stakeholders and landowners in the Moore Park Precinct, including the provisions for bicycle parking with end-of-trip facilities (where relevant).

The strategy and plan must be prepared in consultation with the Sydney Coordination Office and Transport Management Centre within TfNSW, Roads and Maritime Services, NSW Police, the Council, Sydney Cricket and Sports Ground Trust and Centennial Park and Moore Park Trust and the CCC. Evidence of consultation must be provided with the future development application.

## **Impacts on Sydney Light Rail construction works**

- C47. The future development application must address whether there is an impact on the timing or delivery of the Sydney Light Rail's Project's programme of works, including, but not limited to, footpaths, kerbs, gutters and road restoration works. The supporting documentation must include appropriate management and mitigation measures to avoid conflicts with the timing and delivery of the Sydney Light Rail's Project's programme of works.

## **Geotechnical Assessment Report**

- C48. The future development application must be accompanied by a detailed Geotechnical Assessment Report with details of proposed mitigation measures during excavation works and measures to control impacts on adjoining properties due to vibration during construction.

## **Heritage**

- C49. The future development application must be accompanied by the following:

- a) a statement of heritage impact; and
- b) an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by a suitable qualified professional in accordance with the relevant guidelines.

## **Busby's Bore – Historic Archaeology**

- C50. The future development application involving excavation or works that will directly or indirectly impact on the ground at the site must:
- a) undertaken further investigations to determine the location of Busby's Bore and any shafts within the site;
  - b) assess the condition of Busby's Bore and any shafts that are located within the site;
  - c) consider Busby's Bore as part of any heritage or archaeological assessment for the site;
  - d) assess whether the proposed development will impact on the Bore;
  - e) provide a management plan that outlines performance objectives and measures to avoid direct or indirect adverse impacts on Busby's Bore to ensure the significance of this item is retained; and
  - f) ensure that suitable qualified and experienced personnel provide input to and develop the management plan.
- C51. The future development application must provide an additional archaeological assessment or an amendment of the submitted *Archaeological Assessment for Sydney Football Stadium, Stage 1 Concept Design* prepared by Curio Projects dated 5 June 2018 to assess the impacts of the next stages of the development on the archaeology at the site.
- C52. An appropriate archaeological research design and excavation methodology must be prepared by a suitably qualified Excavation Director for review by the Heritage Council of NSW or its delegate for any works which will impact archaeological information or Busby's Bore.

## **Security, Crime and Anti-Social Behaviour Prevention**

- C53. The future development application must include the following:

- a) a Crime Prevention Through Environmental Design (CPTED) assessment, which details measures to maximise patron, worker, pedestrian and public safety through the implementation of the CPTED principles;
- b) a detailed Anti-Social Behaviour Strategy to identify specific issues and actions that the applicant and related stakeholders would undertake to avoid, mitigate and manage any anti-social behaviour related to events at the future stadium on the site and the surrounding areas; and
- c) a Security Risk Assessment strategy in relation to the development, to identify, assess, manage and minimise the risks of exposure to hostile vehicles, including areas of people congregation and paths between the new stadium and public transport nodes.

The Security Risk Assessment strategy must be supported by a plan listing all the facilities provided to support the Hostile Vehicle Mitigation requirements in the Moore Park Precinct in accordance with Australia's Strategy for Protecting Crowded Places from Terrorism and Hostile Vehicle Guidelines for Crowded Places.

C54. The above strategies required by Schedule 2 condition C53, must be developed in consultation with the CCC, NSW Police Force, Sydney Coordination Office and Transport Management Centre within TfNSW, Roads and Maritime Services (where relevant), Sydney Cricket and Sports Ground Trust, Centennial Park and Moore Park Trust and the Council. Where the provision of details relating to security measures are considered sensitive and a determination made that publishing of these details presents a security risk, evidence of consultation with relevant parties must be provided as a part of the development application to satisfy this condition. Evidence of consultation with the public authorities must be provided to the Department as a part of the future development application.

#### **Event Management Strategy**

C55. The future development application must include:

- a) an Events Management Plan, including, but not limited to, the type, frequency and duration of the proposed events;
- b) an Event Access Strategy including, but not limited to:
  - i) measures to monitor patron event-day travel mode behaviour;
  - ii) assesses public transport accessibility and needs for events; and
  - iii) measures to minimise patrons parking on the streets surrounding the stadium and the Moore Park precinct.

#### **Biodiversity**

C56. The future development application must include the provisions for an artificial microbat roost structure in the design and site layout.

#### **Lighting**

C57. The future development application must include a Light Spill Assessment to identify the impact of lighting from the stadium and address the impacts of the lighting on the surrounding residential areas, local fauna habitats and night sky light pollution. The proposal must include appropriate management and mitigation measures if any light spillage occurs. The lighting for the development must comply with glare and spill light control provisions of AS4282.

#### **Wind Impact Assessment Report.**

C58. The future development application must include detailed assessment of the wind impacts due to the future development including impacts on surrounding public areas within the site and offsite, road reserves and Moore Park. The impact assessment must include quantitative data to assess the potential impact and proposed appropriate management and mitigation measures.

**SCHEDULE 3**  
**CONDITIONS OF CONSENT FOR STAGE 1 WORKS**  
**PART A ADMINISTRATIVE CONDITIONS**

**Obligation to Minimise Harm to the Environment**

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

**Terms of Consent**

- A2. The development may only be carried out:
- in compliance with the conditions of this consent;
  - in accordance with all written directions of the Planning Secretary;
  - generally in accordance with the EIS, the Response to Submissions, Supplementary Response to Submissions and consolidated mitigation measures provided in **Appendix 2**; and
  - generally in accordance with SSD-9249-Mod-1, SSD-9249-Mod-2 and SSD-9249-Mod-3; and**
  - in accordance with the approved plans in the table below:

<b>Drawings provided in the Urban Design Guidelines prepared by SJB Architects</b>			
<b>Dwg No.</b>	<b>Rev</b>	<b>Name of Plan</b>	<b>Date</b>
SK21	04 <b><u>05</u></b>	Site Analysis	28 August 2018 <b><u>23 April 2019 (as marked)</u></b>
SK28	05 <b><u>06</u></b>	Demolition Plan	28 August 2018 <b><u>23 April 2019 (as marked)</u></b>
<b>Drawings provided in the Arboricultural Impact Assessment – Tree Protection Specification, Sydney Football Stadium, Stage 1 &amp; Early Works prepared by Tree IQ</b>			
SK15	00	Tree Plan	22 May 2018
SK17	00	Tree Plan	22 May 2018
SK18	00	Tree Plan	22 May 2018
SK19	00	Tree Plan	22 May 2018
<b>Drawings provided with the Modification Report prepared by Curio Projects</b>			
-	-	<b><u>Location of obsolete piles</u></b>	<b><u>01 May 2019</u></b>
<b>Drawings provided with the Modification Report prepared by Aurecon</b>			
<b><u>DWG00040</u></b>	<b><u>B</u></b>	<b><u>Sydney Water Diversion Plan</u></b>	<b><u>25 April 2019</u></b>
<b><u>DWG00041</u></b>	<b><u>B</u></b>	<b><u>Sydney Water diversion plan and longitudinal section</u></b>	<b><u>25 April 2019</u></b>

**[SSD-9249-Mod-1]**

**[SSD-9249-Mod-2]**

- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
  - the implementation of any actions or measures contained in any such document referred to in (a) above.

- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c), **A2(d)** and A2(de). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2.c), **A2(d)** and A2(de) the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

**[SSD-9249-Mod-1]**

**[SSD-9249-Mod-2]**

#### **Limits of Consent**

- A5. This consent lapses five years after the date of consent unless the concurrent Stage 1 site early works associated with the development have physically commenced.
- A6. The works approved under Stage 1 of this development consent involves demolition of the relevant structures to the slab or the existing ground level only **including on-ground slab, paving, footing and the removal of the top of the piles under the existing stadium to a depth of 27.8 metres AHD.**

**[SSD-9249-Mod-2]**

- A7. ~~No works involving excavation, ground disturbance or changes to the existing ground level or grade are permitted under this development consent.~~

**[SSD-9249-Mod-2]**

- A8. The applicant will ensure that site preparation, construction and demolition activities do not compromise the integrity of the existing underground petroleum storage systems at the site and that these structures are not removed as part of these activities.

#### **Prescribed Conditions**

- A9. The Applicant must comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the EP&A Regulation.

#### **Planning Secretary as Moderator**

- A10. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

#### **Long Service Levy**

- A11. 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**

- A12. Any advice or notice to the consent authority must be served on the Planning Secretary.

#### **Evidence of Consultation**

- A13. Where conditions of this consent require consultation with an identified party, the Applicant must:
- consult with the relevant party prior to submitting the subject document to the Certifying Authority for approval; and
  - provide details of the consultation undertaken including:
    - the outcome of that consultation, matters resolved and unresolved; and
    - details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

#### **Staging, Combining and Updating Strategies, Plans or Programs**

- A14. With the approval of the Planning Secretary, the Applicant may:
- prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the

- development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- A15. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A16. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

### **Demolition**

- A17. Demolition work must comply with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

### **Applicability of Guidelines**

- A18. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

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

### **Monitoring and Environmental Audits**

- A19. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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

### **Access to Information**

- A20. At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:
- a) make the following information and documents (as they are obtained or approved) publicly available on its website:
    - i) the documents referred to in condition A2 of this consent;
    - ii) all current statutory approvals for the development;
    - iii) all approved strategies, plans and programs required under the conditions of this consent;

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

### **Compliance**

- A21. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

### **ADVISORY NOTES**

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

## PART B PRIOR TO COMMENCEMENT OF CONSTRUCTION

### Notification of Commencement

- B1. The Department must be notified in writing of the dates of commencement of physical works and operation at least 48 hours before those dates.

If the construction works are to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.

### Certified Drawings

- B2. Prior to the commencement of construction, 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) this development consent.

### Protection of Public Infrastructure

- B3. Before the commencement of any works, the Applicant must:
- a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
  - c) submit a copy of the dilapidation report to the Certifying Authority, Council and other relevant authority.

### Pre-Construction Dilapidation Report

- B4. The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining private properties, heritage items and Council assets that are likely to be impacted by the proposed works. A copy of the report must be provided to Council, Heritage Division of the Office of Environment and Heritage and the Certifying Authority.

### Heritage

- B5. An archival recording of the existing Sydney Football Stadium and the other associated structures to be demolished must be completed prior to commencement of any works on the site. The archival recording is to be undertaken in consultation with the Heritage Division of the Office of Environment and Heritage and copies of all documentation must be submitted to the Department and the Heritage Division prior to the commencement of any works on the site.
- B6. **The following recommendations must be complied with:**
- a) Prior to the commencement of demolition works (not including demolition soft-strip) on the site, the Busby's Bore must be protected in accordance with the recommendations of the "*Methodology Statement – Working near Busby's Bore*" prepared by Infrastructure NSW dated September 2018.
  - b) **Prior to the commencement of works including removal of slab, paving, footings and the removal of piles under the existing stadium, the "*Methodology Statement – Working near Busby's Bore*" must be updated to include all additional measures required for below ground works in the near vicinity of Shafts 9, 10 and the Bore itself, in accordance with the *Addendum Archaeological Impact Assessment Sydney Football Stadium Redevelopment Stage 1 SSDA 4.55 Modification*, prepared by Curio Projects, dated May 2019 and the *Response to request for Additional information – Archaeological Methodology*, prepared by Curio Projects, dated July 2019.**



### Unexpected Contamination Procedure

- B7. Prior to the commencement of any works, the Applicant must prepare an unexpected contamination procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the Construction Environmental Management Plan (CEMP) in accordance with condition B15 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

### Utilities and Services

- B8. Before the construction / management or relocation of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

### Community Consultative Committee

- B9. Prior to the commencement of the demolition works (excluding, demolition soft-strip), a Community Consultative Committee (CCC) must be established for the development in accordance with the Department's *Community Consultative Committee Guidelines: State Significant Projects* (2016). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of demolition works (excluding, demolition soft-strip), and continue to do so for the duration of the demolition works on the site and for at least twelve months following the completion of construction works under this consent.

#### Notes:

- The CCC is an advisory committee only.
- 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

- B10. A Community Communication Strategy 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 demolition and construction works and for a minimum of 12 months following the completion of construction.

The Community Communication Strategy must:

- identify people to be consulted during the all phases of construction work related to this development;
- set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;
- provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;
- set out procedures and mechanisms:
  - through which the community can discuss or provide feedback to the Applicant;
  - through which the Applicant will respond to enquiries or feedback from the community; and
  - to resolve any issues and mediate any disputes that may arise in relation to all works related to this development, including disputes regarding rectification or compensation.

The Community Communication Strategy must be submitted to the Planning Secretary for approval no later than two weeks before the commencement of any work.

Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.

