

30 November 2020

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File No: R/2020/2/A
Your Ref: SSD-10421

Prity Cleary
Senior Planner
Department of Planning, Industry and Environment

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Dear Prity

New Request for Advice – Weigall Sports Complex, Sydney Grammar School – SSD-10421

Thank you for your correspondence dated 9 November 2020 requesting advice from the City of Sydney Council (the City) regarding the proposed Weigall Sports Complex new sports facilities building and car park. The City has reviewed the submitted Environmental Impact Statement (EIS) and supporting documents and provides comments as discussed below.

1 Public domain and stormwater management

The City notes that the public domain along the eastern side of Neild Avenue is in poor condition and as this is a significant development which will lead to the increased use of the public domain and works will include stormwater connections and the construction of new driveways and entrances to the site, consideration should be made to undertaking public domain works along Neild Avenue and Alma Street. However, as this part of the public domain falls within the Woollahra Council LGA, no conditions are recommended for the public domain.

The submitted Civil & Stormwater Report accompanying the EIS outlines that the development will require a Woollahra Municipal Council stormwater asset deviation. The City defers to Woollahra Council for consideration, approval and recommended conditions.

The development also proposes to discharge its stormwater into the existing City of Sydney owned stormwater kerb inlet pit located adjacent to the existing driveway in Neild Avenue. This kerb inlet pit is identified as a City of Sydney asset and as such, it is recommended that separate consent for drainage connection is conditioned as any part of an approval. Further, the City recommends the applicant enter into a stormwater completion deed of agreement and register a positive covenant regarding the connection to the City's underground drainage system. Please see attachment A for recommended public domain conditions.

2 Tree management

The Brushbox street trees located within the Woollahra LGA located along Neild Avenue pedate 1943 and contribute greatly to the amenity of the area. These street trees are to be protected during demolition and construction.

The submitted arborist report states that trees T32, T35, T36 and T37 are recommended for retention. However, they are proposed to be removed due to the building location / site access. These existing trees make a strong contribution to greening the streetscape and will help to screen this large building from Neild Avenue. The City recommends that these trees be retained and protected rather than replaced. Given the large land holding that can be built upon and accessed, it is not acceptable to be removing trees along the street boundary that can be retained. Alternative access through other available driveways would require fewer trees to be removed.

The EIS notes approximately 90 trees within the site will be affected by the development, 20 of those proposed for removal while 70 are proposed to be protected. The 42 proposed replacement trees are proposed as a mix of medium sized trees with a minimum height of eight metres. All the proposed species are considered appropriate and are located within deep soil areas, they are likely to grow to maturity ensuring that the canopy cover of the site will not be diminished as a result of the development.

The City recommends replacement trees be supplied in accordance with Australian Standard 2303 (2015) Tree Stock for Landscape Use. It is noted however, that the following species identified may be difficult or not possible to source:

- *Pteridium esculentum*, suggest replacing with *Calochlaena dubia*
- *Darwinia fascicularis*,
- *Acacia terminalis*,
- *Melaleuca squamea*,
- *Dilwynia retorta*,
- *Epacris longifolia*

It is recommended that the proponent explore possibilities of ordering through specialist nurseries and if able to source, order replacement trees 6-12 months before the commencement of landscape works. This will ensure landscape diversity is not diminished due to lack of availability.

It is also recommended that the suggested tree protection measures within the submitted arborist report be included as a condition of consent.

3 Site contamination and acid sulfate soils

The City has reviewed the submitted Hazardous Material Removal, Preliminary Environmental Site Investigation, Detailed Environmental Site Investigation (DESI) and Remedial Action Plan (RAP) reports and raise no objection with the level of investigations, report findings or recommendations. It is recommended, however, that an acid sulfate soil management plan (ASSMP) be prepared prior to future redevelopment activities to manage the identified potential environmental risks. A preliminary ASSMP has been submitted but it is recommended that an updated report be prepared as part of a condition of consent. Validation reporting will also be required via the engagement of a NSW EPA Accredited Site Auditor who is to prepare a site audit statement confirming that the land is suitable for the proposed use. This is recommended to be included as a condition of consent.

Upon finalisation of bulk earthworks plans and construction methodologies, a detailed ASSMP is recommended to be prepared by the Principal Contractor, prior to commencement of development activities to manage potential disturbance of these soils.

The submitted DESI recommended that a RAP be prepared and implemented to guide remediation and validation actions including validation sampling, analysis and quality planning to enable the site to be considered suitable for proposed land use. The RAP should also include an appropriate Unexpected Finds Protocol with provisions for the management of unexpected finds that may be encountered during site remediation/ development activities.

