

Development Consent

Section 4.16 of the *Environmental Planning and Assessment Act 1979*

I, the Executive Director, Asset Management and Environmental Services of the Sydney Olympic Park Authority (SOPA), pursuant to sections 4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in **Schedule 1**, subject to the conditions in **Schedule 2**.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts and to capture fire and life safety as well as health and amenity requirements.



John Ferguson

Executive Director, Asset Management and Environmental Services
Sydney Olympic Park Authority

Date: 23 June 2023

SCHEDULE 1

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| Development Application: | DA 02-05-2023 |
| Application made by: | VenuesLive Management Services (as agent for Venues NSW) |
| To: | Sydney Olympic Park Authority |
| In respect of: | Lot 4001 DP 1004512 and Lot 11 DP 1125680 |
| For the following: | Installation of temporary infrastructure overlay within Stadium Australia Red Zone and Additional Area in support of event and non-event day activity conducted or undertaken at the Stadium. |
| Determination: | Consent granted subject to the conditions in the attached (Schedule 2) |
| Date of commencement of consent | This development consent commences on the date identified on this consent |
| Advisory Notes | <p>The Applicant is solely responsible for any additional consents and agreements that are required from other authorities.</p> <p>The Applicant has the right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the Environmental Planning and Assessment Regulations 2000 (as amended).</p> |

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 02-05-2023

PART A – APPROVED DEVELOPMENT

A1 Development Description

Development Consent is granted only to carrying out of the development as described, and at the premises referred to in **Schedule 1** above.

The conditions of this consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979* and any other Act.

A2 Development in Accordance with Plans

All development must be undertaken within the area identified as 'Accor Stadium Red Zone' and 'Accor Stadium Additional Area' (site area) within the plan outlined below:

| Plans prepared by Sydney Olympic Park Authority | | | |
|--|-------------------|----------|------------|
| Name of Plan | Drawing Reference | Revision | Date |
| QUDOS BANK ARENA and ACCOR STADIUM RED ZONE AREAS | 001-P-P-4207 | H | 24/05/2023 |

Any development undertaken within the area identified as 'Accor Stadium Additional Area' must have written approval from the Sydney Olympic Park Authority Precinct Operations Unit prior to each and every event.

Any type of development within the site area may only occur for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months.

All development must be undertaken in accordance with the development outlines within the Statement of Environmental Effects prepared by VenuesLive Management Services dated 11 May 2023.

These conditions of consent do not relieve the proponent of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

Except for:

- Any modifications as may be necessary for the purpose of compliance with the current National Construction Code/Building Code of Australia (NCC/BCA) and any of the adopted Australian Standards under the provisions of the NCC/BCA;
- Sydney Olympic Park Authority's current policies, guidelines and manuals;
- Otherwise as marked in red on the approved plan and/or provided by the Conditions of this Approval;
- Otherwise as necessary to comply with other NSW and Commonwealth legislation;

- Otherwise agreed to, or accepted by SOPA's Director, Environment and Planning.

A3 Inconsistency Between Documents

In the event of any inconsistency between Conditions of this Approval and the details referred to Condition No. A2, the Conditions of this consent prevail.

A4 Lapsing of Consent

This consent will lapse five (5) years from the date of this consent.

A5 Liquor licensing

The Applicant, or any party acting upon this Condition of Consent, is required to obtain any relevant liquor licensing from the NSW Independent Liquor & Gaming Authority and adhere to conditions in any liquor license issued.

A6 Contractors

The Applicant, if entering into any 3rd party contract, shall outline specific responsibilities and legal requirements where relevant to Sydney Olympic Park Authority Precinct Operations Unit.

A7 Incident reporting

All incidents are to be reported to the Sydney Olympic Park Operations Centre (SOPOC) on telephone 9714 7700.

