

# 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 Assessments**

Sydney

17 December

2019

### SCHEDULE 1

**Development consent:** **SSD 8175** granted by the Executive Director, Priority Projects Assessments on 31 August 2017.

**For the following:** Detailed design, construction and operation of Western Sydney Stadium, comprising:

- construction of a 30,000 seat stadium and playing pitch, providing:
  - 27,000 general administration seats;
  - 3,000 corporate box seats, ancillary function centre and associated kitchen facilities;
  - general admission viewing areas, food and beverage outlets, amenities and associated facilities;
  - player and coaching facilities, media and press conference rooms, security and stadium manager's facilities;
- general stadium operations, including major sporting events and music concerts;
- the independent use of the Western Sydney Stadium function centre for functions and events;
- stadium lighting, signage zones, including a curved digital display entry sign, and ancillary stadium elements;
- construction of a new signalised O'Connell Street and southern vehicle access point, closure of the existing vehicles access point at the O'Connell Street and Victoria Road intersection and construction of a new vehicle access point from O'Connell Street;
- construction of an internal ring-road and provision of a maximum of 500 car parking spaces;
- construction of the public domain, including public plazas, entertainment areas and pedestrian access and footpath upgrades;
- associated landscaping, tree removal and infrastructure works; and
- reconfiguration and resurfacing of the northern sections of Parramatta Park Trust southern car park

**Applicant:** Venues NSW

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** Western Sydney Stadium  
11-13 O'Connell Street, Parramatta  
(Lots 951-959 and 961-964 in DP 42643 and Crown Land Lot 80-3000 (part))

**Modification:****SSD 8175 MOD 3:**

- temporary increase in the number of major sporting events from 49 to 80 until the stadium redevelopment program is complete.
- permanently increase the number of major sporting events from 49 to 65.
- increase the number of concerts from 3 to 5.
- increase the number of function spaces, function patrons and function operational hours.

## SCHEDULE 2

The consent (SSD 8175) is modified as follows:

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

### Development in Accordance with Plans and Documents

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

- a) *Stage 2 State Significant Development Application, Environmental Impact Statement, 11-13 O'Connell Street, Parramatta, Western Sydney Stadium*, prepared by JBA, dated March 2017;
  - b) *Stage 2 State Significant Development Application, Response to Submissions, Western Sydney Stadium, 11-13 O'Connell Street, Parramatta*, prepared by JBA, dated 31 May 2017, accompanying attachments and addendum submissions;
  - c) Response to Submissions – Addendum Submissions, prepared by JBA and dated 4 July 2017 and 6 July 2017 and Supplementary Noise Modelling Addendum Submission, prepared by Acoustic Logic, dated 10 July 2017; and
  - d) **generally in accordance with the section 4.55(2) modification application (SSD 8175 MOD 3) documentation, including the documents titled *Statement of Environmental Effects* dated September 2019 and *Response to Submissions Report* dated December 2019 prepared by CW Strategic Planning Services on behalf of Venues NSW.**
  - e) following drawings, except for:
    - i) any modifications which are Exempt or Complying Development;
    - ii) as otherwise provided by the conditions of this consent.
- b) Schedule 2 Part A Administrative Conditions, Condition A4 is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words and numbers as follows:

### Major Events

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

- a) Event type:
  - i) ~~49 65~~ major sporting events **once Stadium Australia becomes operational**, including but not limited to National Rugby League games, Australian Rugby Union games, and A-League and W-League Soccer games and/or international soccer games;
  - ii) **80 major sporting events up until Stadium Australia becomes operational, including but not limited to National Rugby League games, Australian Rugby Union games, and A-League and W-League Soccer games and/or international soccer games;**
  - iii) ~~3 5~~ music concerts.
- b) The limitations to major sporting events, as prescribed in condition A4.a)i), does ~~note~~ restrict the carrying out of training activities associated with those events, including any associated 'Captain's Run';
- c) Event operational hours:
  - i) concerts – 12 pm to 10:30 pm;
  - ii) amplified sound tests or rehearsals **may be undertaken between 10 am to and 7 pm, on the same day or day immediately preceding** a planned major event;

