

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Karen Harragon
Director
Social and Infrastructure Assessment

Sydney 14 December 2020

SCHEDULE 1

Development consent:	SSD-9835 granted by the Minister for Planning and Public Spaces on 6 December 2019
For the following:	Detailed design, construction and operation of the new stadium comprising: • Construction of the stadium, including: ○ 45,000 seats (additional 10,000 - person capacity in the playing field in concert mode) in four tiers including general admission areas, members seating and corporate/premium seating; ○ Roof cover over all the permanent seats and a rectangular playing pitch; ○ a mezzanine level above the concourse level with operational areas; ○ pedestrian circulation zone, media facilities and other administration areas on the seating levels; ○ a basement level (at the level of the playing pitch) accommodating pedestrian and vehicular circulation zones, 50 car parking spaces, facilities for teams and officials, media and broadcasting areas, storage and internal loading areas; ○ food and drink kiosks, corporate and media facilities; and ○ four signage zones. • construction and establishment of the public domain within the site, including: ○ hard and soft landscaping works; ○ publicly accessible event and operational areas; ○ public art; and ○ provision of pedestrian and cycling facilities. • wayfinding signage and lighting design within the site; • reinstatement of the existing Moore Park Carpark 1 (MP1) upon completion of construction works with 540 at-grade car parking spaces and vehicular connection to the new stadium basement level; • operation and use of the new stadium and the public domain areas within the site for a range of sporting and entertainment events; and • extension and augmentation of utilities and infrastructure.
Applicant:	Infrastructure New South Wales
Consent Authority:	Minister for Planning and Public Spaces

The Land:	40-44 Driver Avenue, Moore Park (Part Lot 1528 and Part 1530 DP 752011 and Lot 1 DP 205794
Modification:	SSD-9835-Mod-2: Construction and operation of integrated members facilities, including: • gymnasium, training area and three group fitness areas. • two squash courts, sauna, spa and steam room as well as wet and dry change rooms. • day spa and treatment rooms. • café with indoor and outdoor seating. • a 25 metre (m) and a 50m open-air swimming pool. • function spaces on the rooftop, poolside and at the café for members and their guests. • basement level plant and equipment, landscaping and associated services.

SCHEDULE 2

The consent (SSD 9835) is modified as follows:

- a) Schedule 2 Part A – Administrative Conditions A2 is amended by the insertion of the **bold and underlined words / numbers** and deletion of the ~~struck out~~ words/numbers as follows:

Terms of Consent

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS, Response to Submissions and supplementary Response to Submissions;
- (d) in accordance with the management and mitigation measures in **Appendix 3**;
- (e) in accordance with SSD-9835-MOD-1, and SSD-9835-Mod-3 **and SSD-9835-Mod-2; and**
- (f) in accordance with the approved plans in the table below:

Architectural Plans prepared by Cox Architecture and Aspect Studios			
Dwg No.	Rev	Name of Plan	Date
<u>A13.B0.00</u>	<u>A</u>	<u>Floor Plan Lower Basement Level</u>	<u>01.07.20</u>
A13.L0.01	C <u>E</u>	Floor Plan Basement Level	20/09/2019 <u>01.07.20</u>
A13.L0.02	C <u>E</u>	Floor Plan Level 1 (GA Concourse Level)	20/09/2019 <u>01.07.20</u>
A13.L1M.03	C <u>F</u> <u>G</u>	Floor Plan Level 1 (Concourse Mezzanine Plan)	20/09/2019 23.10.2020 <u>09.12.20</u>
A13.L2.04	C <u>E</u>	Floor Plan Level 2 (Club Plan)	20/09/2019 <u>01.07.20</u>
A13.L3.05	C	Floor Plan Level 2 (Suite Plan)	20/09/2019
A13.L4.06	C	Floor Plan Level 4	20/09/2019
A13.L5.06	C	Floor Plan Level 5	20/09/2019
A13.RL.08	C	Roof Plan	20/09/2019
A30.EW.01	C <u>H</u>	East and West Elevations	20/09/2019 <u>03.12.20</u>
<u>A30.EW.01.</u> <u>B</u>	<u>A</u>	<u>West Elevation (SFF to Gate A)</u>	<u>01.07.20</u>
A30.NS.01	C <u>E</u>	North and South Elevations	20/09/2019 <u>01.07.20</u>
A40.00.01	C	General Sections – GA	20/09/2019
ASK326	A	Accessible terraces Plan	20/09/2019
Landscape Plans prepared by Aspect Studios			
Dwg No.	Rev	Name of Plan	Date
LA-002	C <u>J</u>	Legend	16/08/2019 <u>12.10.20</u>
LA-003	E	Schedule	26/08/2019
LA-010	E	Sheet Layout Ground Level	8/08/2019
LA-015	F	Tree Retention and Removal Ground plan	19/09/2019
LA-100	E	Landscape Masterplan	19/09/2019

