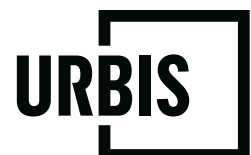




# 42 RAYMOND AVENUE SSD-31552370

Submissions Report

Prepared for  
**HALE CAPITAL**  
8 July 2022



**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

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# EXECUTIVE SUMMARY

This Submissions Report has been prepared on behalf of Hale Capital to address the matters raised by government agencies, local Council, the community and relevant stakeholder groups during public exhibition of the proposed development at 42 Raymond Avenue, Matraville.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in accordance with clause 12, Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021*.

DPE issued letters to the Applicant on 6 May and 23 May 2022 requesting a response to the issues raised during the public exhibition of the application. The following specific matters were identified by DPE in their Request for Additional Information:

- Hazard and Risk
- Traffic and Vehicle Access
- Operational Noise
- Air Quality Impact
- Aboriginal Cultural Heritage
- Section 88B Instruments and Easements
- Flooding and Stormwater
- Earthworks
- Urban Design / Visual Impact
- Landscaping.

This Submissions Report outlines the proposed refinements and clarifications and responds to all concerns raised within submissions.

## Overview of Submissions

The SSDA was on public exhibition between 8 April and 5 May 2022. A total of 12 submissions were received from NSW government agencies, Randwick and Bayside Councils, the community group and individuals, including:

- Transport for NSW (**TfNSW**)
- Heritage NSW
- Fire & Rescue NSW
- Sydney Water
- Ausgrid
- Matraville Precinct Group

The key issues raised in the submissions can be broadly grouped into the following categories:

- The project
- Procedural matters
- Environmental and social impacts
- Issues beyond the scope of the project.

Based on the above categories, this Submissions Report provides a response to the key issues at **Section 4**.

## Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the Applicant has undertaken further consultation with TfNSW, Heritage NSW, DPE Hazard and Risk, Sydney Water and Ausgrid to discuss the issues raised within their submissions. Additional assessments have also been prepared to respond to the issues raised within the submissions. These include:

- Traffic Impact Assessment
- Noise Impact Assessment
- Air Quality Impact Assessment
- Civil Engineering Report
- Societal Risk Impact Report.

## Response to Submissions

The Applicant has refined the proposed design in response to the submissions and stakeholder consultation. The key changes are summarised as follows:

- Inclusion of large tree planting to north western site boundary.
- Inclusion of larger native species tree planting to the Raymond Avenue boundary.
- Increase in canopy cover to 2,405m<sup>2</sup> (13% of developable site area).
- Upper level façade articulation proposed through colorbond cladding.

## Justification and Evaluation

The proposed development has been assessed in accordance with relevant planning instruments and policies. Mitigation measures are proposed to avoid unreasonable or adverse environmental effects arising from the proposal. Additionally, the proposed development satisfies the Secretary's Environmental Assessment Requirements (**SEARs**) issued for the project.

The key issues for all components of the project identified in the SEARs have been assessed in detail, with specialist reports underpinning the key findings and recommendations identified. It has been demonstrated that for each of the likely impacts identified in the assessment of the key issues, the impact will either be positive or can be appropriately mitigated to avoid unacceptable impacts.

The proposal represents a positive development outcome for the site and surrounding area for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

The proposal is consistent with the relevant goals and strategies contained in:

- *Greater Sydney Region Plan: A Metropolis of Three Cities*
- *Our Greater Sydney 2056: Eastern City District Plan*
- *Randwick City Council Local Strategic Planning Statement*
- *Future Transport Strategy 2056*
- *Better Placed.*

- **The proposal satisfies the applicable local and state development controls:**

The proposal is permissible with consent and meets the relevant statutory requirements of the relevant environmental planning instruments, including

