

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 9249 Sydney Football Stadium Redevelopment
Applicant	Infrastructure NSW
Consent Authority	Minister for Planning

### Decision

The Minister for Planning has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (the Act) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

6/12/2017 

Reasons for decision



The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including providing new state of the art sporting facilities for a seated capacity of 45,000 (55,000 in concert mode), a Tier 1 stadium which will ensure that competitive modern sporting activities can be hosted in addition to providing a range of ancillary services and public spaces, \$674 million capital investment, 30 construction jobs in Stage 1, up to 130 operational jobs on non – event days and up to 1500 operational jobs on event days;
- the proposed new stadium aims to provide a better experience for patrons, better access and egress in and around the stadium, better facilities for women's sports, improved facilities for a more diverse range of sports and events, and better integration into the neighbouring precincts;
- the project is permissible with development consent, and is consistent with NSW Government policies including the:
  - NSW Stadia Strategy;
  - A Metropolis of Three Cities - The Greater Sydney Plan;
  - NSW Future Transport Strategy 2056; and
  - Eastern City District Plan.
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards as identified in the Department's Assessment Report. The consent authority has imposed conditions relating to design excellence and urban design, noise and vibration, contamination, stormwater, waste, traffic, heritage, safety, and biodiversity;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed; and
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 14 June 2018 until 11 July 2018 (28 days) and received 706 submissions from the community and Council, including 672 public objections, one objection from Council, 15 submissions in support of the project, and 18 submissions raising comments about the project.

The Department also undertook the following consultation activities:

- attended the Panning Focus Meeting organised by the Applicant with Council and Government agencies, including a site tour on 12 April 2018;
- attended 3 community drop-in sessions organised by the Applicant;
- media release and a separate landing page on the Department's website;
- conducted meetings with the representatives of six community groups between 28 and 30 August 2018;
- conducted a further meeting with the representatives of one community group; and
- conducted a meeting with Randwick City Council.

The Department uploaded the Response to Submissions for the project once it was received on 14 September 2018, and received 10 submissions from the community and Council, including eight objections. The submissions raised concerns regarding traffic impacts, safety impacts,

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include justification for the proposal, built form and urban design (Concept Proposal), heritage, traffic, transport and parking, noise impacts, social impacts. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Need for the redevelopment</i></p> <ul style="list-style-type: none"> <li>• the redevelopment of the stadium is unnecessary and an inappropriate use of taxpayer money.</li> <li>• demolition of the stadium is not needed.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Department is satisfied that the redevelopment of the Sydney Football Stadium is consistent with the NSW Stadia Strategy, the Greater Sydney Region Plan and the Eastern City District Plan.</li> <li>• The Department is not in a position to make comment on nor comparatively assess alternative expenditures to the proposal. These are not matters for the Department to assess under the EP &amp; A Act. It is a matter for Government to determine its investment priorities.</li> <li>• The Applicant has undertaken a comprehensive options analysis to demonstrate the need for the demolition and redevelopment of the SFS. The Department agrees with the Applicant's conclusions in this regard.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• No conditions are recommended in relation to this issue.</li> </ul>
<p><i>Built form and Urban Design</i></p> <ul style="list-style-type: none"> <li>• the height and footprint of the loose fit building envelope is much larger than the existing stadium and would result in adverse visual impacts on the locality and the wider region as well as environmental amenity impacts including overshadowing of adjoining parklands</li> <li>• the proposed design competition does not meet the design intent or objectives in the Sydney Local Environmental Plan 2012 (SLEP)</li> <li>• detailed design of the stadium has not been provided for a full assessment of the impacts</li> <li>• the capacity of the future stadium is unknown</li> <li>• the design does not include sufficient information regarding the integration with Driver Avenue and Moore Park</li> <li>• pedestrian connections with the adjoining properties to the east may result in a number of adverse impacts including, traffic, noise and antisocial behaviour.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Department has undertaken a comprehensive assessment of the built form and urban design principles in Section 6. The Department is satisfied that the building envelope is appropriate for the site, the overall context and the functional parameters of the proposed future stadium.</li> <li>• The application is supported by a Design Excellence Strategy which provides for further opportunity to develop the detailed design at Stage 2 and contribute positively to the built environment.</li> <li>• The loose fit envelope is considered appropriate as it minimises overshadowing impacts on the Sydney Cricket Ground (SCG) field and Moore Park East while providing flexibility to accommodate functional requirements of the future stadium.</li> <li>• The concept design and Urban Design Guidelines have been prepared in consultation with the Government Architect NSW and Cox Architects, to ensure the preliminary design is compatible with the future character of the area.</li> <li>• The Department's assessment of the visual impacts concludes that although there would be additional impacts of the future stadium on sensitive receivers, parklands and heritage items in the surrounding area, the impact is reasonable, given the scale of the proposal. The proposed envelope would not detrimentally impact on iconic views or result in complete loss of public or private views. Further design development would assist in reducing any negative visual impact in the locality.</li> <li>• The detailed design and operational parameters of the stadium would be assessed in a future Stage 2 application which would be informed by the Design guidelines established under the Concept Proposal.</li> <li>• The Department notes that the stadium would be designed to host a maximum of 45,000 patrons for all events except concert events where a maximum of 55,000 patrons would be permitted.</li> <li>• The Department considers that the opportunities for integration of the stadium with the adjoining parklands can be further explored in the Stage 2</li> </ul>

