Draft Minutes - Sydney Football Stadium Redevelopment Community Consultative Committee (CCC)

Meeting No. 7, Monday 29 July – 5.30 pm – 7.45 pm
Location: Rugby House, Corner Moore Park Road and Driver Avenue, Moore Park

**Attendees:**
- **Chairperson:** Margaret Harvie.
- **Community representatives:** Chelsea Ford, Sofie Mason-Jones, Julie Osborne, Robert Postema, Vivienne Skinner, Linda Gosling - Paddington Society Representative
- **Local Government representative:** Mayor Kathy Neilson (Randwick City Council), Cr Philip Thalis (City of Sydney Council).
- **Sydney Football Stadium Representatives:** Tom Gellibrand, Head Projects NSW, Infrastructure NSW (INSW); Kerrie Mather, Chief Executive Officer, Sydney Cricket and Sports Ground Trust; Angus Morten, Senior Project Manager, Lendlease.
- **Note taker:** Sandra Spate.
- **Guests:** David Gainsford, Executive Director, Infrastructure Assessments, Department of Planning, Industry and Environment.
- **Apologies:** none

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<tr>
<th>Item no.</th>
<th>Description</th>
<th>Actions/ Who</th>
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<tbody>
<tr>
<td>1.</td>
<td>Welcome</td>
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<td>• Overview of tonight’s agenda</td>
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<td>• Acknowledgement of Country</td>
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<td>2.</td>
<td>Declarations of pecuniary and other interests</td>
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<td>Sofie Mason-Jones (SMJ) is on a wait list for the SCG Trust.</td>
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<td>3.</td>
<td>Procurement</td>
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<td>3.1</td>
<td>Tom Gellibrand (TG) provided an update. The contract with Lendlease was set up as a two stage contract: Stage 1 for demolition services and Stage 2 for building. This was predicated on demolition and a more detailed price for Stage 2. INSW has been working collaboratively with Lendlease. The State retained the ability to go to the market if not happy with the offer or if needs aren’t met. Stage 1 demolition has progressed well and government has been happy with the program. After three months liaison with Lendlease their final offer was assessed in July. An agreement couldn’t be reached. This is not a negative reflection on Lendlease. INSW is happy with demolition work undertaken. Government is confident a contractor for Stage 2 works can be engaged before the end of the year and the same timeframe for the stadium construction can be met.</td>
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<td>3.2</td>
<td>Julie Osborne (JO) assumes Lendlease costings are related to assumptions about design. She asked if the price differed because full plans were not available when they made the initial arrangement with Lendlease. Will this push the timetable out? What happens if other tenders come in at the same price or higher than Lendlease? TG replied government had been working with Lendlease around the construction methodology and related program and budget. Steering committees were set up. Government is prepared to go back to the market for a better budget outcome. It is not a negative reflection on Lendlease but opportunity for greater value for money. It would be disappointing for Lendlease and INSW if new tenders were the same or higher but that would indicate a definite market price. There was information from Lendlease around margins</td>
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and basic trade prices. In July a full guaranteed maximum price was given. INSW and government has spent four weeks assessing this but couldn’t come to terms with Lendlease. They have issued notices to continue the good work on demolition and have formally rejected the Stage 2 offer.

3.3 Vivienne Skinner (VS) asked why the process for Stage 2 wasn’t made public from the outset. People have now seen pictures of the site looking like a bomb site and assume that construction will take ages.
TG replied when the Stage 1 contract was executed it was contemplated that Lendlease would finish the project subject to coming to terms around the budget. Robert Postema (RP) said this wasn’t made clear by the Minister who had said Lendlease will build it.
TG noted the contract gave the government the right to go to the market if terms for Stage 2 were not acceptable.

3.4 Kathy Neilson (KN) noted redesigns presented at meetings and accessibility issues raised. Lendlease was taking feedback on board. Everyone could see this would cost more and Lendlease would have to be paid more to deliver the project. INSW seems to be trivialising this. This is not good service to the people of NSW, many of whom thought the old stadium shouldn’t have been pulled down.
TG noted there is no final design for the stadium. It is being progressively designed. The principal certifying authority will sign off on it. There are advanced designs but many elements are still to be done. It was contemplated when Lendlease was engaged that this would be a design and construct contract. INSW is confident disability requirements will be met but design is only 50% complete. Other projects are construction only contracts where all risks sit with the client. With a design and construction contract the contractor takes the design and works out a quote then contractors start work on detailed design.
Philip Thalis (PT) wonders whether the project was over-scoped in design and if the construction contract had scope for change.

