

20

15 October 2014

Mr Tim Brady
Senior Manager, Venue Operations
ANZ Stadium
Level 3 Edwin Flack Avenue
Sydney Olympic Park, NSW, 2127.

NOTICE OF DETERMINATION

DA 11-10-2014 – Lot 4000 DP 1004512 (ANZ Stadium), Sydney Olympic Park

Dear Mr Brady,

I refer to the abovementioned development application (DA) and I am writing to inform you that the application has been granted consent, subject to conditions (refer to the attached consent).

In addition, prior to works commencing, you may need to obtain a Works Permit from Sydney Olympic Park Authority for any works (e.g. storing materials, footpath occupancy etc.) in the public domain. All plans and information that form part of your detailed works must comply with the conditions of consent.

It is the responsibility of the applicant to carefully read all conditions of consent prior to preparing detailed plans and commencement of construction works.

Please note the development consent operates from the date of this notification. Should you have any enquiries regarding the above matter, please contact Planner, Dat Tran on (02) 9714 7139.

Yours faithfully,



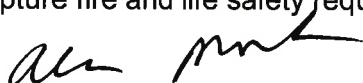
Alan Marsh
**Chief executive Officer,
Sydney Olympic Park Authority**

Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Chief Executive Officer of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) 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 requirements.



Alan Marsh
Chief Executive Officer
Sydney Olympic Park Authority

28/10/14

Date:

Ref: DA 11-10-2014
(File No. F14/958)

Schedule 1

Development Application:	DA 11-10-2014
Application made by:	Tim Brady, Stadium Australia Pty Ltd
To:	Sydney Olympic Park Authority
In respect of:	Lot 4000 DP 1004512
For the following:	Event infrastructure overlays, Red Zone, ANZ Stadium, Edwin Flack Avenue, Sydney Olympic Park.
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 in the formal notification letter accompanying the Notice of Determination
Advisory Notes	<p>The Applicant is solely responsible for obtaining all additional consents, approvals and agreements from any other public authorities as relevant</p> <p>The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the Environmental Planning and Assessment Act 1979, and the Environmental Planning and Assessment Regulations 2000 (as amended)</p>

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION NO. 11-10-2014
(FILE NO. 14/958)

Part A – Administrative conditions

A1 Development description

Development approval is granted only to carrying out the development described below:

1. Erection, operation and dismantling of temporary structures and the like within the **ANZ Stadium Red Zone**, Sydney Olympic Park, during events hosted by ANZ Stadium.



Red Zone Site Envelope

A2 Development in accordance with plans

The development shall be generally in accordance with the development application number DA 11-10-2014 received by the Authority on 13 October 2014, and in accordance with the supporting documentation submitted with that application, including, but not limited to, the following:

Plans prepared by Sydney Olympic Park Authority and Stadium Australia			
Drawing Ref	Revision	Name of Plan	Date
Australian Football League			
001-N-G-1389	B	Swans V North Melbourne	19/09/2014
Australian Rugby Union			
001-N-G-1376	A	Rugby Union – Bledisloe Cup	16/09/2014
001-N-G-1359	A	Waratahs V Brumbies	28/06/2014

Plans prepared by Sydney Olympic Park Authority and Stadium Australia			
Drawing Ref	Revision	Name of Plan	Date
001-N-G-1371	C	Waratahs V Crusaders	02/08/2014
001-N-G-0747	A	ARU West	14/04/2010
Concerts			
001-N-G-1317	A	Eminem Rapture	22/02/2014
NSW Cricket Association			
001-N-G-1312	B	T20, Australia V England	02/02/2014
001-N-G-1311	A	Sydney Thunder V Sydney Sixers	20/01/2014
Football Federation Australia			
001-N-G-1372	D	Juventus V A-League All Stars	10/08/2014
001-N-G-1231	B	FIFA Qualifier Socceroos V Iraq	18/06/2014
SAU-1.03	A	AFC Asian Cup 2015	22/08/2014
SAU-1.01	A	AFC Asian Cup 2015	22/08/2014
National Rugby League			
001-N-G-1394	B	NRL Grand Final South V Bulldogs	05/10/2014
001-N-G-1354	C	NRL State of Origin 2	18/06/2014
001-N-G-1368	A	Tiger V Dragons	27/07/2014
001-N-G-1346	A	Rabbitohs V Storm	16/05/2014
001-N-G-1334	A	Eels V West Tigers	21/04/2014
001-N-G-1343	A	Dragons V Bulldogs	11/05/2014
001-N-G-1381	A	Bulldogs V Rabbitohs	28/08/2014
001-N-G-1391	D	South V Roosters	26/09/2014
Bar overlays			
Nil	N/A	Northern Extension Bar	2014
Nil	N/A	Southern Extension Bar	2014
Nil	N/A	Western Side Food & Beverage Locations	2014
Bar 04	N/A	South Bar	22/08/2009
Bar 05	N/A	U2 Retail Mall Configuration	13/11/2009
Red Zone Envelope Plan			

Plans prepared by Sydney Olympic Park Authority and Stadium Australia			
Drawing Ref	Revision	Name of Plan	Date
Statement of Environmental Effects prepared by Stadium Australia dated 3rd October 2014			

Except for:

1. Any modifications as may be necessary for the purpose of compliance with the Building Code of Australia (BCA) and any Australian Standard adopted by in the BCA,
2. Otherwise provided by the conditions of this consent,
3. Otherwise as necessary to comply with other NSW and/or Commonwealth legislation,
4. Otherwise agreed to by Sydney Olympic Park Operations Unit.