	<p>application, Urban Design Guidelines and the suitability of such connections be established prior to detailed design.</p> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• The future development application is to demonstrate design excellence.</li> <li>• The future development application to undertake a 'design alternatives' competition process in accordance with the City of Sydney Competitive Design Policy and be supported by a Design Integrity Assessment.</li> <li>• The future application be supported by a detailed visual impact assessment and solar access assessment to identify any adverse visual or overshadowing impacts and propose appropriate management and mitigation measures.</li> <li>• The capacity of the stadium be limited to a maximum of 45,000 patrons for all events except concert events where a maximum of 55,000 patrons would be permitted.</li> <li>• A pedestrian connections review be conducted prior to the lodgement of the future development application.</li> <li>• The future development application to include details of a pedestrian connection strategy and details of the public realm and the identified public areas of the site that are proposed to integrate with Driver Avenue and Moore Park. The strategies should include assessment of impacts on the adjoining parklands including Kippax Lake.</li> </ul>
<p><i>Heritage</i></p> <ul style="list-style-type: none"> <li>• heritage impact of demolishing the existing stadium, including requests for retention of memorabilia and design of heritage interpretation</li> <li>• impacts on surrounding heritage items including the Moore Park Conservation Area</li> <li>• impact of the future stadium on the significant view lines within and to the SCG</li> <li>• impacts of the demolition works and the footprint of the new stadium on Busby's Bore (archaeological item of State heritage significance).</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Department considers that the heritage significance of the existing stadium is related to the cultural values of the site rather than the physical fabric of the stadium itself. The heritage values of the site have been adequately addressed.</li> <li>• The impacts of the proposal on surrounding heritage items and conservation areas are not likely to be significant provided that appropriate mitigation measures are implemented. Potential impacts resulting from the design and construction of the new stadium can be appropriately addressed at Stage 2.</li> <li>• The Stage 1 works have the potential to impact on Busby's Bore and SCG member's stand due to vibration. Appropriate conditions are recommended to mitigate such impacts.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• All future DAs on the site to be accompanied by a statement of heritage impacts and Aboriginal Cultural Assessment Report.</li> <li>• Future DA for the detailed design and operation of the new stadium that involves ground penetration and excavation to address impacts on Busby's Bore.</li> <li>• Archival recording of the existing Sydney Football Stadium and associated structures to be completed prior to the demolition of the stadium.</li> </ul>
<p><i>Operational impacts - noise</i></p> <ul style="list-style-type: none"> <li>• increased noise from events on the local residents</li> <li>• noise from crowds leaving the precinct after an event.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The application includes an alternate methodology to management operation noise to be generated by the future stadium. However, sufficient information has not been provided to enable a complete valuation of this methodology.</li> <li>• The Department has recommended that the future operations of the stadium must comply with the noise limits set by the Notice of Prevention Action that currently applies to the site unless a suitable alternate methodology is developed as part of the Stage 2 development application.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>• Specifications for noise limits from events at the future stadium, measured at surrounding sensitive noise receivers.</li> <li>• The Stage 2 development application to be able to include an alternative quantitative noise impact assessment and noise management framework.</li> <li>• The Stage 2 development application to include a report with detailed noise impact assessment of grounds maintenance activities.</li> <li>• Time restrictions including events to end no later than 11pm, as well as time restrictions for activities that may be audible at nearby sensitive receivers unless additional assessment is provided in Stage 2 to alter these time restrictions.</li> </ul>
<p><i>Operational impacts - traffic</i></p> <ul style="list-style-type: none"> <li>• additional traffic generation due to the increased activities within the stadium and impact on the local traffic network</li> <li>• increased parking required to cater for the future operations</li> <li>• no detailed assessment of the post-event traffic scenario and conflicts and emphasis on pre-event scenario</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The Applicant's traffic assessment identified a broad array of potential traffic impacts due to the operation of the future stadium. Investigations included intersection analysis, impacts on the local traffic network, identification of possible mitigations including integrating of the stadium operations with the public transport availability in co-ordination with Transport for NSW.</li> <li>• The Department is satisfied that the application includes a detailed traffic impact assessment relating to the future operation of the stadium.</li> </ul>

