



MN/AC  
6 February 2017

Ms Carolyn McNally  
Secretary  
Department of Planning and Environment  
210 Pitt Street  
SYDNEY 2000

Attention: Peter McManus - Specialist Planning Officer

Dear Ms McNally

**SECTION 96(2) MODIFICATION APPLICATION SSD 16\_7534  
WESTERN SYDNEY STADIUM 11-13 O'CONNELL STREET, PARRAMATTA**

On behalf of Venues New South Wales (VNSW), we hereby submit an application pursuant to section 96(2) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to modify Development Consent, SSD 16\_7534 relating to the Stage 1 concept approval and demolition of the Western Sydney Stadium.

Since receiving the development consent for Stage 1, Venues NSW have appointed Lendlease as the preferred contractor for the Stage 2 detailed design and the demolition and construction of the stadium. The early works proposed under this modification comprise remediation, earthworks and piling and have been identified by Lendlease through the preparation of more detailed construction program and methodology. Accordingly, this modification seeks to expand the approved range of site preparation works to include remediation and piling.

The resulting changes from this modification result in a development that is substantially the same as that originally approved. The changes seek to include site preparation works that are commensurate with the existing approved physical works and do not seek to make any modifications to the approved stadium concept or building envelope. The works proposed under this modification will not result in any significant external traffic movements, significant adverse noise impacts or heritage impacts from that approved under the Stage 1 DA.

This application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 96(2) and 79C(1) of the EP&A Act. It should be read in conjunction with the Environmental Impact Statement (EIS) prepared by AECOM dated 15 July 2016 and the Preferred Project Report (PPR) prepared by AECOM dated 23 September 2016 and is accompanied by:

- A copy of the Notice of Determination for SSD 16\_7534 (**Attachment A**);
- Remedial Action Plan prepared by Senversa and Site Audit Statement (**Attachment B**);
- Cut and Fill drawing prepared by Aurecon (**Attachment C**);
- Foundation Plan/Piling Plan prepared by Aurecon (**Attachment D**);
- Aboriginal Archaeological Assessment prepared by Comber Consultants (**Attachment E**);
- Historical Archaeological Assessment prepared by Casey and Lowe (**Attachment F**);
- Statement of Construction Traffic impacts prepared by BECA (**Attachment G**);
- Waste Management Statement prepared by Foresight International (**Attachment H**);

- Demolition, Excavation and Construction Noise and Vibration Management Plan (DECNVMP) prepared by Acoustic Logic (**Attachment I**);
- Biodiversity Impact Statement prepared by ambs Archaeology + Heritage (**Attachment J**);
- A Stormwater Management Plan prepared by Aurecon (**Attachment K**); and
- Erosion and Sediment Control plan prepared by Aurecon (**Attachment L**).

## 1.0 BACKGROUND

### 1.1 CONSENT PROPOSED TO BE MODIFIED

Development Consent SSD16\_7534 was granted on 7 December 2016 by the Minister for Planning for the following components of the development:

- **Concept Proposal** for the Western Sydney Stadium, including building envelopes, 500 surface car parking spaces, access, ancillary infrastructure and landscaping; and
- **Detailed works** for staged demolition and removal of the existing stadium and associated infrastructure and the Parramatta Swimming Centre.

The proposed development, consistent with the Stage 1 approval, will comprise:

- A new 30,000 seat stadium and ancillary uses;
- 500 above ground car parking spaces;
- Vehicular and pedestrian access and circulation arrangements; and
- Public domain improvements.

This section 96 application (the Modification Application) constitutes the first modification to the consent. A copy of the Notice of Determination for SSD is included at **Attachment A**.

### 1.2 Consultation

Venues NSW and Lendlease met with the Department of Planning and Environment (DPE) on 25 January to discuss the proposed modification and various other aspects of the Stage 2 DA. The DPE did not raise any significant concerns with the modification and provided advice with respect to the required supporting consultants reports and key assessment items. The works proposed under the modification are not expected to result in any additional external vehicle movements or noise impacts greater than those approved under the Stage 1 DA. As such, additional community consultation for the modification outside of the formal public exhibition period has not been considered necessary.