3.5 SMJ asked what changed in scope from the reference design to concept DA design.
Angus Morten (AM) replied the design competition design hadn’t been released when Lendlease first tendered. They were never asked to cost on the concept design.
TG said assumptions about costs are worked out in quantities such as amount of dirt removal, size of roof etc. There is baseline data then escalation and unknowns are factored in along with contingencies and client costs.

3.6 VS asked what guarantees exist that new bidders will do a better job meeting government requirements.
TG said while there is no guarantee government is confident they can get a better price. A number of contractors are interested.

3.7 Chelsea Ford (CF) asked if there is enough expertise here or would INSW have to look overseas.
TG replied they are confident a contractor can be engaged from here. There are Tier 1 builders and good expertise available.

3.8 SMJ noted Lendlease is a Tier 1 firm. What happens if the current approved budget and program can’t be met by the new tenderers? Is there a commitment to getting the stadium rebuilt?
TG said if INSW goes to the market and is unable to get the price and program they need they would then go back to the state government. There is a commitment to get a stadium as good as or better than Optus Stadium in Perth. INSW will work with a contractor regarding costs during the tender evaluation period to get more for the dollar.

JO said government needs to commit to spending our tax dollars well and to be transparent to the public. She would hate to see fabulous corporate and members’ areas and run down public areas.

TG said there is a government commitment. As with all major projects a business case is developed e.g. effects on tourism. If projects are revised care needs to be taken that the cost benefit ratio is not eroded. Getting more out of the dollar is in things such as adjustments to the roof requiring less steel reducing costs by $5 million.

3.9 Linda Gosling (LG) asked whether the same consultants and designs are being retained or will there be a need for a new Development Application (DA).

TG said the consultants and design are retained. Another DA will not be sought. It is contemplated to novate Cox Architects and structural engineers to the new contractors. DA amendments (modifications) would only be required for material changes such as changes to the façade, the footprint, access or landscaping as required. Minor changes with no material impact don’t require amendments.

3.10 SMJ asked if Stage 1 was delivered to program and budget.

AM replied there was no variation in price for demolition.

TG noted Lendlease is still involved in demolition and will likely continue with stormwater diversion.

3.11 RP asked if contractors will be required to tender against the current drawings or could they propose amendments to the design.

TG replied the original program made allowances for the scenario of a second round of tenders. While the design is maturing daily the final design won’t be available for some weeks. INSW is going to the market now. The façade needs to meet requirements for the external design or go back to the Design Integrity Review Panel. Construction can’t start anyway until there is Stage 2 approval.

Department of Planning is reviewing submissions. INSW will then prepare a Response to Submissions Report. The new contractor will hopefully be in place when the approval is received. Then construction management plans are prepared for approval.

RP and others asked whether non-compliant tenders would be permitted (as opposed to a tenderer submitting a non-compliant tender anyway) and variations to the existing design.

TG said there are good contractors who say this is how they’ll respond to the brief but these variations will make it cheaper or better. These are usually minor elements. If any go to the materiality of design there would be a consistency review.

David Gainsford (DG) said if it is determined these variations are not consistent with the consent then a Modification process would be required.

