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LEVEL 8, 123 PITT STREET  
SYDNEY NSW 2000**

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ABN 50 105 256 228

21 July 2020

Ms Kim Holt  
Project Officer  
Planning Panels Secretariat  
Via email: [enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)

Dear Kim,

## **PPSSNH-47: CLARIFICATION & ADDITIONAL INFORMATION**

### **INTRODUCTION**

We write on behalf of the Manly Warringah Sea Eagles as the applicant for DA2019/1190 to be heard before the Sydney North Planning Panel (Panel) on Wednesday 29 July 2020.

We understand that the Northern Beaches Council (Council) assessment report dated 15 July 2020 recommends refusal on the following grounds:

- *Satisfaction of the requirements of section 35 of the Local Government Act 1993 as it relates to the Brookvale Oval Plan of Management (POM).*
- *The need to remove 11 heritage listed trees due to the location of the proposal.*

The applicant understands that Council may write to the Panel under separate cover on the matter of the proposal's consistency with the POM, so therefore it is not the intent of this letter to provide additional information on that matter.

We wish to provide clarification relating to the information upon which Council has conducted their assessment, particularly as it relates to the item of tree removal as a reason for refusal. Council's report includes assessment provided by various Council internal referrals. Upon our review, it appears that Council's final independent assessment has not been wholly based on the most recent information provided to Council staff by the applicant, thus leading to inconsistencies.

### **DISCUSSION**

Specifically, the following two items with regard to the assessment report are noted with responses provided.

1. Page 15 to 19: Council's heritage officer has noted that the proposal seeks to offset the proposed removal of 11 heritage listed trees with 7 brush box trees and 4 tuckeroos. The assessment goes on to note, "*Turning to the proposed tree replacement planting option, it is considered to be a poor attempt to offset the loss of the heritage significant trees and is not acceptable. The proposed*

*location of the 7 new brush boxes is impacted and constricted by the pedestrian ramp/access area and proposed sewerage and stormwater lines."*

The assessment further notes, *"It is considered that there is the potential to further explore additional design options that retain the heritage listed trees. This could include the construction of a basement level on the northern side, reallocation of spaces and a shrinking of the building width. An option exploring a reduction in the size of the area behind the dead ball line on the southern end and shifting the entire field down should also be considered."* Consequently, the assessment concludes that Council's heritage team is unable to support the proposal, noting that there remains the potential to relocate the proposal elsewhere on the site to enable the retention of the heritage item.

**Response:**

Council's heritage officer has failed to review and assess the documentation provided to Council titled Brookvale Clarifications Pack, dated 18.03.2020 prepared by Hassell. This documentation outlines an improved offset strategy developed in consultation with Council during a subsequent meeting on 27 February 2020. During this meeting, it was discussed with Council that a row planting was critical to pursue if the location of the proposal was unable to be moved. Additionally, this documentation provides clear justification on the location which does not appear to have been considered in Council's independent assessment, while it has been acknowledged and accepted by other internal referrals.

2. Council's landscape officer's assessment is included on page 19 to 22. The assessment notes the following. *"Review of the proposed works in accordance with AS4970-2009 Protection of trees on development sites indicates significant impacts on Trees T47, T48 and T49 which would render them unsuitable for retention."* The assessment provides the incursions into the TPZ of each tree as identified in the Arborist report, being T47 (38%), T48 (47%), and T49 (37%).

**Response:**

The applicant worked extensively with Council's landscape officer regarding the cumulative impact on trees 47, 48 and 49. Following a redesign of minor and major stormwater infrastructure, an updated Arborist Letter dated 16 June 2020 was provided to Council. This letter was supported by a consolidated stormwater infrastructure technical drawing providing details on the proposed infrastructure forming part of the development to enable a clear assessment on the likely impact to these trees. It was agreed that the revised documents confirmed the trees were able to be retained if sensitive construction techniques were incorporated. It is evident however that this additional information has not been included in Council's independent assessment report, which notes these trees are to be removed as a result of the proposal.

Additionally, the applicant would like to acknowledge condition 31 of Council's draft conditions of consent issued to the applicant on 15 July 2020 which if the Panel were to support the proposal, would require the undergrounding of power lines and changing of tree species. This condition has been included by Council as it improves the offset planting strategy by replacing the trees which are being removed as part of the proposal by the same species as those being removed. The trees would remain in alignment with the current offset strategy along the northern boundary of the site to ensure that the curtilage planting around Brookvale oval remains, reducing the impact to the heritage item.



The applicant has read this draft condition and confirms that they would accept this requirement if the Panel resolved to approve the development.

We believe that this condition requirement, coupled with the proposed replanting tree offset strategy provided to Council on 18 March 2020 would constitute an appropriate outcome that would sufficiently address the loss of tree merit issue raised in the assessment report as a reason for refusal.

For reference and as referenced above, see attached the following information previously provided to Council which does not appear to have formed the basis for their assessment.

- Brookvale Clarifications Pack, dated 18.03.2020 prepared by Hassell
- Arborist Letter, dated 16 June 2020 prepared by Tree Management Strategies

## SUMMARY

The intent of this letter is to provide greater context to the Panel in undertaking their assessment and draw attention to information Council officers were provided during the assessment period.

For the reasons outlined above, we are concerned that the assessment of the proposal in respect of the tree loss and the subsequent replanting strategy has not been based on the latest information provided to Council. Therefore, the assessment does not reasonably reflect the amended proposal as issued to Council which is of such significance that it could alter the assessment recommendation of this aspect of the report.

Finally, as stated above, we wish to formally advise the Panel that the applicant would accept the condition to bare the costs of undergrounding the overhead powerlines along the sites frontage to enable replanted advanced grown trees to grow unimpeded and allow a denser canopy to establish. We consider this constitutes an appropriate balancing of the impacts and merits of the proposed centre of excellence facility which will be a significant training, administration and community facility for the Manly Warringah Sea Eagles and women's sporting development and growth.

We look forward to discussing these matters further with you at next week's meeting.

Yours sincerely,

A handwritten signature in black ink that reads "Stephen White".

Stephen White  
Director  
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swhite@urbis.com.au



Tree Management Strategies

## Arborist Letter



Brookvale Oval

16-6-20

Leigh Brennan  
Tree Management Strategies

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Dip Horticulture  
Dip Arboriculture  
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## To Whom it may Concern

Tree Management Strategies was approached by Andrew Hobbs of Urbis to review the tree impacts associated with the Brookvale oval re-development and in particular the impacts associated with Tree 47, 48, and 49 previously outlined in the Arboricultural assessment dated the 23-10-19.

### Aim

- Reassess the tree impacts affecting Tree 47, 48 and 49;
- Offer recommendations on the ability to retain tree 47, 48 and 49;
- Offer recommendations on potential sensitive construction methods to retain trees assessed.

### Observations

As shown in the revised Tree Impact Plan (Appendix 1) and Tree incursions (Table 1), the accumulative and additional tree impacts to the (TPZ) Tree Preservation Zones of Tree 47, 48 and 49 are considered Major and without re-design or sensitive construction methods would require further tree removals.

Table 1: Tree Incursions

TreeID	Incursion type	TPZ incursion % breakdown	Total incursion % for individual tree
47	OSD connection	4.8%	<b>26.1%</b>
47	OSD tank	5.6%	As above
47	Stormwater	15.7%	As above
48	OSD tank	11.2%	<b>38.4%</b>
48	Stormwater	27.2%	As above
49	Stormwater	41.6%	<b>41.6%</b>

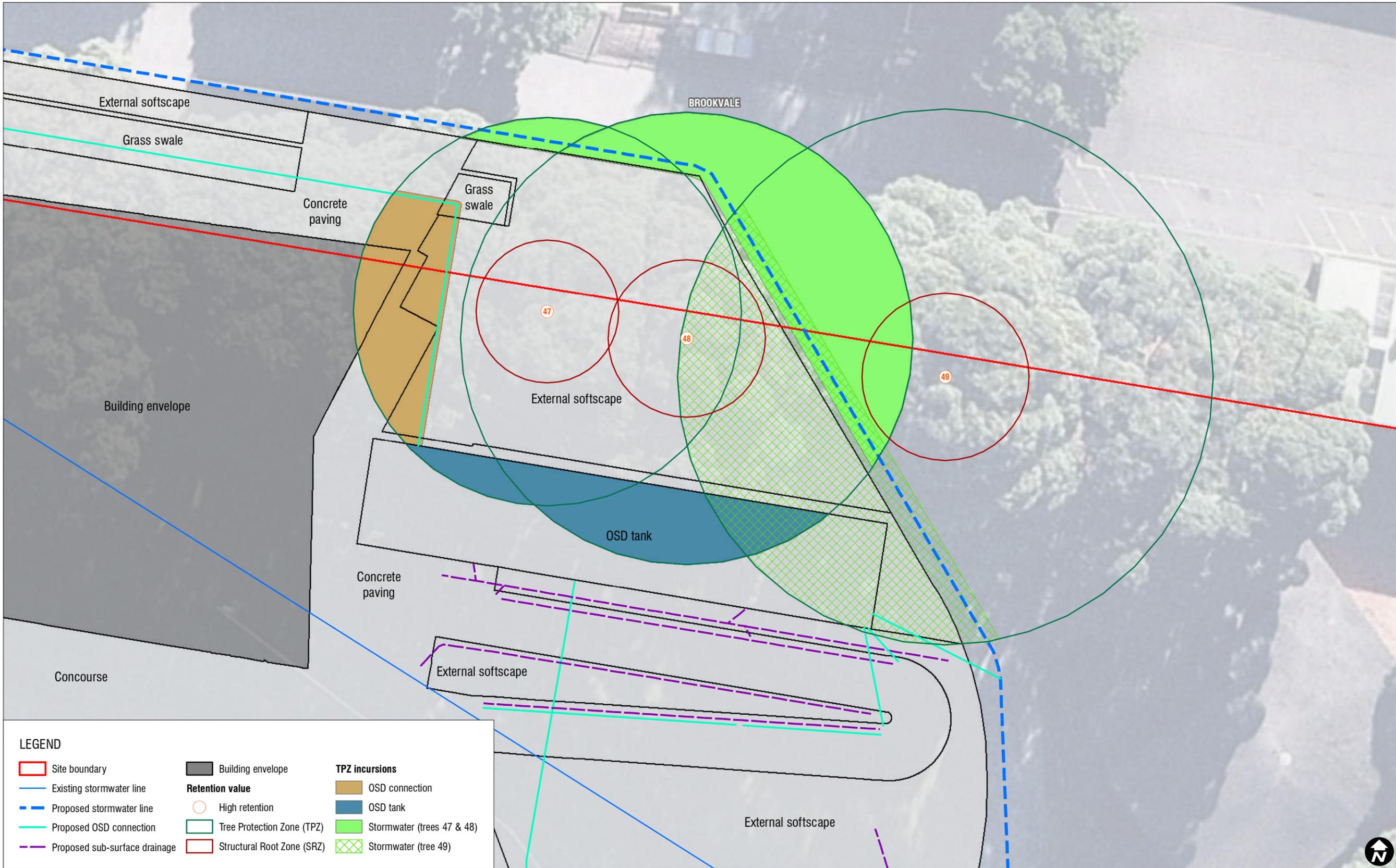
### Conclusion

It is concluded that to bring the current major TPZ incursions of Tree 47, 48 and 49 to an acceptable level the storm water design must be either changed or the construction method must be installed via under-boring at a minimum depth of 600mm. This construction method would reduce the storm water impact to zero and leave the OSD impacts at an acceptable level considering project arborist involvement as per the Arboricultural assessment dated the 23-10-19.

