SydneyOlympicPark

Secretary
Department of Planning, Industry and Environment
320 Pitt Street
SYDNEY NSW 2001

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.

Sydney Olympic Park Authority (SOPA) supports the development of the site for the new Cricket NSW Centre of Excellence. There are however a number of issues with some specific details of the proposal, which requires further attention as outlined below:

1. Parklands Plan of Management

Sports and Recreation Parks

The subject site is located within the Millennium Parklands in which the primary planning document governing land use is the Parklands Plan of Management 2010 (PPOM). The site 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 also require a Parkland Approval Permit (PAP) from SOPA.

Restricted Public Uses may be approved but must demonstrate that they meet the Objectives of the particular area in which they are located. The Objectives for the Sports and Recreation Parks in the PPOM state:

a) *provide sporting areas that present high standards of health, safety, experience and amenity;*
b) *improve, develop and maintain the land in ways that facilitates public use and enjoyment of the land for sporting purposes;*
c) *promote management and use of the land in a manner that protects and enhances the sports and recreational quality of the land;*
d) *manage uses and activities having regard to any adverse impact on other people and places, the integrity of the underlying remediated land systems and minimising conflicts between user groups and interests; and*
e) *conserve, protect, interpret, adapt and/or enhance the significant ecological, scenic and heritage elements for present or future generations.*

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The proposal needs to more clearly outline the public access regime for the proposed development. The submitted Plan of Management addresses the proposed usage arrangements by Cricket NSW and affiliated groups. Although Section 6.2 of this Plan is titled Community Access, it only addresses the range of cricket-specific community programs run by Cricket NSW.

In order to be consistent with the objectives for the Sports and Recreation areas the EIS should be updated to clearly outline the public access regime for the community club cricket oval and parklands to allow and informed assessment, with specific reference to:

- Whether the community club cricket oval will be available for the general public to 'turn up and play' or by reservation only;
- How often and what times this field will be reserved for exclusive use by Cricket NSW; and
- Who will be responsible for managing and regulating public access to the community club cricket oval, car parking areas and the site in general.

SOPA requests more detail of the proposed community access regime for the site, as outlined above, and clearly demonstrate the net benefit of the proposal to the Parklands and community.

Fencing

The proposal seeks to maintain and extend the existing chain link fence around the boundary of the lease area. The boundary fencing is of poor visual amenity and is a barrier to public access to and movement through the site. The fencing is also inconsistent with the Access Management Principles in Section 3.24.3 of the PPOM, which state:

The extent of any structural barriers or boundary markers (such as fencing) in the Parklands should be kept to the absolute minimum. Plantings consistent with the design intent for the Parklands are preferred where it will be adequate for purpose.

SOPA therefore recommends that the chain link boundary fence be required to be removed. SOPA supports picket-style fencing around the two ovals to delineate the playing surface and accepts that some fencing may be required to secure the Centre of Excellence Building. All other fencing at the site should be kept to an absolute minimum in accordance with the PPOM Access Management Principles.

2. Interface with Parramatta River Walk

The Parramatta River Walk adjoins the site immediately to the north and is identified as a priority Green Grid link in the Central City District Plan. The significance of the River Walk as both a recreation space and link between Sydney Olympic Park and regional walking and cycling routes is identified in the PPOM.

While SOPA acknowledges that the constraints of the site present significant design challenges SOPA considers that a significantly improved layout and design could be achieved. The community oval is located in the south-west corner of the site and is not visible from the wider public domain, including the River Walk. The design and layout needs to ensure that the community oval is connected with the adjoining network of public spaces along the foreshore.

3. Built Form Design

On review of the Visual Impact Analysis, the bulk, scale and articulation of Centre of Excellence building is comparable to the large-scale industrial and correctional facilities buildings to the south and west of the site.