### Environmental Management Plan Requirements

- B11. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- detailed baseline data;

- b) details of:
  - i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
  - ii) any relevant limits or performance measures and criteria; and
  - iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
- c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
- d) a program to monitor and report on the:
  - i) impacts and environmental performance of the development;
  - ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
- e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
- f) a program to investigate and implement ways to improve the environmental performance of the development over time;
- g) a protocol for managing and reporting any:
  - i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
  - ii) complaint;
  - iii) failure to comply with statutory requirements; and
- h) a protocol for periodic review of the plan.

**Note:** *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

### **Construction Environmental Management Plan**

B12. Prior to commencement of demolition, the Applicant must prepare a Construction Environmental Management Plan (CEMP). This CEMP is to include:

- a) Management measures for works that are only approved under this development consent as listed in Schedule 3 Condition A2;
- b) Recommendations and management measures in the *Construction (Demolition) Environmental Management Plan (Stage 1 works)* prepared by Aver dated 4 June 2018 and any supplementary information / updated version with additional measures submitted to the Department;
- c) Relevant mitigation measures listed in **Appendix 2**;
- d) Details of:
  - (i) hours of work, including details regarding 'event mode' when events are taken place at the SCG;
  - (ii) 24-hour contact details of site manager;
  - (iii) traffic management, in consultation with Council;
  - (iv) management of dust and odour to protect the amenity of the neighbourhood;
  - (v) erosion and sediment control;
  - (vi) stormwater control and discharge measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site;
  - (vii) procedures for encountering groundwater during construction works including contact with NSW Office of Water and measures to prevent groundwater contamination;
  - (viii) waste storage and recycling control;
  - (ix) construction material storage;
  - (x) litter control;

- (xi) unexpected finds protocol;
  - (xii) external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting; and
  - (xiii) community consultation and complaints handling;
  - e) Construction Noise and Vibration Management Sub-Plan (see condition Schedule 3 B14);
  - f) Construction Waste Management Sub-Plan (see condition Schedule 3 B15);
  - g) Construction Soil and Water Management Sub-Plan (see condition Schedule 3 B16);
  - h) Construction Air Quality Sub-Plan (see condition Schedule 3 B17);
  - i) Construction Biodiversity Management Sub-Plan (see condition Schedule 3 B18);
  - j) an unexpected finds protocol for contamination and associated communications procedure;
  - k) an unexpected finds protocol for Aboriginal and non-Aboriginal heritage and associated communications procedure; and
  - l) waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status in these areas of the site.
- B13. ~~The Applicant must not commence any works until the CEMP (along with the sub-plans) is approved by the Certifying Authority and a copy submitted to the Planning Secretary and Council.~~
- a) **No works must commence on the site until the CEMP (along with the relevant Sub-Plans) is approved by the Certifying Authority and a copy submitted to the Planning Secretary and Council.**
  - b) **No works involving ground disturbance including removal of slab, paving, footing, removal of piles, trenching and diversion of stormwater infrastructure, are to commence until the CEMP and all relevant Sub-Plans required by Schedule 3 Condition B12 are updated:**
    - (i) **to include the amended scope of works as approved by SSD-9249-Mod-2;**
    - (ii) **to be consistent with the 'Addendum to Construction Management Plan for Modification to SSD 9249' prepared by Aver Consulting dated May 2019;**
    - (iii) **to include the recommendations and management measures in the Addendum to Construction Management Plan for Modification to SSD 9249 prepared by Aver dated May 16, 2019;**
    - (iv) **to include procedures for all below ground works in the near vicinity of the section of Busby's Bore (including the Shafts) that runs across the Site including additional management measures required by Addendum Archaeological Impact Assessment Sydney Football Stadium Redevelopment Stage 1 SSDA 4.55 Modification, prepared by Curio Projects, dated May 2019 and the Response to request for Additional information – Archaeological Methodology, prepared by Curio Projects, dated July 2019;**
    - (v) **to include the updated Mitigation measures in Appendix 2 (as modified by SSD-9249-Mod-2);**
    - (vi) **for the unexpected finds protocol for contamination and associated communications procedure to include the additional recommendations within the 'Unexpected Contamination Finds Protocol V2.1 (June 2019)' prepared by Lendlease and attached to the Site Auditor's review letter dated 26 June 2019; and**
    - (vii) **for the unexpected finds protocol for Aboriginal and historic heritage (including archaeology) and associated communications procedure, to include the recommendations of the Addendum Archaeological Impact Assessment Sydney Football Stadium Redevelopment Stage 1 SSDA 4.55 Modification, prepared by Curio Projects, dated May 2019 and the Response to request for Additional**

**information – Archaeological Methodology, prepared by Curio Projects, dated July 2019.**

- c) The updated CEMP and the Sub-Plans, as required by Schedule 3 Condition B13(b) must be approved by the Certifying Authority and a copy submitted to the Planning Secretary.**

**[SSD-9249-Mod-2]**

B14. The Construction Noise and Vibration Management Sub-Plan (CNVSMP) must address, but not be limited to, the following:

- a) be prepared by a suitably qualified and experienced noise expert;
- b) be submitted to Council and EPA prior to being finalised (evidence of this consultation will be provided to the Department);
- c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) and the relevant provisions of *Australian Standard 2436 - 2010 Guide to Noise Control on Construction and Maintenance and Sites*;
- d) describe the measures to be implemented to monitor and manage high noise generating works such as concrete crushing, mulching etc., in close proximity to sensitive receivers;
- e) incorporate all reasonable and feasible noise mitigation measures for the development so that the project construction noise targets provided in the *Noise and Vibration Impact Assessment Report* and the *Addendum Noise and Vibration Impact Assessment Report* prepared by ARUP dated 5 June 2018 and September 2018 for all residential and non-residential receivers including the Kira Child Care Centre, University of Technology Sport Sciences Faculty Building are maintained at all times. The noise from the construction works must not exceed 75dB (A)  $L_{Aeq}(15min)$  at these receivers at any time in accordance with these reports;
- f) ensure that least noisy feasible and reasonable construction methods are used throughout the project;
- g) include strategies that have been developed with the community for managing high noise generating works;
- h) include measures and strategies to consult with and avoid, mitigate and manage potential impacts on the Kira Child Care Centre;
- i) include details of management measures to avoid any adverse vibration impacts on the nearby following heritage items during demolition (excluding demolition soft-strip):
  - i) Member's stand, SCG; and
  - ii) Lady's Member Stand, SCG.
- j) include details of management measures to protect the archaeological heritage items including Busby's Bore in accordance with the requirements of condition Schedule 3 B6;
- k) describe the community consultation undertaken to develop the strategies in condition Schedule 3 B14(g);
- l) include strategies that are proposed to be developed in case of noise exceedances above the predicted limits; and
- m) include a complaints management system that would be implemented for the duration of the construction.