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021.*
- **The design responds appropriately to the opportunities and constraints presented by the site:**
  - The design of the proposal responds to the site context whilst seeking to deliver an attractive, modern warehouse and distribution facility. The design has taken into consideration the site qualities as well as neighbouring land uses and built forms.
  - The built form responds to both the functional and spatial requirements of delivering a modern warehouse and distribution centre, and the industrial character of the local area.
  - The proposal delivers a built form, façade treatment and materiality that enhances the quality of the site as well as the provision of increased landscaping and an improved streetscape.
  - The design includes vehicular access from Raymond Avenue with a one-way circular vehicular route through the site and enables the separation of heavy vehicle and car and pedestrian movements.
- **The proposal is highly suitable for the site:**
  - The warehouse and distribution centre use is permissible within the IN1 zone. It also satisfactorily responds to the zone objectives, providing for warehouse land uses, encouraging employment opportunities and minimising potential adverse effects on other land uses.
  - The development complies with *State Environmental Planning Policy (Transport and Infrastructure) 2021*, as well as the Randwick Development Control Plan 2012 including acoustic amenity, built form and setbacks, car parking and landscaping.
  - The site is located within an existing industrial area and the character and scale of the development is compatible with the site context.
  - The site is highly accessible to both the transport and regional freight network and optimises use of a brownfield site to deliver sustainable development.
- **The proposal is in the public interest:**
  - The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
  - No adverse environmental, social or economic impacts will result from the proposal.
  - The proposal will provide up to 186 jobs during the construction phase, and up to 210 jobs once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year. This project is fully funded and 'shovel ready' for commencement of construction as soon as possible this year.
  - Subject to implementation of the recommended mitigation measures, no adverse, social or economic impacts will result from the proposal in terms of traffic, noise and vibration, air quality and odour or views during construction and ongoing operation of the facility. Based on the assessment of noise, air quality and traffic, the proposal will not result in any adverse cumulative impacts.
  - The issues identified during the community and stakeholder engagement have been addressed through the assessment of the impacts of the modified project.

**In view of the above, it is considered that this SSD Application has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.**

# 1. INTRODUCTION

This Submissions Report relates to the warehouse and distribution centre at 42 Raymond Avenue, Matraville (**the site**). On behalf of Hale Capital (**the Applicant**), this Submissions Report has been prepared to address the matters raised by public agencies, local Council, the community and other relevant stakeholders throughout the public exhibition period.

The State Significant Development Application (**SSDA**) was lodged with the Department of Planning and Environment (**DPE**) in March 2022 (SSD-31552370). The SSDA was placed on public exhibition for 28 days between 8 April and 5 May 2022.

This Submissions Report has been prepared in accordance with the DPIE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) July 2021*.

## 1.1. EXHIBITED PROJECT

The proposal is for an innovative multi-level warehouse and distribution facility of a high-quality design that respects and contributes to the local context. The proposal will optimise the use of a vacant industrial site within an established industrial precinct to deliver a variety of employment opportunities on site, whilst minimising any potential impacts on local amenity.

The SSDA seeks consent for:

- Construction, fit out and operation of a two-storey warehouse and distribution centre comprising approximately 19,460m<sup>2</sup> GFA including:
  - 17,789m<sup>2</sup> of warehouse and distribution GFA; and
  - 1,671m<sup>2</sup> GFA of ancillary office space.
- Provision of 11 bicycle parking spaces, 6 motorcycle parking spaces and 101 car parking spaces at ground level.
- Approximately 2,395m<sup>2</sup> of hard and soft landscaping at ground level.
- Provision of one additional access crossover from Raymond Avenue.
- Provision of internal vehicle access routes, two-level central breezeway and loading docks.
- Provision of 1.8m metal palisade perimeter fencing.
- Site preparation including minor bulk earthworks.
- Upgrades to existing on-site infrastructure.
- Building identification signage.
- Operation 24 hours per day seven days per week.

## 1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Submissions Register	Urbis
Appendix B	Mitigation Measures	Urbis
Appendix C	Architectural Plans	SBA Architects



<b>Appendix</b>	<b>Report</b>	<b>Prepared By</b>
<b>Appendix D</b>	Landscape Plans	Geoscapes
<b>Appendix E</b>	Design Report	SBA Architects
<b>Appendix F</b>	Traffic Impact Assessment	Ason Group
<b>Appendix G</b>	Visual Impact Assessment	Geoscapes
<b>Appendix H</b>	Noise Impact Assessment	SLR
<b>Appendix I</b>	Air Quality Assessment	Northstar
<b>Appendix J</b>	Arboricultural Impact Assessment	Canopy Consulting
<b>Appendix K</b>	Sustainability Management Plan	SLR
<b>Appendix L</b>	Engagement Outcomes Report Addendum	Urbis
<b>Appendix M</b>	Societal Risk Assessment	Sherpa Consulting
<b>Appendix N</b>	BCA Assessment Report	Blackett Maguire + Goldsmith
<b>Appendix O</b>	Access Review	Morris Goding
<b>Appendix P</b>	Section 88B Instruments and Easements	Hale Capital
<b>Appendix Q</b>	EIS Aboriginal cultural heritage	Urbis
<b>Appendix R</b>	Civil Engineering Report	Costin Roe
<b>Appendix AA</b>	Aboriginal Cultural Heritage Assessment Report	Urbis

## 2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

### 2.1. BREAKDOWN OF SUBMISSIONS

The SSDA was publicly exhibited between 8 April and 5 May 2022. There were eight submissions received from public agencies and Randwick and Bayside Councils, and four submissions received from a local community group and individuals.

