

21 May 2019

219498

Mr Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
320 Pitt Street
Sydney NSW 2000

Attention: David Gainsford (Executive Director, Priority Projects Assessments)

Dear David,

Section 4.55(1A) Modification Application | State Significant Development Consent SSD 9249 Sydney Football Stadium Redevelopment

This application has been prepared by Ethos Urban on behalf of Infrastructure NSW pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 9249 relating to the Concept Proposal and Stage 1 Demolition of the Sydney Football Stadium at 40-44 Driver Avenue, Moore Park.

The modification involves amendments to the scope of demolition works approved under SSD 9249 to permit the removal and disposal of the existing ground slabs, pavements, footings and piles from the former Sydney Football Stadium. In association with these works it is also proposed to divert some existing stormwater infrastructure located within the site. The application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 4.55(1A) of the EP&A Act and is accompanied by:

- Existing pile location plan (**Appendix A**);
- Stormwater diversion plan prepared by Aurecon (**Appendix B**);
- Addendum Construction (Demolition) Management Plan prepared by Aver Consulting (**Appendix C**);
- Detailed Site Contamination Investigation prepared by Douglas Partners (**Appendix D**);
- Site Auditor's Advice prepared by Mr Jason Clay of Senserva (**Appendix E**);
- Addendum Archaeological Impact Statement prepared by Curio Projects (**Appendix F**);
- Supplementary Acoustic Statement prepared by Arup (**Appendix G**);
- Supplementary Transport Impact Statement prepared by Arup (**Appendix H**); and
- Aboriginal Cultural Heritage Assessment Report prepared by Curio Projects (**Appendix I**).

This statement should be read in conjunction with the Environmental Impact Statement (EIS) prepared by Ethos Urban dated June 2018.

1.0 Consent proposed to be modified

Development Consent 9249 was granted by the (then) Minister for Planning on 6 December 2018 for:

- *A Concept Proposal comprising:*
 - *a maximum building envelope for the stadium including basement and a roof over all permanent seating;*

- *maximum stadium capacity of 45,000 seats (55,000 patrons in concert mode);*
- *member areas, premium box/terrace, function lounge and corporate suite operations;*
- *flood lighting, stadium video screens and ancillary fittings;*
- *team, media and administration facilities, food and beverage areas;*
- *new playing pitch and provision for ancillary uses;*
- *public domain works and landscaping; and*
- *identification of the existing Moore Park Carpark 1 (MP1) as the demolition and construction compound.*
- **Concurrent Stage 1 works comprising:**
 - *demolition of the existing stadium including the existing Sheridan, Roosters, Waratahs, Cricket NSW Administration Building and Indoor Wickets to ground level (existing slab level);*
 - *removal of 26 trees; and*
 - *use of the existing MP1 as the demolition compound.*

Demolition in accordance with SSD 9249 has now commenced and is being undertaken by the appointed contractor.

A Section 4.55(1A) to amend the consent was submitted to the Department on 1 May 2019. The modification relates to an adjustment to the site boundary in order to remove land that is required to be retained to support the ongoing operational functions of the adjacent Sydney Cricket Ground (SCG). The land affected is currently occupied by the tennis courts at the south-western corner of the site adjacent to the 'Members' Lawn'. There have been no other approved or proposed modifications to the development consent.

2.0 Proposed modifications to the consent

2.1 Modifications to the development

The modification involves amendments to the scope of demolition works approved under SSD 9249 to permit the removal and disposal of the existing ground slabs, pavements, footings and piles from the former Sydney Football Stadium. It is proposed that the removal of the ground slabs, pavements, footings and piles will be undertaken concurrently with demolition works already approved under SSD 9249. This will involve demolition of the slabs using the current excavators fitted with hammers and pulverisers. Demolished material will be carted from the site for recycling and disposal at a licenced waste facility.

Removal of the footings and piles from the former Sydney Football Stadium will be undertaken using the current excavators fitted with hammers and pulverisers. The ground surrounding the piles will be excavated, typically within a 2m radius of the pile centre, in order to expose the pile with excavators then used to cut off the pile to a depth of RL 27.8m AHD. Waste from the pile will be transported to a licenced waste facility for recycling.

