

Mr Michael Nicholls
Business Manager
The Business Office, Kambala
794 New South Head Road
SYDNEY New South Wales 2029

01/12/2020

Dear Mr Nicholls

**Kambala Sport, Wellbeing and Senior Learning Precinct (SSD-10385)
Response to Submissions**

The exhibition of the Environmental Impact Statement (EIS) for the Kambala Sport, Wellbeing and Senior Learning Precinct (SSD-10385) ended on Tuesday 24 November 2020. Submissions received from Woollahra Council, the public, and all public authority advice received by the Department of Planning, Industry and Environment (the Department) during the exhibition of the project is available on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/25731>

In accordance with clause 82 of the Environmental Planning and Assessment Regulation 2000, the Planning Secretary requires the Applicant to respond to all issues raised in these submissions and Government agency advice, and where necessary, technical supporting documents must be revised.

Please be advised that the Government Architect of NSW, Ausgrid and AGL have yet to provide comments in relation to the application. Any pending public authority responses will be forwarded upon receipt.

The Department has also undertaken a preliminary assessment of the EIS and, in addition to the issues raised in submissions, requires the matters at **Attachment 1** be addressed in full. You are requested to provide the Department with a response to the submissions in two months on 29 January 2021.

Note that under clause 113(7) of the Environmental Planning and Assessment Regulation 2000, the days occurring between the date of this letter and the date on which your response to submissions is received by the Planning Secretary are not included in the deemed refusal period.

If you have any questions, please contact Rita Hatem, who can be contacted on (02) 8275 1033 or at rita.hatem@planning.nsw.gov.au.

Yours sincerely



Karen Harragon

Director, Social And Infrastructure Assessments
Social & Infrastructure Assessments

as delegate for the Planning Secretary

ATTACHMENT 1

1. Location of the building

- Transport for New South Wales (TfNSW) have reviewed the EIS and advised that the proposed building would impact on an easement for support which benefits the public authority. You are requested to consult with TfNSW and determine the impact of this easement on the building footprint and amend the proposal so that no existing easements are impacted by this development.

2. Stormwater management

- The site has been identified as flood prone land; however, it is noted that flood risk has been addressed only very briefly within the Stormwater Management Plan provided. In this regard, the Department concurs with the comments from the Biodiversity and Conservation Group that a detailed flood impact assessment with catchment studies and appropriate modelling would have to be conducted and be provided for further assessment with the response to submissions (RtS) report.

3. Removal of significant trees

- The Arborist Report supporting the EIS indicates that Trees 1, 10-12, 14-17, 21, 22, 24, 27, 28, 30, 34-37 and 38 must be retained and protected. However, the Landscape Design Report had identified the removal of Tree 27 and potential removal of Tree 36, 37 and 38. The Department considers that additional justification should be provided regarding the proposed removal of trees that are identified as significant. Where possible, the proposal should be amended to retain significant existing trees within the site.

4. Plans and elevations

- The architectural plans should be updated to indicate the height of all buildings and structures from the existing ground levels in addition to the relative levels (RLs) shown.
- The submitted architectural plans include elevations with incomplete references. The RtS must include updated architectural plans with elevations of all facades of each of the new buildings proposed that are clearly labelled to include North, South, East and West.

5. Landscape plans

- A revised Landscape Plan that provides exact details of planting locations, species, quantities and pot size is to be submitted with the RtS.

6. Response to applicable controls

- The RtS should include a response to the controls pertinent within the Draft amendments to the State Environmental Planning Policy (Educational Establishments and Child Care Centre) 2017 which is currently on exhibition on the Department's website. The Explanation of Intended Effect can be accessed via the following [link](#).

7. Built form and key views

- As indicated within Woollahra Municipal Council's (Council) submission, the RtS should include an updated Visual Impact Assessment Report considering the visual impacts of the proposed development on Towns Street and New South Head Road.
- Details of infrastructure and amenities that are required to service the sporting facilities, especially during afterschool hours, are required to be included in the supporting analysis to enable a proper assessment of visual impacts.