All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website' (SSD-31552370).

Submissions from Transport for NSW, Heritage NSW, Fire & Rescue NSW, Sydney Water, Ausgrid, Randwick and Bayside Councils and the local community group have provided comments on and been in support of the proposal. Three individual submissions from residents have been registered as objections to the proposal.

Most issues raised in submissions related to the environmental impacts of the proposal as set out in **Table 2** below. Issues were also raised by Heritage NSW, Bayside Council and an individual in relation to procedural matters. Fire & Rescue NSW raised an issue in relation to the physical layout and design of the project. Bayside Council and an individual raised issues considered beyond the scope of the project.

In their Request for Additional Information, DPE raised an issue in relation to social impacts and the project, in addition to issues in relation to environmental impacts.

No submissions raised issues in relation to economic impacts, or the justification and evaluation of the project as a whole.

### 2.2. CATEGORISING KEY ISSUES

In accordance with the DPIE *State Significant Development Guidelines*, the issues raised in the submissions have been categorised as outlined in **Table 2**.

Table 2 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The project	Layout and design of site access	<ul style="list-style-type: none"><li>Provision of emergency vehicle access to be provided in accordance with <i>Fire Safety Guideline - Access for Fire Brigade Vehicles and Firefighters</i>.</li></ul>
	Section 88B Instruments and Easements	<ul style="list-style-type: none"><li>Information to be provided on which easements are to be moved or extinguished, and how the legal requirements of any instruments are proposed to be satisfied.</li></ul>
Procedural matters	Level of engagement with Council	<ul style="list-style-type: none"><li>Lack of consultation with Bayside Council.</li></ul>

Category of Issue		Summary of Matters Raised
	Compliance with the SEARs and Heritage NSW Guidelines	<ul style="list-style-type: none"> <li>The Aboriginal Cultural Heritage Assessment Report (<b>ACHAR</b>) does not meet the SEARs and regulatory requirements under the Heritage NSW Guidelines.</li> </ul>
	Consultation with NSW Ports	<ul style="list-style-type: none"> <li>NSW Ports should be consulted in relation to the Traffic Impact Assessment (<b>TIA</b>).</li> </ul>
	State significant development	<ul style="list-style-type: none"> <li>Approval of the development should not be State significant.</li> </ul>
Environmental Impacts	Traffic impacts	<ul style="list-style-type: none"> <li>Impact on Botany Road and McCauley Street intersection.</li> <li>TIA trip generation rates and annual growth rate.</li> <li>TIA base model and modelling inputs.</li> <li>Access to the site by heavy vehicles via Perry Street / McCauley Street.</li> <li>B-double access to the site via Raymond Avenue / Botany Road.</li> <li>Inclusion of the Perry Street / McCauley Street intersection in the TIA modelling.</li> <li>Confirmation of the transport of dangerous good to and from the site.</li> <li>Traffic impacts to Beauchamp Road and Port Botany.</li> <li>Consideration of the previous State Government proposal to construct a Cruise Liner Terminal at Yarra Bay in the TIA.</li> </ul>

Category of Issue		Summary of Matters Raised
		<ul style="list-style-type: none"> <li>▪ Consideration of TfNSW options for the upgrade of Botany Road in the TIA.</li> <li>▪ Inclusion of construction traffic associated with the Botany Goods Rail Line in the TIA.</li> </ul>
	Parking impacts	<ul style="list-style-type: none"> <li>▪ Insufficient existing street parking in the area.</li> </ul>
	Noise and vibration impacts	<ul style="list-style-type: none"> <li>▪ Assessment of cumulative noise impacts.</li> <li>▪ 24 hour operational noise impacts on local residents.</li> <li>▪ Night time noise impacts on local residents.</li> <li>▪ Consideration of prevailing south westerly winds in the Noise Assessment.</li> <li>▪ Detail of assessment undertaken in relation to noise and vibration.</li> <li>▪ Trucks entering McCauley Street and Raymond Avenue causing noise and disturbance.</li> </ul>
	Water quality	<ul style="list-style-type: none"> <li>▪ Requirement for controlled activity approval and Amcor dam / Bunnerong drainage channel setbacks.</li> <li>▪ Water quality measures and leak/spill mitigation measures for drainage from the site into the Bunnerong drainage channel.</li> <li>▪ Confirmation whether the site is affected by a ground water exclusion zone.</li> </ul>