An amended Demolition Plan is not required to reflect the additional scope of demolition for which consent is sought. A plan identifying the location of existing piles which are proposed to be removed is included at **Appendix A**.

Demolition of the existing slab and piles necessitates the diversion of two existing stormwater pipes within the site which currently traverse through the stadium structure, which is outlined in a plan prepared by Aurecon and provided at **Appendix B**. The stormwater diversion will direct flows from the northern portion of the site to an existing pit located within the site near Driver Avenue, from where stormwater would continue to discharge via existing infrastructure as illustrated in **Figure 2**.

An amended Construction (Demolition) Environmental Management Plan has been prepared by Aver Consulting and is provided at **Appendix C** which identifies the primary methods through which the demolition process will be managed in order to avoid and mitigate potential impacts associated with the revised scope of demolition works. In addition, it is anticipated that the Construction Environmental Management Plan which is required by Condition B12 of Schedule 3 of Development Consent SSD 9249, including all relevant sub-plans, would be reviewed and updated to reflect the amended demolition works and the recommendations and management measures contained in **Appendix C** following the determination of this application.



Figure 1 Indicative location of piles to be removed

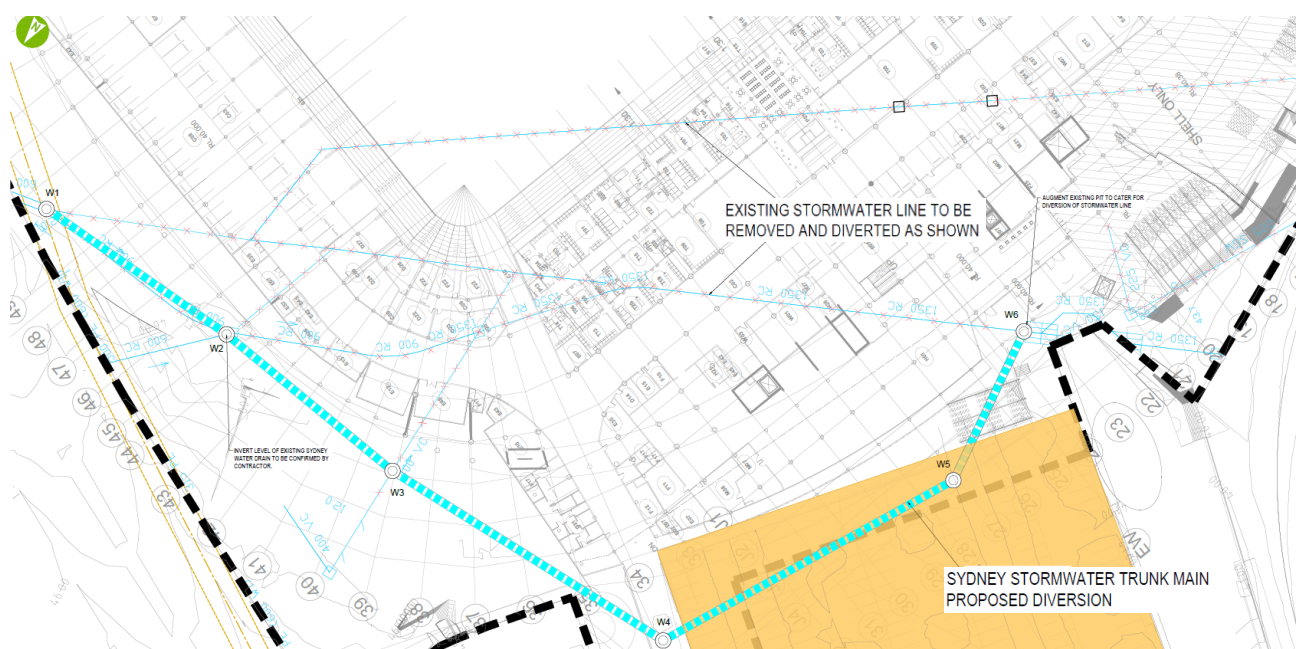


Figure 2 Extract from the proposed stormwater diversion plan

Source: Aurecon

2.2 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

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- Concurrent Stage 1 works comprising:
 - o demolition of the existing stadium including the existing Sheridan, Roosters, Waratahs, Cricket NSW Administration Building and Indoor Wickets ~~to ground level (existing slab level)~~;
 - o ***stormwater diversion***;
 - o removal of 26 trees; and
 - o use of the existing MP1 as the demolition compound.