It is imperative that the proposed building achieves a high design standard typically associated with buildings in prominent riverfront locations and has adequately addressed sustainable design principles. Due to the limited design detail provided, SOPA recommends that this proposal return to the SDRP for further assessment during detailed design, or alternatively, to SOPA's internal design review panel.

4. Biodiversity

The site is located adjacent to an area of significant ecological value and also forms part of a fauna movement corridor. As such, the SEARs included the need to consider relevant planning provisions, goals and strategic planning objectives of the SOPA Biodiversity Management Policy. The EIS however, does not address this document, specifically:

- Legal obligations for biodiversity conservation under the *Sydney Olympic Park Authority Act* 2001 have not been addressed; nor have local policy goals, objectives and threats.
- The Biodiversity Development Assessment Report identifies that the development will require 17 ecosystem credits and 21 species credits under the *NSW Biodiversity Conservation Act* 2016. These credits can be purchased and applied anywhere within the State and do not necessarily address the overall impact of the proposal on biodiversity at Sydney Olympic Park. Accordingly, the Applicant should explore opportunities with SOPA to enhance habitats and ecological values within the Wilson Park precinct before committing to purchasing off-site credits.
- The SOPA Biodiversity Management Plan identifies that one of the key ecological values of the Wilson Park precinct as feeding habitat for the regionally-significant red-rumped parrot population, which feed on mown kikuyu lawns. This species has not been considered in the EIS.
- The Biodiversity Development Assessment Report does not consider the connectivity of the Green and Golden Bell Frog population at the site to the Duck River, Camellia and Silverwater populations.
- The EIS identifies that 304 trees will be removed, and 310 replacement trees will be planted. These figures conflict with the Biodiversity Report, which states 108 trees covering 1.3 hectares will be removed. Clarification is then required in relation to the number of replacement trees, particularly as the replacement of 304 mature trees with 310 juvenile specimens, as proposed in the Landscape Plan is inadequate to compensate for the loss of habitat, shade and functional value.
- Details of any compensatory nest boxes must comply with SOPA's comprehensive artificial nest box and roost box programme.
- Plant species identified as weeds in the Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022 or Table 2 of the SOPA Invasive Environmental Weeds Policy POL 10/5 are not permitted. Specifically, the current Landscape Plan includes Tuckeroo *Cupaniopsis anacardioides* in the planting palette. This species is a weed in Sydney Olympic Park and should be replaced with a suitable endemic species.

5. Stormwater

The site is located within the Sydney Olympic Park boundary. As such, and as identified in the SEARs, the relevant planning provisions, goals and strategic planning objectives of the SOPA Stormwater Management and Water Sensitive Urban Design Policy (WSUD Policy) were required to be addressed. The EIS however has incorrectly addressed the City of Parramatta stormwater standards.

The civil engineering and stormwater report therefore requires updating to 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.

The design must also include provision for access and maintenance to the stormwater assets and new pits.

Further, Part 8 of the Ecologically Sustainable Development report should also address the potential use of chemical herbicides, pesticides and fertilisers on the playing surfaces and outline proposed measures to capture and treat stormwater run-off from these surfaces.

6. Car parking

The analysis of car parking demand for the development does not consider the cumulative impacts with demand from existing Parklands users who currently use the car parking area to access the Parramatta River foreshore or wider Parklands. While SOPA support the 'first come, first served' principle, the EIS analysis needs to quantify the existing community use of parking and make provision for this demand in the car parking analysis and car parking provision for the development.

SOPA also seeks further clarification regarding the boat trailer parking spaces along the eastern boundary of the site. The boat trailer parking spaces are outside the proposed lease boundary for Cricket NSW and should not be impacted by the proposed development; however, the EIS does not specifically address these parking spaces. Accordingly, the EIS and associated plans should be updated to confirm that the proposed development is not seeking to alter the boat trailer parking spaces.