Category of Issue		Summary of Matters Raised
	Landscaping	<ul style="list-style-type: none"> <li>▪ Clarification of whether Tree 5 Hill's Weeping Fig is multi stemmed.</li> <li>▪ Further investigations be undertaken in relation to the retention of Tree 5.</li> <li>▪ Consideration of Randwick Council's Environment Strategy target tree canopy of 40% across the City.</li> <li>▪ Randwick Council has a target to increase native planting across the City by at least 60%.</li> <li>▪ Provision of permeable concrete/paving to meet the requirements of the Water Management Act.</li> </ul>
	ESD	<ul style="list-style-type: none"> <li>▪ The proposed PV panels should include a back up battery system.</li> <li>▪ Proposed light coloured roofing, appropriate insulation and performance glazing to be included as condition of consent.</li> <li>▪ NCC Sections J Deem-to-Comply Report be submitted prior to any consent being granted.</li> <li>▪ The provision of electric vehicle charging points for passenger vehicles.</li> <li>▪ Installation of solar hot water systems or heat pumps.</li> </ul>
	Flood impacts and stormwater	<ul style="list-style-type: none"> <li>▪ Assessment of flooding impacts on the Bunnerong drainage channel.</li> </ul>

Category of Issue		Summary of Matters Raised
		<ul style="list-style-type: none"> <li>Flood impact assessment to be undertaken for all flood events up to the PMF event.</li> <li>Preparation of a Flood Risk Management Plan for all events up to the PMF event.</li> <li>Construction adjacent to the Bunnerong drainage channel requires Sydney Water approval.</li> <li>Satisfactory measures are required to be taken to protect existing stormwater assets.</li> <li>Measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.</li> </ul>
	Visual impacts	<ul style="list-style-type: none"> <li>Visual impacts of the development from the north western boundary and landscaping to mitigate bulk and scale.</li> <li>Inclusion of landscaping to north western boundary to provide screening.</li> <li>Inclusion of non-reflective materials and colours.</li> </ul>
	Air quality	<ul style="list-style-type: none"> <li>Detail of assessment undertaken in relation to air quality, emission and odours.</li> </ul>
	Residential amenity	<ul style="list-style-type: none"> <li>Impact of signage illumination on the residential amenity of nearby residents.</li> </ul>
	Aboriginal heritage	<ul style="list-style-type: none"> <li>Further test excavation should be undertaken as part of the current ACHAR.</li> <li>Further ACHA to be undertaken to determine the</li> </ul>

Category of Issue		Summary of Matters Raised
		<p>nature and extent of potential subsurface deposits at the site, in consultation with relevant Aboriginal parties.</p> <ul style="list-style-type: none"> <li>Confirmation of how the significance of any Aboriginal objects and potential subsurface deposits has been assessed.</li> </ul>
	Dangerous goods	<ul style="list-style-type: none"> <li>Confirmation that the proposed development will not have any impacts in relation to dangerous goods.</li> </ul>
	Earthworks	<ul style="list-style-type: none"> <li>Implementation of earthworks considering level differences across the site.</li> </ul>
Social Impacts	Societal risk impact	<ul style="list-style-type: none"> <li>Confirmation that the proposed development will not have any unacceptable impacts in relation the Botany Industrial Park.</li> </ul>
Issues beyond the scope of the project or not relevant to the project	Vehicular access to Raymond Avenue	<ul style="list-style-type: none"> <li>Raymond Avenue to be closed at Harold Street intersection to prevent heavy vehicle access.</li> </ul>
	Notification of Bayside Council	<ul style="list-style-type: none"> <li>Notification of Bayside Council for any SSDs or modifications proposed within the Three Ports SEPP area.</li> </ul>

### 3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed development since public exhibition.

This section summarises the refinements that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

#### 3.1. FURTHER ENGAGEMENT

Since the public exhibition of the SSDA between 8 April and 5 May 2022, the Applicant has undertaken further consultation with DPE Hazard and Risk, Ampol, TfNSW, Heritage NSW, Ausgrid and Sydney Water.