....

SCHEDULE 3

Condition A2

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- c) generally in accordance with the EIS, the Response to Submissions, Supplementary Response to Submissions and consolidated mitigation measures provided in Appendix 2 ***and Modification Application prepared by Ethos Urban dated 16 May 2019***; and
- d) in accordance with the approved plans in the table below:

Drawings provided in the Urban Design Guidelines prepared by SJB Architects			
Dwg No.	Rev	Name of Plan	Date
SK21	04	Site Analysis	28 August 2018
SK28	05	Demolition Plan	28 August 2018
Drawings provided in the Arboricultural Impact Assessment – Tree Protection Specification, Sydney Football Stadium, Stage 1 & Early Works prepared by Tree IQ			
SK15	00	Tree Plan	22 May 2018
SK17	00	Tree Plan	22 May 2018
SK18	00	Tree Plan	22 May 2018
SK19	00	Tree Plan	22 May 2018
<i>Drawings provided with Modification No.2 for pile removal and stormwater diversion;</i>			
<i>N/A</i>	<i>N/A</i>	<i>Obsolete Piles Plan</i>	<i>1 May 2019</i>
<i>CC-00041</i>	<i>B</i>	<i>Sydney Water Diversion Plan and Longitudinal Section prepared by Aurecon</i>	<i>25 April 2019</i>

- A6. The works approved under Stage 1 of this development consent involves demolition of the relevant structures ~~to the slab or the existing ground level only~~ ***including the existing slab and piles.***
- A7. ~~No works involving excavation, ground disturbance or changes to the existing ground level or grade are permitted under this development consent.~~

B13. The Applicant must not commence any works until the CEMP (along with the sub-plans) is approved by the Certifying Authority and a copy submitted to the Planning Secretary and Council. ***The Applicant must update the CEMP and all Sub-Plans have been reviewed and updated to be consistent with the 'Addendum to Construction Management Plan for Modification to SSD 9249' prepared by Aver Consulting dated May 2019. The updated CEMP is to be approved by the Certifying Authority and a copy submitted to the Planning Secretary and Council prior to the carrying out of demolition of the ground slab, removal of the existing piles or stormwater diversion works.***

APPENDIX 2 CONSOLIDATION MITIGATION AND MANAGEMENT MEASURES

S1-CG2 *The Construction Environmental Management Plan required by Condition B12 of Schedule 3 is to be updated to include the recommendations of the Detailed Site Investigation prepared by Douglas Partners dated May 2019 and the Interim Auditor's Advice prepared by Mr Jason Clay dated 17 May 2019 prior to the commencement of any works involving ground disturbance.*

S1-HER5 *Demolition works involving the ground slab and existing piles and any works relating to stormwater diversion must be undertaken in accordance with the Archaeological Mitigations and Recommendations outlined in the Addendum Archaeological Impact Statement prepared by Curio Projects dated May 2019.*

3.0 Substantially the same development

Section 4.55(2)(a) of the EP&A Act states that a consent authority may modify a development consent if *"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)"*.

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

- does not alter the approved Concept Proposal, including with respect to the approved building envelopes, building height, patron capacity, land use, urban design guidelines or transport and access arrangements;
- continues to provide for the demolition of the existing Sydney Football Stadium through a minor expansion of the scope of approved demolition and site establishment works, by allowing the existing demolition of the stadium structure to be completed through the removal of the ground slab and piles and required stormwater diversion associated with this;
- the expanded demolition works represent works ordinarily expected and required to be undertaken as part of the demolition of the existing stadium and are necessary to implement the demolition of the stadium in accordance with the approved Concept Proposal;
- does not alter the approved development's level of compliance with the applicable environmental planning instruments and policies;
- does not require remediation of the land to support the additional demolition works as the site is suitable for the proposed works in its current state, based on the findings of the Detailed Site Investigation (**Appendix D**) as outlined further in **Sections 4.2.1** and **4.3.1**;
- continues to provide for the appropriate protection and management of identified and potential heritage and archaeological resources located within and in the vicinity of the site;
- does not result in any additional environmental impacts beyond those considered and determined to be acceptable by granting Development Consent to the original scope of works, as discussed further in **Section 4.0** below;