### 1.3 Stage 2 Development Application

A detailed DA is currently being prepared for Stage 2 of the development. The Stage 2 State Significant Development Application (SSDA) will seek approval for the detailed design and construction of the stadium as well as supporting uses such as retail tenancies, kiosks and other complementary uses. The stadium design will be generally consistent with the envelopes approved under the Stage 1 DA and will include materials and design treatments consistent with the Urban Design and Public Realm Guidelines. The DA will include detailed public domain plans demonstrating the future character and uses for the various zones surrounding the stadium and how these will integrate with the stadium design and function.

An illustration of the indicative future Stadium built form and public domain is provided at **Figure 1** below.



**Figure 1** - Indicative Stage 2 building form  
Source: Populous

## 2.0 PROPOSED MODIFICATIONS TO CONSENT

The proposed modification seeks to expand the range of physical works approved under the Stage 1 DA to complete the required site preparation works. The expanded early works proposed under this modification have been identified by Lendlease as the construction and demolition contractor through the preparation of more detailed construction program and methodology. Specifically, the early works include remediation and associated earthworks and piling. The works are described in more detail below.

### 2.1 Remediation Works

The site remediation works are required to ensure that the site is made suitable for the future development of the stadium and public domain. As outlined in the Stage 1 DA, the site is expected to contain contaminated fill material and asbestos that may pose health and safety risks to the construction workers and the future users of the site. Accordingly, the site must be suitably remediated in accordance with the Remedial Action Plan provided at **Attachment B**.

The remediation works will comprise excavation of contaminated material at an average depth of 2m and broader site excavation with an average depth of 5m. The extent of excavation and site levelling is illustrated in the cut and fill diagram provided at **Attachment C**. Contaminated materials that are discovered will be stored on site and capped below ground in accordance with the methodology outlined in the Remedial Action Plan (**Attachment B**). The remediation and associated earthworks are contained entirely within the site and as such will not result in any additional external truck movements or soil leaving the site. The remediation and excavation works will be undertaken in locations that have the potential for aboriginal and historic heritage archaeological deposits and as such will be undertaken following archaeological testing and salvage operations as discussed in **Sections 5.3 and 5.4**.

## 2.2 Piling Works

As outlined in the Foundation Plan provided at **Attachment D**, the piling works are proposed in a general arrangement within the Stage 1 building envelope. The piling works will comprise the driving and drilling of concrete piles to establish foundations for the construction of a stadium located within the Stage 1 building envelope. The footings are required to complete the site preparation works and are arranged in a general layout consistent with the Stage 1 building envelope.

## 3.0 MODIFICATION TO CONDITIONS

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in **bold italics**.

### SCHEDULE 1

<b>Approved Development:</b>	Development of Western Sydney Stadium, comprising:  ...
	Stage 1 demolition works including:
	<ul style="list-style-type: none"> <li>• site establishment works</li> <li>• staged decommissioning and demolition of the existing Parramatta Stadium and Parramatta Swimming Centre pool and related structures and hard and soft landscaping; and</li> <li>• waste management and site works to return all areas to ground level.</li> </ul>
<b>Modification</b>	SSD16_7534 MOD 1
	<ul style="list-style-type: none"> <li>• <b><i>Remediation, site levelling and piling</i></b></li> </ul>

Reason for Amendment: To facilitate, as part of MOD 1, the remediation site levelling and piling works described in this modification

### SCHEDULE 2

#### PART A TERMS OF CONSENT

##### Development Description

Condition A1.

- a) Consent is granted to the 'Concept Proposal' as described in Schedule 1 and the EIS, as amended by the RtS and the conditions contained in this development consent;  
***and***
- b) ***As amended by the S96 to Development Consent dated February 6 2017.***

Reason for Amendment: To facilitate, as part of MOD 1, the remediation, site levelling and piling works described in this modification.