**Table 3** below summaries the consultation undertaken since the public exhibition and the outcome of this engagement. Further detail on the consultation undertaken is provided in the Engagement Outcomes Report Addendum provided at **Appendix L**.

Table 3 Further Engagement Summary

Issue	How this group was consulted	Feedback	Project response
<b>Ampol</b>			
DPE required the Applicant to consult with Ampol regarding the proposal's location approximately 130m south-west of a pipeline corridor containing numerous high-pressure dangerous goods pipelines under their operation.	Hale Capital consulted with Ampol via email on 1 June 2022.	Providing works remain within the property boundary at 42 Raymond Avenue, Matraville, Hale Capital will be clear of the Ampol pipelines located in McCauley Street and also the northern end of Raymond Avenue, Matraville.	Consultation undertaken with Ampol confirmed the site is not affected by Ampol assets and that there is no potential for impacts to the development.
<b>NSW Department of Planning and Environment: Hazard and Risk</b>			
The Applicant consulted with DPE Hazard and Risk regarding the requirement to verify that the proposed development will ensure compliance with the societal risk of the Botany Industrial Park Quantitative Risk Assessment ( <b>BIP QRA</b> ) once operational.	Hale Capital consulted with DPE via a meeting on 2 June 2022.	<p>The subject site is located at the edge of the Strategic Control Area, being the 300-400m boundary from Botany Industrial Park.</p> <p>The Applicant is to undertake risk modelling to assess the level of risk at the site and determine future potential site capacity. Societal risk assessment to be</p>	The Societal Risk Impact Report prepared ( <b>Appendix M</b> ) finds that the maximum anticipated population for the development proposal does not affect the cumulative societal risk presented in the BIP QRA.



Issue	How this group was consulted	Feedback	Project response
		submitted to DPE as part of Response to Submissions.	
<b>Transport for NSW</b>			
Consultation with TfNSW has been undertaken in response to the issues raised in their submission, primarily relating to traffic modelling and potential traffic impacts.	<p>Ason, on behalf of Hale Capital, consulted with TfNSW via email on 27 June 2022.</p> <p>Consultation undertaken by Ason outlined a detailed response to each submission by TfNSW.</p>	<p>TfNSW has reviewed the report outlining a detailed response to each submission and is satisfied with the responses to the traffic related matters raised in the previous TfNSW submission.</p> <p>As a result of the above, TfNSW raises no objection to the proposed development.</p>	Refer to <b>Section 4</b> and the updated TIA ( <b>Appendix F</b> ) for the detailed response to the issues raised in the TfNSW submission. Hale Capital will continue consulting with TfNSW throughout the approval process to keep them informed of any updates and changes to the proposal.
<b>Heritage NSW: Aboriginal heritage</b>			
Consultation with Heritage NSW has been undertaken in relation to issues raised in their submission regarding further investigations via archaeological test excavations as part of the ACHA.	Hale Capital consulted with Heritage NSW via email on 14 June 2022.	Heritage NSW is in support of the approach proposed by the Applicant of undertaking further investigations and archaeological test excavations post-approval.	Hale Capital will continue to consult with Heritage NSW throughout the approval process to keep them informed of any updates and changes to the proposal.
<b>Ausgrid</b>			
Ausgrid notes the proponent has made an initial application for connection to Ausgrid for the new development. Ausgrid encourages the proponent to continue to discuss their requirements directly	Hale Capital consulted with Ausgrid on 17 June 2022 in relation to the new substation design.	<p>Preference noted for kiosk location to be on the site boundary next to the road frontage.</p> <p>Cable easement width noted as minimum 2m. Right of Way (<b>ROW</b>) located with adjoining lot noted as insufficient</p>	<p>The Applicant proposes the kiosk location to remain as currently designed given the low voltage drop that will occur if relocated to the front boundary.</p> <p>Hale Capital has incorporated</p>