	<u>O</u>		<u>12.10.20</u>
LA-101	E	Materials and Finishes Plan - Ground Level Quad A	8/08/2019
LA-102	E	Materials and Finishes Plan - Ground Level Quad B	8/08/2019
LA-103	E <u>H</u>	Materials and Finishes Plan - Ground Level Quad C	8/08/2019 <u>12.10.20</u>
LA-104	E	Materials and Finishes Plan - Ground Level Quad D	8/08/2019
<u>SC-LA-101</u>	<u>E</u>	<u>Materials and Finishes Plan – SCG Plaza Level – Level 0</u>	<u>12.10.20</u>
<u>SC-LA-102</u>	<u>E</u>	<u>Materials and Finishes Plan –SFS - Level 1</u>	<u>12.10.20</u>
<u>SC-LA-103</u>	<u>E</u>	<u>Materials and Finishes Plan – Roof Terrace – Level 2</u>	<u>12.10.20</u>
<u>SC-LA-104</u>	<u>A</u>	<u>Materials and Finishes Plan – Roof – Level 3</u>	<u>12.10.20</u>
LA-111	C	Paving Arrangement Plan – Ground Level Quad A	8/08/2019
LA-112	C	Paving Arrangement Plan – Ground Level Quad B	8/08/2019
LA-113	C	Paving Arrangement Plan – Ground Level Quad C	8/08/2019
LA-114	C	Paving Arrangement Plan – Ground Level Quad D	8/08/2019
LA-201	F	Grading and Level Plans – Ground Level Quad A	20/09/2019
LA-202	F	Grading and Level Plans – Ground Level Quad B	20/09/2019
LA-203	F <u>I</u>	Grading and Level Plans – Ground Level Quad C	20/09/2019 <u>12.10.20</u>
LA-204	F	Grading and Level Plans – Ground Level Quad D	20/09/2019
LA-401	D	Planting Plans Ground Level – Quad A	8/08/2019
LA-402	D	Planting Plans Ground Level – Quad B	8/08/2019
LA-403	D <u>G</u>	Planting Plans Ground Level – Quad C	8/08/2019 <u>12.10.20</u>
LA-404	D	Planting Plans Ground Level – Quad D	8/08/2019
<u>SC-LA-401</u>	<u>C</u>	<u>Planting Plans – SCG Plaza Level – Level 0</u>	<u>12.10.20</u>
<u>SC-LA-402</u>	<u>C</u>	<u>Planting Plans – SFS Level – Level 1</u>	<u>12.10.20</u>
<u>SC-LA-403</u>	<u>C</u>	<u>Planting Plans – Roof Terrace – Level 2</u>	<u>12.10.20</u>
<u>SC-LA-404</u>	<u>A</u>	<u>Planting Plans – Roof – Level 3</u>	<u>12.10.20</u>
LA-501	C	Detail Plan-Material + Finishes Ground Level North East	8/08/2019
LA-502	C	Detail Plan – Levels + Grading Ground Level North east	8/08/2019
LA-504	C	Detail Plan-Planting Plan Ground Level North east	8/08/2019
LA-505	A	Detail Plans Ground Level – South West	8/08/2019
LA-601	C	Hardwork Details – Concrete finishes	24/07/2019
LA-602	C	Hardwork Details – Concrete finishes	24/07/2019
LA-603	C	Hardwork Details – Ancillary Paving	24/07/2019
LA-604	C	Hardwork Details – Edges	24/07/2019
LA-605	C	Hardwork Details – Kerbs and Ramps	24/07/2019
LA-621	C	Hardwork Details – Wall Type 1	24/07/2019
LA-625	C	Hardwork Details – Wall Type 2 and 6/7	24/07/2019
LA-626	B	Hardwork Details – Wall Type 8 and 10	24/07/2019