##### Development in Accordance with Plans and Documents

Condition A4.

The Applicant shall carry out the project in accordance with the conditions of consent and generally in accordance with the:

- a) EIS, as amended by the RtS;
- b) ***The S96 to Development Consent dated February 6 2017; and***
- c) the following drawings, except for:

- i) any modifications which are Exempt or Complying Development; and
- ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by CHRIFI, DesignInc, <i>and</i> Fiona Yeates Consulting Pty Ltd <i>and</i> Aurecon		
Dwg. No.	Name of Plan	Date
DA 05	Structure Plan	23/09/2016
DA 06	Concept Plan	23/09/2016
DA 07	Concept Sections	23/09/2016
DA 08	Concept Evaluations	23/09/2016
DA 11	Concept Landscape Plans	23/09/2016
DA 12	Concept Landscape Plans- Sections	23/09/2016
DA 13	Precinct Plan: Urban Plaza	23/09/2016
DA 14	Precinct Plan: Urban Park	23/09/2016
DA 15	Precinct Plan: Corporate Terrance & VIP Entry Terrace	23/09/2016
DA 16	Existing Tree Plan	23/09/2016
S96 - 001	<i>Finish Surface Overall Plan</i>	<i>03/02/2017</i>
S96 - 002	<i>Earthworks Plan Overall</i>	<i>03/02/2017</i>
S96 - 003	<i>Foundation Plan Overall</i>	<i>02/02/2017</i>

Reason for Amendment: To permit the remediation, site levelling and piling/foundation works in the location proposed under this modification.

It is expected that other standard conditions of consent arising from the assessment of the modification will be included in the modified consent.

#### 4.0 SECTION 96 OF THE EP&A ACT, 1979

The power to amend a development consent is found in section 96 of the EP&A Act. Section 96 is an independent facilitative power that is separate to the grant of a development consent.

The statutory requirements to be satisfied for the grant of consent to modify a development consent are set out in Section 96. These depend on whether or not the modification is made under subsection (1), (1A) or (2).

This modification application to development consent SSD 16\_7534 is accordingly made under Section 96(2) of the EP&A Act.

Pursuant to Section 96(2) of the EP&A Act, the Minister or their delegate may modify development consent if:

- a) *it is satisfied that the development to which the consent as modified relates is **substantially the same development** as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- b) *it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- c) *it has notified the application in accordance with:*
  - (i) *the regulations, if the regulations so require, or*
  - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- d) *it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

*(emphasis added)*

The development, as proposed to be modified, is substantially the same development as that originally approved in that:

- it retains the same building envelope and building height for the stadium and the future development;
- it makes no changes to the approved concept proposal and as such retains the same uses, stadium capacity and GFA, car parking spaces, GFA for the future uses, public domain works, vehicular and pedestrian access points, design guidelines and public domain;
- it expands the range of the already approved physical site establishment works with activities that are commensurate with the approved demolition and site works;
- it includes remediation and piling works that are necessary to prepare the site for the approved development;
- the expanded works represent those ordinarily expected and required to be undertaken to implement the approved concept proposal;
- it won't result in any additional adverse noise or dust impacts or vehicular movements outside of the site;
- it will result in site areas being returned to ground level, as per the existing consent; and
- the environmental impacts of the modified development are in the order of the approved development.



The consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted and it is apparent from the nature and scale of the modifications that there will be no significant adverse environmental impact. The modification of development consent SSD 16\_ 7534 can therefore lawfully be approved under Section 96(2) of the EP&A Act. A further assessment of any potential environmental impacts, and ultimately an evaluation of how these impacts are minimal (or negligible), is provided in **Section 5.0** below.

## 5.0 ENVIRONMENTAL ASSESSMENT

Section 96(3) of the Act requires the consent authority to take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.