- is consistent with the mitigation measures established in the Development Consent to protect the environment from potentially adverse effects of the development; and
- continues to provide for the orderly and economic development of the land through the inclusion of appropriate environmental management measures in the Construction Environmental Management Plan and associated Sub-Plans in order to avoid and manage potential impacts of the additional demolition works.

The consent authority may therefore be satisfied that the development consent as proposed to be modified will remain substantially the same as the original development consent, with the proposed demolition of the ground slab and existing piles representing only a minor addition to the scope of already approved demolition works. The proposed modification of Development Consent SSD 9249 may therefore be lawfully approved under section 4.55(1A) of the EP&A Act.

4.0 Environmental assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “*it is satisfied that the proposed modification is of minimal environmental impact*”. Section 4.55(3) of the EP&A Act requires a consent authority to take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application and the reasons given by the consent authority for the grant of the original consent. The EIS submitted with the original SSDA addressed the likely impacts of the development, including:

- Built form and urban design;
- Environmental amenity;
- Transport and accessibility;
- Noise and vibration;
- Construction management;
- Non-Indigenous Heritage;
- Aboriginal cultural heritage and archaeology;
- Ecologically sustainable development;
- Waste management;
- Social and economic impact;
- Flooding and stormwater management;
- Biodiversity;
- Environmental risks;
- Ground contamination;
- Groundwater;
- Airspace protection;
- Site suitability; and
- Public interest.

The proposed modifications to the approved development do not give rise to any material alteration to the assessment of the potential impacts that were considered and determined to be acceptable in the granting of Development Consent SSD 9249. Supplementary technical assessment has been undertaken for key environmental issues relevant to the demolition of the ground slab and piles and stormwater diversion, which are discussed in further detail below.

4.1 Consideration of reasons for granting of original development consent

Table 1 sets out how the proposed modification is consistent with the reasons given by the (then) Minister for Planning in granting Development Consent SSD 9249.

Table 1 Consideration of consistency of Modification Application with reasons for granting original consent

Reason for granting consent	Consistency of proposed modification
<ul style="list-style-type: none"> • 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; 	<p>The proposed modification does not alter the benefits provided by the approved Concept Proposal.</p>

Reason for granting consent	Consistency of proposed modification
<ul style="list-style-type: none"> 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 proposed modification does not alter the benefits provided by the approved Concept Proposal.
<ul style="list-style-type: none"> the project is permissible with development consent, and is consistent with NSW Government policies including the: <ul style="list-style-type: none"> NSW Stadia Strategy; A Metropolis of Three Cities - The Greater Sydney Plan; NSW Future Transport Strategy 2056; and Eastern City District Plan. 	The development as proposed to be modified continues to be permitted with development consent, and the modification would not alter the consistency of the project with the relevant strategic documents.
<ul style="list-style-type: none"> 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 proposed modification does not result in any additional adverse impacts on the community or the environment which cannot be appropriately managed and mitigated to an acceptable level as detailed further in Section 4.0 .
<ul style="list-style-type: none"> the issues raised by the community during consultation and in submissions have been considered and adequately addressed; and 	The proposed modification would ensure additional works continue to occur in accordance with the management plans required by the development consent and the mitigation measures identified in the consent for key environmental issues such as traffic management, noise, air quality and heritage.
<ul style="list-style-type: none"> weighing all relevant considerations, the project is in the public interest. 	The project continues to be in the public interest.

4.2 Compliance with statutory plans

Table 2 below outlines the proposed modified development's continued level of consistency with the relevant legislation and environmental planning instruments.