LA-627	B	Hardwork Details – Wall Type 8 and 10	24/07/2019
LA-628	B	Hardwork Details – Handrail Detail and GPOs	24/07/2019
LA-640	C	Hardwork Details – Typical Stair Type 1 Details	8/08/2019
LA-641	C	Hardwork Details – Stair Type 1.1	8/08/2019
LA-642	C	Hardwork Details – Stair Type 1.2	8/08/2019
LA-643	C	Hardwork Details – Stair Type 1.3 and 1.4	8/08/2019
LA-644	C	Hardwork Details – Stair Type 1.5 and 1.6	8/08/2019
LA-645	C	Hardwork Details – Stair Type 1.7 and 1.8	8/08/2019
LA-646	C	Hardwork Details – Typical Stair Type 2 Details	8/08/2019
LA-647	C	Hardwork Details – Stair Type 2.1 and 2.2	8/08/2019
LA-648	C	Hardwork Details – Typical Terrace Type 1 Detail	8/08/2019
LA-649	C	Hardwork Details – Terrace Type 1	8/08/2019
LA-633	A	Hardwork Details – Wall Type 4 Plans and Elevations	29/03/2019
LA-634	A	Hardwork Details – Wall Type 4 Sections and Details	29/03/2019
LA-730	B	Furniture and Fixture Details – Precast and Timber Decks	24/07/2019
LA-701	C	Furniture and Fixture Details – Typical Bench Details	24/07/2019
LA-702	C	Furniture and Fixture Details – Bench Type 1	24/07/2019
LA-703	C	Furniture and Fixture Details – Bench Type 1	24/07/2019
LA-706	C	Furniture and Fixture Details – Bench Type 3	24/07/2019
LA-707	C	Furniture and Fixture Details – Proprietary Furniture	24/07/2019
LA-708	B	Furniture and Fixture Details – Balustrade Type 1	24/07/2019
LA-709	B	Furniture and Fixture Details – Fitness Equipment and Statues	24/07/2019
LA-711	B	Furniture and Fixture Details – Furniture and Fixtures 11	24/07/2019
LA-712	B	Furniture and Fixture Details – Custom Screen	24/07/2019
LA-801	C	Soft work Details – Softworks Details 1	24/07/2019
LA-802	C	Soft work Details – Tree Grate and Strata Vault	24/07/2019
LA-810	C	Soft work Details – Ground Level Soil Depths	8/08/2019
LS-001	B	Landscape Selections Schedule	24/07/2019
<u>LS02XX00</u>	<u>7</u>	<u>Legend and Schedules</u>	<u>20/10/2020</u>
<u>LS03XX01</u>	<u>A</u>	<u>Tree and Planting Schedules</u>	<u>11/09/2020</u>

- b) Schedule 2 Part A – Administrative Conditions is amended by the insertion of Condition A56 immediately following Condition A55 as follows:

Stadium Members Facilities Hours of Operation

A56. **The operation of the Stadium Members Facilities is limited to the following hours:**

- (a) **5:30am and 11:30pm Monday to Friday;**
- (b) **6:00am and 11:30pm on Saturdays; and**
- (c) **7am and 11pm on Sundays.**

- c) Schedule 2 Part B – Condition B7(b) is amended by the insertion of the **bold and underlined words** as follows:
- (b) compliance of all accessible facilities with the recommendations of DDA Compliance Statement – Performance Solutions Stage 2 prepared by Before Compliance dated 23 September 2019 **and the addendum DDA Compliance Statement – Performance Solutions DA Members Club**

Modification Phase prepared by Before Compliance dated 14 July 2020 and in accordance with the BCA, Australian Standards and Disability Standards (as updated from time to time);

- d) Schedule 2 Part B – Condition B12 is amended by the insertion of the **bold and underlined words** as follows:

Public Domain Plan

- B12. A final Public domain plan must be submitted to the Planning Secretary for approval, prior to the commencement of construction of the public domain areas within the site. The public domain plan must include:
- (a) the details of works on the public domain areas within the site;
 - (b) the details of works within the external public domain areas, as defined in this consent, including any public infrastructure works proposed;
 - (c) the detailed landscape plans (both for the public domain within the site and the external public domain, if applicable) including gradients, levels, set-out, paving, stairs, walls, lighting, wayfinding signage location, **locations and species of 120 trees** and any other applicable details **(noting that in the event that native species identified on planting schedule LS03XX01 and LS02XX00 (as referenced in condition A2) are not able to be sourced at the time of installation, any replacement vegetation is to be Australian native species with emphasis on species that are endemic);**
 - (d) hard and soft landscaping details;
 - (e) detailed planting plan including details of individual tree pits being designed as a continuous trench to increase the available soil volume, where trees are groups or in rows;
 - (f) details of proposed planters, whether at grade or on slab;
 - (g) details of all furniture and fixtures;
 - (h) landscape specification, schedules and maintenance plans;
 - (i) detailed design of the proposed community recreation space at the north-eastern corner of the site;
 - (j) details of public art as per the final Public Art Plan;
 - (k) details of the security measures (such as security / boom gates) within the public domain in the non-event days; and
 - (l) integration of proposed passive irrigation techniques and rainwater reuse measures in the public domain area.