- iii) notwithstanding part ii), where amplified sound tests or rehearsals are to be undertaken on a school day, they will be restricted to 3:30 pm to 7 pm, on the same day or day immediately preceding a planned major event;
    - iv) pyrotechnics –10 am to 10:30 pm;
    - v) sporting events – 10 am to 10:30 pm;
  - d) Notwithstanding the limitations prescribed by condition A4.c)iv), the use of pyrotechnics may be extended to 12:15 am for events of cultural significance where written notification is provided to the Secretary seven days prior to the planned cultural event;
  - e) Where a sound test or rehearsal permitted by condition A4.c) is audible or is likely to be audible at any nearby noise sensitive land use (such as a residence, school, places of public worship, child care establishment or public recreation area), that:
    - i) the sound test is limited to a period not exceeding one hour;
    - ii) the rehearsal is limited to a period not exceeding one hour;
    - iii) if the sound test and rehearsal are undertaken together they are limited to a combined period not exceeding two hours; and
  - f) This approval does not consent to the use of the surrounding Western Sydney Stadium precinct and associated public domain for any event, other than activities defined as being ancillary to the use of Western Sydney Stadium for a major event (approved under condition A4 a)).
- c) Schedule 2 Part D Prior to Commencement of Use, Condition D1b) is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words and numbers as follows:
- b) operational and management arrangements for the independent use of the Western Sydney Stadium ~~three~~-function centre spaces, subject to the following limitations:
    - i) ~~restricted to internal function space only;~~
    - ii) restricted to a maximum of ~~700~~ **2,514** patrons across the **Cumberland Lounge, Field Club, Directors Club, Open Suites and Open Terraces** ~~three~~ **at any one time on non-event days;**
    - iii) Sunday to **Saturday 7 am to midnight;** ~~Thursday 9 am to 10 pm and Friday/Saturday 12 noon to midnight;~~
- d) Schedule 2 Part D Prior to Commencement of Use, Condition D3 is amended by the insertion of the **bold and underlined** words as follows:
- D3. The OMP (as revised from time to time) must **reflect current operations all at times and** be implemented by the Applicant for the life of the project.
- e) Schedule 2 Part D Prior to Commencement of Use, Condition D4g) is amended by the insertion of the **bold and underlined** words/numbers and deletion of the ~~**bold and struckout**~~ words and numbers as follows:
- g) a **Traffic and Pedestrian Management Plan** that monitors public transport and associated infrastructure requirements to support the operations of Western Sydney Stadium, including:
    - i) bus stop locations, kerb side space and associated infrastructure requirements;
    - ii) event management options that do not include road closures and no event related vehicles using O'Connell Street for parking and pick-up/drop-off activities;
    - iii) estimation of expected service volumes on the Parramatta Light Rail and an assessment of impacts on system performance;
    - iv) bus routes impacted and level of special event buses required, and the level of reliability and service;
    - v) pedestrian management controls along key pedestrian desire lines before and after events; ~~and~~

- vi) traffic management measures on the surrounding road network and off-street parking facilities;
  - vii) a review of traffic flow, Variable Message Sign (VMS) management, and the event Rideshare Geo-fence when both O'Connell St is closed for Stadium event bump-out and Church St is closed during construction of the Parramatta Light Rail;
  - viii) details of ongoing consultation with the TfNSW Sydney Coordination Office during the construction of the Parramatta Light Rail; and
  - ix) details of ongoing consultation with the operators of the Parramatta Light Rail once the infrastructure is operational.
- f) Schedule 2 Part D Prior to Commencement of Use, is amended by the insertion of the **bold and underlined** words/numbers immediately following condition D9 as follows:

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

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

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

End of modification  
(SSD 8175 MOD 3)