<ul style="list-style-type: none"> <li>insufficient public transport capacity to cater for the development in the future</li> <li>the intersection analysis and modelling do not include comprehensive assessment of traffic impacts.</li> <li>lack of active promotion of walking, cycling and public transport.</li> </ul>	<ul style="list-style-type: none"> <li>The Department considers that the increased frequency of activities of the stadium and specially double-header events when SCG and the stadium would be in use, would result in some level of negative impacts on the nearby intersections. However, this impact cannot be mitigated via upgrading of the already saturated intersections. Opportunities for promoting alternative transport modes and usage of public transport would provide an appropriate solution to offset the traffic generation. Transport for NSW has supported this approach.</li> <li>The potential impacts would be addressed in more detail in Stage 2, for the design and construction of the new stadium.</li> <li>In discussion with Transport for NSW and Roads and Maritime Service, the Department is satisfied that subject to the recommended conditions, the proposed development would have negligible additional traffic impacts due to intensified operation in the future.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>The future development application to be accompanied by a detailed assessment of the traffic and transport impacts.</li> <li>The future development application to include a Construction Pedestrian and Traffic Management Plan prepared in consultation with relevant government agencies and presentation to the Community Consultative Committee.</li> <li>Confirmation that the future development application does not alter the total number of car parking spaces on the site.</li> <li>All future development applications for the detailed design of the stadium to include plans to address pedestrian, public transport and bicycle network.</li> <li>All future development applications for the detailed design of the stadium to include a Travel Demand Management Strategy and Green Travel Plan.</li> </ul>
<p><i>Demolition amenity impacts – noise and dust</i></p> <ul style="list-style-type: none"> <li>impacts of the demolition work on the amenity of the local area due to noise and dust, specifically from the concrete crusher</li> <li>adverse impacts of location of the concrete crusher in the Moore Park 1 compound.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department is satisfied that the noise and dust impacts related to the demolition can be adequately managed by the proposed mitigation measures, such as an enclosure around the concrete crusher, noise monitoring, unattended dust monitors at key surrounding sensitive receptors, and recommended conditions.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Full enclosure of the concrete crusher within an acoustically designed shed</li> <li>Demolition works to comply with the project noise targets identified in the Applicant's noise assessment and notwithstanding the noise targets, the demolition noise at any sensitive receiver to not exceed 75dB(A) <small>L<sub>Aeq</sub> (15 minutes)</small>.</li> <li>Unattended long-term and attended and short-term noise monitoring to verify the noise generated by the demolition works.</li> <li>A construction noise and vibration management plan to be submitted prior to commencement of any works.</li> <li>Strategies to management noise exceedances to be provided by the Applicant.</li> <li>Construction working hour restrictions, regular consultation with nearby sensitive receivers, and intra-day respite periods for noise demolition activities.</li> </ul>
<p><i>Demolition amenity impacts – traffic</i></p> <ul style="list-style-type: none"> <li>traffic relating to demolition works to result in adverse impacts on the local traffic network</li> <li>preparation of a detailed Construction Pedestrian Traffic Management Plan (CPTMP).</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant's traffic impact assessment has identified the impacts of the demolition works in Stage 1 on the local traffic network.</li> <li>The Department is satisfied that traffic impacts related to the demolition works, including impacts on the local road network and pedestrian amenity, can be suitably managed by the proposed mitigation measures, and the recommended conditions of consent.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>A CPTMP be prepared prior to works commencing on site.</li> <li>Access restrictions to the site during demolition works</li> <li>Request construction vehicles to use major roads, when accessing the site</li> <li>Details of construction workers parking provisions to be submitted and consultation with the relevant regulators regarding truck routes to and from the site.</li> </ul>
<p><i>Demolition amenity impacts – other</i></p> <ul style="list-style-type: none"> <li>adverse impacts on the locality during demolition works due to dust and sediment flow.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department is satisfied that the Applicant has provided sufficient information to address other environmental impacts related to the demolition works, including erosion and sediment control, water and wastewater, and waste management</li> <li>The Applicant has provided a consolidated list of management and mitigation measures to address the impacts.</li> </ul>