Issue	How this group was consulted	Feedback	Project response
with Ausgrid as needed.		for Ausgrid access requirements.	amendments to the cable easement width and allowed for alternative ROW location next to cable easement as requested.
<b>Sydney Water</b>			
The proponent should ensure that satisfactory steps/measures will be taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets including building bridges over stormwater assets.	Hale Capital consulted with Sydney Water on 17 June 2022 in relation to the development, specifically requesting a meeting to discuss the proposal to construct the retaining wall along the Bunnerong drainage channel.	For Sydney Water to approve the retaining wall adjacent to Sydney Water's stormwater channel, it should satisfy the requirement that the retaining wall and its foundation/pier are minimum 1m away from the outside face of the stormwater channel to outside face of the foundation/pier.  Sydney Water Building Plan Approval to be submitted for assessment.	In response to Sydney Water's feedback, Hale Capital is preparing the Building Plan Approval application and Specialist Engineering Report in accordance with the requirements outlined by Sydney Water.

## 3.2. REFINEMENTS TO THE PROJECT

The following table summarises the minor refinements and clarifications proposed since public exhibition and in response to submissions made, and as a result of further engagement undertaken.

Importantly, these refinements are changes that fit within the limits set by the project description. These refinements do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required.

Table 4 Design Refinements to Proposed Development

Location	Proposed Refinements
<b>Ground</b>	<ul style="list-style-type: none"> <li>▪ Inclusion of large native tree planting to north western site boundary.</li> <li>▪ Inclusion of larger native species tree planting to the Raymond Avenue boundary.</li> <li>▪ Increase in canopy cover to 2,379m<sup>2</sup> (12% of the developable site area).</li> </ul>

Location	Proposed Refinements
	<ul style="list-style-type: none"> <li>HV kiosk rotated to accommodate access via proposed Right of Way in line with Ausgrid feedback received as part of the substation design application.</li> </ul>
Roof	<ul style="list-style-type: none"> <li>Reduction in translucent roof sheeting proposed to accommodate recommended fire safety requirements and allow for Safety in Design requirement to traverse the roof safely on colorbond sheeting.</li> </ul>
North Elevation	<ul style="list-style-type: none"> <li>Upper level façade articulation proposed through colorbond cladding.</li> </ul>
East Elevation	<ul style="list-style-type: none"> <li>Upper level façade articulation proposed through colorbond cladding.</li> </ul>
West Elevation	<ul style="list-style-type: none"> <li>Upper level façade articulation proposed through colorbond cladding.</li> </ul>
South Elevation	<ul style="list-style-type: none"> <li>Upper level façade articulation proposed through colorbond cladding.</li> </ul>

The key design updates made in response to submissions include the articulation of the façade and provision of additional landscaping.

Additional façade articulation has been included at the upper level of the warehouse to minimise the bulk and scale of the building and its visual impacts. This portion of the façade is most visible from surrounding viewpoints. The proposed articulation has sought to further break up the appearance of the façade having regard to the site's context. Additional colourbond banding has been introduced to align with the articulation already provided by the office spaces and fenestration.

To screen views of the proposed development from the north west, additional landscaping has been accommodated along the boundary. Large tree planting is now proposed along the north western boundary to screen the development from Botany and Beauchamp Roads. The selected tree species will grow to a mature height of 15 – 20 metres to provide a high level of screening. The trees proposed are also of a native species.

In addition, the planting specification for landscaping areas to the site boundary with Raymond Avenue has been updated. It is proposed to plant larger tree species in these landscaping areas to provide a greater level of screening to the development in views from Raymond Avenue. The proposed larger trees are native species with a mature height of between 15 – 20 metres.

The updates to the landscaping proposed at the site now increases the canopy cover from 2,187m<sup>2</sup> (11% of the developable site area) to 2,379m<sup>2</sup> which equates to 12% of developable site area.

In response to further engagement undertaken post-exhibition with Ausgrid, the position of the proposed substation has been rotated to accommodate the associated Right of Way required. This does not result in any other change to the design of the development in this location, including any proposed landscaping.

At roof level, the proposed quantum of translucent roof sheeting has been reduced in response to the project fire engineer as part of the ongoing design development and to meet fire safety requirements. The associated increase in colorbond roof cladding is also required to meet Safety in Design requirements for maintenance access across the roof area.

Refer to the revised Architectural Plans and Landscape Plans (**Appendix C and D**) for further details on the design refinements made since public exhibition.