B15. The Construction Waste Management Sub-Plan (CWMSMP) must address, but not be limited to, the following:

- a) detail the quantities of each waste type generated during demolition and the proposed reuse, recycling and disposal locations;
- b) removal of hazardous materials, particularly the method of containment and control of emission of fibres to the air, and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines;

- c) measures to prevent mud and waste tracking from the development;
- d) measures to conduct electronic monitoring of waste vehicles entering and leaving the development site;
- e) details of arrangements for the disposal of waste from the premises with evidence that the waste facility is legally able to accept that waste rather than through a third party; and
- f) measures and strategies to implement Schedule 3 conditions C37 – C46.

**B16. The following requirements must be complied with in regard to construction soil and water management:**

- a) The Applicant must prepare a Construction Soil and Water Management Plan (CSWMSP) and the plan must address, but not be limited to the following:
  - (i) be prepared by a suitably qualified expert, in consultation with Council;
  - (ii) describe the details of all erosion and sediment controls to be implemented during construction.
  - (iii) provide a plan of how all construction works will be managed in a wet-weather events (i.e. storage of equipment, stabilisation of the Site);
  - (iv) provide a summary of any ground investigations completed to date;
  - (v) detail all off-Site flows from the Site and ensure that sediment is not mobilised in stormwater flows leaving the site;
  - (vi) describe the measures that must be implemented to manage stormwater and flood flows for small and large sized events, including, but not limited to 1 in 1-year ARI, 1 in 5-year ARI and 1 in 100-year ARI;
  - (vii) detail the proposed stormwater disposal and drainage from the development, designed in accordance with, but not limited to the Australian and Council's Stormwater Management Code as follows:
    1. Australian Rainfall and Runoff – A Guide to Flood Estimation, Volumes 1 and 2 (1987);
    2. SA/NZS 3500.3.2 National Plumbing and Drainage Part 3.2: Stormwater Drainage – Acceptable Solutions;
    3. Managing Urban Stormwater – Soils and Construction Volume 1 (4th Edition March 2004) – NSW Department of Housing.
  - (viii) details demonstrating that fine particulates from demolition works would not be entrained in stormwater runoff and adversely impact on Kippax Lake, the underlying groundwater resources and other downstream properties.
- d) **Prior to the commencement of works in relation to removal of slab, paving, footings and the removal of piles under the existing stadium until the CSWMSP is updated to be consistent with 'Addendum to Construction Management Plan for Modification to SSD 9249' prepared by Aver Consulting dated May 2019 and provides details of:**
  - (i) **monitoring techniques to ensure that the quality of water within the detention settling ponds comply with the applicable standards within the Managing Urban Stormwater – Soils and Construction Volume 1 (4th Edition March 2004); and**
  - (ii) **methods for testing of the water quality (suspended solids, turbidity and contaminants) prior to discharging from the site into the stormwater infrastructure on Driver Avenue, to ensure compliance with the applicable standards within the Managing Urban Stormwater – Soils and Construction Volume 1 (4th Edition March 2004); and**
  - (iii) **methods of evaluating the water quality testing results by a suitably qualified water quality expert.**

**[SSD-9249-Mod-2]**

- B17. The Applicant must prepare a Construction Air Quality Management Sub-Plan (CAQMSP) and the plan must address, but not be limited to the following:
- a) be prepared by a suitably qualified expert, in consultation with NSW EPA and the Council;
  - b) describe the measures that would be implemented on site to ensure:
    - (i) the control of air quality and odour impacts of the Development;
    - (ii) that these controls remain effective over time;
    - (iii) that all reasonable and feasible air quality management practice and measures are employed including the relevant measures listed in the *Guidance on the assessment of dust from demolition and construction* (IAQM, 2014) based on the assessment contained within *SFS Response to Submissions (SSD9249) Attachment 11- Air Quality Impact Assessment* prepared by Wilkinson Murray dated 2018;
    - (iv) the air quality impacts are minimised during adverse meteorological conditions and extraordinary events; and
    - (v) compliance with the relevant conditions of this consent.
  - c) include performance objectives for monitoring dust and ensuring no off-site air quality impacts to users of Moore Park and nearby residences and businesses;
  - d) includes an air quality monitoring program that:
    - (i) is capable of evaluating the performance of the construction works;
    - (ii) includes a protocol for determining any exceedances of the relevant conditions of consent and responding to complaints;
    - (iii) adequately supports the air quality performance objectives; and
    - (iv) evaluates and reports on the effectiveness of air quality management for the construction works.
  - e) details on monitoring weather conditions and communicating changing conditions to the workforce;
  - f) stop work procedures if performance objectives are not being met.
- B18. The Biodiversity Management Sub-Plan (BMSP) must address, but not be limited to, the following:
- a) measures to protect trees and other vegetation that is proposed to be retained during construction;
  - b) measures to check for and allow any fauna found within the site to disperse to neighbouring habitats; and
  - c) measures to communicate to the construction workforce the biodiversity values that are to be retained and protected.
- B19. The Construction Traffic and Pedestrian Management Plan (CTPMP) must address, but not be limited to, the following:
- a) be prepared by a suitably qualified and experienced person(s);
  - b) be prepared in consultation with Council, with the Sydney Coordination Office, Transport Management Centre and Sydney Light Rail team within TfNSW and Roads and Maritime Services;
  - c) specify:
    - (i) location of the proposed work zone;
    - (ii) size and type of vehicle, including swept path analysis;
    - (iii) details of any road closures;
    - (iv) detail heavy vehicle routes, access and parking arrangements
    - (v) proposed location of any cranes;
    - (vi) proposed truck marshalling areas and operation;
    - (vii) demolition vehicle access arrangements;