- e) Schedule 2 Part B – Condition B20 is amended by the insertion of the **bold and underlined words** as follows:

Ecologically Sustainable Development (ESD)

- B20. Prior to the commencement of construction of the stadium structure above the concourse level, the Applicant must:
- (a) prepare a revised ESD report and associated design plans in consultation with the Planning Secretary including:
 - (i) details of the proposed ESD measures that would be incorporated into the final design and how these would achieve the targeted Leadership in Energy and Environmental Design (LEED) v4 Gold Certificate;
 - (ii) details to demonstrate that the chosen ESD measures are consistent with the those identified in the *Environmentally Sustainable Design Strategy* prepared by LCI dated 01/05/2019;
 - (iii) details to demonstrate that a 350kWp Photovoltaic system will be installed on the roof of the stadium and any provisions for storage of the energy from the solar panels to offset the night time / peak usage;

- (iv) a detailed Whole-of-Life Assessment to identify opportunities to reduce the carbon emissions across the life of the project including the materiality recommendations in accordance with Appendix B of the Environmentally Sustainable Design Strategy prepared by LCI dated 01/05/2019;
- (v) a Life Cycle Analysis that shows how climate, energy and water risks and opportunities have been identified and how the design of the stadium has incorporated these opportunities and / or mitigated risks;
- (vi) details of opportunities to use alternatives to standard concrete mixes that reduce carbon emissions associated with Portland cement, including opportunities for replacement of Portland cement with Geopolymer concrete for roadways and paths, or where the Portland cement content in concrete used is reduced by replacing it with supplementary cementitious materials;
- (vii) details to identify how the construction and operation of the project will incorporate the opportunities in condition B20e(viii);

(viii) details of the photovoltaic system that is to be installed for the Stadium Members Facilities; and

- (b) include a review of the proposed ESD measures by a suitably qualified consultant and a statement certifying that the design is capable of incorporating the identified ESD measures and achieving the targeted Leadership in Energy and Environmental Design (LEED) v4 Gold Certificate; **and**
- (c) submit the revised ESD report, the design plans, the Planning Secretary's comments / advice and the review of the proposed ESD measures to the Certifying Authority for approval, prior to the construction of the stadium structure above the concourse level.

- f) Schedule 2 Part E – Condition E2 is amended by the insertion of the **bold and underlined words** as follows:

Non-event operational noise limit

E2. The non-event operational noise (excluding patron / crowd and music noise **from the stadium and including all noise generated from the stadium members facilities**) generated at the premises must not exceed the noise limits at the times and locations in the Table 1 below, that apply at all residential receivers within the nominated noise catchment area (NCA) identified in the Stage 2 SSDA – Noise and Vibration Assessment prepared by ARUP dated 30 August 2019:

Table 1: Non-event operational noise limits

Noise catchment area	Noise limit dB(A)			
	Day	Evening	Night	Night
	L _{Aeq,15min}	L _{Aeq,15min}	L _{Aeq,15min}	L _{Amax}
NCA 1	58	56	55	70
NCA 2	58	53	51	66
NCA 3	57	54	52	64
NCA 4	48	46	43	56
NCA 5	44	41	38	50
NCA 6	52	45	38	60

The non-event operational noise must comply with the noise limits specified in condition E2, when the measurement is undertaken utilising the following criteria:

- (a) the relevant noise monitoring equipment must be located at the reasonably most affected external point at the location, but no closer than 3m to a vertical reflecting surface and between 1.2 to 1.5m above ground level for single storey residences and at a height between 1.2 to 1.5m above the finished floor level for multi-storey residences;
- (b) noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements; and
- (c) the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

For the purpose of condition E2, non-event operational noise limits include the activities to which the Noise Policy for Industry (EPA, 2017) applies. The sources of non-event noise that apply for this premise include in principle, but are not limited to:

- (a) mobile and fixed mechanical plant and equipment;
- (b) energy generation plant; and
- (c) vehicles on the premises.

End of modification
(SSD-9835-Mod-2)