Further consideration has been considered in regard to root mapping and although physically possible, the close proximity to Trees 48 and 49 will inevitably find an expansive root system requiring alternative construction methods.

Leigh Brennan

Tree Management Strategies



H:\Projects\SLR\630-SW\NTL\630\_12842 Brookvale Oval COE Environmental Studies\6 SLR Data\01 CADGIS\src\GIS\Stormwater\Revision\SLR63012842\_TreeImpactPlan\_01.mxd

**LEGEND**

Site boundary	Building envelope	<b>TPZ incursions</b>
Existing stormwater line	<b>Retention value</b>	OSD connection
Proposed stormwater line	High retention	OSD tank
Proposed OSD connection	Tree Protection Zone (TPZ)	Stormwater (trees 47 & 48)
Proposed sub-surface drainage	Structural Root Zone (SRZ)	Stormwater (tree 49)

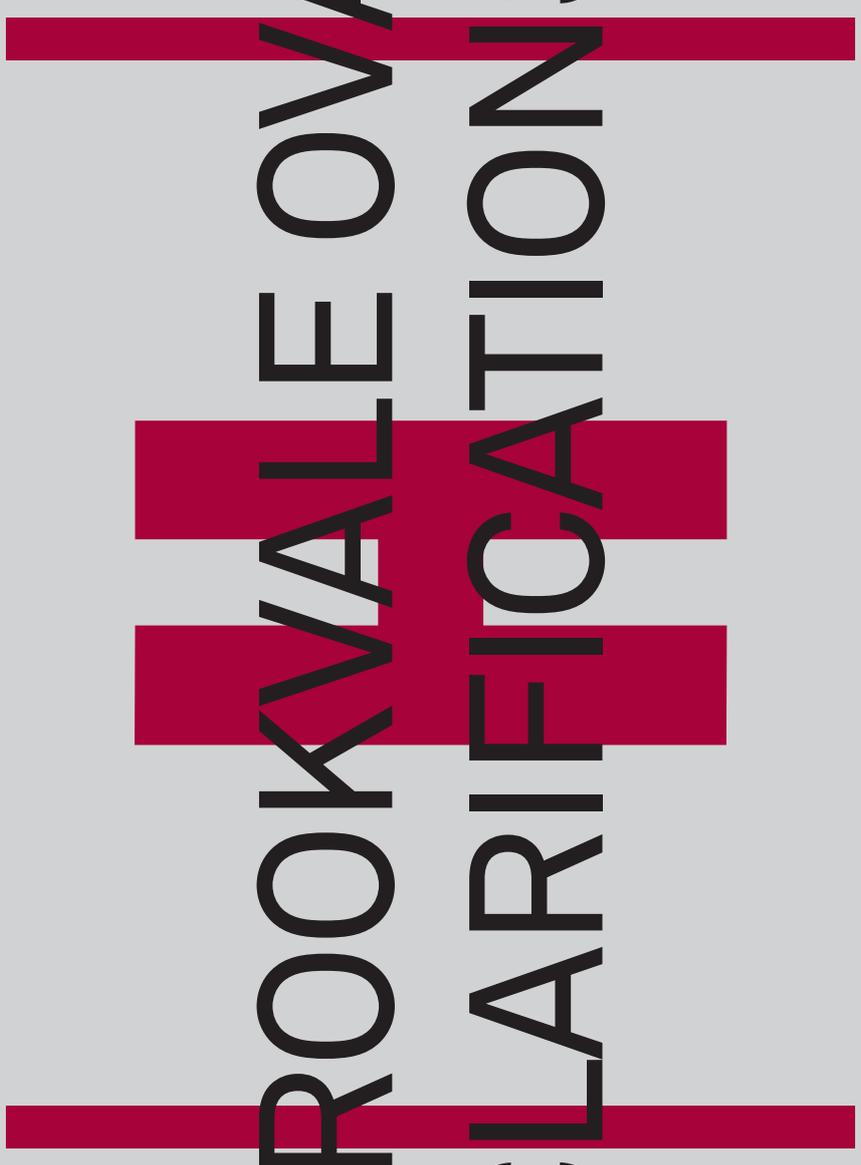


Scale: 1:150  
GDA 1994 MGA Zone 56

16-Jun-2020  
630.12842

Source: Nearmap (June 2020)

**Note:**  
 - Building envelope design based on Hassel drawing Storm Water Site Works Concept Plan, drawing no. C05-2, Rev F.  
 - Trees 47 to 49 impacted by paving.



# BROOKVALE OVAL CLARIFICATIONS

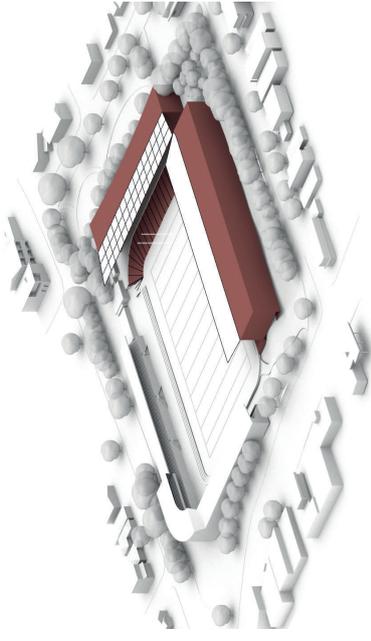
# MASTER PLAN STRATEGY

# STAGING STRATEGY

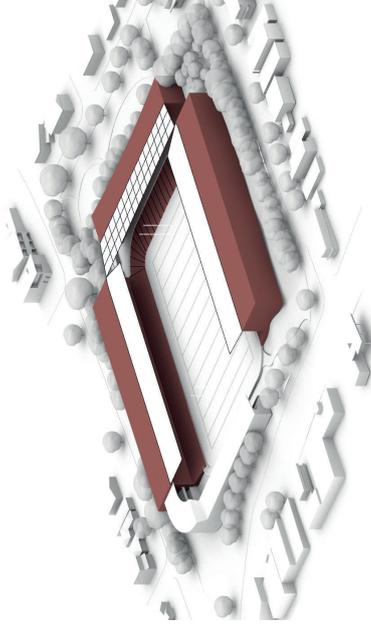
- The MWSE CoE forms part of a Staged Strategy for the longer term redevelopment and upgrade of the entire Brookvale Oval over time.
- Location of the CoE to the north future proofs this longer term plan for Brookvale Oval to achieve desired 20,000 seats
- The size and use of the CoE best suites itself to the north and preserves the East side for a larger and more spectator focused use.
- Available site width at south between pitch edge and site boundary is not sufficient to accommodate CoE brief.



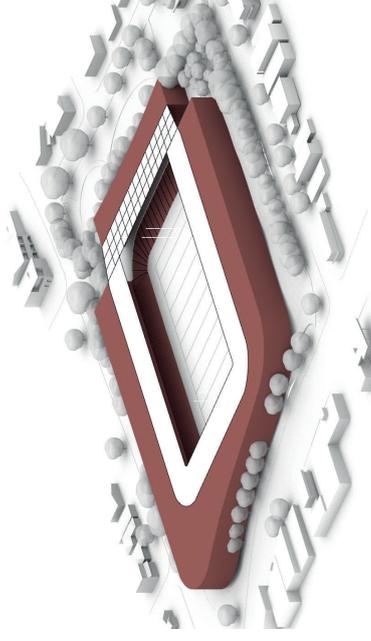
01 Stage 1 - Centre of excellence and northern grandstand



02 Future Stage 2 - Redevelopment of the eastern hill into grandstand



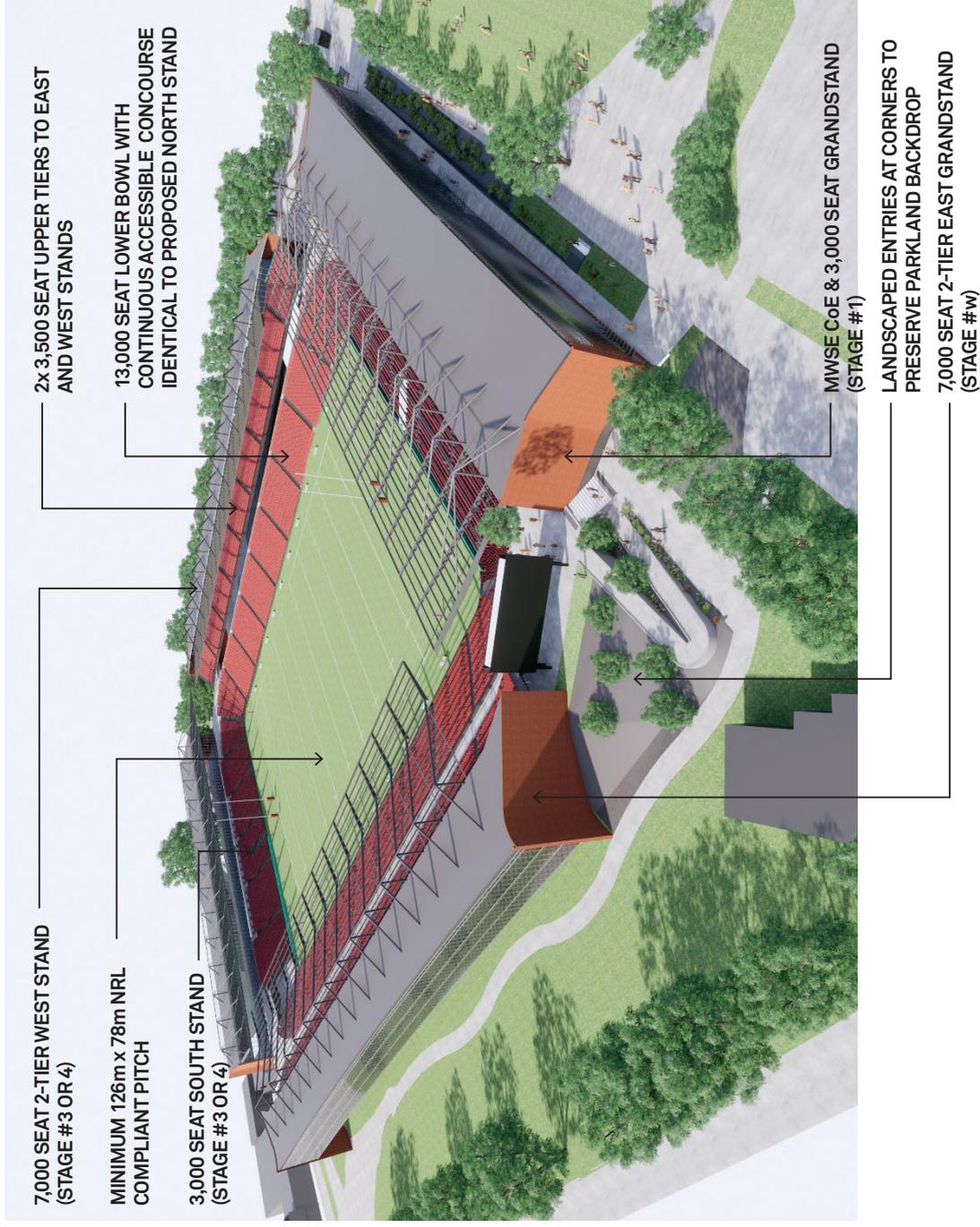
03 Future Stage 3 or 4 - Redevelopment of the western stand