Table 2 Summary of consistency of modification with applicable legislation and planning instruments

Legislation/ Instrument	Comment
Legislation	
<i>Biodiversity Conservation Act 2017</i>	The proposed modification does not give rise to any further environmental impacts beyond those already addressed in the Biodiversity Development Assessment Report provided with the EIS.
<i>Sydney Cricket and Sports Ground Act 1978</i>	All works will continue to be contained within the designated land that is controlled by the Sydney Cricket and Sports Ground Trust under Schedule 2A of the Act.
<i>Centennial Park and Moore Park Trust Act 1983</i>	No works are proposed in Centennial Park, Moore Park or Queens Park and as such this instrument does not apply.
Environmental Planning Instruments	
SEPP (State and Regional Development)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP 55 – Remediation Draft SEPP 55	Refer to Section 4.2.1 .
SEPP (Infrastructure)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
Draft SEPP (Environment)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP 64 – Advertising and Signage	No signage is involved in this modification.

Legislation/ Instrument	Comment
SEPP (Vegetation in Non-Rural Areas)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SREP Sydney Harbour	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
Sydney Local Environmental Plan 2012	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.

4.2.1 State Environmental Planning Policy No. 55- Remediation of Land and Draft Remediation of Land SEPP

The consent authority may be satisfied that the requirements of SEPP 55 have been fulfilled because, as outlined further in **Section 4.3.1**;

- A Preliminary Site Contamination Investigation (Phase 1) was provided by the Applicant and considered during the assessment of the original SSDA, and the current Modification Application is accompanied by a Detailed Site Investigation (Phase 2) report which is provided at **Appendix D**, both of which have been prepared in accordance with the contaminated land planning guidelines; and
- The site is suitable for the approved development as proposed to be modified in its current state, and remediation of the land is not required.

The (then) NSW Department of Planning and Environment publicly exhibited an Explanation of Intended Effect for the Draft Remediation of Land SEPP and Draft Contaminated Land Planning Guidelines between 25 January 2018 and 13 April 2018. Accordingly, the Draft SEPP is a matter for consideration pursuant to section 4.15(1)(a)(ii) of the EP&A Act. The Explanation of Intended Effect makes clear that transitional provisions will be included such that the existing provisions of SEPP 55 would continue to apply to existing planning applications. Notwithstanding this, the Detailed Site Investigation (**Appendix D**) demonstrates that remediation is not required for the site to be suitable for the development as it is proposed to be modified.

4.3 Environmental Impacts

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

- Built form and urban design;
- Environmental amenity;
- Transport and accessibility;
- Noise and vibration;
- Construction management;
- Non-Indigenous heritage;
- Aboriginal cultural heritage and archaeology;
- Ecologically sustainable development;
- Waste management;
- Social and economic impact;
- Flooding and stormwater management;
- Biodiversity;
- Environmental risks;
- Ground contamination;
- Groundwater;
- Airspace protection;
- Site suitability; and
- Public interest.

The proposed modifications to the approved development do not give rise to any material alteration to the assessment of the potential impacts that were considered and determined to be acceptable in the granting of Development Consent SSD 9249. Supplementary technical assessment has been undertaken for key environmental issues relevant to the demolition of the ground slab and piles, which are discussed in further detail below. The consensus of these reports has been that, considering the nature of the works, the conclusions of the original assessment remain generally valid with all existing mitigation measures provided for in Development Consent SSD 9249 retained.

4.3.1 Ground contamination

The EIS was accompanied by a Preliminary Site Contamination Investigation (Phase 1) prepared by Douglas Partners which considered the potential for contamination of the site arising from previous and current uses of the site based primarily upon existing desktop information. The Phase 1 assessment recommended that a Detailed Site Investigation (Phase 2) report be prepared to fully characterise the contamination status of the site prior to any planning approval permitting the commencement of works likely to expose or disturb soils.

Removal of the ground slab and piles from the existing stadium and the proposed stormwater diversion will result in disturbance of existing soils on the site. Accordingly, a Phase 2 Detailed Site Investigation Report has now been prepared by Douglas Partners and is provided at **Appendix D**. The report draws upon the findings of the Phase 1 assessment, and supplements these through detailed field investigations which included over 70 boreholes within the site and the installation of temporary groundwater monitoring wells positioned in accordance with a Sampling and Analysis Quality Plan.

