

Secretary
Department of Planning, Industry and Environment
4 Parramatta Square
Parramatta
NSW 2150

Attn: Karl Fetterplace

**Request for Comments – Cricket NSW Centre of Excellence,
Sydney Olympic Park (SSD-10354)**

Dear Mr Fetterplace,

I refer to your request for comments on SSD-10354 for the development of Wilson Park for the Cricket NSW Centre of Excellence. SOPA has reviewed the Response to Submissions Report and updated supplementary report prepared by the applicant and has the following comments:

1. Landscaping

Tree Canopy and Removal

The EIS and revised Landscaping Report identify the removal of 304 trees and replacement planting of 310 trees. There is conflicting information in the Biodiversity Report, which indicates 108 trees will be removed. These documents must be revised so that they are consistent and an accurate assessment of impacts can be undertaken.

The Landscaping Report does not identify the container size of the replacement trees at planting but even in a best-case scenario, they are likely to significantly less mature than the trees they are replacing and result in a loss of tree canopy across the site. This outcome is contrary to the increased canopy targets in the Metropolis of Three Cities and Central City District Plans.

The proposed development should achieve, at minimum, no net loss of tree canopy within 5 years of establishing the replacement planting. This would necessitate either planting more mature tree species as replacement planting or increasing the number of replacement trees.

SOPA supports the comments of the SDRP, dated 7 April 2020, which recommend the retention of existing vegetation around the edges of the site.

To ensure suitable replacement planting arrangements, SOPA request a condition of consent be imposed requiring that the detailed landscape plan, including planting schedule, be approved by SOPA's Director, Environment and Planning prior to the issue of the relevant Construction Certificate.

Public Domain Interface and Fencing

The proposed retention of the existing dilapidated chain link fence along the southern edge of the site is not an optimal outcome. SOPA supports the SDRP comments, which state that the materiality and style of fencing around the perimeter of the site should incorporate greater transparency and be designed to better integrate with the hard and soft landscape treatment of the site.

In order to resolve public domain interface details, SOPA recommends that a condition be imposed requiring a public domain interface plan be approved by SOPA's Director, Environment and Planning prior to the issue of the relevant Construction Certificate.

2. Biodiversity

As noted above, the tree removal numbers quoted throughout the reports are inconsistent and should be updated so that an accurate assessment of the biodiversity impacts of the proposed development can be made.

In order to meet the obligations under the *Sydney Olympic Park Authority Act 2001* for the conservation of the natural heritage, it is particularly important for compensatory habitats to be located within the Sydney Olympic Park precinct. Consequently, SOPA recommends that conditions be imposed requiring the re-standing of hollow trees on-site and the provision and ongoing maintenance of compensatory fauna habitat boxes on-site.

3. Design Integrity

Changes made in response to submissions on the proposal have improved the built form design and visual impact of the proposed development and pedestrian connectivity through the site, as noted in the meeting minutes from State Design Review Panel review of the project on 25 March. To ensure that the quality and integrity of the current design is maintained, SOPA recommend a condition be imposed requiring that any subsequent modifications that impact on the proposed the built form or pedestrian movement be reviewed by the SDRP.

4. Stormwater Management

The applicant has not provided an updated Stormwater Report or Integrated Water Cycle Management Report to address the SOPA Stormwater Management and Water Sensitive Urban Design Policy, despite this being identified in the SEARs and SOPA's initial submission regarding the SSD application.

The civil engineering and stormwater report therefore must address SOPA's Stormwater Management and WSUD Policy, including the harvesting and re-use of roof water, management of runoff from hardstand areas and water conservation measures. The revised Stormwater Report should also include an assessment of the adequacy of the existing drainage infrastructure (stormwater drainage capacity and structural integrity of the existing system) to accommodate the development, including CCTV reports.

Additionally, irrigation for Wilson Park is currently supplied from a water storage tank fed from Narawang Wetland. The proposed development will increase the lawn area of the site and require additional irrigation to maintain the playing surfaces.

Additional irrigation supply requirements remain unclear, and therefore may not be permitted from Narawang Wetland given the limited and unreliable supply of stormwater, particularly during extended dry periods. In order to ensure adequate irrigation water supply, SOPA recommends a condition of development be imposed requiring the applicant to calculate the average daily demand and maximum flow rates and demonstrate access to adequate water supply for irrigation purpose.