04 Future Stage 3 or 4 - Redevelopment of the southern stand

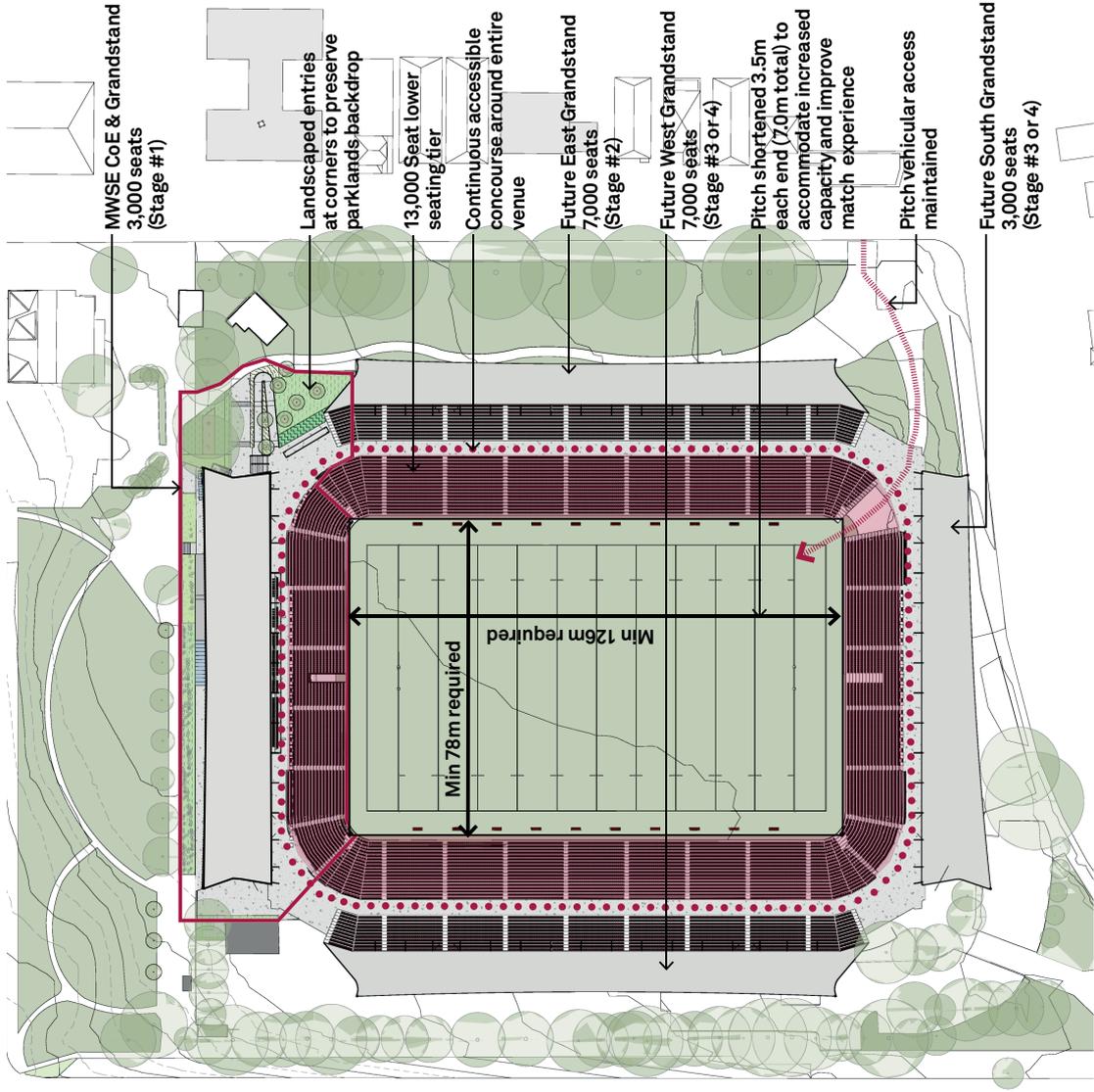
# MASTER PLAN STRATEGY

- Opposite demonstrates the master plan vision for Brookvale Oval to reach a total of 20,000 seats
- It demonstrates that geometry of the North-Stand & CoE has been developed so it can be replicated around the entire field in stages.
- The seating tier and concourse can be extended around the entire field which will deliver 13,000 seats and a continuous accessible concourse around the entire venue.
- The upper tiers in the East and West stands will deliver 3,500 seats each to deliver 20,000 seats in total for the venue
- If the CoE were to be located on the East it would not allow for the future 2 tier seating arrangement limiting the overall future capacity of the venue to under 20,000 seats.



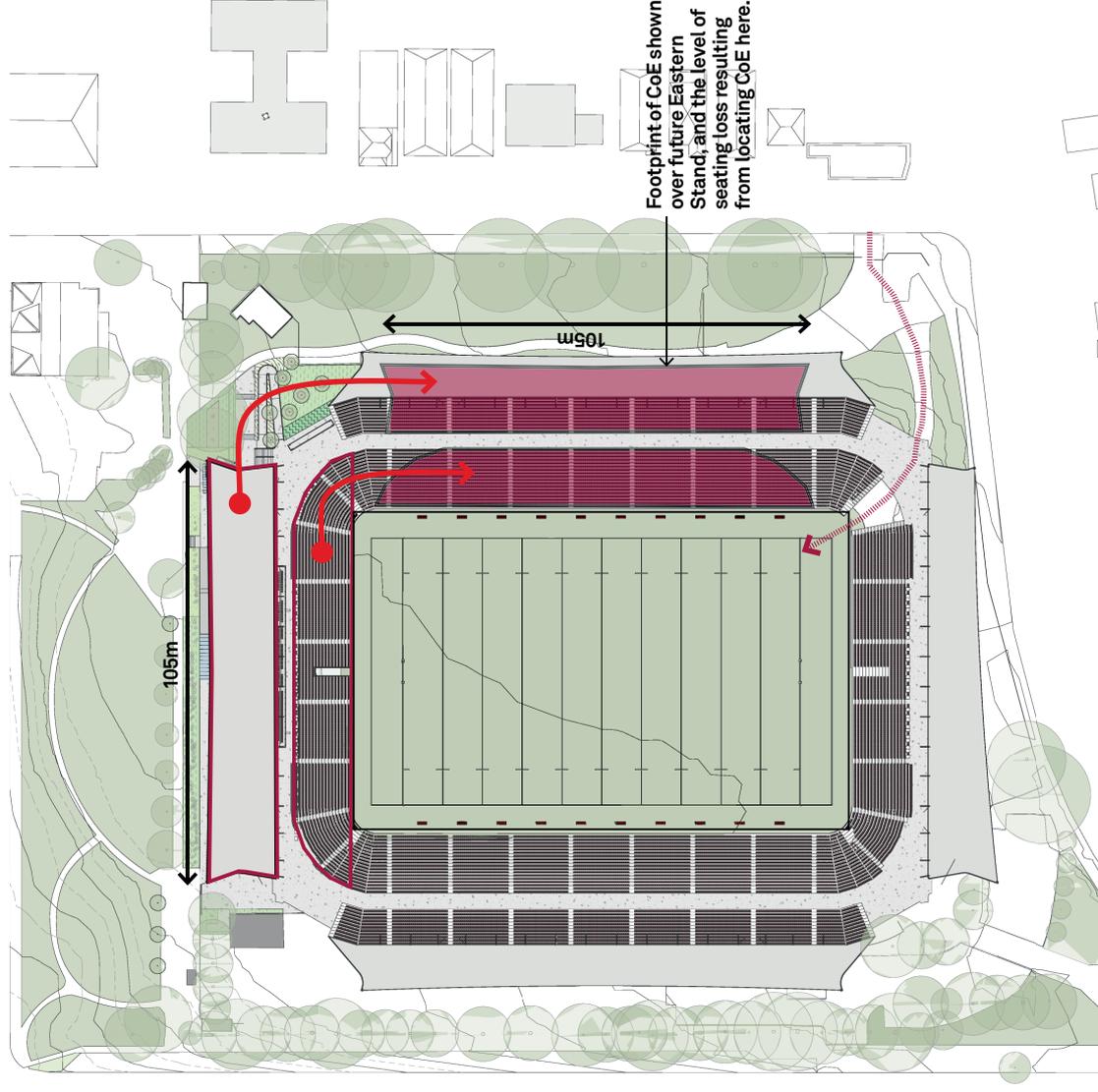
# MASTER PLAN STRATEGY

- Opposite demonstrates the master plan for Brookvale Oval to reach a total of 20,000 seats
- The seating tier and concourse established for the North Stand & CoE can be extended around the entire field which will deliver 13,000 seats and a continuous accessible concourse around the entire venue.
- The upper tiers in the East and West stands will deliver 3,500 seats each to deliver 20,000 seats in total for the venue.
- If the CoE were to be located on the East it would not allow for the future 2 tier seating arrangement limiting the overall future capacity of the venue to under 20,000 seats.
- The shortening of the pitch at the north end by 3.5m will still allow for a compliant pitch as each stage is developed.