An appropriate and efficient management/remediation strategy must be developed to address the lead and aesthetic issues at the site. Following completion of remediation activities in accordance with the RAP, a validation report should be prepared to demonstrate the successful validation of the site and suitability of the site for the intended use.

The submitted RAP states that the preferred remedial strategy for the site is excavation and off-site disposal of lead impacted soil and removal of the excavated material from the site to a lawful waste facility. With respect to aesthetic impacts, it is noted that fill material with anthropogenic inclusions of ash, slag and charcoal and associated odours across the site will not be suitable for use at the site surface. These materials will need to be placed below pavements or be covered with suitable material as part of the proposed development works.

Overall, it is considered that the proposed actions outlined in this RAP conform to the requirements of the *Contaminated Land Management Guidelines for the NSW Site Auditor Scheme (3rd Edition)*

(EPA 2017) as they are technically feasible, environmentally justifiable, and consistent with relevant laws policies and guidelines endorsed by NSW EPA.

It is considered that the site can be made suitable for the intended uses and that the risks posed by contamination can be managed in such a way as to be adequately protective of human health and the environment. Due to the contamination, it is recommended that a site auditor be engaged for the site and a condition of consent is included to require this to safeguard the public.

4 Noise impact assessment

The City is satisfied with the proposed acoustic treatments to the pool area, multi sports halls and carpark. The EIS has also considered operational noise impacts as a result of the development. Based on the results of the calculated noise levels of the proposed Weigall Sports Complex, the resulting cumulative noise level impacting on the residential receiver within proximity of the site is 38 dB(A) LAeq 15 min. The resulting maximum noise level is within the *projects trigger noise levels*.

The acoustic report for operational noise is considered to be sufficiently detailed and the recommended noise mitigation measures are recommended to be conditioned as part of any consent.

5 Construction noise and vibration management plan

Although the EIS notes intrusive appliances are not proposed to be used, it is recommended that the use of intrusive appliances be prohibited by condition of consent. Additionally, a condition requiring compliance with the acoustic report is recommended to ensure ongoing compliance with acoustic requirements.

6 Lighting impacts

It is recommended that the applicant explore opportunities to reduce light spill from the site.

7 Materials and finishes

The EIS has not been accompanied by sufficient information regarding proposed materials, finishes and colours. A condition is recommended that a materials and finishes schedule/board be submitted for further approval. The materials and finishes board must not include generic material or colour descriptions, or use terminology such as 'or similar'.

8 Operational management plan

Delivery times and waste collections are recommended to be conditioned as part any consent to prevent any additional impact on surrounding residents.

There are currently two maintenance staff, with two additional contracted staff assigned to work on various building services (electrical, hydraulic, fire), including the existing and proposed landscaped areas, along with contracted specialist trade contractors for tasks as required.

The School is seeking to provide community use of the Weigall Sports Complex. The School however is limited in its capacity to provide unrestrained public access to facilities as a result of its duty of care to student's safety and the school's own usage requirements.

The submitted operational management plan is recommended to be included as a condition of consent as part of any approval.

9 Paddington Greenway Project

The City notes that the proposed works are concentrated around the south-western portion of the site, however, it is recommended that the proponent consider how the future works to Rushcutters Creek as part of the Paddington Greenway Project will impact the operations of the sporting fields and the interface between the fields and the publicly accessibly future greenway. Further

consultation between the proponent and Woollahra Council is recommended to ensure the best urban design outcomes are achieved.

Should you wish to speak with a Council officer about the above, please contact Marie Burge, Planner, on 9265 9333 or at mburge@cityofsydney.nsw.gov.au

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'AR' or 'A. Rees', written in a cursive style.

ANDREW REES
Area Planning Manager

ATTACHMENT A – RECOMMENDED CONDITIONS OF CONSENT (PUBLIC DOMAIN)**(1) DRAINAGE CONNECTION**

For approval of a connection into the City of Sydney's drainage system an "Application for Approval of Stormwater Drainage Connections" must be submitted to the City, together with an application fee in accordance with the City of Sydney's adopted Schedule of Fees and Charges. This must be approved prior to the issue of a Construction Certificate for the public domain.

(2) STORMWATER COMPLETION DEED OF AGREEMENT AND POSITIVE COVENANT

Prior to the issue of any Occupation Certificate:

- (a) The Owner is required to enter into a Deed of Agreement with the City of Sydney and obtain registration of Title of a Positive Covenant for all proposed connections to the City's underground drainage system. The deed and positive covenant will contain terms reasonably required by the City and will be drafted by the City's Legal Services Unit at the cost of the applicant, in accordance with the City's Fees and Charges.