Soil and groundwater samples were collected and analysed for a range of potential contaminants against the assessment levels set out in the '*National Environment Protection (Assessment of Site Contamination) Measure, Schedule B1 – Guideline on Investigation Levels for Soil and Groundwater*'. All contaminant concentrations in the soil samples were within the adopted comparative criteria for both health-based and ecological-based receptors. Groundwater samples indicated elevated levels of copper and zinc above the investigation levels, which is typical of background concentrations within the Sydney Basin and insignificant for the proposed development. Disposal of groundwater is not required to facilitate the proposed demolition of the ground slab and piles, and accordingly treatment is not required.

The Phase 2 report concludes that the site is considered suitable without the need for any remediation, provided that unexpected finds are managed appropriately during the demolition phase. An Unexpected Contamination Procedure has already been prepared in accordance with the requirements of Condition B7 of Schedule 3 of the Development Consent 9249 and forms part of the Construction Environmental Management Plan that is already in place and which will apply to the modified scope of demolition works. The procedure includes a requirement that any material identified as contaminated is disposed of off-site, with the disposal location and results of testing submitted to the Planning Secretary prior to the removal of that material from the site.

Removal of the ground slab and piles will not result in any disturbance to the existing underground petroleum storage tanks (USTs) located near the eastern boundary of the site, which will continue to be managed in accordance with the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*.

The Phase 2 report has been reviewed by an EPA-accredited Site Auditor, who has advised that the findings and recommendations of the Detailed Site Investigation Report are appropriate and that the Phase 2 report sufficiently characterises the potential contamination status of the site in accordance with the relevant guidelines and legislative requirements and confirms that a remedial action plan is not required (**Appendix E**). The auditor's recommendations will be incorporated in the CEMP prior to the commencement of any works involving ground disturbance as set out in the proposed mitigation measure at Section 2.2.

In light of the above, it is considered that the proposed development would not result in any adverse environmental impacts on the environment or human health as the site is suitable for the proposed development in its existing state and appropriate conditions and mitigation measures are already embedded in Development Consent SSD 9249 to manage any unexpected contamination issues.

4.3.2 Archaeology and heritage

An Addendum Archaeological Impact Statement has been prepared by Curio Projects (**Appendix F**) which considers the potential heritage impacts arising from the demolition of the ground slab and piles and stormwater diversion.

Aboriginal cultural heritage and archaeology

Prior to 1788, the site would have been a rich resource zone for fishing and hunting as well as potentially appropriate ground for short-term campsites of the Gadigal people. The Addendum Archaeological Statement finds that parts of the site have low to moderate potential for the presence of Aboriginal archaeological deposits to be present across the site within deeper natural sands that exist beneath the layers of historical fill. This conclusion is also informed by the discovery of Aboriginal archaeological deposits during previous investigations within the broader locality but outside of the site boundary. As a result, the site has been registered as a Potential Archaeological Deposit (PAD) on the AHIMS database (No.45-6-3645).

The Proponent has undertaken consultation with the Aboriginal community in accordance with the 'Aboriginal cultural heritage consultation requirements for proponents' guidelines (OEH 2010). This process is detailed in full within the Aboriginal Cultural Heritage Assessment Report (ACHAR), a copy of which is provided for information purposes at **Appendix I**. The ACHAR contains findings that are relevant to the proposed additional demolition works and stormwater diversion works, as well as findings that are not relevant to this modification but instead relate to the construction of the future stadium that will be subject to the Stage 2 Development Application. The ACHAR provides further detail of the process of consultation with Registered Aboriginal Parties that has informed the understanding of the potential archaeological resources within the site and cultural significance.

Based upon the information obtained through historical investigation and stakeholder consultation, Curio Projects have determined that the areas of archaeological potential within the site are those that contain natural sand deposits. **Figure 3** illustrates the locations where excavation to remove existing piles or the existing ground slab, or resultant works required to divert stormwater infrastructure, have the potential to encounter and impact upon natural sand deposits that have the most potential to include archaeological deposits.