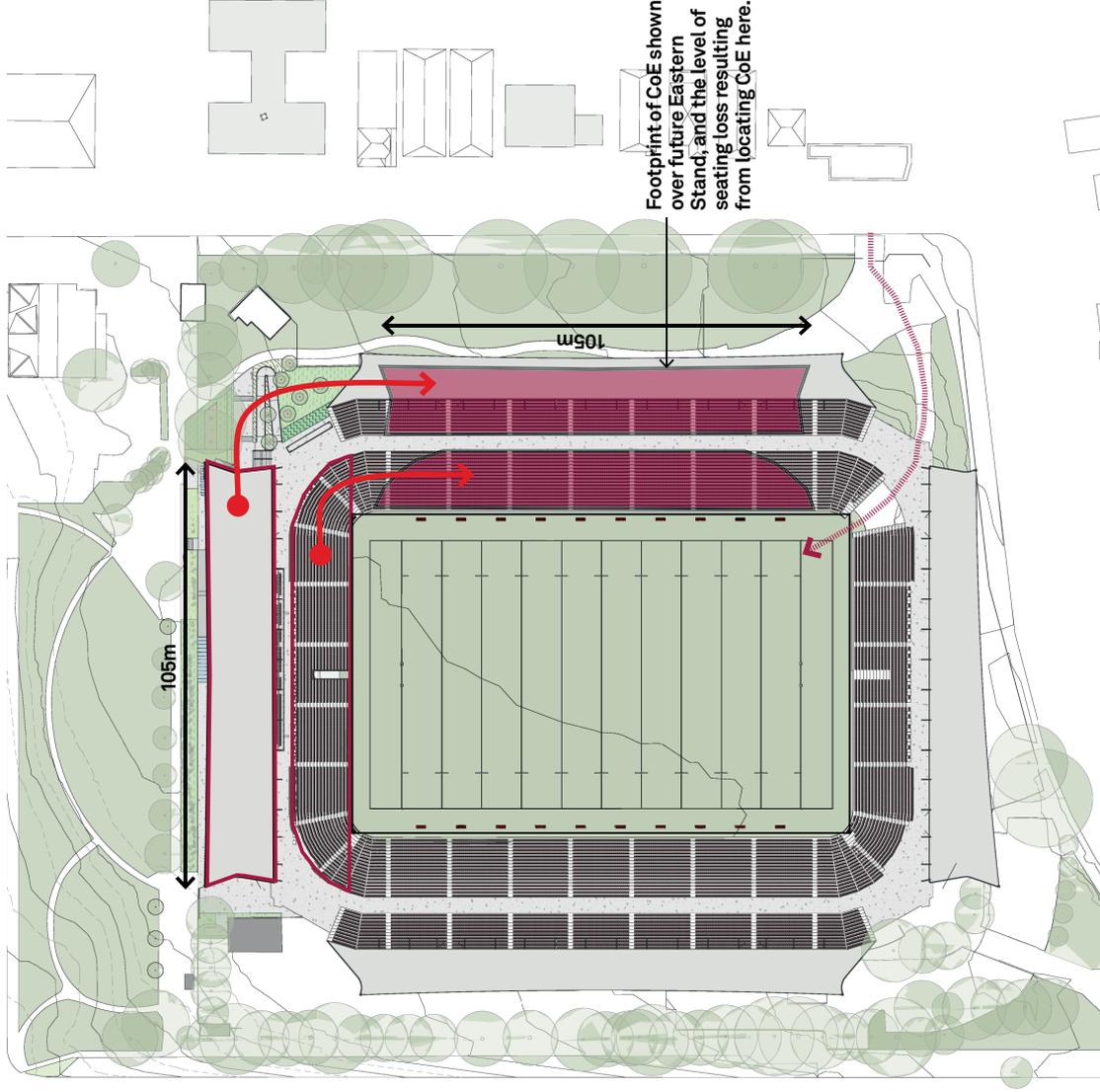
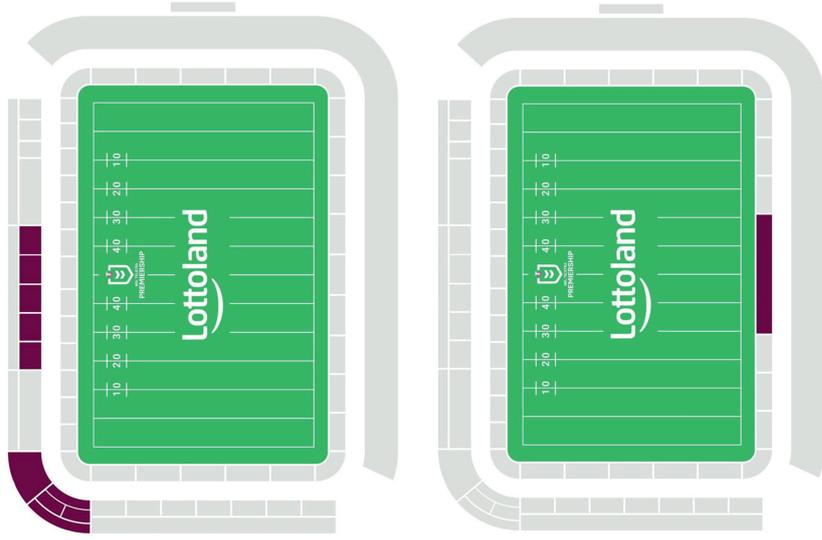
# MASTER PLAN STRATEGY

- If the CoE were to be located on the East it would not allow for the future 2 tier seating arrangement limiting the overall future capacity of the venue to under 20,000 seats.
- Locating the CoE to the East side would reduce the future overall capacity by 3,500 - 4,000 seats due to a drop in available seating area and a reduced building area to provide the required services to support the capacity in terms of toilets and F&B.



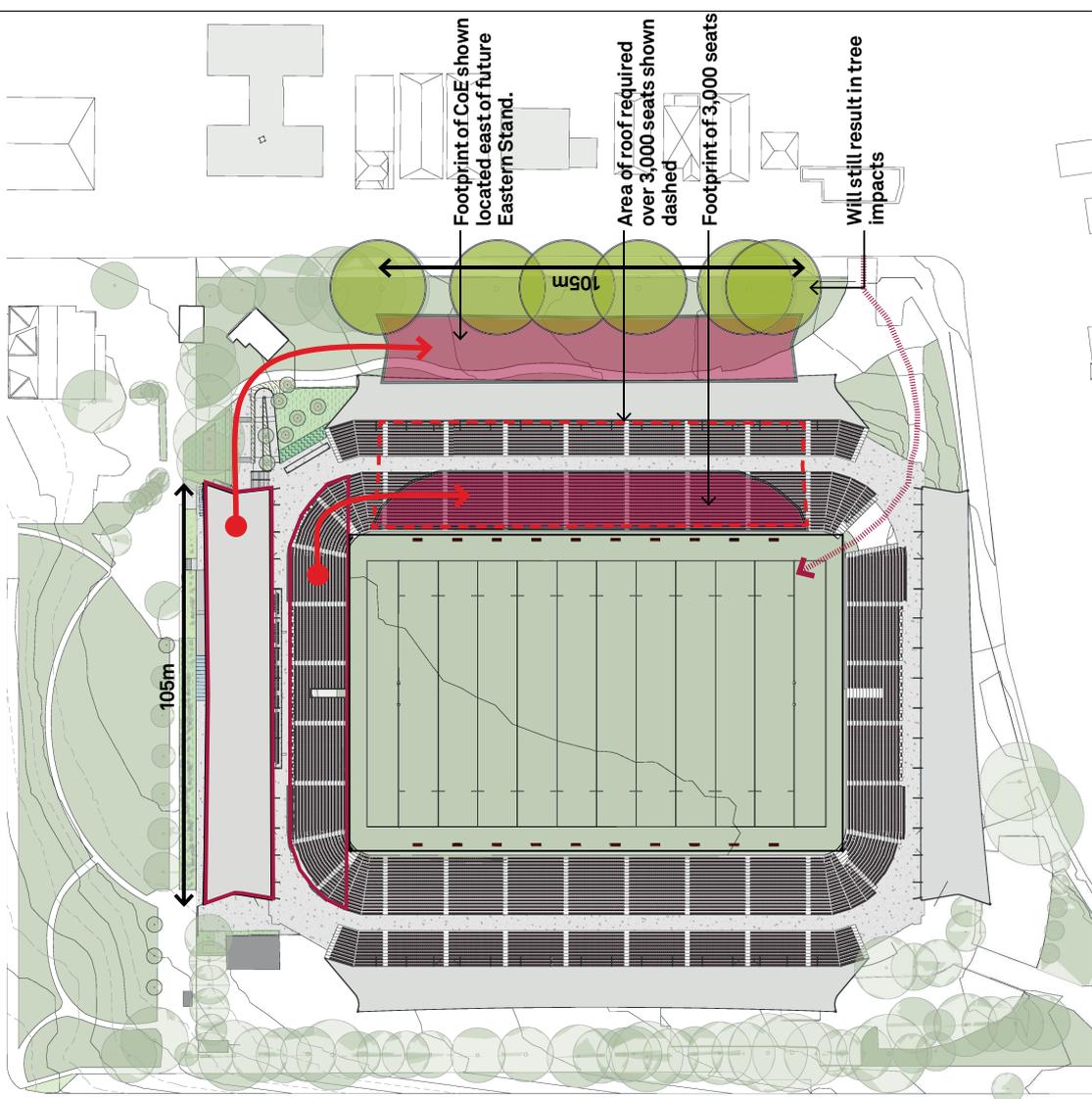
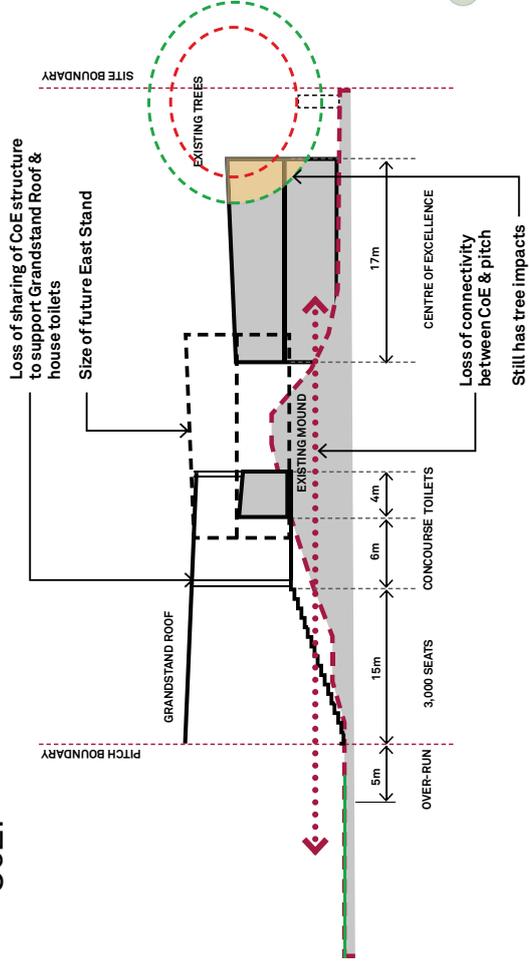
# MASTER PLAN STRATEGY

- If the CoE were to be located on the East it would compromise future Premium Seating with support services that would be offered in a future more hospitality focused facility.