Section 79C(1) of the EP&A Act states:

*“In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

*(a) the provisions of:*

*(i) any environmental planning instrument, and*

*(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*

*(iii) any development control plan, and*

*(iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest.”*

### 5.1 5.1 Section 79C(1)(a) Planning Instruments

The Environmental Impact Statement (EIS) submitted with the Stage 1 State Significant Development Application (SSDA) addressed the proposed development's level of compliance against the relevant environmental planning instruments, including:

- *Environment Protection and Biodiversity Conservation Act 1999;*
- *Threatened Species Conservation Act 1995;*
- *Environmental Planning and Assessment Act, 1979;*
- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy No.55 - Remediation of Land;*
- *Parramatta Local Environmental Plan 2011;*
- *Parramatta Development Control Plan 2011; and*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.*

The proposed modifications relate only to changes to the physical site establishment works and as such, with the exception of SEPP 55 which compliance will be further demonstrated, will not alter the level of compliance of the development with the above relevant planning instruments.

For completeness, **Table 1** below provides a summary overview of the proposed modified development's continued level of compliance with relevant planning instruments.

**Table 1** - Compliance with relevant environmental planning instruments

<b>Instrument</b>	<b>Comments</b>
<b>EPBC Act</b>	The EPBC Act relates to the protection of the world heritage listed Old Government House and Domain (OGHD) and the Grey Headed Flying Fox (GHFF) population. The proposed modifications relate to site establishment works and as such will not have any impact on OGHD. As outlined in <b>Section 5.8</b> , the physical works will not result in impacts that will have any additional adverse impacts on the GHFF population.
<b>TSC Act</b>	The TSC Act relates to the presence of Cumberland River Flat Eucalyptus Forest on the site. The Stage 1 approval did not propose any demolition in the portion of the site containing the flora and the modification does not seek to change this.
<b>SEPP (State &amp; Regional Development)</b>	The modified development continues to meet the threshold for State Significant Development.
<b>SEPP 55 (Remediation of Land)</b>	The remediation works proposed under this modification in accordance with the Remedial Action Plan (RAP) demonstrate that the site can be made suitable for the future development.
<b>SREP Sydney Harbour Catchment</b>	The proposed modified development does not affect the level of compliance with the key relevant matters for consideration.
<b>Parramatta LEP</b>	The proposed modified development does not affect the level of compliance with the key LEP matters for consideration.
<b>Parramatta DCP</b>	The DCP relates to sensitive view corridors to OGHD. The proposed modified development will not affect the level of compliance with the key views.

### 5.1 Section 79C(1)(b) Impact on the Environment

The EIS submitted with the original SSDA addressed the likely impacts of the development, including:

- Compliance with relevant Planning Policies;
- Compliance with Environmental Planning Instruments;
- Urban Design and visual amenity;
- Transport and Accessibility;
- Noise and vibration;
- Aboriginal Heritage;
- Historic Heritage;
- Biodiversity;
- Soils and contamination
- Surface and ground water
- Flooding and drainage;
- Air quality;
- Social and economic;
- Utilities;
- Waste;
- Hazards and public safety;
- Land use and property;
- Ecologically Sustainable development;
- Cumulative Impacts;
- Site Suitability; and
- Public Interest.

The proposed modified development does not give rise to any material alteration to the assessment of the potential impacts considered as part of the original SSDA. Where relevant, the technical reports and plans addressing the above matters have been updated to provide an assessment of the works proposed under this modification (refer attached technical reports). The consensus of these reports has been that in light of the nature of the works the conclusions of the original assessment remain generally valid with additional mitigation measures provided in **Section 5.11** to support the additional



works proposed under the modification. The following matters, however warrant further assessment and consideration.

## 5.2 Soils and contamination

A Remedial Action Plan (RAP) and supporting Site Audit Statement have been prepared to detail the management and mitigation of contaminated material on the site. The RAP has been prepared in accordance with consent condition B13 (Schedule 2 Part B) and is provided at **Attachment B**.