TG said the EIS and approval processes provide assurances around expectations. INSW wouldn’t let a contractor be inconsistent with that. If the Occupancy Certificate is denied the stadium can’t be occupied till rectified or a post-approval amendment. It won’t progress if non-compliant.
| 3.12 | SMJ noted the scheduled operational timeframe for the new stadium. If tenderers say they can do it for more money, or their tenders aren’t received, what is the process? Will the stadium be reduced or more money asked for? And how close is the tender?  
SMJ and LG noted Lendlease could have commenced early work on the Stage 2 design.  
TG said there is a cabinet process and an interactive parallel process has commenced seeking tenders. It is expected to be completed around November 2019. |
| 3.13 | Margaret Harvie (MH) asked if INSW will respond to the media to get the right story out.  
TG said conversations with Lendlease have taken place throughout the process. This has been issued to the media. |
| 3.14 | PT suggested issues exist around trust in the design and construction process. He noted recent problems with apartment buildings. He is worried about a second rate version of the stadium for $729 million. The figure is surprising and we don’t know how it was arrived at. The western Sydney stadium was $330 million and Optus Perth $1.2 billion. Was the Parramatta stadium under specification or is this one over?  
TG said the western Sydney stadium is a good one but this SFS is bigger and finishes are to a higher standard. Venues NSW set the specifications for the 30,000 seat stadium. Here INSW is working with the SCG Trust on standards similar to the Noble Bradman Stand.  
Kerrie Mather (KM) noted the western stadium is a Tier 2 stadium.  
PT said the Trumper Stand is very basic and the Bradman Stand not open to the public. How many corporate seats are there in the Parramatta stadium? We have never had figures here as to what seating is going to be available to the people of NSW.  
KM said it depends on how the hirer allocates areas.  
PT noted it is the same hirers, those running soccer, rugby league and union.  
TG said the money for the stadium is not to subsidise the ‘big end of town’. He noted the overall SFS experience will be fundamentally different. There will be a better ratio of male to female toilets and a range of improvements benefitting all users.  
PT suggested improved toilets doesn’t warrant demolition of the stadium. |
| 3.15 | TG noted the good job Lendlease has done on demolition and reiterated that INSW was unable to come to terms for Stage 2. He is confident in obtaining a tender to meet budget.  
PT asked how INSW could be confident in another tender if Lendlease couldn’t meet budget. The façade has already been dramatically simplified from the original designs with removal of screens and less colour.  
TG is confident INSW can get more money out of the delivery budget. Designs have matured and a margin for error has been allowed.  
KN asked if Lendlease could put in a bid. What about the event of no successful tenders?  
TG said they couldn’t. Their bid has been rejected and is no longer valid. If all tenders are high INSW will negotiate with lowest and then go back to government.  
CF asked if the market is big enough. |
TG replied it is. There is experience with the Townsville Stadium and Perth Optus. There are skills, expertise and experience.

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<th>3.16</th>
<th>LG raised concerns that the DA doesn’t specify the number of events that can be held. TG suggested this is limited by the condition of the ground.</th>
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4. **Correspondence** directed to the CCC / Chairperson

| 4.1 | Included below is the letter of resignation from Michael Waterhouse. |

Dear Margaret

I wish to confirm my resignation from the CCC, with effect from today. I’m sorry for the delay in advising you, but I wanted to review the Stage 2 EIS first. I hope this gives you time to appoint a replacement before the meeting on 29th July.

I’m resigning for two principal reasons:

- I do not believe INSW is sufficiently (or indeed at all) concerned about the issue of the risks associated with the Driver Avenue steps or the possibility that access from Driver Avenue, as proposed, will be in breach of Section 23 of the Disability Discrimination Act. On the former, as a member of the SCG Trust I have a good feeling for the risks to patrons that the steps will pose. I attended games, day and night, at the stadium several times a year, every year during its entire existence. So I have a very good appreciation of what the crush was like on exiting via the ramp to Driver Avenue, even when crowds were relatively small, with people often running, some darting in and out between other patrons and some pushing as they tried to beat the crowd back to their cars or public transport. And always a few who for some reason were moving against the crowd flow. In my experience, any event management plans in place had little effect in achieving an orderly exit. In my view, the steps add a major risk factor. I therefore want it on the public record that I’ve opposed these steps from the outset.

- While it has a number of good features, in my view the stadium design as a whole does not strike an acceptable balance between the need for a high quality stadium and the impact on the local community and neighbouring Moore Park. I have articulated my views on this previously and in our submissions (which I’ll circulate), so won’t repeat them here.