7. Lighting

It is acknowledged that lighting within the facility is key to providing a safe and welcoming environment for users of the facility and the general public. Given the sensitive location of the proposal in a relatively isolated yet environmentally sensitive location, balancing the need for a safely lit, yet environmentally appropriate lighting is vital. The PPOM contains lighting principles for developments within Sydney Olympic Park however; this is not referenced in the EIS submission and therefore needs to be addressed.

Moreover, the EIS and its appendices contain conflicting information about proposed lighting of the various parts of the facility. The lighting report indicated the community oval will not be lit, yet the crime prevention report and various images indicate that it will. Accordingly, clarification about the lighting details is required.

SOPA recommends that the following standards outlined in the Applicant's Biodiversity Report are incorporated into the proposal:

- *Luminaire design, post height, placement and operation must avoid the direct illumination of sensitive areas including the Parramatta River, artificial wetlands, and retained vegetation and replacement plantings, and minimise the indirect light spill in the 50 m and 100 m buffer around those respective areas. Glare shields must be used to further reduce the indirect impact of light spill on habitat within the subject property. Warm spectrum (3000k) lighting must be used reduce the impact on nocturnal animals such as microchiropteran bats and the Green and Golden Bell Frog.*"

- *The upward light output ratio must be less than 5% relative to their installed mounting orientation; and*

- *External lighting of the fields must not extend past 10pm. 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.*

8. Contamination

The Wilson Park site comprises a comprehensive industrial history that has resulted in site contamination and subsequent remediation with on-going management requirements. Most significantly, in the early 1950s the site was developed into a petrochemical plant featuring various tanks and large sludge ponds storing tar sludge residues from the conversion of heavy crude oil to town gas. The gasworks and petrochemical plant were closed in 1974.

Wilson Park is the subject of a Maintenance of Remediation Notice issued by NSW EPA under Section 26 of the CLM Act (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.

Two biological treatment systems remain located to the north-east of Wilson Park and includes two waste containment mounds approximately 100-110m in length.

SOPA notes that a Site Audit Statement and Site Audit Report have already been issued, and that the site Auditor is of the opinion that the site can be made suitable for the proposed development provided that the Contaminated Land Management Plan (Douglas Partners, 2019) and the Site Auditor's advice and recommendations (AECOM Site Audit Report- NSW Cricket Association Wilson Park, Silverwater, NSW 2019) be implemented and the site continues to operate under the conditions of the RLMP. It is understood that additional validation of the site to provide evidence of the suitability of the site for the proposed land use and ongoing monitoring shall occur in accordance with the Contaminated Land Management Plan.

The Contaminated Land Management Plan prepared by Douglas Partners is considered to be mostly adequate and effective to maintain the integrity of the remediated lands, manage risks associated with contamination and soil vapour/hazardous ground gases and protect the environment and human heath.
SOPA advises that if unexpected contamination or unexpected soil vapour/hazardous ground gas conditions are found during construction a risk assessment and a remediation action and strategy should be prepared by a suitably qualified independent expert and submitted to the EPA accredited Site Auditor for approval. SOPA requests that reports are made available for review and records.

SOPA notes that the Soil Vapour/Hazardous Ground Gas Mitigation System Design and an ongoing hazardous ground gas/soil vapour monitoring and management plan to monitor and

manage long-term risks is still to be prepared by qualified experts and be approved by the Site Auditor. SOPA requests these documents are also made available for review and records.

Further, SOPA advises that a Section A Site Audit Statement certifying that the site is suitable for the proposed land use, and 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, and that the proposed subsurface drainage system will require Site Auditor approval as part of the final Site suitability assessment. SOPA requests these documents are also made available for review and records.

Specific comments relating to the Contamination Investigation Report, Contamination Management Plan, Construction & Demolition Waste Management Plan and the EIS are provided in the attached Appendix A.

On review of the amended documents, SOPA will also provide detailed comments on requirements for the Construction Environmental Management Plan and will be requesting that this plan is reviewed and approved by SOPA prior to any works occurring on the site.