8. Traffic impact assessment

- The Noise and Vibration Impact Assessment Report (NVIA) submitted with the EIS states that the playing fields are to be likely shared with other schools for sporting events and also for community use (during weeknights and weekends).
- While the impacts of these activities have been addressed within the NVIA, the traffic impact of these activities have not been addressed in Traffic Impact Assessment Report (TIA) that has been submitted for the site. Consequently, the RtS should include an updated TIA including an assessment of the impacts of the additional out-of-school hours activities proposed within the site.
- As indicated within Council's submission, the Department agrees that further consideration should be given to the traffic impacts that would be generated through the proposed community uses.
- Details on the proposed shuttle bus drop-off areas / parking as well as number of buses and frequency are to be provided in the TIA.

9. Acoustic assessment

- It is unclear whether an acoustic assessment of out-of-school hours community use of school facilities has been conducted in the NVIA. An updated acoustic assessment including this component is to be provided. The acoustic assessment must include recommendations regarding limitations on permitted hours and frequency of such use, in particular for any outdoor spaces, to mitigate potential noise impacts on the neighbouring residents.
- Although the design of a public address system has not been finalised, further details should be provided within the RtS on the design, siting and operation of these elements to minimise / mitigate noise impacts on the surrounding community.

10. Construction Management Plan (CMP)

- Further details are required relating to the safety measures that would be employed to protect student amenity and safety during the staged construction of the proposed development including.
- The CMP should be accurately updated to include the details of the proposed operations of the school concurrently with the construction works.
- The CMP should also include a clarification relating to the impact that these staged activities would have on the student and staff parking areas.

11. Construction Hours

- Inconsistencies relating to the nominated construction hours for the site have been noted between the documents provided. Page 18 of the NVIA indicates that standard construction hours have been nominated for the site from 8am-1pm on Saturdays. However, the EIS states that construction hours of 7am - 5pm Saturdays would apply to the site. All documents provided must be revised to ensure that reference to the nominated construction hours are consistent.
- Minimal justification has been provided to support non-standard construction hours. If these hours are to be elected, further justification for their nomination is required.

12. Student amenity

- The proposed courtyard in between the two buildings (identified as an outdoor area for students) would be overshadowed in excess of three hours between 9am – 3pm during the winter solstice. It is considered that this area may not have an acceptable level of amenity during winter due to the reduced solar access.
- The RtS should be updated to address how these overshadowing impacts would be addressed to protect the amenity of the courtyard and students in the future.

13. Community and out of hours use of the site

- Details are to be provide of future shared use of school facilities / outdoor play areas with the community including (but not limited to) a schedule of:

- list of all school facilities to be used (meeting rooms, parking spaces, halls, etc).
- types of functions/activities carried out.
- maximum occupancy and hours/days of operations of such uses.
- likely frequency of community uses within the site.
- any additional noise and traffic assessment in relation to out of hours community use of school facilities.
- Details of any proposed out-of-school hours care (OOSH) or intensification of use of the existing OOSH are to be provided including the maximum number of students that are likely to use this facility.

14. Green Travel Plan (GTP)

- A GTP that details how the school would support and promote the use of sustainable transport methods must be prepared and submitted for the site.

15. Contributions

- It is noted that an exemption from contributions is being sought on the grounds that there is no increase in staff or student numbers. The Department notes that Section 7.12 development contributions are applicable to all types of development, regardless of the intensification of uses or increase in student numbers. The applicant may wish to reconsider the justification for exemption.

16. Reference errors

- As noted within Heritage Division of the Department of Premier and Cabinet (Heritage NSW) submission, the Aboriginal Cultural Heritage Assessment Report (ACHAR) contains several errors including:
 - incorrectly recommending that a section 90 Aboriginal Heritage Impact Permit (AHIP) be sought if Aboriginal objects are to be moved or harmed (pages vi and 35). Heritage NSW notes that an AHIP is not required as the proposed development has been declared SSD.
 - referring to the National Park and Wildlife Regulation 2009 (page 7) which was updated in 2019 with the Aboriginal cultural heritage clauses re-numbered.
 - no letter attached from La Perouse LALC in Appendix C as stated under section 4.3 Field Survey (page 24).
 - section 7.1.2 incorrectly referring to OEH (page 33) instead of Heritage NSW.
- An amended / updated ACHAR should be submitted with the RtS addressing the above errors.

17. Landowner's Consent

- A signed letter indicating the landowner's consent for this application to proceed is required to be formally submitted with the RtS.