	<p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Erosion and sediment control measures be installed on the site and ground water and waste water be managed adequately.</li> </ul>
<p><i>Social impacts – future operation</i></p> <ul style="list-style-type: none"> <li>safety and security issues due to the operation of the future stadium including management of anti-social behaviour</li> <li>need for terrorism measures and evacuation measures for the stadium</li> <li>the integration of the site with Moore Park resulting in adverse impacts on the parklands</li> <li>increase in use of Moore Park East for on-grass parking following increase in the frequency of events and resulting in loss of available recreational area in the locality</li> <li>reduced amenity around Kippax Lake as a result of proposed pedestrian and bicycle links</li> <li>adverse impacts on the local residents and visitors to SCG during the demolition works due to noise, dust and increased traffic.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant has identified a number of potential social issues and put in place a framework to address security and safety issues.</li> <li>The Department recognises that the proposed stadium has the potential to result in several social impacts including adverse impacts on Moore Park due to increased events and resultant use of the on-grass parking areas. The Stage 2 development application would provide an opportunity to investigate, understand and mitigate these impacts,</li> <li>The Department also requires that the Stage 2 application would need to provide details of methods and management strategies to minimise anti-social behaviour and provide wider social benefits by proposing public areas, pedestrian links and opportunities for using the site by the community on non-event days.</li> <li>Social impacts of the demolition works are generally associated with the impacts of demolition on the surrounding community. The Department considers that the social impacts of the proposal are acceptable based on the proposed mitigation measures and recommended condition, including the establishment of a Community Consultative Committee.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>The Stage 2 application to include: <ul style="list-style-type: none"> <li>An assessment of the proposal having regard to Crime Prevention Through Environmental Design principles</li> <li>A security risk assessment report, hostile vehicle management and minimisation measures and counter terrorism management measures for the Moore Park precinct</li> <li>An anti-social behavioural strategy</li> <li>The above reports prepared in consultation with Transport for NSW, NSW Police and other relevant stakeholders</li> <li>An Event Management Strategy to measure and monitor patron event behaviour, and measures to minimise parking on surrounding streets</li> <li>A strategy for community use of the spaces within the stadium and the stadium facilities by the community</li> <li>Identification and design of the public spaces within the site and the associated impacts on the local community.</li> </ul> </li> <li>The Stage 2 application to include a strategy to identify the areas where the development can contribute to implement the Moore Park Masterplan 2040 and then provide physical plans and programmes in consultation with the Centennial Parkland and Moore Park trust.</li> </ul>
<p><i>Tree removal</i></p> <ul style="list-style-type: none"> <li>the development would result in loss of significant trees.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department has assessed the proposal in this regard and considers that the trees within the site are proposed to be removed to accommodate the building footprint.</li> <li>The proposal retains a significant Moreton Bay Fig tree on the site and the street trees.</li> <li>The impacts of the tree removal would be offset in Stage 2 by the proposed replacement planting strategy.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>All retained trees be protected during demolition and construction works.</li> <li>The future application to include a landscape plan with a detailed planting strategy.</li> </ul>
<p><i>Environmental sustainability</i></p> <ul style="list-style-type: none"> <li>the proposed development does not include sufficient environmental sustainability measures</li> <li>demolition of the stadium would not be environmentally sustainable</li> <li>the future stadium would not meet the sustainability targets for City of Sydney.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The proposed demolition works includes a target of re-cycling or re-using 90% of the demolition waste.</li> <li>The Department is satisfied that the proposed environmental sustainability strategy for the future stadium is acceptable.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>That the proposed sustainability measures be incorporated into the detailed design.</li> <li>Waste tracking during demolition works to identify the quality of waste recycled or re-used</li> <li>The future stadium to demonstrate the extent to which it can achieve the City of Sydney's sustainability targets.</li> </ul>
<p><i>Economic Impacts</i></p> <ul style="list-style-type: none"> <li>the stadium demolition would result in adverse economic impacts.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant has identified that the demolition of the stadium would result in temporary impact on the existing retail and commercial activities within and around the site.</li> <li>The Department considers that these impacts are temporary and would be mitigated if a new stadium is constructed in the future.</li> </ul>