9. Works outside the lease boundary

The Landscaping Report prepared by Turf indicates proposed works on public land outside the proposed lease boundary, including an upgrade of the public amenities block immediately to the north of the lease boundary. The plans and EIS documentation need to clearly indicate whether these works are proposed as part of this application and whether they will be carried out by the Applicant.

10. Sydney Olympic Park's Parklands Future Directions Statement 2030

SOPA has been preparing a Parklands Future Directions Statement 2030 (FDS) to guide the next review of the Parklands Plan of Management. The draft Parklands FDS will be finalised in late December 2019 and will be publicly exhibited in early 2020.

The Applicant states that an assessment of the proposed development against the FDS will be undertaken at the 'Response to Submissions' stage if a copy of the FDS is provided (EIS section 5.30). SOPA will ensure that this is made available to enable the Applicant to respond accordingly.

11. Recommended conditions of consent

SOPA has requested further information on a number of issues outlined above, including the updating of a number of technical supporting reports. Consequently, instead of attempting to draft recommended conditions of development consent to address all the matters raised, SOPA intends to provide draft conditions after reviewing the applicant's Response to Submissions.

Yours sincerely,

Charles Moore
Chief Executive Officer

20 December 2019

SOPA Comments on *Douglas Partners: Detailed Site (Contamination) Investigation Report 86694.03R.002.Rev0 October 2019 – West Sydney Cricket NSW and Community Centre, Wilson Park, 4 Newington Road, Silverwater*

- **Page 24, second paragraph:**
  - The main building for the development is understood to be located in the north-west quarter (not in the north-east).

- **Section 12, page 45, Table 14**
  - The table outlines the risk of contaminants leaching out of the fill into groundwater. The risk is not only manageable by groundwater monitoring and civil monitoring but by managing the integrity of capping system appropriately during civil works. Limiting the time the fill below the capping layer is exposed by immediate stabilisation and backfilling can prevent the spreading and leaching of contaminants. Avoiding works during wet weather and applying appropriate controls that prevent leaching of contaminants out of exposed contaminated fill and spoil would mitigate the risk.

- **Section 13 Conclusions**
  - *The Conclusions* should acknowledge the requirement to manage risks associated with hazardous ground gases/vapour intrusions during and post construction.

Douglas Partners: Contamination Management Plan 86694.03R.003.Rev0 October 2019 – West Sydney Cricket NSW and Community Centre, Wilson Park, 4 Newington Road, Silverwater

- **Section 1.1 Objectives**
  - The Objectives should include the requirement to manage risks associated with hazardous ground gases/vapour intrusions during and post construction.

- **Page 6:**
  - The main building for the development is understood to be located in the north-west quarter (not in the north-east).

  - It appears that the drawings in the Appendix do not present the latest revision, e.g. Drawing C06 P1 is attached instead of C06 P3 as referenced in text.

- **Page 13, Tab 1:**
  - The table outlines the risk of contaminants leaching out of the fill into groundwater. The risk is not only manageable by groundwater monitoring and civil monitoring but by managing the integrity of the capping system appropriately during civil works. Limiting the time fill below the capping layer is exposed by immediate stabilisation and backfilling can prevent the spreading and leaching of contaminants. Avoiding works during wet weather and applying appropriate controls that prevent leaching of contaminants out of exposed contaminated fill and spoil would mitigate the risk.

- **Section 8.1.1 Recommended Sequence, page 20:**
  - The objective of segregation, stockpiling and testing of excavated material is to confirm the contamination status of the tested soils but also to determine their final destination. Sampling should to be conducted by an experienced Environmental Consultant, and testing should be conducted by NATA accredited analytical laboratory.