The RAP provides that the preferred remediation strategy for the site is the excavation and on-site containment of contaminated fill materials with partial encapsulation under a capping layer. The RAP methodology forms the basis of the remediation works proposed under this modification and provides a detailed methodology of the processes and required health and safety mitigation measures to be adhered to throughout the site remediation works. The RAP identifies that an Asbestos Management Plan will be required prior to the commencement of works to ensure that asbestos material is safely managed. A Long-Term Environmental Management Plan will also be required to document and manage long term impacts and works that have the potential to disturb managed material.

The remediation works proposed under this modification, in accordance with the RAP, demonstrate that the site can be made suitable for the future development in accordance with SEPP 55 and as such result in an overall improved environmental outcome. Additional mitigation and management measures are provided in **Section 5.11**.

## 5.3 Aboriginal Heritage

An Aboriginal Archaeological Assessment has been prepared by Comber Consultants (**Attachment E**) to assess the potential impacts of the remediation earthworks and piling on the Aboriginal cultural heritage and potential archaeological deposits on the site. The assessment provides that works proposed under the modification will result in the disturbance and excavation of surface and subsurface soil and as such may result in the spoiling of archaeological deposits if not appropriately managed.

Notwithstanding the potential for impacts associated with the modification, the assessment identifies that the proposed works are a necessary component of the redevelopment of the stadium and are anticipated impacts. In this regard the assessment recommends the following management and mitigation measures are implemented to ensure that the proposed works do not result in any significant impacts on items of Aboriginal heritage. The mitigation measures include:

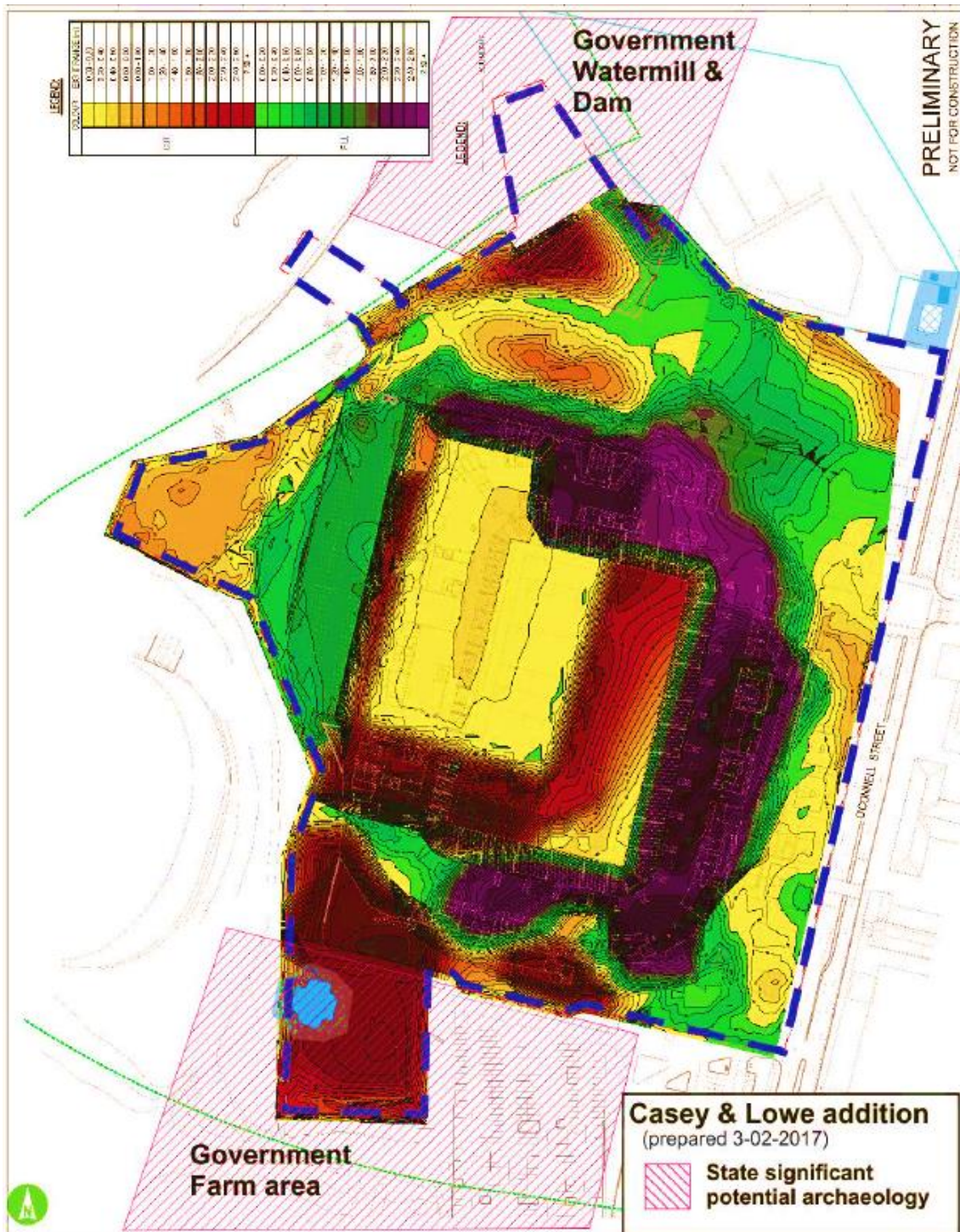
- Aboriginal archaeological testing and salvage is to be undertaken prior to any bulk excavation or redevelopment of the site;
- The preparation of a Research Design and Aboriginal Archaeological Management Plan should be developed to provide the methodology for the testing and guide the ongoing management of the site; and
- All testing and salvage operations should be undertaken in association with the registered Aboriginal Stakeholders.