A8 Contact telephone number

The Applicant, or any party acting upon this Condition of Consent, shall ensure that a 24-hour contact telephone number is provided to Sydney Olympic Park Authority Precinct Operations Unit and that the telephone is continually attended by a person with authority over the works for the duration of the development.

A9 Licence agreement

The Applicant, or any party acting upon these Conditions of Consent, are required to obtain any relevant Licence Agreement with the Sydney Olympic Park Authority (SOPA) for the event from the (SOPA) Commercial Unit.

PART B – PRIOR TO CONSTRUCTION

B1 Operational Approval from Sydney Olympic Park Authority

The Applicant, or any party acting upon these Conditions of Consent, must have the written operational approval from the Sydney Olympic Park Authority Precinct Operations Unit prior to each and every event for the overlay development that will be carried out in the Red Zone and Additional Area. This includes any SOPA Works Permits that may be required.

The Applicant, or any party acting upon these Conditions of Consent, must submit to Sydney Olympic Park Authority Precinct Operations Unit a final event overlay CADD plan that is in accordance with the Plan submitted pursuant to Condition A2 for each and every events at least five (5) working days prior to the event taking place. The Applicant must include, but not limited to, all dimensions and size of compound areas and include support details such as bump in and bump out schedule, hours of operation for constructing temporary structures, hours of operation for activities on non-event days, pedestrian movement flows, dilapidation reports, event emergency plan and evacuation procedures, utilities required, vehicular movements, and showcasing set ups.

Note: Significant variations from the Plan submitted pursuant to Condition A2 may require a Section 4.55 Modification under the *Environmental Planning and Assessment Act 1979*.

B2 Design and set out is to include fire and life safety requirements

The following fire and life safety design specifications (or at the discretion of the Sydney Olympic Park Authority Building Compliance Unit achieving compliance with this condition using alternative performance solutions to accommodate certain uses) must be incorporated into the final event overlays for all events and must include the requirements as described in the document *Safety Guidelines for Organisers of Events being held within Sydney Olympic Park* (Third Edition, August 2020, Sydney Olympic Park Authority), or any future amendments to this publication including but not limited to:

- a) All nominated required alternative emergency exits within any external fenced compounded area are to be a minimum of 9 metres apart and a maximum of 60 metres apart for a Class 9b assembly building/area in accordance with current NCC *Building Code of Australia, D2D6, Distance between Alternative Exits*. These Alternative Exits are to be as evenly distributed around the Compounded Areas as possible. This includes distances from temporary emergency exits leading from a fenced compound and any existing emergency exits leading from the Stadium.
- b) Exit provisions from the northern and southern ends of the Stadium are not to be compromised by the proposed alterations created through the placement of temporary bar compounds or the like,
- c) The *Event Emergency Management Plan* is to address the evacuation of the temporary bar or compounded areas in the event of an emergency,
- d) Each tent or marquee is to be positioned to ensure that a minimum 6m fire separation is provided between itself and the external façade of the stadium,
- e) A path of at least 6m width, positioned within 18m of the external façade of the stadium is to be maintained for access of emergency services vehicles – this may require break open gates.

- f) All newly created pedestrian areas are to be constructed in accordance with AS/NZS 3661.2-1994 *Slip resistance of pedestrian surfaces- Guide to reduction of slip hazards* and AS 4586-2013, *Slip resistance classification of new pedestrian surface materials*.
- g) Emergency exits are required at a rate of 1 metre exit width for every 100 patrons or part thereof. This must be provided within any external fenced compound during an event. Exits are to be as evenly distributed as possible around any compound type structures or set ups.
- h) All Emergency Exits (both Temporary or Permanent) are to be provided with accompanying compliant Exit Signage.
- i) Major Events must have current Public Liability Insurance in place to the value of minimum \$20,000,000. This includes the use of any Amusement Devices.
- j) Any Amusement Devices used during an event must have current SafeWork NSW Registration or another State or Territory equivalent as required in the *Work, Health & Safety Act 2011*, and the *Work Health and Safety Regulation 2017*. This is required under Section 68, Part F (5) of the *Local Government Act 1993* to operate an Amusement Device. Any Amusement Device use must be carried out in a safe and compliant manner in accordance with Manufacturer's requirements.
- k) Pedestrian Paths of Travel must be provided and maintained with adequate widths to safely accommodate attending Patrons movements navigating in and around the Stadium Red Zone and Additional Areas. This may need additional Pedestrian Flow Path Modelling at the discretion of the Sydney Olympic Park Authority by an appropriate qualified person or party to accommodate high Patron attendance events.
- l) All Fire & Life Safety measures of the Stadium must always be maintained as is required by the existing Fire Engineering Design for the Stadium.
- m) No structures must be within 25 metres of external wall of the Stadium, unless otherwise approved by Sydney Olympic Park Authority Precinct Operations Unit and Building Compliance Unit.