As I mentioned at the last meeting, when I applied for membership of the CCC, it was because I thought I could make a difference. Perhaps I was being idealistic, but I thought INSW would be genuinely receptive to views expressed in the CCC. This has proven to be far from the case. Having spent considerable time working my way through the EIS and many of the 86 other documents, I can see no sign that the CCC has influenced any outcomes, other than the token second lift near the proposed Driver Avenue steps. If none of our comments led to any changes in INSW’s proposal, then the conclusion is inescapable that the presentations we were given were little more than a box ticking exercise. That’s not what I joined the CCC to do.

I therefore think it better for all concerned that I resign.

Margaret, I request that this resignation advice be listed for the next meeting and appended to the Minutes for that meeting so that my reasons for resigning are clearly recorded for posterity. Thank you.

Kind regards

Michael
4.2 MH had thanked Michael for his service to the CCC in correspondence sent directly to him in response to his letter of resignation. Philip Thalis also formally thanked Michael Waterhouse for his service on the CCC on behalf of all members of the CCC. MH reported a replacement for MW will come from the list of original nominations in consultation with the Department of Planning (DPIE) with a preference for a male to provide gender balance. (community representatives are currently 5 women and 1 man) PT asked about attendance by Waverley Council. MH reported they are still members and receive agenda and notification of the meetings but no apology has been received in the case of the several meetings that they have now missed. SMJ asked about attendance by Woollahra Council. MH noted Woollahra Council had formally decided early in the process to not participate.

5. DPE Exhibition of Stage 2 - David Gainsford

Next steps

5.1 DG reported on extension of the EIS exhibition period by a week.
- 81 submissions were received.
- 68 were from members of the public and
- 13 were from agencies and councils including City of Sydney (CoS), Waverley and Randwick Councils.

There were 44 objections including from CoS which triggers processes that the Minister for Planning is the decision maker as with Stage 1. The Stage 2 application is based on the design approved by the design competition and that design continues to progress.
- DPIE provides a summary of key issues to INSW for response.
- INSW then prepares a response to submissions.

There is an ability for minor adjustments to design through this process. The Department makes a recommendation to the Minister. A lot of the issues in submissions are those raised at CCC meetings such as parking on Moore Park, scale of built form, the Driver Avenue steps, traffic and transport management and the proposed unlimited number of events.

5.2 PT asked for clarification of the approval authority – the Minister or Independent Planning Commission (IPC)?
DG replied as a state government proposal it goes to the Minister, as with other government projects. The Minister delegates typically non-Government projects to the IPC.
PT suggested a potential conflict with the Minister being the approval authority.

5.3 VS asked how this will fit with INSW’s November timetable.
DG replied that it was a tight timetable. The steps are that INSW will need to respond to submissions on the EIS. The Department will need to complete an assessment report and the Minister makes a determination. If approved there may be specific recommendations around design.
LG asked if there are amendments would approval be for the amended design?
DG said the response to submissions may result in some changes. If these are material enough DPIE may decide to re-consult with the public (similar to a modification)

VS asked whether there would be decisions around parking at the time of the Minister’s determination.

DG notes a condition of the Concept approval to consider the Moore Park Masterplan but he can’t predict the outcome of how the issue will be addressed as part of the Stage 2 assessment.

| 5.4 | DG reported when setting up the CCC, he and MH received requests from sporting codes for representation on the committee. Going forward given an increasing focus on operational issues he is happy to add a member. Sporting codes have nominated the Swans CEO, Tim Harley, to represent them.

PT noted the Swans won’t play at the stadium.

DG replied that the sporting codes have determined that their nominee can advocate on their behalf.

CF asked if commercial operators at the facility can have the same access to the CCC. CF was recruited to the CCC as a business representative and has tried to bring that to the table. It would be remiss not to consult this sector. She has raised at meetings back of house issues from having worked here.

KM noted SCG’s commercial operators and partners have been consulted through the design process. She endorsed the Community Consultative Committee membership including a sporting code community representative.

MH noted during the original nomination process about half the applications indicated sports interest and half community interests. She chose community representatives at that time to be on the CCC. |

### 6. Minutes from June 2019

| 6.1 | Denise Ora proposed late changes to the minutes. The meeting agreed to all those except additions on page 2 in particular the reference to “A viable alternate is being sought by SCGT and sporting codes.” The meeting didn’t think this accurately portrayed what was said at the meeting.