- **Section 8.1.2 Excavation Works Procedure (Penetrating capping Layer):**
  - Work procedure should detail the steps to be taken during wet weather and when rain is predicted to avoid leaching of contaminants out of exposed contaminated fill and spoil into surrounding soils, groundwater, and stormwater and to prevent contaminated run-off.
  - Material excavated from below the capping layer and identified contaminated material should be stockpiled separately on plastic sheeting, bunded and covered to prevent spreading and leaching of contaminants into the air, surrounding soils and aquifers.
  - Excavated/disturbed areas should be stabilised/back-filled as soon as practicable to minimise windblown dust and leaching of contaminants into surrounding soils, stormwater and groundwater.
  - Appropriate sediment and erosion controls are to be implemented.
  - Ensure that segregated materials are stored in separate stockpiles and remain separated and are accessible for testing where required.
  - No smoking or open flames to be permitted on site.
  - Hot works permit to be granted under strict conditions.
  - Stormwater, groundwater, water used for dust suppression, any water that has come in contact with material below the capping layer or with contaminated fill and spoil has to be managed as contaminated wastewater and must not be disposed of in the stormwater system. It must be removed from site via vacuum tanker and disposed of at a facility licensed to receive liquid waste.

- **Section 8.1.3 Gas and Vapour Monitoring Requirements:**
  - Gas monitoring is proposed to be undertaken by the Environmental Consultant during all excavation works, unless advised otherwise by the Environmental Consultant. The circumstances that would bring the Environmental Consultant to discontinue gas monitoring have to be established in the gas monitoring plan for the project. A gas monitoring plan based on Douglas Partners recommendations should be developed and approved prior to construction and earthworks. The monitoring plan should be executed as a precautionary measure during all excavations and piling works.
  - SOPA recommends to undertake gas monitoring along the perimeter of the construction site as a precautionary measure to ensure that odour and vapours can be detected at the site boundary. If detected appropriate measures can be taken to prevent odour and vapour crossing the site boundary.

- **Section 8.2 Piling Works**
  - Section 8.2.1 Generation of Spoil: If the excavated spoil cannot be separated in contaminated and non-contaminated material the spoil must be managed as contaminated. If a qualified environmental consultant confirms the presence of ASS the material is to be considered ASS and contaminated and must be treated and managed as such.
  - Contaminated Spoil must be placed on plastic sheeting, bunded and covered to prevent spreading and leaching of contaminants into surrounding soils, aquifers, waterways and into the air. Appropriate sediment and erosion controls must be in place to prevent sediment run-off in stormwater system and waterways and spreading of contamination.
  - Groundwater must not be disposed of in the stormwater system and receiving waters. If extracted from the ground it must be collected and disposed of at a facility licensed to receive liquid waste.
  - Stormwater, groundwater, water utilised to supress dust that came into contact with spoil and any run-off must not be disposed of in the stormwater

system. It must be collected and disposed of at a facility licensed to receive liquid waste.

- **Section 8.3 Proposed Re-instatement Procedure of Capping Layer:**
  - Capping material that is to be reinstated at the same location must be assessed prior to reinstatement for its suitability to ensure that it was not cross-contaminated with other materials.
  - Capping material that is to be relocated within the site must be assessed prior to placement for its suitability to ensure that it was not cross-contaminated with other materials.

- **Section 8.4 Spoil management**
  - If contaminated spoil cannot be separated from non-contaminated spoil all spoil must be treated as contaminated spoil.
  - Contaminated Spoil must be placed on plastic sheeting, bunded and covered to prevent spreading and leaching of contaminants into surrounding soils, waterways, groundwater, stormwater and into the air.
  - Stormwater, water utilised to supress dust that came into contact with spoil and fill must not be disposed of in the stormwater system. If it has come into contact with contaminated fill, contaminated spoil and stockpiles it is to be managed as contaminated wastewater and must be removed via a tanker off site and disposed of a facility licensed to receive the waste.

- **Section 8.5 Odour Control**
  - SOPA recommends establishing gas monitoring plan for vapour and odour monitoring along the site perimeter.

- **Section 9.1 Proposed Buildings**
  - There is no information provided if the design of the passive vapour mitigation system will allow for an air inlet facilitating atmospheric air flow through the PVC pipe network.