- (viii) proposed construction hours;
  - (ix) estimated number of construction vehicle movements, including measures to reduce the number of movements during peak traffic periods;
  - (x) construction program; and
  - (xi) consultation strategy for liaison with surrounding stakeholders.
- d) identify any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services, including special event buses and passengers, within the vicinity of the site from construction vehicles and construction operations;
- e) identify cumulative impacts of projects including the Sydney Light Rail Project, including, but not be limited to, issues relating to traffic and road safety;
- f) identify and reference any existing Construction Pedestrian and Traffic Management Plans (CPTMPs) for developments within or around the site to ensure coordination of work activities and minimising impacts on the road network;
- g) include measures to identify, assess and avoid conflict with the timing and delivery of the Sydney Light Rail Project's programme of work;
- h) include measures to avoid construction worker vehicle movements within the vicinity of the precinct, including any off-site worker parking location/s away from the precinct;
- i) include a procedure for identifying additional impacts and recording the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts;
- j) detail the measures that are to be implemented to ensure road safety and network efficiency during construction in consideration of potential impacts on general traffic, cyclists and pedestrians and bus services;
- k) include a Driver Code of Conduct to:
- (i) minimise the impacts of construction on the local and regional road network;
  - (ii) minimise conflicts with other road users;
  - (iii) minimise road traffic noise; and
  - (iv) ensure truck drivers use specified routes;
- l) include a program to monitor the effectiveness of these measures; and
- m) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.
- B20. The contact details of the construction contractor (with details updated from time to time as needed) must be provided to the Sydney Coordination Office and Transport Management Centre within TfNSW prior to the commencement of any works and must form a part of the CTPMP.
- B21. The following requirements must be complied with, regarding the CTPMP and the updated versions:
- a) The CTPMP must be endorsed by the Coordinator General, Transport Coordination within TfNSW and a copy submitted to Council, and the Planning Secretary, prior to the commencement of any works on the site;
  - b) **The CTPMP must be updated to be consistent with 'Addendum to Construction Management Plan for Modification to SSD 9249' prepared by Aver Consulting dated May 2019; and**
  - c) **The updated CTPMP must be endorsed by the Coordinator General, Transport Coordination within TfNSW and a copy submitted to Council, and the Planning Secretary, prior to the commencement of the works on the site, which involve ground disturbance.**

**[SSD-9249-Mod-2]**

### Construction Vehicles and Workers Parking

- B22. Prior to the commencement of any works, the Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that construction traffic associated with the development does not utilise public and residential streets, public parking facilities or any part of Moore Park.

### Road Design and Traffic Facilities

- B23. All roads and traffic facilities must be designed to meet the requirements of Council and/or RMS. The necessary permits and approvals from the relevant road authority must be obtained prior to the commencement of road or pavement construction works.
- B24. Construction trucks associated with this development must not access the site via any local roads within the suburb of Paddington, unless otherwise agreed by TfNSW.

### Concrete crusher and stockpile

- B25. The concrete crusher required on the site, must be fully enclosed in an acoustic shed / enclosure to mitigate potential dust, noise and surface water impacts. A report must be prepared to assess the siting, design and operation of the concrete crusher prior to the commencement of the demolition works (excluding demolition soft-strip). The final siting and design of the crusher must minimise adverse dust, noise and surface water impacts on surrounding sensitive receivers. As a minimum the enclosure must be made of material with a density above 3 kg/m<sup>3</sup> and shall be lined internally with 25mm to 50mm absorbent material to reduce the noise emitted. The report must be prepared in consultation with the EPA and submitted to the Planning Secretary for approval at least four weeks prior to the commencement of the construction of the acoustic enclosure / shed.
- B26. The final details of the location, siting and design of the concrete crusher and the enclosure must be presented to the CCC and evidence of this presentation be provided to the Planning Secretary accompanying the plans and documentation required by condition Schedule 3 B28.
- B27. The location of the stockpiles of waste materials for disposal and of materials for re-use or recycling, outside the envelope of the existing Sydney Football Stadium must be planned and mapped prior to the commencement of any works on the site. The details are to be provided to the Certifying Authority and a copy submitted to the Planning Secretary for information prior to the commencement of works.

### Noise Impacts

- B28. Prior to commencement of works on the site, all mitigation and management measures identified in the CNVMSP, must be installed or implemented on the site. The report regarding the concrete crusher and acoustic shed location / design / operation must be approved prior to commencement of the demolition works (except demolition soft-strip) and the CNVMSP updated to include this requirement.
- B29. Details of intra-day respite periods for highly intrusive demolition activities, including the use of jackhammers, rock breakers, concrete and demolition saws, chainsaws, excavators, mulchers, vibratory rollers and the concrete crusher must be provided, prior to the commencement of such activities, in consultation with the Kira Child Care Centre, University of Technology Sport Sciences Faculty Building. The details of the agreed intra-day respite periods and a schedule of fortnightly (or any other agreed timescale) discussion with the above sensitive receivers to verify the appropriateness of the proposed respite periods, must be submitted to the Planning Secretary with the CNVMSP. The provision of intra-day respite period must take into account the following requirements of the *Interim Construction Noise Guidelines*:
- a) all works with high noise emission be undertaken after 8am; and
  - b) all works with high noise emission be undertaken over continuous periods not exceeding 3 hours with at least a 1 hour respite every three hours.

**Note:** 'continuous' means any period during which there is less than an uninterrupted 60-minute respite between temporarily halting and recommencing any of the intrusive and annoying work referred to in *Interim Construction Noise Guideline* section 4.5.



## Truck Routes for Demolition Waste Transport

- B30. Details of the proposed truck routes to be followed by trucks transporting waste material from the site, must be submitted to RMS, Sydney Coordination Office and Transport Management Centre and the Department, prior to the commencement of the removal of any waste material from the site.

## Hazardous Materials Survey

- B31. The Applicant must undertake a Hazardous Materials Survey and Assessment (Hazmat) and prepare a register of hazardous materials (including asbestos and polychlorinated biphenyl capacitors (PCBs)) to ensure that asbestos and any other hazardous materials contained in building to be demolished (including PCB capacitors) are removed and validated by an appropriately qualified occupational hygienist prior to commencement of any works. A copy of the Hazmat must be submitted to the Certifying Authority and a copy provided to the Planning Secretary prior to the commencement of demolition works on the site.

## Compliance Reporting

- B32. No later than two weeks before the date notified for the commencement of demolition works, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department, 2018) must be submitted to the Department and the Certifying Authority.

Compliance Reports of the development must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

The Applicant must make each Compliance Report publicly available 60 days after submitting it to the Department and notify the Department and the Certifying Authority in writing at least seven days before this is done.