B3 Accessibility and Inclusion

All temporary structures construction plans must include the requirements for persons with a disability. These requirements are set out in AS 1428.1:2021 *Design for access and mobility* and *Access & Inclusion Requirements (First Edition, 2021, Sydney Olympic Park Authority)* or any future amendments to this publication.

B4 Use of Electricity

To utilise electricity for any event, the Applicant or any party acting upon these Conditions of Consent, must:

- obtain prior approval from the Sydney Olympic Park Authority Precinct Operations Unit.
- comply with:
 - the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2017*.
 - AS/NZS 3000:2018 *Electrical Installations (Australian Wiring Rules)*
 - AS/NZS 3002:2021 *Electrical Installation – Show, carnivals and events*
 - Local supply authority service and installation rules.
 - WorkCover Code of Practice

- ensure all electrical leads are checked, tagged and dated in accordance with WorkCover requirements.
- ensure cable trays are used for any electrical cables in the Precinct.

PART C – DURING CONSTRUCTION AND DISMANTLING

C1 In accordance with NCC/Building Code of Australia and Associated Standards

- a) All building works (including all temporary structures) is required to be constructed and erected in accordance with the provisions of the current *NCC/Building Code of Australia (BCA) and ACBC Publication Temporary Structures Standards (ABCB, 2015)*. This includes all temporary structures that are to be used during an event.
- b) A qualified Structural Engineer is to provide Structural Design and post build Certification on the Structural Stability/Adequacy of associated temporary structures as contained in these publications. This includes all anticipated Loadings, Anchorage and Bracing requirements.
- c) Major Events that use Temporary Structures that are greater than 300 square metres must be provided with Emergency Lighting and Exit Signs. An appropriately qualified Building Certifier/Regulation Consultant or similar Competent Person must be engaged/appointed to carry out an inspection of such structures to ensure that they have been installed and erected in accordance with the Fire & Life Safety provisions of the current NCC/BCA and are fit for occupation under the NSW State Building Laws.
- d) The final building designs are to accommodate health and amenity requirements as set out in the current NCC/Building Code of Australia (BCA) and the *ABCB Publication Temporary Structure Standards (ABCB, 2015)*.

Note: Sufficient information must be forwarded to the Certifying Authority or similar Competent Person demonstrating compliance with the relevant Performance Requirements of the current *NCC/Building Code of Australia (BCA)*, *ABCB Standard – Temporary Structures Standard – 2015* & relevant Australian Standards, also the SOPA publication, *Safety Guidelines of Organisers of Events being held within Sydney Olympic Park* (Third Edition, August 2020, Sydney Olympic Park Authority) or any future amendments to this publication. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person.

Please contact your relevant Certifying Authority or similar Competent Person to discuss requirements prior to submission of the application for a **Certificate of Completion** for the Temporary Structure Building Works. The Certificate of Completion is to specify the Works are fit for occupation under the provisions of the NSW State Building Laws. The requirement for a Certificate of Completion will be assessed on a case-by-case basis as deemed by the SOPA Building Compliance Unit depending on bulk & scale and complexity of the Temporary Structures used during a particular event. Structural Certification will be required on all Temporary Structures by a Practising Structural Engineer.