5. Contaminated Land

The Wilson Park site has an extensive industrial history that has resulted in site contamination and subsequent remediation with on-going management requirements. Consequently, Wilson Park is the subject of a Maintenance of Remediation Notice issued by NSW Environment Protection Authority (EPA) under Section 26 of the Contaminated Land Management Act 1997 (Notice 28040). The notice identifies the requirement to manage the post-remediation of the land in accordance with the Sydney Olympic Park Authority document Remediated Lands Management Plan (RLMP), January 2009.

SOPA's Contaminated Land team have liaised extensively with the EPA and the applicant in drafting proposed conditions that deal with the specific conditions of this site and strongly recommend that they be adopted as worded in Appendix A.

6. Civil Infrastructure

The Wilson Park remediation ponds adjacent to the site require 24 hour access for maintenance and monitoring by SOPA. Accordingly, SOPA recommends a condition of consent be imposed that requires ongoing 24 hour access by SOPA and its contractors to the ponds.

In order to effectively manage construction and co-ordination of services, SOPA also requests a series of standard development conditions be imposed on the development. The requested conditions are outlined in Appendix A.

7. Parklands Approval Permit

The development site is located within the Millennium Parklands in which the primary planning document governing land use is the Parklands Plan of Management 2010 (PPOM). Wilson Park is situated in a designated Sports and Recreation area under the Parklands Land Use Classifications. In accordance with Schedule of Public Use Controls for Sports and Recreation Parks, the proposed use is a 'Restricted Public Use' and as such will require a Parkland Approval Permit (PAP) from SOPA prior to the commencement of works.

If you have any queries regarding this submission or recommended conditions of consent, please contact Richard Seaward, Planner at (02) 9714 7146 or richard.seaward@sopa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sally Hamilton', written in a cursive style.

Sally Hamilton
Director, Environment and Planning

Appendix 1 – Recommended Conditions of Consent

GENERAL CONDITIONS

Use of SOPA land for Construction Site

Prior to the commencement of any works at the site, the Applicant must enter into an agreement with SOPA to occupy or otherwise use areas outside of the Site for a construction site and compound.

Cricket Nets

Notwithstanding the provision of the State Environmental Planning Policy No. 64 – Advertising and Signage or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, no additional signage, temporary banners, signage or such paraphernalia shall be affixed to the cricket nets fronting the Parramatta River foreshore.

Design Integrity

Any modifications or other changes proposed to the building design, fencing strategy or access points to the site may need to be reviewed by the State Design Review Panel.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Parklands Approval Permit

A Parklands Approval Permit must be obtained prior to the issue of a Construction Certificate, in accordance with requirements of the Plan of Management for the Parklands at Sydney Olympic Park 2010 and the *Sydney Olympic Park Authority Act 2001*. An application for a Parklands Permit must address the matters listed at Appendix 4.2 - Parkland Uses Compliance Test of the Parklands Plan of Management 2010.

Public Domain Interface and Landscape Plans

Detailed Public Domain Works and Landscape Plans, specifications and quality management plans must be prepared by a suitably qualified person in consultation with SOPA.

The plans must be prepared in accordance with the requirements in Section 1.10 of the Urban Elements Design Manual (UEDM) and Infrastructure Engineering and Construction Manual (IECM). The plans should also include the following additional information:

The Interface Plan shall include, but not necessarily be limited to:

- i. proposed extent and type of hard and soft landscape treatments and materials
- ii. details of proposed plantings, including species and container size
- iii. alignment and dimensioned widths of publicly accessible through-site link pathways (minimum 1.8m wide) linking the Community Oval in the south-west corner of the site to the River Walk and Bus Only Access way;
- iv. pram ramps and bollards (as required);
- v. way-finding signage (in accordance with SOPA's Parklands Elements Design Manual (PEDM)) rest-stop seating (minimum 100m spacing in accordance with the PEDM);
- vi. furniture, shade trees and seating structures; and

- vii. Details of all boundary fencing, including the height, materials and access points
- viii. All landscape interface areas to be managed by SOPA are to be irrigated to SOPA's Irrigation Specification in accordance with the SOPA Infrastructure Design & Construction Manual (IDCM)

The plans must be approved by SOPA's Director - Environment and Planning, prior to the issue of a Construction Certificate for the relevant stage of the works.