KM noted that while not part of the discussion of the meeting a viable alternate is in fact being sought by SCGT and sporting codes. |

| 6.2 | Regarding item 6.4 PT asked that his comment on images presented also include “PT thought the image was not representative of the bulk the stadium would present to Paddington. A view down Oatley Road would be more representative of impacts on Paddington.” The meeting agreed to this. |

### 7. Actions from meeting 6 (document circulated) - Tom Gellibrand

- Link to EIS sent to members and available in meeting notes
- Cox Presentation made available on line
- TG to confirm the extent to which the DDA applies to the public domain and to access from Driver Ave – *answer to this question was circulated prior to the meeting.*
- INSW to write to the Accessible Transport Advisory Committee, the Disability Council of NSW and the Australian Human Rights Commission and offer to meet, present and gain feedback on the stage 2 proposal.
- INSW confirmed that consultants are members of the Association of Consultants in Access Australia Inc
- Circulate SGSA report to CCC
### 8. Update on progress on Actions as required

#### 8.1 INSW to write to the Accessible Transport Advisory Committee, the Disability Council of NSW and the Australian Human Rights Commission and offer to meet, present and gain feedback on the stage 2 proposal.

TG wrote to the Disability Council of NSW, the Australian Human Rights Commission and the Accessible Transport Advisory Committee (ATAC).
- ATAC wrote back saying it appeared the project was addressing relevant standards and the certification process will be adequate to ensure standards are met. They don’t think they need be involved but are happy pass on names of user groups.
- The Disability Council of NSW is happy to meet. INSW will deliver a presentation to them.
- INSW hasn’t heard from the Australian Human Rights Commission.

#### 8.2 Circulate SGSA report to CCC

TG said the UK Sports Ground Safety Authority (SGSA) looked at designs and provided early advice but not a report. INSW will continue to share plans with them as they develop. There is not yet enough detail for a proper assessment against their guidelines.

VS asked if they were consulted as part of feedback from this group. Is the process similar to complying with Green Building Council guidelines? TG said he wasn’t involved at that time but INSW consulted SGSA early on.

AM noted it is the architect who typically complies with these guidelines as was the case at Parramatta. SGSA is not the only body that checks.

TG noted it is not a requirement to consult with the SGSA. This is over and above requirements and is typically for stadiums and sports grounds. TG will report back to the next meeting once designs are more advanced.

LG asked whether the main driver was checking accessibility at the Driver Ave steps and the Disability Discrimination Act (DDA).

TG noted the Optus stadium has a 6m flight of steps for 80,000 capacity. The DDA would have to look at everything not just stairs but general mobility requirements for access, equity, lifts, at grade entry, drop offs. There needs to be efficient and equitable pathways. As the architect, Cox has to ensure this.

TG will report to the next meeting on the status of consultation with the SGSA.

### 6.45 pm - BREAK and refreshments (10 minutes)

#### 9. Project update - Angus Morten / Tom Gellibrand

- Update on Stage One works
- Report of Community Complaints

#### 9.1 Update on Stage One works

- AM reported demolition is 70% complete. The stadium is down. Demolition of the Sheridan building commences next week and is due to finish mid-August. Then the ICC building on 1 September is expected to be finished in October.
- LG asked if Lendlease will leave the site as dirt.
- AM replied they would. There are discussions with INSW and the State over timing of handover.
- LG asked about potential for dust.
- TG replied Conditions of Approval need to be complied with including dust suppression.
### 9.2 Report of Community Complaints

- AM reported there were two dust complaints at the start of the month. Dust monitors and suppression measures showed compliance. The residents were contacted.
- VS said Lendlease has done a good job regarding traffic, noise and dust.
- AM reported a total of 12 complaints to date during demolition.
- The CCC commended Lendlease on this.

### 10. What we are hearing from the community?

**Round the room** – this is where members raise any communication that has come to them from the community

#### 10.1 SMJ - Regarding submissions to the EIS, does the Department of Planning have a view on what has been addressed and what needs addressing further e.g. event parking on Moore Park East, scale, Driver Ave steps, the number of events. Has INSW thought of how to further address these? Where is the process at?

DG suggested the Response to Submissions can be discussed at the next meeting.