In order to mitigate potential impacts on Aboriginal archaeology, Curio Projects recommend a strategy of targeted archaeological monitoring in zones where works have the potential to impact on natural sand deposits. This monitoring would be undertaken under the supervision of an archaeologist accompanied by representatives from the identified Registered Aboriginal Parties (RAPs) for the project. Where natural sands are encountered, test excavation would be commenced where necessary and additional measures would be put in place to allow for the works to be carried out in that location to minimise the impact to the surrounding ground. The proposed management and mitigation approach will ensure that the additional demolition and stormwater diversion works do not result in any adverse impacts upon the Aboriginal heritage values of the site. A new Mitigation Measure is proposed in **Section 2.2** to include a commitment to the management approach outlined by Curio Projects.



Figure 3 Locations where pile/slab removal or stormwater diversion may impact on natural sand deposits

Source: Curio Projects

Non-Aboriginal heritage

As outlined in the EIS, the primary known archaeological resource within the site is Busby's Bore, which is known to traverse the northern portion of the site in the vicinity of Moore Park Road. Busby's Bore is a State Heritage Item (SHR No. 00568) includes the bore itself along with access shafts, two of which are located within the site adjacent to the original stadium. Further archaeological investigation of the Bore has been undertaken following the commencement of Stage 1 works, including the clearing of debris from part of Shaft 10 to a depth of 11.8m below surface level (beyond which the influx of water made further investigations unsafe). This indicates that the bore, which was not encountered, is at least 11.8m below the existing surface level at this point.

The site has been extensively modified over time, including through the construction of Allianz Stadium and ancillary buildings which are currently being demolished, and as a result the majority of the subject site has low or no archaeological potential. Curio Projects have adopted a zonal approach to define the archaeological potential in different areas of the site, which has informed different approaches for locations which have limited potential for archaeology to be present and locations where there is some potential or known features such as Busby's Bore. As outlined in **Figure 4**, in areas with low or no potential for archaeology an Unexpected Finds approach is proposed, whereas works occurring within areas of potential or known archaeology will require supervision from an archaeologist according to accepted Australian historical archaeological best practice guidelines. These management approaches will ensure that the additional demolition and stormwater diversion works do not result in any adverse impacts upon potential or known archaeology within the site. A new Mitigation Measure is proposed in **Section 2.2** to include a commitment to the management approach outlined by Curio Projects.



Figure 4 Non-indigenous archaeological management protocol

Source: Curio Projects

4.3.3 Demolition management

An Addendum Construction (Demolition) Management Plan (the Addendum Report) has been prepared by Aver Consulting (**Appendix C**) which outlines the recommendations and environmental management measures to be implemented during the demolition of the ground slab, pile removal and stormwater diversion works beyond those already identified in the Construction (Demolition) Management Plan dated June 2018 which accompanied SSD 9249. The Addendum Report outlines construction management measures in relation to heritage, noise, vibration, contamination, traffic, air quality, existing services infrastructure and waste management.

No changes are proposed to the approved hours of work or construction traffic and parking arrangements.

As outlined in Section 2.2, it is proposed that the Construction Environmental Management Plan (CEMP) and the Sub-Plans required by Condition B13(e)-(l) of Schedule 3 of SSD 9249 would be reviewed and updated as required to reflect the amended scope of works and the recommendations of **Appendix C**. The amended documentation would be required to be approved by the Certifying Authority and copies of the amended documentation provided to the Department and Council prior to the commencement of these works to ensure that suitable management practices are in place.

4.3.4 Water management

The stormwater diversion identified in **Section 2.1** and **Appendix B** involves the diversion of existing stormwater lines which traverse the site from Moore Park Road to Driver Avenue around the area of the former stadium where pile removal is proposed. The diversion is internal only, and stormwater will continue to utilise existing ingress and discharge points for stormwater at the site boundaries.

Water quality within the site will continue to be managed in accordance with the Construction Soil and Water Management Plan (CSWMSP) which has been prepared in accordance with the requirements of Condition B16 of Schedule 3 of the Stage 1 Development Consent. The CSWMSP would be reviewed and updated in accordance

with the proposed condition in **Section 2.2** in order to ensure that management practices reflect and are appropriate for changes to the site conditions during the further demolition and stormwater diversion works.