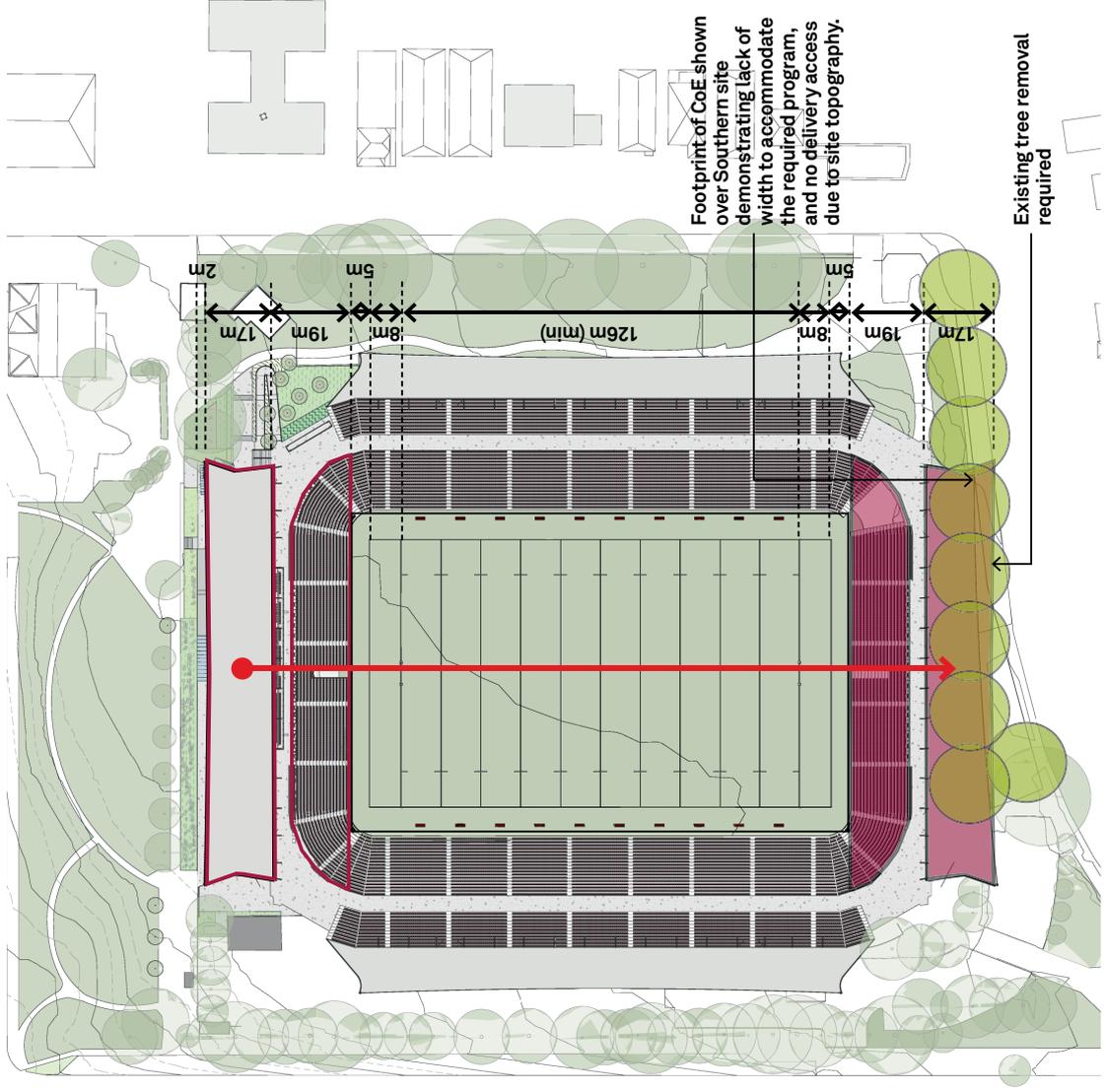
# MASTER PLAN STRATEGY

- If the CoE were to be located to the east of a future Eastern Stand it would not allow the sharing of the structure of the CoE to support the Grandstand Roof and therefore not be viable financially.
- The connection between CoE and the pitch will not be possible due to the large existing mound.
- The Grandstand roof and toilets would need to be demolished in the future to make way for the East Stand as opposed to being viable for the long term.
- East avenue of trees will still have impacts in order to be able to fit the CoE.



# MASTER PLAN STRATEGY

- If the CoE were to be located on the Southern site it would require the demolition of the existing Southern Stand, which will also result in a loss of seats and revenue.
- The depth of the available site even with the pitch minimised would still not be sufficient to accommodate the CoE.
- There is not good loading access available to the building in the south-east corner due to the large change in levels (existing site topography)
- Would still result in the remove of large existing tree along Pittwater Road.



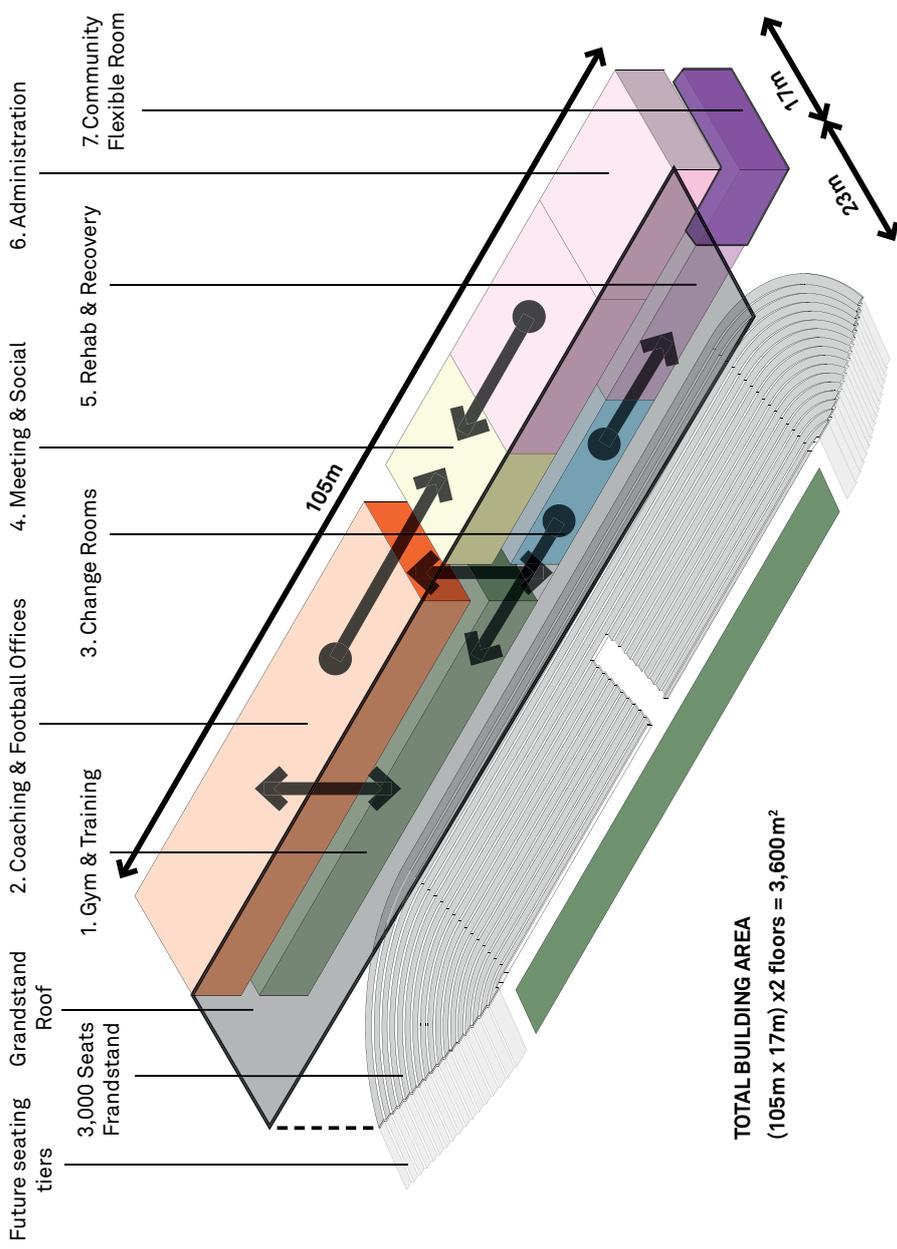
# SITE PLANNING STRATEGY

# THE BUILDING BRIEF

- Total building required brief area = **3,600m<sup>2</sup>**
- The primary building programs are consolidated into seven (7) functional groups;