Note: Indicative plans may be used for all types of events regardless of the plan to which its name refers to. For example an AFL plan may be used for cricket event (or similar).

A3 Inconsistency between documents

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

A4 Lapsing of consent

The development consent shall lapse 31st October 2019.

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 the 24 hour contact telephone number is provided to Sydney Olympic Park Authority Precinct Operations Unit and 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 – Before 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. 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 Operations Unit a final event overlay CADD plan that is in general accordance with Indicative Plans for each and every event at least seven (7) days prior to the event taking place. The applicant must appropriately reference the indicative plan on which the final overlay design derives from and include all dimensions and size of compound areas and include support details such as bump in and bump out schedule, utilities required and showcasing set ups.

Note: Significant variations from an indicative plan may require a Section 96 Modification.

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

The following fire and life safety design specifications must be incorporated into the final event overlay for all events and must include the requirements as described in the document published by SOPA “*Safety Guidelines for Organisers of Events being held within Sydney Olympic Park*”, including but not limited to:

1. All nominated required alternative emergency exits within any external fenced compounds area are to be a minimum of 9 metres apart and a maximum of 60 metres apart for a Class 9b assembly building in accordance with current Building Code of Australia, D1.5, Distance between Alternative Exits. This includes distances from temporary emergency exits leading from a fenced compound and any existing emergency exits leading from the Stadium.
2. 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 the bar compounds,
3. The *Event Emergency Management Plan* is to address the evacuation of the temporary bar areas in the event of an emergency,
4. Each marquee is to be positioned to ensure that a minimum 6m fire separation is provided between itself and the external façade of the stadium,
5. 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.
6. Emergency exits are required at a rate of 1 metre exit width for every 100 patrons 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.

B3 Accessibility

All temporary structures construction plans must include the requirements for persons with a disability. These requirements are set out in AS 1428.1 and SOPA's Access Guidelines (Temporary Overlay for Events) 2011.

Part C – During construction and dismantling

C1 In accordance with Building Code of Australia

All building work (including all temporary structures) is required to be constructed and erected in accordance with the provisions of the current *Building Code of Australia*, (BCA). This includes all temporary structures that are to be used during an Event. A Structural

Engineer is to provide Certification on the Structural Stability and Adequacy of these structures as contained in this publication.

Major Events that use Temporary Structures that are greater than 300 square metres must be provided with Emergency Exit Lighting. An appropriately qualified Building Regulation consultant must be engaged 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 Building Code of Australia (BCA).

C2 In accordance with WH&S Act

All works to be in accordance with the NSW, Work Health and Safety Act -2011 and the Regulation 2011.

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 published by SOPA, "***Safety Guidelines for Organisers of Events being held within Sydney Olympic Park***".

C4 – Dismantling of temporary structures

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

C5 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*".

D2 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.

D3 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.

D4 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. Suitable lighting is also be installed at the entry points.

D5 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.

D6 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.

D7 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.

D8 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.

D9 Prescribed Conditions as required

Division 8A Prescribed conditions of development consent

98 Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989

(1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

(a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,

(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

(1A) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.

(2) This clause does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or

(b) to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.

(3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

(a) development consent, in the case of a temporary structure that is an entertainment venue, or

(b) construction certificate, in every other case.

Note. There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

98A Erection of signs

(1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.

(2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

(a) showing the name, address and telephone number of the principal certifying authority for the work, and

(b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and

(c) stating that unauthorised entry to the work site is prohibited.

(3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

(5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

(6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

98B Notification of Home Building Act 1989 requirements

(1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the Home Building Act 1989.

(2) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

(a) in the case of work for which a principal contractor is required to be appointed:

(i) the name and licence number of the principal contractor, and

(ii) the name of the insurer by which the work is insured under Part 6 of that Act,

(b) in the case of work to be done by an owner-builder:

(i) the name of the owner-builder, and

(ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

(3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

(4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

98C Conditions relating to entertainment venues

For the purposes of section 80A (11) of the Act, the requirements set out in Schedule 3A are prescribed as conditions of development consent for the use of a building as an entertainment venue.

98D Condition relating to maximum capacity signage

(1) For the purposes of section 80A (11) of the Act, the requirement set out in subclause (2) is prescribed as a condition of development consent (including an existing development consent) for the following uses of a building, if the development consent for the use contains a condition specifying the maximum number of persons permitted in the building:

- (a) entertainment venue,
- (b) function centre,
- (c) pub,
- (d) registered club,
- (e) restaurant.

(2) From 26 January 2010, a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.

(3) Words and expressions used in this clause have the same meanings as they have in the standard instrument set out in the Standard Instrument (Local Environmental Plans) Order 2006.

98E Condition relating to shoring and adequacy of adjoining property

(1) For the purposes of section 80A (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) protect and support the building, structure or work from possible damage from the excavation, and
- (b) where necessary, underpin the building, structure or work to prevent any such damage.

(2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.