Construction Environmental Management Plan

Prior to the issue of a Construction Certificate, a Construction and Environment Management Plan (CEMP) shall be submitted to and endorsed by SOPA's Director, Environment and Planning. The CEMP shall include, but not be limited to, the following matters which are to be addressed by suitably qualified person(s):

1. **Hours of work**, which must be in accordance with the conditions of this approval;
2. **Contact details** of the site manager and all principle contractors;
3. **Traffic management**, which is to be developed in consultation with SOPA, and is to include:
 - a. ingress and egress of vehicles to the site;
 - b. number and frequency of vehicles accessing the site;
 - c. the times vehicles are likely to be accessing the site;
 - d. management of loading and unloading of materials;
 - e. changes to existing car parking provision as a result of the development including boat parking;
 - f. management of construction traffic and car parking demand;
 - g. management of existing vehicular and pedestrian movements / routes around the site (if applicable);
4. **Construction noise and vibration management**, identifying specific activities that will be carried out and associated noise sources, identify all potentially affected sensitive receivers, noise and vibration monitoring reporting and response procedures, description of specific mitigation treatments management measures and procedures to be implemented, and address any other relevant provisions of Australian Standard 2436-2010 Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites;
5. **Erosion and Sediment Control Plan**
6. **Contamination Management Plan** - to apply to all construction activities associated with the proposed development and including but not limited to filling, excavations, piling works, re-instatement of the capping layer, spoil management, contamination and soil vapour management measures, leachate management , stockpile management, spoil disposal and waste tracking, unexpected finds, monitoring, validation plan, WHS management and contingency measures are to be undertaken in accordance with The Contamination Management Plan (Douglas Partners, 2019) and the Site Auditors recommendations (AECOM Site Audit Report- NSW Cricket Association Wilson Park, Silverwater , NSW 2019) unless otherwise agreed in writing by the Department of Planning, Industry and Environment and SOPA's Director, Environment and Planning.
7. **Stockpile Management Plan** – including identification, segregations and management of contaminated spoil
8. **Asbestos Management Plan**
9. **Groundwater / leachate Management Plan** – providing details on any proposed dewatering activities on site, interception of groundwater/leachate and removal of groundwater/leachate when constructing piles for the building foundations;
10. **Soil Vapour / Hazardous Ground Gas Risk Management Plan**– including environmental, human health and explosion risks associated with emissions and

exposure to landfill gas and trace gases during construction works and appropriate preventative and/or action controls and monitoring schedule for during construction works prepared by a suitably qualified person in the field of landfill gas risk management;

11. Acid Sulphate Soils Management Plan

12. Construction Waste Management Plan, identifying options for minimising waste; reuse and recycling of materials; the storage, control and removal of construction waste;

13. Unexpected Finds Protocol - consistent with the SOPA Remediated Land Management Plan and Contaminated Lands Management Act. If unexpected contamination or unexpected soil vapour/hazardous ground gas conditions are found during construction; a risk assessment and remediation strategy for the area is to be prepared by a suitably qualified independent expert and submitted to the EPA accredited Site Auditor for approval. Copies are to be provided to the Department of Planning and SOPA

14. Dangerous Goods / Chemical Waste Management

15. Dust control – measures to be implemented to prevent the movement of airborne particles from the site throughout the construction process, and the tracking of material from the site by trucks and other vehicles. This is to include the appropriate use of physically barriers and the dampening of exposed excavated surfaces. The storage and stockpiling areas for material is also to be detailed and covered as required;

16. Work Health and Safety Management

17. Community Health and Safety Management

18. Major event management – construction management measures during Major Event(s)

The CEMP must be approved by SOPA's Director, Environment and Planning prior to the issue of the relevant Construction Certificate.

Stormwater Management Plan

Prior to the issue of a Construction Certificate, details of the proposed stormwater disposal and drainage from the development are required, and details of the provision of maintenance of overland flow paths are required to be designed to the satisfaction of SOPA's Director – Environment and Planning and submitted to the Certifying Authority. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

The SMP must be in accordance with SOPA's Water Sensitive Urban Design (WSUD) Policy and must include the following information:

- a) all stormwater catchments for the site;
- b) all stormwater drainage system elements for the site including location of the stormwater discharge from the site, long sections for all drainage elements, hydraulic grade line calculations;
- c) all elements of the detention system including sufficient sections, flood freeboards, and details demonstrating how the system operates. The entire site must be included in the detention sizing calculations;
- d) all elements of the stormwater treatment system including sufficient sections and details demonstrating how the system must operate and the diversion flow rate into the treatment system;
- e) details of all stormwater connections to the existing culvert;
- f) details of the overland flow system and calculations to demonstrate the capacity to safely convey flow through the site including depth x velocity calculations; and;

- g) the maintenance and inspection schedule for the rainwater tank and Jellyfish water treatment system.