	<ul style="list-style-type: none"> <li>The proposal for the new stadium would incorporate a number of hospitality facilities including opportunities for food and beverage along with additional operational jobs and construction jobs. These would cumulatively have a positive economic impact on the locality and the wider region.</li> <li>The stadium would also create up to 600 construction jobs (over years) and up to 300 additional operational jobs per annum.</li> </ul> <p><i>Condition</i></p> <ul style="list-style-type: none"> <li>No conditions are recommended.</li> </ul>
<p><i>Insufficient community consultation</i></p> <ul style="list-style-type: none"> <li>the Applicant and the Department have not undertaken sufficient consultation with the community with regard to the demolition works and the future stadium.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Applicant has provided a community consultation report highlighting consultation methods undertaken prior to the lodgement of the SSD.</li> <li>The Department has undertaken consultation with the community and public authorities as outlined in the assessment report and above.</li> </ul> <p><i>Condition</i></p> <ul style="list-style-type: none"> <li>A Community Communications Strategy be provided to the Department for approval, prior to the commencement of any works on the site.</li> <li>A Community Consultative Committee be established prior to the commencement of the demolition works (excluding the soft strip).</li> <li>Majority of the reports required for the Stage 2 application be prepared in consultation with the relevant stakeholders and be presented to the Community Consultative Committee.</li> <li>The intra-day respite periods required for noisy demolition works be decided in consultation with the nearby child care centre and the University of Technology educational building.</li> </ul>
<p><i>Timeframe for determination</i></p> <ul style="list-style-type: none"> <li>the proposal is determined within a short period of time.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The assessment of the application is being undertaken in accordance with the statutory timeframes applicable to State significant development applications.</li> </ul>
<p><i>Relocation of facilities</i></p> <ul style="list-style-type: none"> <li>the existing facilities are not proposed to be relocated during the demolition works.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>This does not constitute a part of the current application. Separate development applications are lodged with Council to relocate existing facilities on other sites.</li> <li>The Sydney Cricket Ground Trust has provided a further submission to the Department providing some information regarding the possible locations for the facilities.</li> </ul>
<p><i>Event limits</i></p> <ul style="list-style-type: none"> <li>the Application does not include any limits to the events.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The Department has assessed the SSD application on the basis of 49 – 52 events. The Applicant does not seek consent for an upper limit on the events.</li> <li>The application does not involve an increase in the number of existing concert events.</li> </ul> <p><i>Conditions</i></p> <ul style="list-style-type: none"> <li>Sufficient justification to be included as a part of the Stage 2 application, if additional number of events are proposed in excess of 52 events and six concerts.</li> </ul>
<p><i>Determining Authority</i></p> <ul style="list-style-type: none"> <li>the Application should be determined by the Independent Planning Commission.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The application is lodged by a public authority. Pursuant to the provisions of the EP &amp; A Act, the Minister for Planning is the consent authority.</li> </ul>