The Aboriginal Archaeological Assessment provides that, with the implementation of the above mitigation measures the modification application is not expected to result in any adverse impacts with respect to Aboriginal Heritage.

## 5.4 Historic Heritage

A Historical Archaeological Assessment has been prepared by Casey and Lowe and is provided at **Attachment F**. The assessment identifies that the works proposed under the modification involve excavation in areas of identified historical archaeological sensitivity and as such a Historical Archaeological Assessment is required for the modification. The Historical Archaeological Assessment is required to be prepared under Condition B20 (Schedule 2 Part B) of the Stage 1 Consent prior to the preparation of the Stage 2 DA however is considered necessary to accompany the works proposed under this modification.

The Assessment provides that the site contains two areas of identified archaeological significance that have the potential to contain deposits of state significance, being the Government Farm area in the south of the site and the Government Watermill and Dam in the northern portion of the site. These areas are identified in **Figure 1** below,



The assessment provides a detailed list of recommendations to ensure that the proposed earthworks and piling will not result in any adverse impacts on potential archaeological deposits. The recommendations include archaeological testing in the sensitive areas identified above prior to the commencement of earthworks in these locations. An unexpected finds protocol is established under the Stage 1 Consent and will be adhered to for the works involved in the modification.

The assessment provides that, with the implementation of the recommendations, the proposed modification is not expected to result in any adverse impacts with respect to historical archaeology.

## 5.5 Transport and Accessibility

A statement of Construction Traffic impacts has been prepared by BECA and is provided at **Attachment G**. The assessment provides that the modification will not result in any soil leaving the site and as such truck movements will be limited to internal movements and concrete deliveries for the piling works. The assessment provides the following summary of truck movements associated with the demolition and site establishment works:

- General demolition activity - 40 trucks (typically 30 tonne truck and trailers - approved as part of Stage 1 DA)
- Excavation - Up to 20 truck movements per day however numbers will generally be less than 10 (these truck movements will all be internal within the site); and
- Piling - 30 truck movements per day for concrete deliveries (additional truck movements are assessed as part of this modification).