Pre-Construction Dilapidation Report

The Applicant must engage a suitably qualified person to prepare a Pre-Construction Dilapidation Report, in accordance with the requirements of SOPA's Infrastructure Engineering and Construction Manual (IECM), detailing the current structural condition of all existing adjoining buildings, infrastructure and roads within the 'zone of influence'.

A copy of the pre-construction dilapidation report must be provided to SOPA prior to the commencement of works.

Lighting Plan

Prior to the issue of a relevant Construction Certificate, the applicant is to prepare a detailed lighting plan which includes details of the Luminaire design, post height, placement and operation. The lighting must avoid the direct illumination of sensitive areas including the Parramatta River, artificial wetlands, retained vegetation and replacement plantings.

Appropriate measures shall be incorporated into the lighting design which minimise indirect light spill in the 50 m and 100 m buffer zone around such respective areas.

- Glare shields must be used where appropriate to further reduce the indirect impact of light spill on habitat within the site; and
- Warm spectrum (3000k) lighting must be used to reduce the impact on nocturnal animals such as microchiropteran bats and the Green and Golden Bell Frog.

External security and way-finding lighting must be designed and operated in accordance with the lighting management principles of the SOPA Parklands Plan of Management. Final plans must be approved by SOPA's Director, Environment and Planning.

Water Supply for Irrigation

Prior to a Construction Certificate being issued, the proponent must demonstrate to the satisfaction of SOPA's Director Environment and Planning that the site has access to adequate water supply for irrigation purposes, including a calculation of the average daily water demand and peak flow rates required to irrigate the two playing fields, practice wickets and soft landscaped areas within the sites. The source of the water supply must also be documented including any approvals to obtain the quantities of supply required. Water recycled from onsite collection sources should be included as part of the assessment.

Site Audit Statement

Prior to the issue of a Construction Certificate the proponent must engage a Site Auditor, accredited under the Contaminated Land Management Act 1997 (CLM Act) to provide;

- a) A Section B Site Audit Statement, issued prior to remediation works and prior to commencement of construction works that certifies the appropriateness of the following detailed plans: Contamination Management Plan, Construction Environment Management Plan, Soil Vapour / Hazardous Ground Gas Mitigation

System Design and Soil Vapour / Hazardous Ground Gas Management Plan for the site;

- b) Section A Site Audit Statement, issued following remediation and construction works but prior to the occupancy certificate being issued, containing an independent Statement on the suitability of the site for the proposed land use and the suitability of the proposed engineering and management response to address the potential risks associated with the contamination caused by the former gasworks activity and hazardous ground gases/soil vapours. The Statement shall include:
 - i. A statement certifying that the site is suitable for the proposed land use subject to the ongoing implementation of above plans. The final conditions at the site, including any unexpected ground gases and contamination and management thereof, if encountered, will be include in the Site Audit Statement;
 - ii. A site suitability assessment of the proposed subsurface drainage system and
 - iii. Approval of the final Validation Report for the site.
- c) Interim Site Audit Advice letters, issued annually following construction for a minimum period of 3 years. The Interim Site Audit Advice letters should certify that the implementation of the above plans is appropriate and that the objective of the plans are being met; and
- d) A new Section B Site Audit Statement to be issued following construction and after the first three years of monitoring to verify the ongoing management of the vapour mitigation system is meeting the desired outcomes and provide recommendations for further monitoring and reporting requirements to manage risks.

Copies of all Site Audit Statements and Site Audit Reports and Site Audit Advice Letters must be provided to SOPA within 14 days of being issued by the Site Auditor.

Ground Gas Mitigation System

Prior to the issue of a construction certificate, the proponent shall prepare a Soil Vapour / Hazardous Ground Gas Mitigation System Design for the proposed development. The system shall be prepared by a suitably qualified independent expert taking into account all site specific conditions which may impact on the efficiency and performance of the proposed system element, and including full justification for the design and all relevant plans, drawings and material specifications.

Hazardous Ground Gas Management Plan

Prior to the issue of a construction certificate, the proponent shall prepare a Soil Vapour / Hazardous Ground Gas Management Plan for the proposed development, taking into account all site specific conditions which may impact on the efficiency and performance of the proposed system element, and including full justification for the design and all relevant plans, drawings and material specifications. This shall include an Ongoing hazardous ground gas/soil vapour monitoring and management plan to monitor and manage long-term risks.