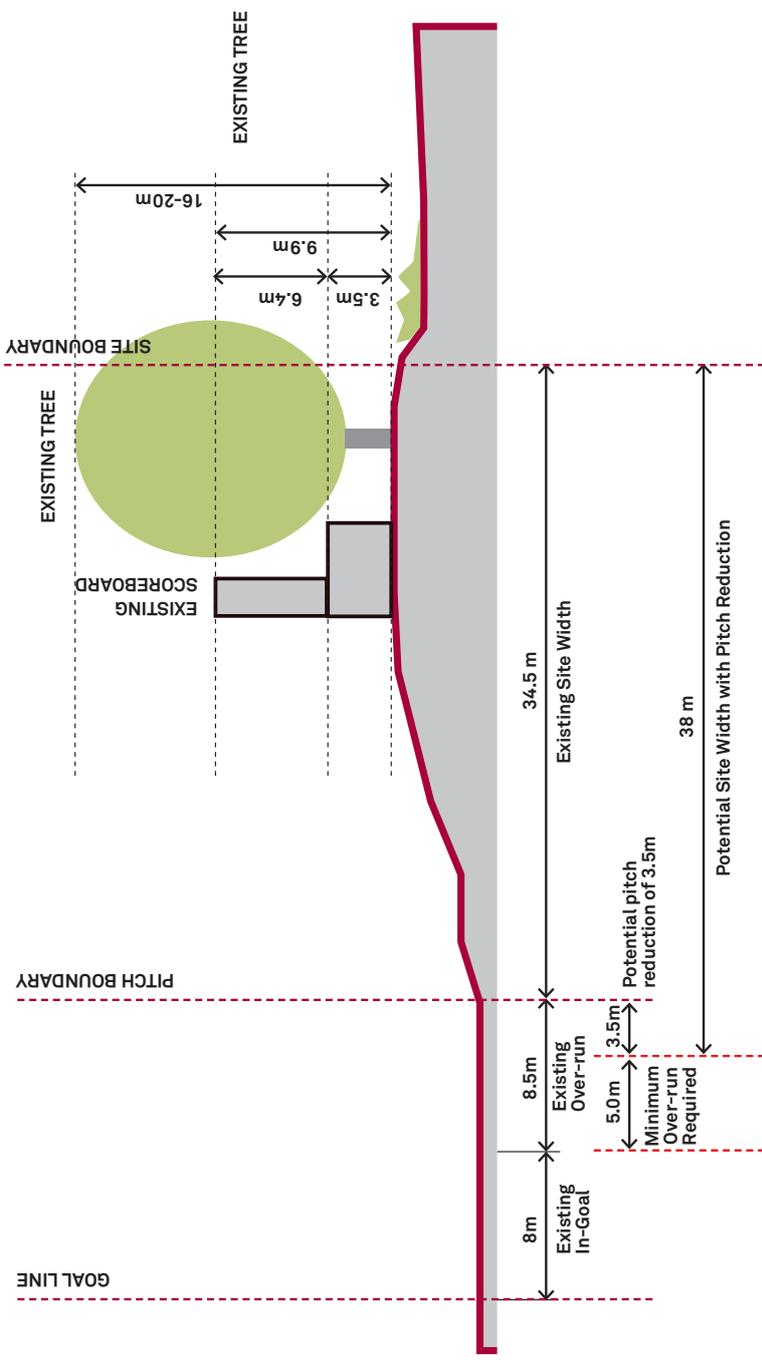
  1. Gym & training
  2. Coaching & football offices
  3. Change rooms
  4. Meeting & social spaces
  5. Rehabilitation & recovery
  6. Administration offices
  7. Community Flexible Room

- These functional groups are then arranged for optimum functional adjacencies vertically and horizontally
- The 'Social Space' is centred with the primary vertical circulation which is both the entry/arrival point and brings all the groups together.
- The Change Rooms are centred between Gym & Training and Rehab & Recovery for optimal operational circulation.
- The overall size of the 3,000 seat grandstand is defined by the width of the pitch, and therefore the length of the building matches the width of the grandstand to optimise the sharing of the super-structure to support the roof over the seats.
- Future stage seating tiers are able to be extended around the entire pitch using the same geometry.



# SITE PLANNING STRATEGY

→ Existing critical site section dimensions



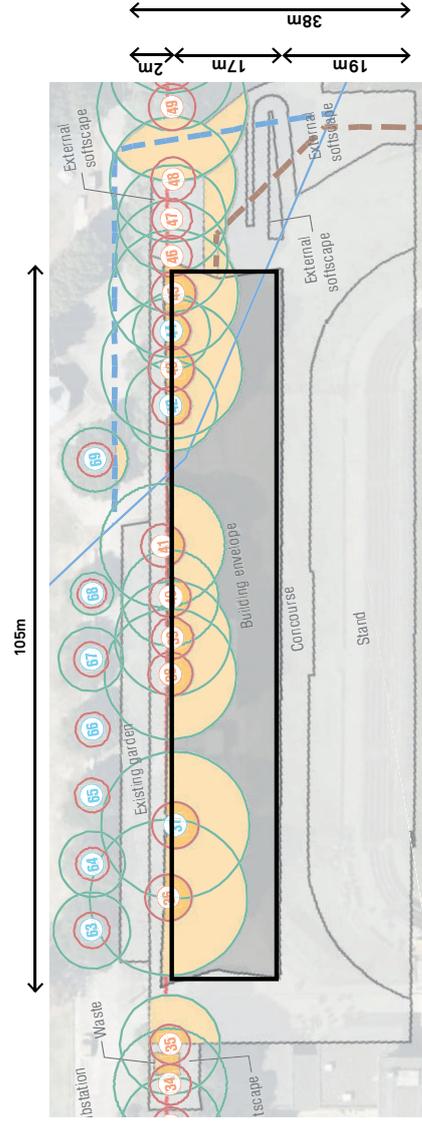
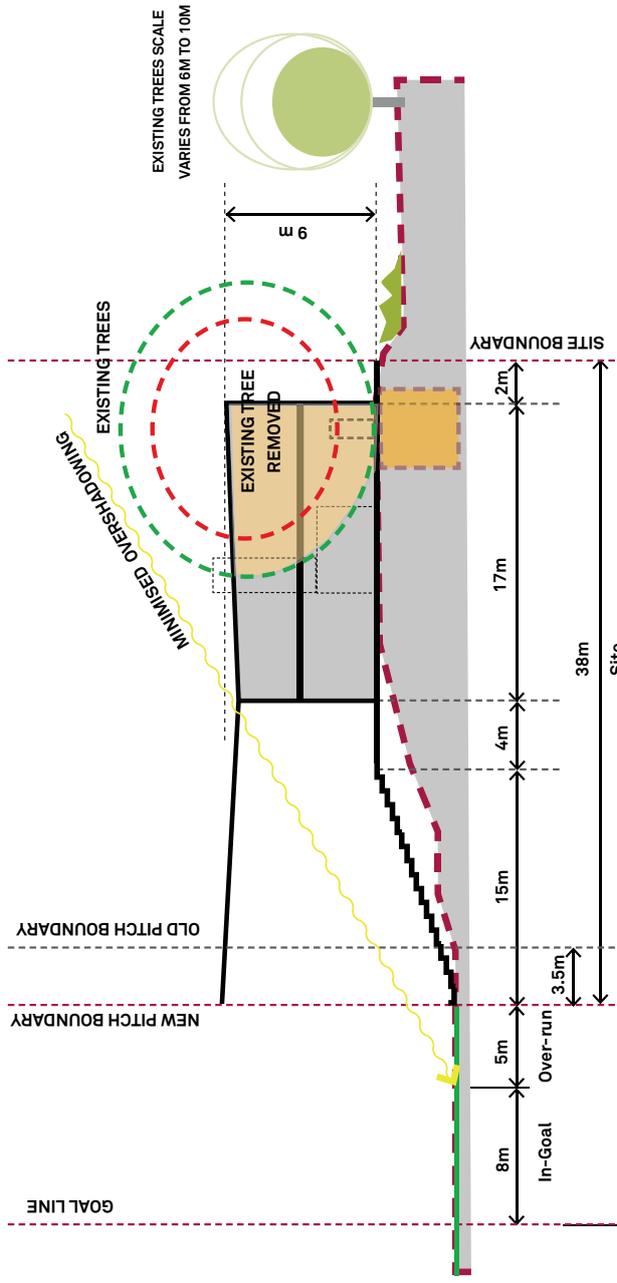
# SITE PLANNING STRATEGY

## → Test fit study #1

By utilising this additional 3.5m and widening the site to 38m it is now possible to accommodate the building brief on the site and retain as many trees as possible. To accommodate the brief and functional program along the northern site of the oval, the building footprint is 105m x 38m.

## → Outcome

- Accommodates brief over only 2 floors.
- Minimises height of building and maintains similar scale to existing grandstands.
- Minimises overshadowing of pitch.
- Requires removal of 11 trees to fit project brief.