The assessment provides that the additional truck movements resulting from the piling works will result in a maximum of 5 vehicle trips into and out of the site (5 trips each way) during peak periods. The closure of the northern car park as a result of the construction activities will offset the additional truck movements resulting in an expected reduction in overall traffic into and out the site of 5 vehicles, each way during peak hours. The assessment illustrates the traffic access points to the site with vehicles entering adjacent to Victoria Street in the north of the site and exiting to O'Connell Street in the southern portion of the site.

## 5.6 Waste

A Waste Management Statement has been prepared by Foresight International and is provided at **Attachment H**. The statement provides that the storage, handling and disposal of contaminated waste are addressed in the RAP. The remaining works proposed under the modification do not result in any waste related impacts that are not already addressed under the Stage 1 consent.

## 5.7 Noise and Vibration

A Demolition, Excavation and Construction Noise and Vibration Management Plan (DECNVMP) has been prepared by Acoustic Logic (**Attachment I**) to assess the potential noise and vibration impacts arising from the modification.

The DECNVMP provides that the noise associated with the works in the modification may result in marginal exceedance of the noise management level established in condition C2 (Schedule 3 Part C) of the Stage 1 consent by 1dB during the worst-case scenario. This exceedance is expected to occur at the southern-most boundary however is limited to noise generated by an excavator mounted hydraulic hammer and as such will only occur in isolated circumstances and can be suitably managed by adopting the mitigation recommendations outlined in the Assessment.

The assessment provides that vibration associated with the works is not anticipated to exceed the vibration criteria identified in Condition C3 (Schedule 3 Part C) of the Stage 1 Consent. The Assessment provides that the noise and vibration impacts associated with the modification will be appropriately managed in accordance with the Noise and Vibration Management Plan prepared as part of the Demolition Environmental Management Plan.

## 5.8 Biodiversity

A Biodiversity Impact Statement has been prepared for the works proposed under the modification by ambs Archaeology + Heritage (**Attachment J**). The assessment provides that the modification will not result in the removal of any trees or flora that was not approved under the Stage 1 DA. Accordingly the modification will not result in any impacts on vegetation.

The assessment provides that the additional works proposed under the modification will result in changed noise conditions on the site that have the potential to result in impacts to the Grey-headed Flying-fox (GHFF) camp. The Assessment provides that the anticipated noise impacts identified in the Demolition, Excavation and Construction Noise and Vibration Management Plan prepared by Acoustic Logic (**Attachment I**) will be similar to those considered under the Stage 1 DA. The assessment identifies that the use of hydraulic hammers may exceed the periodic elevated noise levels assessed under the Stage 1 DA and as such should not be used for long periods of time.

The Assessment provides that the acoustic mitigation measures considered as part of the Stage 1 DA as well as those identified in the DECNVMP are expected to appropriately mitigate any adverse acoustic Impacts on GHFF Camp. In addition to these mitigation measures the assessment identifies the need for one or more noise sensors to be installed in the vicinity of the GHFF camp and regularly monitored. Noise levels reaching the camp should not exceed 52-57 dB(A) during the demolition and early works.

## 5.9 Flooding and Drainage

A Stormwater Management Plan has been prepared to manage the potential impacts caused by stormwater and flooding resulting from the site conditions created by the modification (**Attachment K**). The Stormwater Management Plan provides a drainage strategy for the site to ensure flooding and stormwater are appropriately managed throughout the demolition and earthworks phase of the development. The Stormwater Management Plan is supported by an Erosion and Sediment Control plan (**Attachment L**) to ensure that soil, contaminants and pollutants are appropriately managed on site during the demolition and earthworks stage.