Validation Report

Prior to the issue of the relevant Construction Certificate, a Final Validation Plan shall be prepared by a suitably qualified person and submitted to NSW EPA accredited Site Auditor for approval. A copy shall be submitted to SOPA's Director, Environment and Planning for information.

Hazardous Material Survey

Prior to the issue of a Construction Certificate or any demolition and/or site preparation works, the proponent shall engage a suitably qualified independent expert to prepare a detailed Hazardous Material Survey of all existing structures and infrastructure. The survey must be submitted to the Department of Planning. A copy shall be submitted to SOPA's Director, Environment and Planning for information.

No Obstruction of Public Domain without a Works Permit

Prior to the issue of a Construction Certificate, if required, the proponent must obtain a Work Permit to occupy the public way, footpaths, road reserves and the like, which must not be obstructed by any mobile cranes, materials, vehicles, refuse, skips or the like, under any circumstances, unless in accordance with the 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.

CONDITIONS TO BE SATISFIED DURING CONSTRUCTION

Compliance with SOPA Remediated Land Management Plan and Contaminated Lands Management Act

The proponent must ensure that all works undertaken on remediated lands are in accordance with the Contaminated Lands Management Act Notice Number 28040 and SOPA's Remediated Land Management Plan.

Protection of Trees

The Applicant must ensure:

- a) the three hollow trees identified for removal in the approved Biodiversity Report are protected for re-standing
- b) no trees on SOPA land are trimmed or removed unless it forms a part of this development consent or prior written approval from SOPA is obtained or is required in an emergency to avoid the loss of life or damage to property.
- c) all trees on the subject site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures to protect the root systems, trunk and branches during construction, in accordance with AS 4970:2009.
- d) any removal works are to be undertaken by a qualified Level 5 arborist recognised within the Australian Qualification Framework, with a minimum five years of continual experience within the industry of operational amenity arboriculture, and covered by appropriate and current types of insurance to undertake such works and in accordance with AS 4373:2007

CONDITIONS TO BE SATISFIED PRIOR TO AN OCCUPATION CERTIFICATE BEING ISSUED

Post-Construction Dilapidation Report

The Applicant must prepare a Post-Construction Dilapidation Report, prepared by a suitably qualified person in accordance with the requirements of SOPA's Infrastructure Engineering and Construction Manual (IECM), to ascertain whether the construction works created any structural damage to adjacent buildings, infrastructure and roads. The report must be submitted to the Certifying Authority at the completion of construction works, and prior to the issue of the Final Occupation Certificate. A copy must also be forwarded to SOPA.

In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the Certifying Authority must:

- a) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and
- b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

Repair of Damage (Roads and Public Domain)

All public footways, paving, sub-surface infrastructure, kerbs, gutters and road pavement damaged during the works are to be immediately repaired following the damage, to a satisfactory state that provides for safe use by pedestrians and vehicles.

Full restoration of the damage must be carried out to the satisfaction of SOPA's Senior Manager – Engineering Services, prior to the issue of any Occupation Certificate for the development.

Preservation and Re-standing of Hollow Trees

The three hollow trees identified for removal in the approved Biodiversity Report must be preserved for re-standing within the site. Where it is not feasible to re-stand the trees within the site this is not feasible, the hollows must be salvaged when trees are felled and then installed securely in suitable locations on retained trees within Wilson Park for use by fauna. Placement of trees or salvaged hollows is to be guided by an ecologist with demonstrated experience in nest box or tree hollow management, and approved by SOPA's Director, Environment and Planning.

Compensatory Habitat Boxes

Prior to the issue of an Occupation Certificate a minimum of six bat boxes, six red-rumped parrot boxes and three possum boxes are to be installed on retained trees within the Wilson Park precinct. Design and placement of such boxes is to be in accordance with best practice, in consultation with a suitably experienced ecologist with demonstrated expertise in nest box management. The design and placement of the boxes shall be approved by SOPA's Director, Environment and Planning prior to installation.

CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

Habitat Box Monitoring

The applicant must engage a qualified ecologist to monitor the habitat boxes bi-annually for a period of 25 years, assessing the use by target fauna, and box maintenance requirements. Damaged boxes and attachments are to be duly repaired or replaced. Monitoring records are to be provided to SOPA's Director Environment and Planning on 30 June each year or as requested.

Access to Wilson Park Remediation Ponds

The fencing and security strategy for the site must allow 24 hour access to the Wilson Park remediation ponds for SOPA staff and contractors for maintenance purposes.