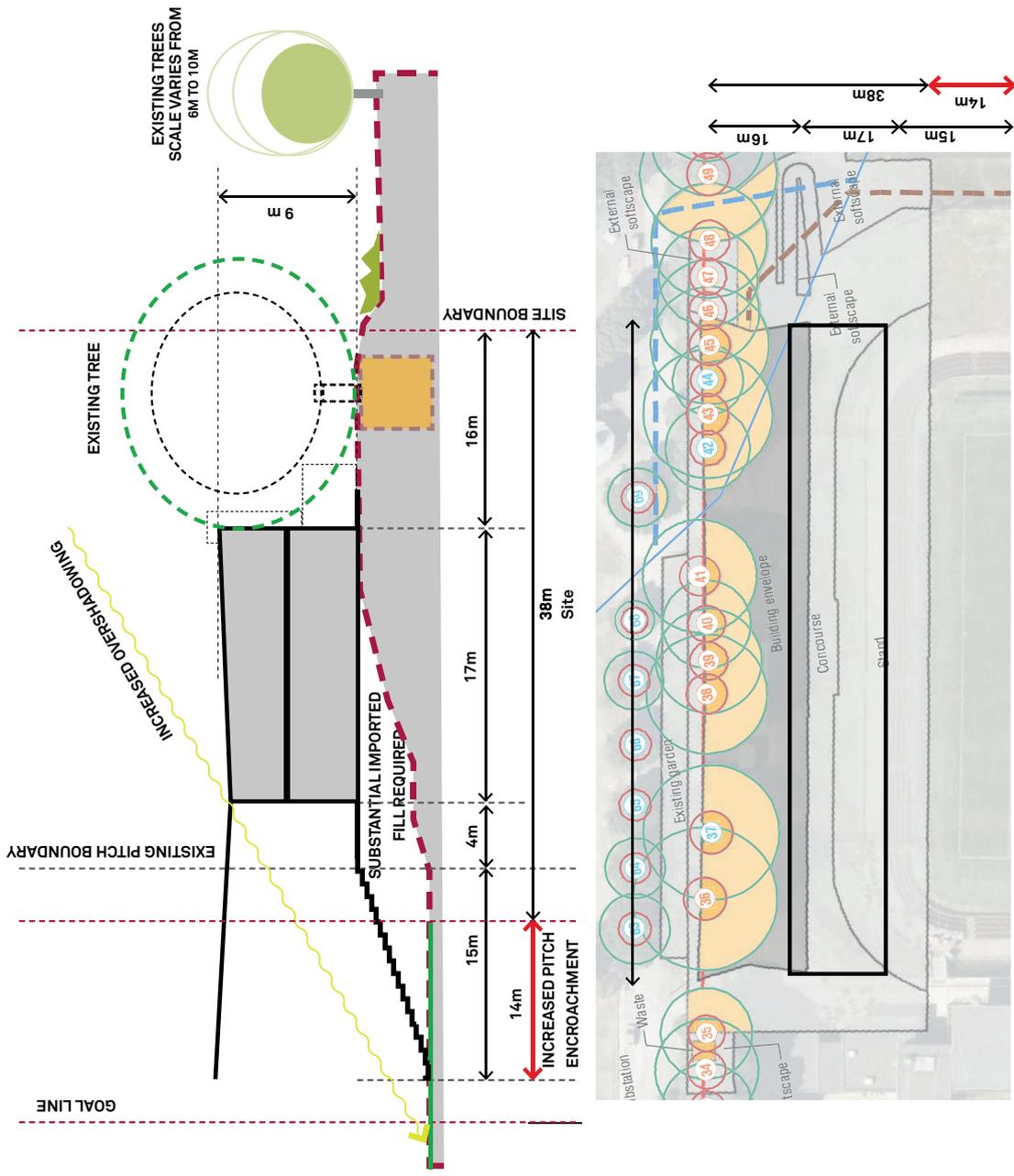
# SITE PLANNING STRATEGY

## → Test fit study #2

By trying to retain as many of the trees on the site with the optimum building footprint of 105mx17m would have to push 14m further south resulting in a non-compliant pitch, and eliminating possibility of a staged redevelopment of the oval.

## → Outcome

- Encroachment on pitch required to fit project brief results in non-compliant pitch.
- Increases overshadowing of pitch
- Substantial imported fill required beneath building and grandstand.



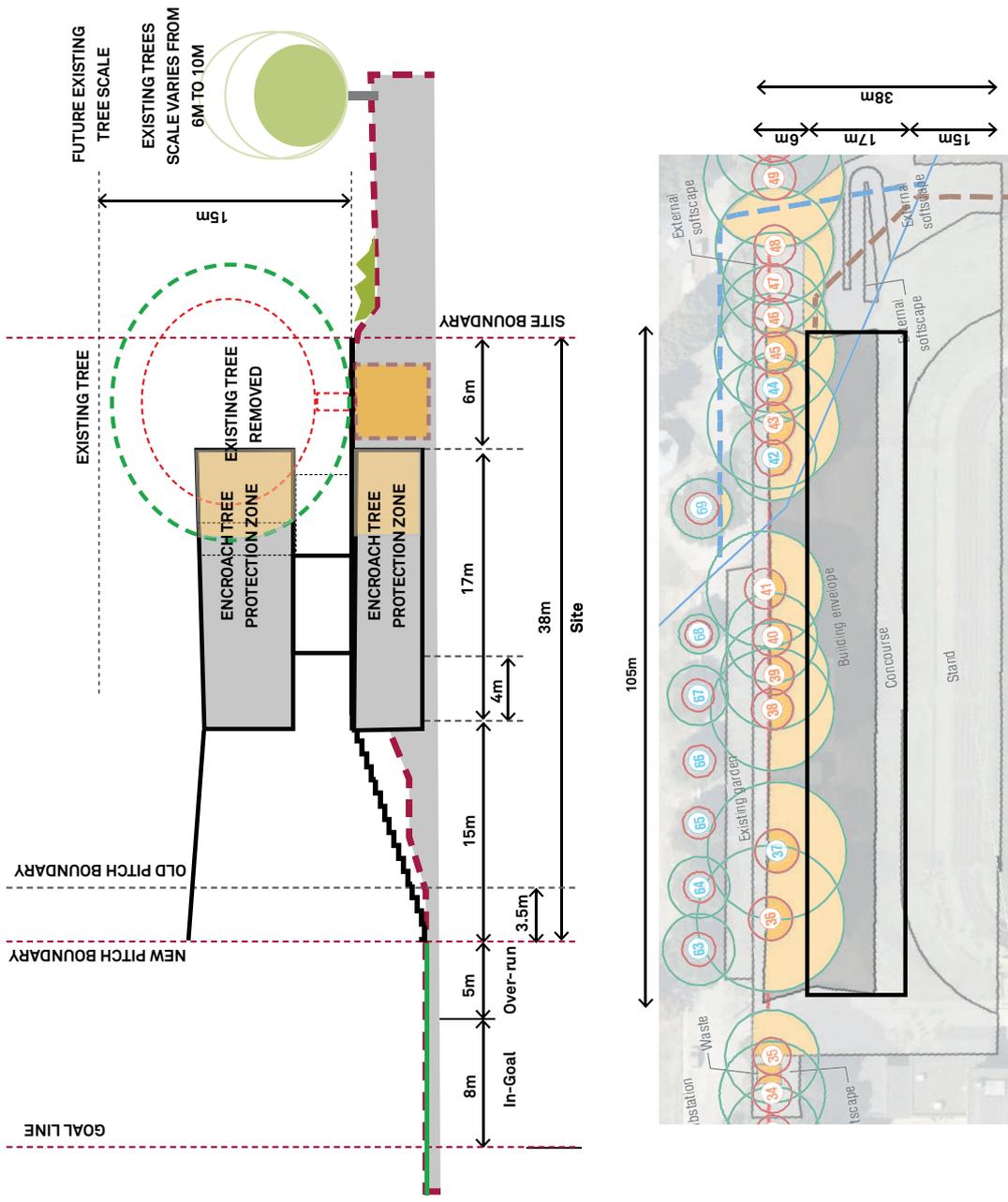
# SITE PLANNING STRATEGY

## → Test fit study #3

This test fit option explored the possibility of floating and burying the building at the northern site without removing any of the trees. Allows for additional 4m from north boundary

## → Outcome

Program adjacencies inadequate due to vertical separation  
 Excavation and removal of substantial contaminated soil off site.  
 Eleven (11) trees still required to be removed as increased 4m not sufficient to avoid tree exclusion zone.



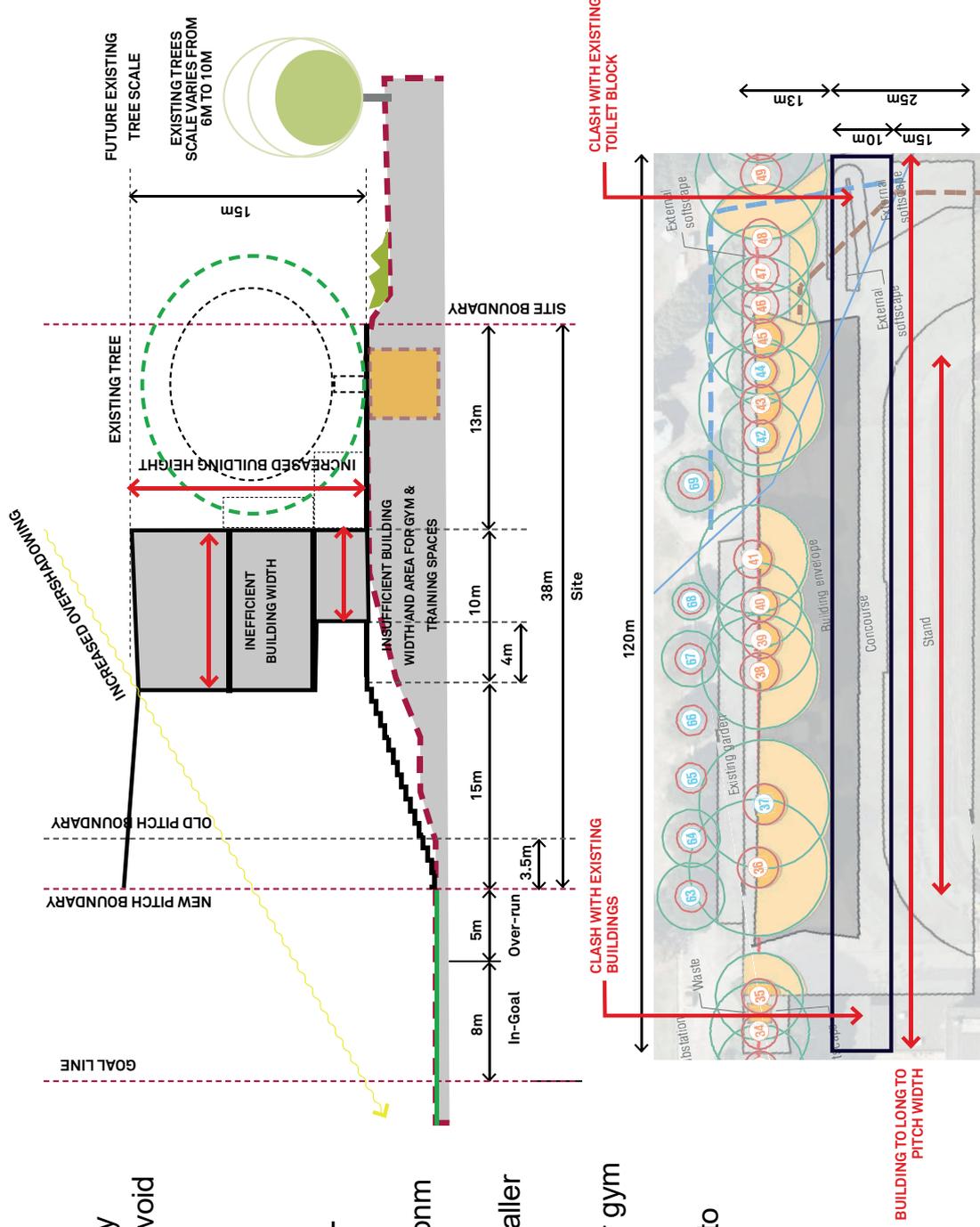
# SITE PLANNING STRATEGY

## → Test fit study #4

This test fit option explores impact on building and pitch by retaining trees by offsetting 13m from the boundary to avoid the tree exclusion zone.