JO asked how many were submissions in support.

DG replied there were two individual and four community groups in support.

AM noted 81 submissions compared to 750 for Stage 1 and Concept Approval.

SMJ said taking into account submissions from community groups 81 submissions represents more people than that. Community Groups still want to know outcomes for items the DA is silent on such as the phasing out of parking on Moore Park East. It is important that this is addressed now as part of the Stage 2 DA. Is parking needed on Moore Park East? We are hearing from sporting codes that it is. If that is the case work out alternate parking options and the ratio for phasing parking out on Moore Park East over time. Parking is an issue in Surry Hills on event days. Local sporting codes and clubs lease the Centennial Parklands sites. The Centennial Parklands has plans for Moore Park East to become a Sydney Common and the community has expectations that Moore Park East be used as green space for sport and recreation. Delays in solving parking impacts on the intended green space use of Moore Park East. The DA is silent on the number of events with no cap. Other venues have hours of operation and an indication of the number of events a week/year.

DG noted the previous stadium had no limit on numbers of events but limits on concerts of six a year including the SCG. The EIS doesn’t intend to change this. Research for the EIS shows historically there has been a maximum of 55 events a year. As part of concept approval 52 was suggested subject to assessment of impacts such anti-social behaviour and traffic in local streets for event frequency above this number. This is part of the assessment. INSW can provide supplementary information in the response to submissions on how these are to be addressed for unlimited events.

TG to provide a presentation on response to submissions at the next meeting.

#### 10.2 LG reported neighbours are worried that with no cap on events use of the stadium could escalate with impacts on the neighbourhood. All want parking off Moore Park. But if that happens there is more pressure on South Paddington. Something needs to be done to discourage this. Some submissions talked about respite. It is a whole of Sydney facility but impact is on local residents.

SMJ noted when the Swans play each fortnight in the AFL season there is generally no parking availability on local streets.
KM noted that event day parking capacity has reduced over time, and without creating alternative managed parking conveniently located, will have implications for residential streets.
SMJ thinks the DA needs to find a solution. The Development Consent will apply to the stadium site but some of the parking, relied on by stadium users, is on Centennial Parklands.
VS would like a clear statement at an early stage.
LG said there are mechanisms in the planning approval process to influence things off-site as a condition of consent.
JO agrees parking and traffic need to be considered as part of the DA.
TG said the planning proposal relates to the footprint of the stadium. All outside this stays the same. The existing provision of car parking and Driver Ave stays the same.
SMJ noted the DA says the project is consistent with the Moore Park Masterplan which phases out parking on Moore Park East but the DA doesn’t commit to phasing out parking on Moore Park East.
PT noted the Green Travel Plan represents the status quo.

| 10.3 | JO said the EIS doesn’t mention the removal of the media screen. She would like ensure it is removed. People have been talking about this. They can’t see it in the EIS. People don’t want moving ads in the sky. They question the necessity for four screens. There are comments about parking and traffic. People are fatigued with commenting. |

| 10.4 | VS reported Saving Moore Park had a positive meeting with Rob Stoke’s Chief of Staff, Alex O’Mara and the Ministers media advisor. Alex O’Mara (who is the Deputy Secretary Place, Design and Public Spaces, DPIE) and others will come to look at Moore Park next Tuesday. |

| 10.5 | KN said people in Randwick can’t believe parking issues have not been addressed. They don’t want to see parking on parklands and the light rail is poorly designed to stop in Cleveland St. |

| 10.6 | PT also attended meetings on the issues of Moore Parklands with Denise Ora and others around concerns about taking parking out of Moore Park. We need this process to deliver that but are aware of the impact on Paddington and Surry Hills. He understands why MW talked to the media.
KN supported MW’s newspaper comments.
DG noted he was contacted by MW on Saturday and informed of his intention. |

| 10.7 | MH reported no other correspondence other than MW’s letter. |

11. **Next meeting**

11.1 Next meeting is Monday 23 September.
TG is happy to group submissions and key issues for a presentation at the next meeting and provide information to the CCC prior to the meeting.

| 11.2 | TG circulate to the CCC by 16 September groupings of submissions and key issues. |

**Close 7.45pm.**