## 5.10 Air Quality

The recommendations outlined in the Air Quality Assessment provided with the Stage 1 DA include sufficient dust and air quality mitigation measures for the type of works sought under this modification. The remediation and excavation works will involve the excavation, handling and stockpiling of soil and as such are commensurate with the activities described in Consent Condition C23 Dust Control and Management. Accordingly, the existing dust mitigation measures are deemed appropriate to apply to the modification. Dust control measures with respect to contaminated materials are provided in the RAP and will be adhered to as part of the excavation and stockpiling of soil on the site.

## 5.11 Proposed Mitigation and Management Measures

The expanded range of physical works proposed under this modification result in the need for additional mitigation and management measures from those considered in the Stage 1 EIS. The additional mitigation measures considered necessary to minimise the impacts associated with the modification are outlined in **Table 2** below.



**Table 2 - Mitigation and Management Measures**

<b>Impact</b>	<b>Environmental Management Measure</b>	<b>Responsibility</b>	<b>Timing</b>
<b>Contamination</b>			
Management of Asbestos during remediation	Preparation of an Asbestos Management Plan (AMP) by a suitably qualified environmental professional and reviewed / endorse by the Site Auditor.	Lendlease	Prior to commencement of remediation
Long term management of contamination	Preparation of long term Environmental Management Plan (LTEMP)	Lendlease	Following completion of remediation activities
<b>Aboriginal Heritage</b>			
Management of Aboriginal Heritage impacts during excavation	Preparation of a Research Design and Aboriginal Archaeological Management Plan	Lendlease	Prior to commencement of earthworks
<b>Historic Heritage</b>			
Management of Historic Heritage during earthworks	Preparation of an Archaeological Research design	Lendlease	Prior to commencement of earthworks
Management of Historic Heritage during detailed design	Preparation of a Statement of Heritage Impact	Lendlease	Prior to Stage 2 DA
Ongoing interpretation of Heritage	An Interpretation Strategy and Plan will need to be written for the proposed development	Lendlease	Prior to Stage 2 DA
<b>Biodiversity</b>			
Management of impacts to the GHFF Camp	Installation of and regular monitoring of noise sensors in the vicinity of the GHFF camp	Lendlease	Prior to commencement of works
<b>Acoustic</b>			
Management of noise impacts during site preparation works	Adoption of the DECNVMP noise mitigation measures	Lendlease	Prior to commencement of earthworks

**5.12 S.79C(1)(c) Suitability of the site for the proposed development**

The site remains suitable for the proposed development for the reasons outlined in the EIS lodged with the original SSDA.

**5.13 S.79C(1)(d) Submissions made**

Any submissions made on this subject modification application will be duly considered and addressed by Lendlease.

**5.14 S.79C(1)(e) The public interest**

The proposed modifications to the approved development are considered to be in the public interest, especially given the changes will:

- create efficiencies in the remediation and site preparation phases of the development, reducing the overall construction timeframe and the impacts associated with it;
- facilitate the timely delivery of a new stadium providing a significant public benefit thorough increased capacity and amenity at sporting and entertainment events;
- not result in any changes to the approved Stadium concept and associated public benefits addressed under the Stage 1 DA;
- not result in any unacceptable environmental impacts; and
- continue to create new jobs during the construction phase.

## 6.0 CONCLUSION

This Section 96 application seeks to facilitate amendments to expand the range of site establishment works approved under the Stage 1 DA for the Western Sydney Stadium.

The proposed modifications will not materially alter the environmental impacts assessed and approved as part of the existing development consent and will facilitate the timely delivery of the stadium development.

In accordance with section 96(2) of the EP&A Act, the Minister or his delegate may modify the consent as:

- the consent, as proposed to be modified, is substantially the same development as that originally approved;
- the modifications will not result in any significant adverse environmental impacts and will facilitate greater efficiencies to improve the overall construction impact; and
- the development's compliance with the Stage 1 Concept Proposal and key statutory plans and controls remains consistent with the approved development.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or [acella@jbaurban.com](mailto:acella@jbaurban.com)



Alexis Cella  
Associate



Matthew  
Senior Planner