- **Section 10.2.2 Large Volumes of Spoil (Preparation of Treatment Area)**
  - Leachate run-off from the treatment pad collected in the leachate collection drain must be removed by a vacuum tanker and disposed of at facility licensed to receive liquid waste.

- **The presence of large scale filling is known.**
  - Much of the fill (at least in the North West) is below a depth of 1 m and comprises a mixture of crushed sandstone and tar (sludge from the tar pits). There is a risk that excavations, piling works, the load of heavy machinery and bulk filling (additional load) may mobilise the tar in the fill. The geotechnical report describes the proof-rolling of the prepared subgrade areas using 12 tonne large roller. Appropriate controls must be in place to prevent tar migrating into deeper soils and groundwater and to manage tar coming to the surface. The load of heavy machinery as well as the additional load of imported fill may mobilise tarry components in the fill. Procedures and controls have to be in place to manage potential migration of tar and manage associated environmental and WHS risks.

- **Section 11.2.1 Spoil Vapour - Proposed Buildings**
  - It is proposed to undertake initial monitoring weekly for four weeks and subsequent monitoring every three months, then reverting to biannually. Biannual frequency may not be sufficient to provide confidence that the vapour mitigation system is working effectively. The gas monitoring program including monitoring frequency should be reviewed by a qualified and

experienced environmental consultant based on the initial, quarterly monitoring results and on other relevant site specific information.

- **Section 12.4 Air Monitoring :**
  - Section does not provide a recommence-work-procedure after the threshold level of 5ppm has been exceeded and contractors have ceased work. What site conditions and gas readings will allow workers to return to work.

- **Section 13.2 Contingency Plan:**
  - Any material to be removed from site must place in labelled skip bins or stockpiled on plastic sheeting, bunded and covered as instructed by the Environmental Consultant.

Elephants Foot Recycling Solutions: Construction & Demolition Waste Management Plan

- **Section 1.6 report Objectives**
  - Objectives should be clear that all asbestos, contaminated and hazardous wastes must be classified and disposed of in accordance with NSW EPA requirements and guidelines and disposed of at facilities licensed to receive the waste. Waste dockets must be retained and provided in reports.
  - Groundwater that has been extracted from the ground must be collected and disposed of at a facility licensed to receive this liquid waste. Waste dockets must be retained and provided in reports.
  - Stormwater, water used for dust suppression or any water that has come in contact with contaminated spoil and fill must be treated as contaminated wastewater disposed of at a facility licensed to receive the liquid waste. Waste dockets must be retained and provided in reports.

URBAN ETHOS: Environmental Impact Statement

- **Table 4, page – Requirements**
  The following requirements are missing:
  - Compliance with Contaminated Land Management Act 1997 and Maintenance of Remediation Notice 28040 issued under section 28 of the Act.
  - Compliance with Sydney Olympic Park Remediated Land Management Plan.

- **Table 9, page 73**
  - Applicable legislation is the Contaminated Land Management Act 1997.

- **Section 5.3.1, Table 10:**
  - SOPA's Remediated Land Management Plan should be listed. The Remediated Land Management Plan details how the remediated lands and associated infrastructure regulated under section 28 of the NSW Contaminated Land Management Act 1997 and subject to notice 28040 are to be managed to ensure that containment integrity is maintained, human health and the surrounding environment is protected and statuary compliance is achieved.

- **Section 5.3.2, Table 11**
  - Contaminated Land Management Act 1997 and Maintenance of Remediation Notice 28040 issued under section 28 of the Act to be included.

- **Section 6.3.2 Contamination Management Plan (CMP)**
  - Quotation of the objective of the CMP is incomplete.

- **Section 6.4.1 Bulk Filling and Excavations**
  - A detailed methodology for bulk filling works on the site is stated in the reports at Appendix M and Appendix O (CMP).
  - A detailed suitable methodology for new capping works is stated in the report at Appendix M and Appendix O (CMP).

- End -