C2 Work Health and Safety Act 2011

All works are to be carried out in accordance with the *Work Health and Safety Act 2011* & the *Work Health and Safety Regulation 2017*.

All works are to be carried out in accordance with the relevant Site Safety Management Plan, Build Risk Assessment Plan and the Site Security Management Plan for each event.

C3 In accordance with Sydney Olympic Park Safety Guidelines

All event bump in and bump out are to be carried out in accordance with the document *Safety Guidelines for Organisers of Events being held within Sydney Olympic Park* (Third Edition, August 2020, Sydney Olympic Park Authority) or any future amendments to this publication.

C4 Construction of the temporary structures

All work areas are to be delineated from the general public during installation and dismantling. A representative from Sydney Olympic Park Authority must be in attendance during installation and dismantling of activities at the cost of the Applicant.

During installation and dismantling of all activities a decision-making representative (e.g. an event operations team member) of the applicant is to be within the Red Zone actively managing the activities.

C5 Dismantling of temporary structures

Dismantling of temporary structures is to occur as soon as practicable upon completion of the event.

C6 No Obstruction of Public Domain

The public domain must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a relevant SOPA Works Permit. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop all work on the site.

PART D – DURING OPERATION

D1 In accordance with Sydney Olympic Park Safety Guidelines

All events are to be operated in accordance with the document, *Safety Guidelines for Organisers of Events being held within Sydney Olympic Park* (Third Edition, August 2020, Sydney Olympic Park Authority) or any future amendments to this publication.

D2 Events Management

During operation of all activities a decision-making representative (e.g. an event operations team member) of the applicant is to be within the Red Zone and Additional Area actively managing the activities.

D3 Fire Safety Measures

All Fire Safety Measures serving the existing Stadium are to be certified to the relevant Local Consent Authority (Parramatta City Council) as being maintained in accordance with the requirements of the relevant NCC/Building Code of Australia, adopted Australian Standards, *Environmental Planning and Assessment Act 1979* and Regulations on a yearly basis within 12 months after the date on which the initial Fire Safety Certificate was issued.

D4 Must follow directions from Sydney Olympic Park Authority Staff

The Applicant, or any party acting upon this Condition of Consent, is to comply with any direction or order issued from Sydney Olympic Park Authority staff in regard to operational management of temporary structures, including but not limited to, the safe usage of temporary structures, maintenance of accessibility and pedestrian circulation zones.

D5 Waste Management

No waste is to be stored on the footpaths or pedestrian circulation areas of Sydney Olympic Park. All waste is to be stored and disposed appropriately from within the confines of each temporary structure compound.

A waste management plan may be required for each event as the discretion of the Sydney Olympic Park Authority Operations Unit.

D6 Security

Appropriate security will need to be put in place to control the entry of patrons into and out of the bar areas, as well as any necessary queuing requirements, at the cost of the Applicant. Suitable lighting is also to be installed at the entry points.

D7 Noise management

If the Applicant, or any party acting upon this Condition of Consent, intends on using a public address system (or similar) for the purpose of playing live music, an appropriate Noise Management Plan is to be prepared and submitted to Sydney Olympic Park Authority Precinct Operations Unit.

D8 Damages to Sydney Olympic Park Authority assets

The cost of repairing any damage caused to the Authority's assets in the vicinity of the subject site as a result of construction or operation of works associated with the development is to be met in full by the Applicant.

D9 Site Presentation

If the Applicant, or any party acting upon this Condition of Consent, is to ensure that the site shall be left clean and tidy and the contractor shall maintain the site in an orderly manner.

D10 No Obstruction of Public Domain

The public domain, outside of an approved temporary structure area, must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless in accordance with a current Works Permit. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop all work on the site.

D11 Use of Drones

The use of drones is prohibited under this consent.

END OF CONSENT