### 3.3. ADDITIONAL IMPACT ASSESSMENT

Additional assessments have been prepared to respond to the issues raised within the submissions. These include updated reports:

- Traffic Impact Assessment (**Appendix F**)
- Visual Impact Assessment (**Appendix G**)
- Noise Impact Assessment (**Appendix H**)
- Air Quality Impact Assessment (**Appendix I**)
- Arboricultural Impact Assessment (**Appendix J**)
- Sustainability Management Plan (**Appendix K**)
- Engagement Outcomes Report Addendum (**Appendix L**)
- BCA Assessment Report (**Appendix N**)
- Access Report (**Appendix O**)
- Section 88B Instruments and Easements (**Appendix P**)
- Civil Engineering Report (**Appendix Q**)
- Aboriginal Cultural Heritage Assessment Report (**Appendix XX**)

New reports prepared to undertake additional assessments are the:

- Societal Risk Impact Report (**Appendix M**)

The findings and recommendation of the additional assessments are discussed in detail within **Section 4** of this report.

## 4. RESPONSES TO SUBMISSIONS

This section provides a detailed summary of the Applicant's response to the issues raised in submissions. The response has been structured according to the categorisation of issues outlined in **Section 2**. The Table below set out responses to issues raised in submissions as categorised in **Table 2**.

### 4.1. THE PROJECT

Table 5 Response to Submissions

Submission	Response
<b>Layout and design of site access</b>	
During an emergency, firefighters require efficient and effective access for a rapid and unhindered response. Provisions for adequate emergency vehicle access must be incorporated into the development site design in line with <i>Fire Safety Guideline - Access for Fire Brigade Vehicles and Firefighters</i>	<p>The fire engineering design for the development incorporates a vehicular perimeter access roadway around the full perimeter of the building in line with the requirements of the National Construction Code (<b>NCC</b>), with the roadway designed to cater for emergency vehicles and Fire &amp; Rescue NSW appliances as required by the <i>Fire Safety Guideline, Access for fire brigade vehicles and fire fighters – version 05.01</i>.</p> <p>It is highlighted that the emergency vehicle access will achieve compliance with the National Construction Code through a combination of Deemed-to-Satisfy compliance and fire engineered Performance Solutions, and subsequently the development will be subject to submission to the Fire Commissioner (Fire &amp; Rescue NSW) under Division 3 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> whereby approval of the design must be sort by the Fire Commissioner prior to issue of the appropriate Construction Certificate.</p>
<b>Section 88B Instruments and Easements</b>	
The submitted survey and EIS detail multiple easements. Clear and detailed information is sought advising which easements are to be moved, which easements are to be extinguished and how the site intends to satisfy any legal requirements of any instruments existing on the site to accommodate the proposed development.	Detailed information on which easements are to be extinguished and how the site satisfies the legal requirements of any instruments existing to accommodate the proposed development are provided at <b>Appendix P</b> . There are redundant easements on title that are burdening the property with the intention to extinguish where possible. There are also easements that will be varied or created new with the relevant

	landowner or authority consent to reflect the proposed works being undertaken.
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## 4.2. PROCEDURAL MATTERS

Submission	Response
<b>Level of engagement with Council</b>	
Council is concerned about the lack of consultation that has occurred in relation to this project, considering the potential impacts to the local community. Council requests ongoing consultation on this project and other projects in Port Botany and surrounds, to ensure adequate input is provided.	Hale Capital undertook engagement with DPE, Randwick Council and the local community prior to the lodgement of the SSDA. Hale Capital will also ensure any further engagement with local Councils will include Bayside Council.
<b>Compliance with the SEARs and Heritage NSW Guidelines</b>	
HNSW is not satisfied that the ACHA completed to date for the project meets the SEARs and regulatory requirements under HNSW Guidelines by adequately identifying and assessing the impacts of the proposal on the Aboriginal cultural heritage (ACH) values within the development area.	In an email of 24 June 2022, Heritage NSW has advised that they support the proposed approach to managing the archaeological investigation process. It is understood that the Aboriginal Cultural Heritage Assessment ( <b>ACHA</b> ) therefore meets all regulatory requirements.
<b>Consultation with NSW Ports</b>	
Port Botany is regularly undertaking works inside their site to improve the access and egress of container trucks into the Port. Again, NSW Ports should be consulted with any Traffic Study to ensure they have no upcoming upgrades that may affect traffic flows along Beauchamp Road.	The SSDA was publicly exhibited on the Major Projects website. DPE has undertaken direct consultation on the application with the agencies identified as relevant to the proposal.
<b>State significant development</b>	
Approval of such development should not be state significant and should be up to the local council and its residents.	The development is categorised as State significant under clause 12, Schedule 1 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> .