## Stormwater Infrastructure reports

- B33. Prior to the commencement of works in relation to diverting the Sydney Water stormwater infrastructure, the following reports must be prepared, be submitted to Sydney Water and the necessary approvals of these reports (where required by Sydney Water) obtained from the authority as part of the "Adjustment of a Sydney Water Asset" process:
- a) A hydraulic capacity feasibility study to demonstrate that the hydraulic capacity and performance of the existing stormwater system will not be impacted due to the proposed stormwater works and that the existing capacity of the stormwater system will be maintained at all times;
  - b) A report and / or supporting plans / documentation to clearly describe and specify how the disconnection / connection of Sydney Water's stormwater assets will take place;
  - c) An interim operating procedure with a commitment that the Applicant will own, operate and maintain temporary stormwater assets until the time that the new permanent stormwater drainage system is constructed to Sydney Water's requirements;
  - d) A Risk Management Control Plan and an Emergency Response Plan including details of the key risks, management controls and emergency responses to ensure safety of people and property in the event of asset and / or embankment failing or flooding;
  - e) The details of a risk workshop that is required to be conducted with relevant design consultants, Water Servicing coordinators and contractors prior to the commencement of the works in relation to stormwater infrastructure; and
  - f) A plan which provides detailed specifications for any redundant pipes that will be backfilled.

**Note: No works in relation to stormwater trenching are to be commence on the site prior to obtaining necessary approvals from Sydney Water.**

**[SSD-9249-Mod-2]**

- B34. A copy of all reports as required by Schedule 3 condition B33 and the relevant Sydney Water approval of the "Adjustment of a Sydney Water Asset" is to be submitted to the Department for information prior to the commencement of the stormwater infrastructure diversion works.

[SSD-9249-Mod-2]

**Historic Archaeology**

- B35. Prior to the commencement of the works which involve ground disturbance, an excavation director must be nominated to direct the archaeological program for the development. The excavation director must have appropriate qualification in accordance with 'Criteria for Assessment of Excavation Directors' published by the Heritage Division of the Department of Premier and Cabinet (former Heritage Council).

[SSD-9249-Mod-2]

## PART C DURING CONSTRUCTION

### Approved Plans to be On-site

- C1. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on the Site at all times and must be readily available for perusal by any officer of the Department, Council, EPA or the Certifying Authority.

### Site Notice

- C2. A site notice(s):
- a) must be prominently displayed at the boundaries of the 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) 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 site is not permitted.

### Operation of Plant and Equipment

- C3. All plant and equipment used on site, or to monitor the performance of the development must be:
- a) maintained in a proper and efficient condition; and
  - b) operated in a proper and efficient manner.

### Demolition

- C4. Demolition work must comply with *Australian Standard AS 2601-2001* The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the Certifying Authority before the commencement of works.

### Construction Hours

- C5. Construction works, including the delivery of materials to and from the site, may only be carried out between the following hours:
- a) between 7 am and 6 pm, Mondays to Fridays inclusive;
  - b) between 8 am and 1pm, Saturdays; and
- No construction work may be carried out on Sundays or public holidays.
- C6. Construction works on the days when events occur at SCG land must be undertaken in accordance with the following requirements unless prior approval is granted by the Sydney Coordination Office and Transport Management Centre within TfNSW and Roads and Maritime Services:
- a) construction or associated works must cease at least two hours prior to an event;
  - b) no construction works are to be undertaken during an event; and
  - c) no construction works are to be undertaken for at least two hours after the completion of an event.
- C7. Activities may be undertaken outside of the hours in condition Schedule 3 C5 if required:
- a) by the Police or a public authority for the delivery of vehicles, plant or materials; or

- b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm; or
- c) where the works are inaudible at the nearest sensitive receivers; or
- d) where a variation is approved in advance in writing by the Planning Secretary or her nominee if appropriate justification is provided for the works.

Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.

- C8. All noisy demolition works are subject to intra-day respite periods as approved by the Planning Secretary in accordance with Schedule 3 condition B29.

### **Implementation of Management Plans**

- C9. The Applicant must carry out the construction works in accordance with the most recent version of the approved CEMP (including Sub-Plans) and CTPMP.

### **Road Occupancy Licence**

- C10. A Road Occupancy Licence must be obtained from the relevant road authority for any works that impact on traffic flows during construction activities.

### **SafeWork Requirements**

- C11. 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**

- C12. 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**

- C13. The public way (outside of any approved 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.

### **Construction Noise**

- C14. The construction activities must not exceed the noise management levels detailed in *Sydney Football Stadium Redevelopment Stage 1 SSDA - Noise and Vibration Impact Assessment* prepared by ARUP dated June 2018 as updated by the *Addendum Noise and Vibration Impact Assessment Report* prepared by ARUP dated September 2018). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the noise management levels must be identified and managed in accordance with the management and mitigation measures in **Appendix 2** and the approved CNVMSP required by Schedule 3 Condition B14.
- C15. The Applicant must ensure all construction vehicles do not arrive at the site or surrounding residential precincts outside of the hours of work outlined under Schedule 3 condition C5, C6 and C7.
- C16. The Applicant must implement, where practicable and without compromising the safety of construction staff or members of the public, the use audible movement alarms of a type that would minimise noise impacts on surrounding noise sensitive receivers.

- C17. The concrete crusher, the concrete crushing and related loading/stockpiling operation and processed material stockpiles (where feasible) are to be fully enclosed an acoustic enclosure/shed as required by Schedule 3 condition B25.
- C18. Any noise generated during 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 site.
- C19. The Applicant must undertake short term attended noise monitoring for all demolition activities on the site. A noise monitoring report must be produced and submitted to the Planning Secretary every fortnight following commencement of the demolition works to verify that demolition noise levels do not exceed the recommended noise levels identified in the *Addendum Noise and Vibration Impact Assessment Report* prepared by ARUP dated September 2018.
- C20. Unattended long-term construction noise monitoring must also be undertaken during demolition to support the short-term monitoring noted in Condition C19. The unattended logger must be located close to the residences along Moore Park Road which are near to the site. A separate unattended logger must be located at the Kira Child Care centre. These loggers must be maintained and checked by a suitably qualified acoustician. The logger must automatically send a message to the suitably qualified acoustician once noise levels from construction works on the Site exceed 75dBA  $L_{Aeq(15min)}$ . The results of this monitoring must be provided to the Department on a monthly basis.
- C21. Construction noise must not exceed 75 dB(A)  $L_{Aeq(15min)}$  at any sensitive receiver identified in the *Sydney Football Stadium Redevelopment Stage 1 SSDA - Noise and Vibration Impact Assessment* (ARUP, June 2018 and the *Addendum Noise and Vibration Impact Assessment Report* (ARUP, September 2018). If noise volume reaches 75dBA  $L_{Aeq(15min)}$ , works are to be managed in accordance with the strategies in the CNVMSP.
- C22. Exceedances of noise levels from construction works on the Site above 75dBA  $L_{Aeq(15min)}$  are to be reported to the NSW EPA, CCC, Council and the Department, within 48 hours of occurrence of such exceedances.
- C23. The intra-day respite periods, required by Condition Schedule 3 C8 of this development consent must be reviewed on a fortnightly basis (or another timescale as agreed with the child care centre and sports science facility) in consultation with Kira Child Care Centre and University of Technology (UTS) Sports Science Facility. The respite periods are to be maintained as agreed with the sensitive noise receivers. The details of any amendments to the intra-day respite periods due to agreement with the Kira Child Care Centre and University of Technology (UTS) Sports Science Facility, must be provided to the CCC and the Department for information.