## → Outcome

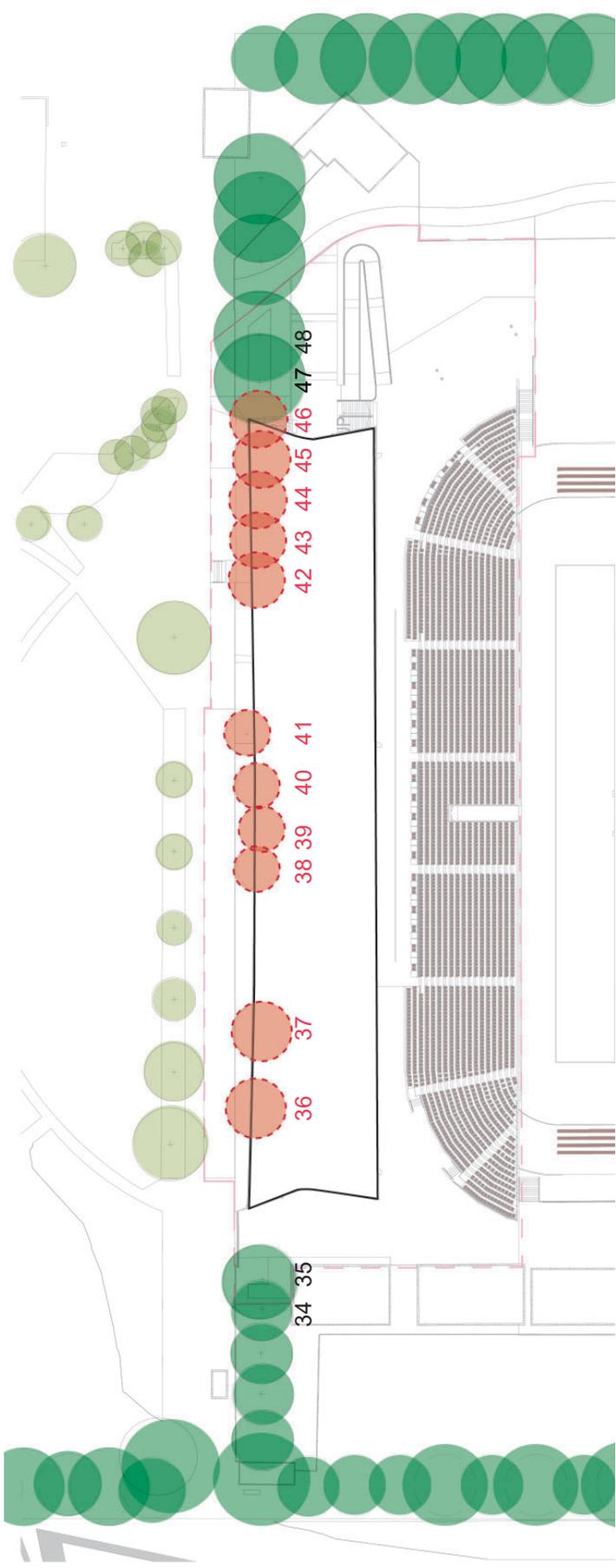
- Inefficient building width & proportion - building 120m long
- Clashes with other existing buildings on site
- Increased building height, and much taller than existing grandstands.
- Insufficient building width and area for gym & training spaces at ground level
- Significant increased overshadowing to pitch.



TREE  
REPLACEMENT  
STRATEGY

# TREE HEALTH

- Tree # 37, 42 and 44 are noted as having a medium retention value
- Tree # 34, 35, 36, 38, 39, 40, 41, 43, 45, 46, 47 and 48 are noted as having a high retention value
- Tree # 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46 require removal to accommodate the new building

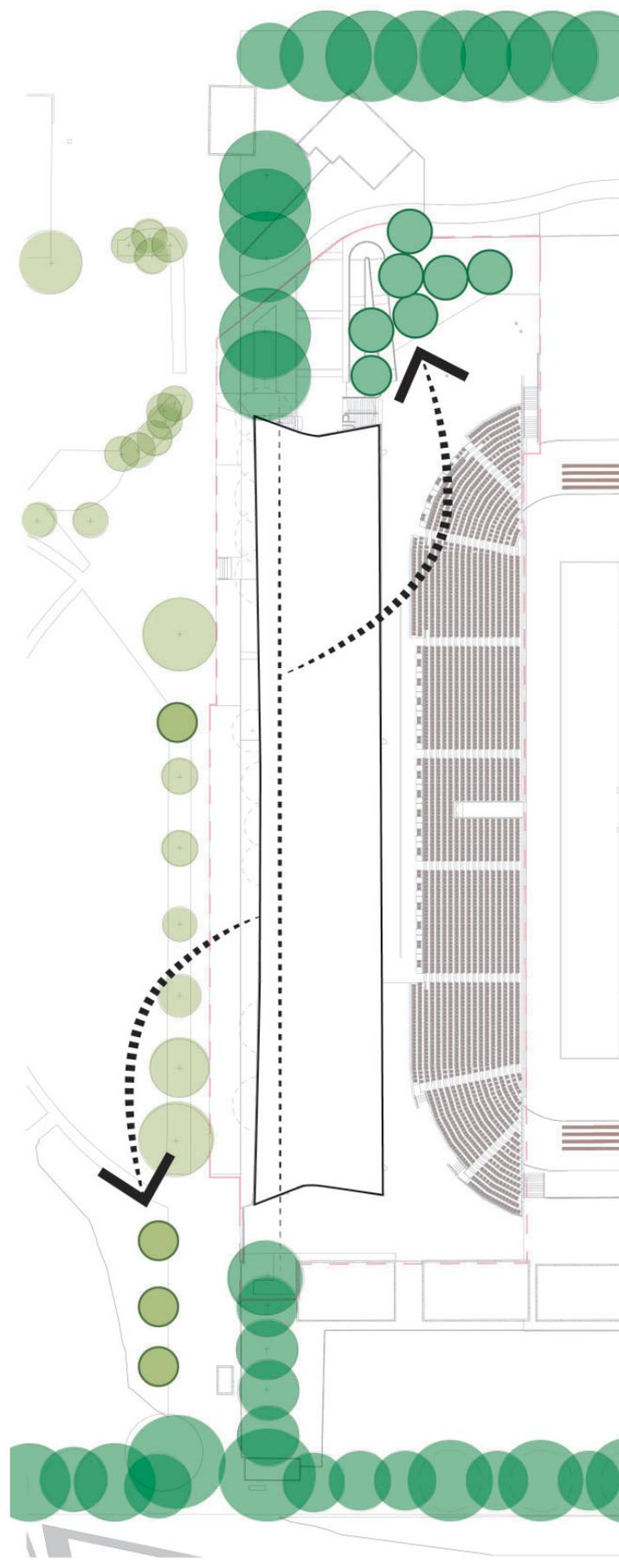


# ORIGINAL PRINCIPLES

- Maximise tree canopy at main public arrival in north-east corner of the site
- Strengthen the existing east-west avenue of *Cupaniopsis anacardioides* (Tukeroos)
- Install min 750L *Lophostemon confertus* (Brushbox) to maximise day 1 impact
- Plant a minimum of 11 new trees to offset the loss of existing trees

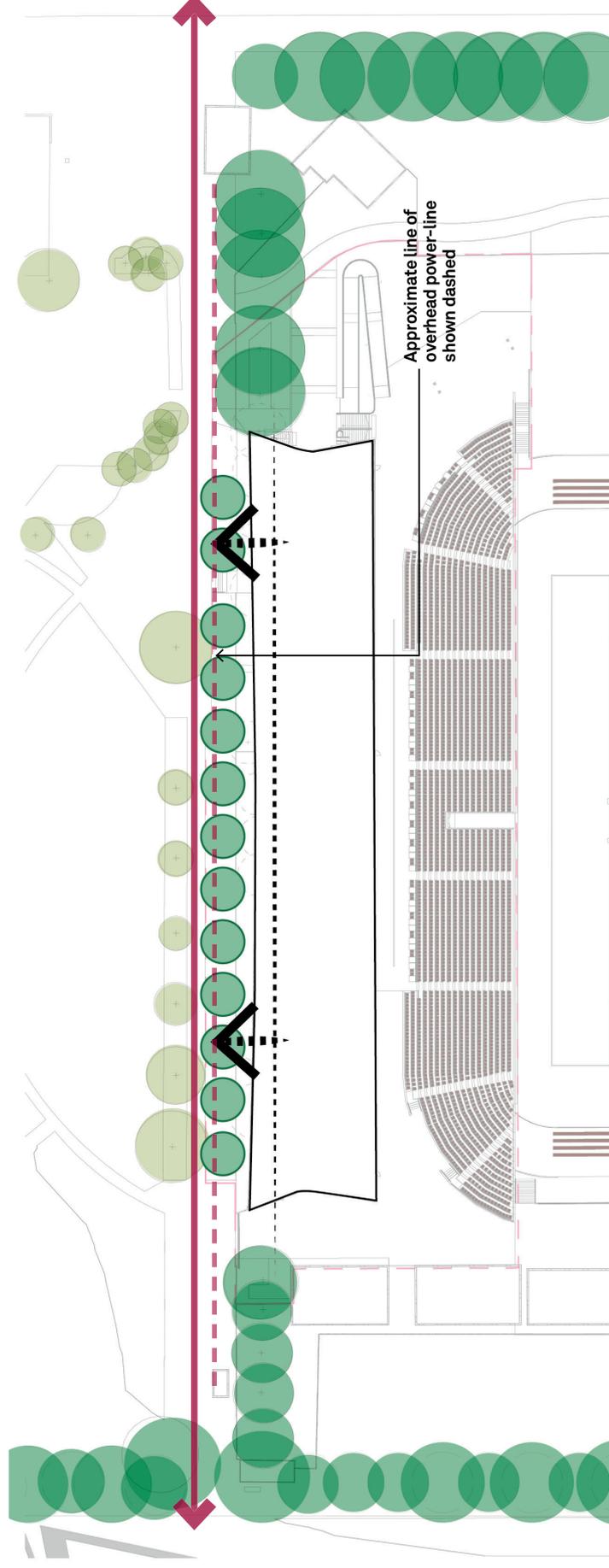
# PREVIOUS STRATEGY

- Install **4x Cupaniopsis anacardioides (Tukeroos)** to strengthen the northern line of existing trees
- Install **7x Lophostemon confertus (Brushbox)** to improve the amenity and aesthetic of the public arrival experience



# REVISED STRATEGY

- As desired by Council re-establish the east-west avenue of trees and provide a landscape interface between park and CoE with a mix of **15x Banksia Aemula (Wallum Banksia) + Callistemon Citrinus (Red Bottlebrush)** at 6-7.5m centres located within the existing and new garden bed to the north of the new CoE site.  
(These species have been selected as they flower at the beginning of NRL season)
- Selected trees are from the AusGrid tree guides and similar to Northern Beaches Council tree guide for Banksia and Bottlebrush which are permissible to be planted below the existing overhead power lines.



**Hassell**