4.3.5 Noise and vibration

A supplementary Acoustic Statement has been prepared by Arup (**Appendix G**) which considers the potential noise and vibration impacts arising from the demolition of the ground slab and piles, having regard to the detailed Noise and Vibration Impact Assessment prepared by Arup which accompanied the EIS for the original SSDA. This component of demolition will be undertaken using excavators fitted with hammers and pulverisers, being machinery which has already been assessed and determined to be acceptable from a noise and vibration perspective for use in the demolition of the existing stadium structure. Accordingly, the noise and vibration impacts arising from the proposed modification would be consistent with the impacts previously assessed and mitigated in the issuing of Development Consent SSD 9249.

A Construction Noise and Vibration Management Sub-Plan (CNVSMP) has already been prepared as a component of the Construction Environmental Management Plan and has been approved by the Certifier with a copy submitted to the Planning Secretary pursuant to the conditions of development consent. The procedures outlined in the CNVSMP remain relevant to the additional scope of demolition works proposed, and would continue to have effect in order to minimise and mitigate potential noise and vibration impacts associated with the development. The supplementary Acoustic Statement confirms that no further mitigation measures are required beyond those already provided for in Development Consent SSD 9249.

4.3.6 Transport and accessibility

A supplementary Transport Impact Statement has been prepared by Arup (**Appendix H**) which considers the potential impact of the additional demolition works proposed in this Modification Application, having regard to the Transport Impact Statement and Construction, Traffic and Pedestrian Management Plan which accompanied the EIS for the original SSDA.

The supplementary Transport Impact Statement confirms that the proposed modification would not result in any increase in the daily number of vehicle movements to and from the site beyond those which have been previously assessed and determined to be acceptable. Accordingly, the proposed modification will not result in any additional impacts on the local traffic and active transport networks.

Vehicles accessing and exiting the site for the purpose of supporting the additional demolition works will continue to be regulated by the Construction Traffic and Pedestrian Management Plan (CTPMP) which has been prepared in accordance with the requirements of Condition B19 of Schedule 3 of Development Consent SSD 9249 in consultation with the Sydney Coordination Office, the City of Sydney Council, the Transport Management Centre and Sydney Light Rail team within Transport for NSW. As required by the existing conditions of development consent, the CTPMP has been endorsed by the Coordinator General, Transport Coordination within Transport for NSW and been submitted to the Planning Secretary.

As the proposed modification will not result in any increase in the maximum number of vehicles accessing and exiting the site, and that the additional demolition traffic will continue to comply with the CTPMP that applies to the existing approved demolition works, the proposed modification would not result in any additional impacts on the local traffic and transport environment.

4.4 Suitability of the site

The site remains suitable for the approved development as proposed to be modified for the reasons outlined in the EIS lodged with the original SSDA.

4.5 The public interest

The proposed modifications to the approved development are in the public interest as the proposed changes will:

- create efficiencies in the demolition 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 through increased amenity at sporting and entertainment events and reducing disruption to the local area associated with the demolition and construction phases of the project;
- not result in any changes to the approved stadium concept and associated public benefits addressed under the Concept Proposal;
- not result in any unacceptable environmental impacts and ensure that the additional demolition works are appropriately managed through the Construction Environmental Management Plan framework including through the relevant Sub-Plans to avoid and mitigate potential environmental impacts; and
- continue to create new jobs during the demolition phase.

5.0 Conclusion

The proposed modifications seek to include the demolition of the existing ground slab and piles from the former Sydney Football Stadium as part of the demolition works already approved under Development Consent SSD 9249 in order to allow for the efficient and orderly demolition of the stadium to facilitate its redevelopment.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- the consent, as proposed to be modified, is substantially the same development as that originally approved;
- the modification will result in minimal environmental impact and will provide for the orderly and economic demolition of the existing structures to facilitate the redevelopment process in accordance with the approved Concept Proposal;
- the proposed modifications do not alter the level of compliance with the Concept Proposal and key statutory plans and controls; and
- the proposed modification is in the public interest.

In light of the above, we therefore recommend that the proposed modification is approved. We trust that this information is sufficient to enable a prompt assessment of the proposed modification.

Yours sincerely,



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