#### Vibration Criteria

- C24. Vibration caused by construction activities at any residence or adjoining structure including all heritage items within or outside the boundary of the site must be limited to:
- for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999);
  - for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time);
  - requirements of Schedule 3 condition B6.
- C25. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition Schedule 3 C24.
- C26. Vibration during the construction works must comply with the limits specified in Schedule 3 conditions C24 and C25, unless otherwise agreed in the CNVMSP as required by Schedule 3 condition B14 and forming a part of the CEMP. **Ongoing vibration monitoring must be conducted during the excavation works in the vicinity of Shafts 9 and 10 of the Busby's Bore. Vibrations should be limited to a maximum peak particle velocity of 5 mm/second.**

## Tree Protection

C27. For the duration of the construction works:

- a) all street trees to be retained 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 to be retained 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 site that are not approved for removal must be suitably protected during construction as per recommendations of the *Arboricultural Impact Assessment and Tree Protection Specification Report* prepared by Tree IQ dated 22 May 2018;
- d) all works within the specified tree protection zones or structural root zones of trees to be retained on the site, must be carried out under the supervision of a qualified arborist;
- e) during the course of works, alternative tree protection measures must be installed, as required; and
- f) 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.

## Dust Minimisation

C28. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

C29. During construction works, the Applicant must ensure that:

- a) all demolition waste and concrete crushed stockpiles are covered or otherwise protected at all times;
- b) exposed surfaces and stockpiles are suppressed by regular watering;
- c) all trucks entering or leaving the site with loads have their loads sealed and covered;
- d) trucks associated with the development do not track dirt onto the public road network;
- e) public roads used by these trucks are kept clean;
- f) hydraulic shears are used instead of rock breakers in the demolition of some concrete structural components of the existing stadium, where feasible; and
- g) locating the concrete crushing and related loading/stockpiling operation and processed material stockpiles inside an acoustic enclosure/shed (with the added benefits of protecting those activities and stockpiles from wind action, rainfall and runoff and thus minimising air and water quality impacts as well as noise impacts

## Air Quality Discharges

C30. The Applicant must install and operate equipment in line with best practice to ensure that the construction works comply with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the CAQMSP required by Schedule 3 condition B17.

C31. Dust deposition monitoring must be undertaken during the construction works (as per AS/NZS 3580). This would include monitoring points in appropriate locations on the site boundary and in Paddington and Moore Park. Monitoring locations must include sensitive receivers that are most likely to be affected. The locations and frequency of the monitoring are to be agreed with the EPA and Department and detailed within the CAQMSP.

## Erosion and Sediment Control

C32. All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works.

## **Imported Soil**

C33. The Applicant must:

- a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
- b) keep accurate records of the volume and type of material to be used; and
- c) make these records available to the Department and the Certifying Authority upon request.

## **Disposal of Seepage and Stormwater**

C34. 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 EPA in accordance with the *Protection of the Environment Operations Act 1997*.

## **Unexpected Finds Protocol – Aboriginal Heritage**

C35. 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 objects/sites. Works shall only recommence with the written approval of OEH.

## **Unexpected Finds Protocol – Historic Heritage**

C36. If any unexpected archaeological relics are uncovered during the work, then all works must cease immediately in that area and the OEH Heritage Division 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 Heritage Division of the OEH.

## **Waste Storage and Processing**

- C37. The demolition waste must be managed and disposed in accordance with the CWMS required by Schedule 3 condition B15.
- C38. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- C39. All waste generated during construction must be assessed, classified and managed in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014).
- C40. The body of any vehicle or trailer used to transport waste must be covered and sealed 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 wheels, underside or body of any vehicle, trailer or motorised plant leaving the site must be removed before leaving the premises.
- C41. A GPS tracking system must be fitted to all waste collection and transportation vehicles to monitor their movements and to ensure that the materials reach the correct destination.
- C42. The Applicant must ensure that concrete waste and rinse water are not disposed of on the site and are prevented from entering any natural or artificial watercourse or waterbody.
- C43. Materials for re-use or recycling are stockpiled to avoid cross contamination by general and other waste such as hazardous materials and contaminated soil.
- C44. The movement of materials from stockpiles of waste materials for disposal and / or materials for reuse or recycling must be recorded at all times.
- C45. The waste materials stockpiled for disposal and materials stockpiled for re-use or recycling must be appropriately managed to ensure waste streams reach their intended final destinations, being premises legally able to accept those wastes and materials for re-use or recycling.
- C46. No wastes generated off-site must be received during demolition works, to mitigate any unlawful processing, storage, reuse or disposal of wastes.

## Handling of Asbestos

- C47. Any asbestos or other hazardous materials within the site as identified in the Hazmat must be suitably disposed in accordance with the requirements of the *Protection of the Environment Operations (Waste) Regulation 2014* with particular reference to Part 7 – 'Transportation and management of asbestos waste'.

SafeWork NSW must be consulted with concerning the handling of any asbestos waste that may be encountered during construction works.

## Community Engagement

- C48. The Applicant must consult with the community regularly throughout all phases of construction works in accordance with the Community Communication Strategy required by Schedule 3 condition B10, including consultation with the nearby sensitive receivers identified in the *Sydney Football Stadium Redevelopment Stage 1 SSDA - Noise and Vibration Impact Assessment* prepared by ARUP dated June 2018 and in *Addendum Noise and Vibration Impact Assessment Report* prepared by ARUP dated September 2018, all relevant regulatory authorities, the CCC (where relevant), Registered Aboriginal Parties and other interested stakeholders.

## Incident Notification, Reporting and Response

- C49. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

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

## Non-Compliance Notification

- C50. The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance. The Certifying Authority must also notify the Department in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after they identify any non-compliance.

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

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

## Independent Environmental Audit

- C51. No later than two months after the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department and the Certifying Authority.

- C52. Independent Audits of the development must be carried out in accordance with:

- a) the Independent Audit Program submitted to the Department and the Certifying Authority under condition Schedule 3 C51 of this consent; and
- b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

- C53. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

- a) review and respond to each Independent Audit Report prepared under condition Schedule 3 C51 of this consent;
- b) submit the response to the Department and the Certifying Authority; and



- c) make each Independent Audit Report and response to it publicly available within 60 days after submission to the Department and notify the Department and the Certifying Authority in writing when this has been done.

**Note:** In accordance with the Independent Audit Post Approval Requirements (Department 2018), the Independent Auditor must be appointed by the Planning Secretary.

### Revision of Strategies, Plans and Programs

C54. Within three months of:

- a) the submission of a compliance report under Schedule 3 condition B32;
- b) the submission of an incident report under Schedule 3 condition C49;
- c) the submission of an Independent Audit under Schedule 3 condition C51;
- d) the issue of a direction of the Planning Secretary under condition A2 which requires a review,

the strategies, plans and programs required under this consent which are relevant to the incident or non-compliance must be reviewed, and the Department and the Certifying Authority must be notified in writing that a review is being carried out.

C55. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary and the Certifying Authority. Where revisions are required, the revised document must be submitted to the Planning Secretary and the Certifying Authority for approval within six weeks of the review.

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

### Discharge Limits

C56. The development must comply with section 120 of the *Protection of the Environment Operations Act*, which prohibits the pollution of waters, except as expressly provided for in an Environment Protection Licence.

### Bunding

C57. The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded and impervious areas that can contain 110% of the volume of liquids stored within them in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

### Historic Archaeology

C58. **The archaeological supervision is to be undertaken for all impacted areas of the site, during below ground works, under the supervision of the nominated Excavation Director, in accordance with the recommendations of Addendum Archaeological Impact Assessment Sydney Football Stadium Redevelopment Stage 1 SSDA 4.55 Modification, prepared by Curio Projects, dated May 2019 and the Response to request for Additional information – Archaeological Methodology, prepared by Curio Projects, dated July 2019.**

**[SSD-9249-Mod-2]**

### Aboriginal Archaeology

C59. **The monitoring of Aboriginal archaeological test excavation, recording and salvage (if any) must be undertaken for all impacted areas of the site in accordance with the recommendations of Addendum Archaeological Impact Assessment Sydney Football Stadium Redevelopment Stage 1 SSDA 4.55 Modification, prepared by Curio Projects, dated May 2019 and the Response to request for Additional information – Archaeological Methodology, prepared by Curio Projects, dated July 2019, and in consultation with the Registered Aboriginal Parties that have been identified for this project.**

**[SSD-9249-Mod-2]**

- C60. Following the completion of the Aboriginal archaeological investigation, a post excavation report is to be prepared in consultation with the Registered Aboriginal Parties and the recommendations in the Response to request for *Additional information – Archaeological Methodology*, prepared by Curio Projects, dated July 2019. A copy of the post excavation report is to be submitted to the Department for information.

[SSD-9249-Mod-2]

#### Underground Petroleum Storage System

- C61. The existing Underground Petroleum Storage System is to be fenced off and protected prior to the commencement of any works that may compromise the system.

[SSD-9249-Mod-2]

#### Site Auditor

- C62. The nominated Site Auditor be appointed throughout the duration of the construction works undertaken in accordance with this consent to ensure that any work required works in relation to soil or groundwater contamination completed within the demolition footprint identified on the Site Analysis Plan prepared by SJB Architects (SK21, Revision 04) are appropriately managed. If unexpected contamination is found during site works at levels that may pose a risk to human health or environment, the Site Auditor must provide a Section A Site Audit Statement and accompanying Site Audit Report at the completion of works, to audit any further contamination investigations and remedial works, and to certify suitability of the land for the proposed land use. If remediation is required to address any unexpected finds identified during the works, a Remedial Action Plan (RAP) must be prepared. The Site Auditor must provide a Section B Site Audit Statement and accompanying Site Audit Report at the completion of works undertaken in accordance with this consent, and prior to the commencement of SSD 9835, certifying that works have been completed satisfactorily, and, if an RAP is necessary, certifying that the site can be made suitable for the proposed land use upon execution of the approved RAP.

[SSD-9249-Mod-2]

[SSD-9249-Mod-4]

## **PART D POST COMPLETION OF CONSTRUCTION WORKS**

### **Notification**

- D1. The applicant must notify the Department that the construction works are complete within one week of completing the works.

### **Protection of Public Infrastructure**

- D2. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
  - b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

### **Post-construction Dilapidation Report**

- D3. Within one month of completion of the construction works, the Applicant must engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of construction. This report is to ascertain whether the construction created any structural damage to adjoining buildings or Council infrastructure. The report must be submitted to the Certifying Authority for approval.
- D4. In ascertaining whether adverse structural damage has occurred to adjoining buildings or infrastructure, the Certifying Authority must:
- a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
  - b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

### **Road Damage**

- D5. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the site as a result of construction works associated with the approved development is to be met in full by the Applicant prior to commencement of use of any stage of the development.

### **Unobstructed Driveways and Parking Areas**

- D6. 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.

### **Lighting**

- D7. The Applicant must ensure the lighting associated with the construction works:
- a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
  - b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

## APPENDIX 1 WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### Written Incident Notification Requirements

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C50 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - a. identify the development and application number;
  - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - c. identify how the incident was detected;
  - d. identify when the applicant became aware of the incident;
  - e. identify any actual or potential non-compliance with conditions of consent;
  - f. describe what immediate steps were taken in relation to the incident;
  - g. identify further action(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - a. a summary of the incident;
  - b. outcomes of an incident investigation, including identification of the cause of the incident;
  - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - d. details of any communication with other stakeholders regarding the incident.

## APPENDIX 2 CONSOLIDATED MITIGATION AND MANAGEMENT MEASURES

Attached to development consent SSD-9249 + additional measures:

### S1-CG2

The Construction Environmental Management Plan required by Condition B12 of Schedule 3 is to be updated to include the recommendations of the Detailed Site Investigation prepared by Douglas Partners dated May 2019 and the Interim Auditor's Advice prepared by Mr Jason Clay dated 17 May 2019 prior to the commencement of any works involving ground disturbance.

[SSD-9249-Mod-2]

### S1-HER5

Demolition works involving the ground slab and existing piles and any works relating to stormwater diversion must be undertaken in accordance with the Archaeological Mitigations and Recommendations outlined in the Addendum Archaeological Impact Statement prepared by Curio Projects dated May 2019.

[SSD-9249-Mod-2]

See attached.

[SSD-9249-Mod-7]