## 4.3. ENVIRONMENTAL IMPACTS

Submission	Response
<b>4.3.1. Traffic Impacts</b>	
The Department notes the traffic modelling undertaken for the EIS does not provide an accurate evaluation of the traffic impacts on the surrounding road network and intersections, nor accurately consider changes in heavy vehicle configuration and the ability of immediate existing road infrastructure to accommodate high productivity vehicles such as B-doubles.	Additional traffic modelling has been undertaken in response to DPE and TfNSW submissions and is incorporated within the updated Traffic Impact Assessment ( <b>TIA</b> ). TfNSW have reviewed the updated modelling and are now satisfied this is acceptable.
<p>Amend the TIA to account for the additional impacts of rigid trucks, semi-trailers and B-doubles on immediate intersection performance with reference to the existing traffic flow, composition and road configuration.</p> <p>The EIS and TIA acknowledge access to the site via Raymond Avenue is not a B-Double approved route. As a result, specific analysis regarding the two possible assessment scenarios i.e., the proposal utilising B-doubles and not utilising B-doubles must be provided. Each scenario should provide accurate evaluation of the traffic impacts on the surrounding road network and intersections, and accurately consider changes in vehicle configuration and the ability of immediate existing road infrastructure to accommodate identified vehicles composition.</p>	<p>The traffic modelling undertaken has considered the addition of trucks that the development could contribute to the surrounding road network.</p> <p>A comparison of trip generation is provided in Appendix E of the updated TIA at <b>Appendix F</b>. This shows that the total number of passenger car equivalent (<b>PCE</b>) units is not materially impacted whether B-doubles are used or not. At an hourly level, the difference is negligible and in the order of a single PCE.</p> <p>Furthermore, a further 'sensitivity analysis' has been undertaken with regard to much higher traffic generation rates (+52.3%) which also conclude that the impacts on the surrounding road network are acceptable. The results of the sensitivity analysis are included on Section 5.4 of the TIA, with expanded results in Appendix D. As such, it is evident that level of additional truck movements generated by the proposal will not have a material impact on the performance of the surrounding road network.</p> <p>It is noted that relevant 'sensitivity' analysis undertaken in response to the TfNSW submission has appropriately considered any increases in Heavy Vehicle traffic and associated impacts on the surrounding road network. As such further modelling is not deemed necessary.</p>
Update the information presented in Part 4.3.3 of the TIA to show passenger car equivalent units and a breakdown of vehicle of the	Appendix E of the updated TIA ( <b>Appendix F</b> ) includes consideration of passenger vehicle equivalents (PCE).

Submission	Response
<p>expected traffic generation for each scenario over a 24-hour period.</p>	
<p>In addition, the EIS and TIA do not provide any commentary regarding how the proposed shared access arrangements would mitigate conflicts between cars and heavy vehicles.</p>	<p>Shared access by cars and trucks is permitted under the relevant Australian Standards. Section 3.3.2 of AS2890.2:2018 makes provision for car parking on circulation roadways used by trucks and other commercial vehicles. It is only the “service area” – where trucks are reversing – that should be separated from car parking areas and pedestrian activity.</p> <p>In the proposed layout, car circulation is limited to the perimeter of the site; thus complying with the above requirements. Reference is made to Note 4.1 on Sheet AG01 of the swept paths included in Appendix B of the TIA which states: “Cars shall use the outer circulation road / aisle and are not to traverse through the central commercial vehicle hardstand area.”</p> <p>Further detail regarding mitigation measures such as site signage, line marking and surface treatments will be specified during detailed Construction Certificate design coordination.</p>
<p>Part 9.3.5 of the TIA indicated construction workers will be able to park on the site as parking areas become available, plans of this proposed staged parking arrangement is required. It is unclear where construction workers will park their vehicles prior to the establishment of parking areas or after these areas area no longer available. If off-site, describe how construction workers will be transported to site.</p>	<p>For clarity, Section 9.3.5 of the TIA does not explicitly state that contractor parking will be available on-site. Rather, it states: “The location of Contractor parking is expected to change as construction continues and encompasses various portions of the Site.”</p> <p>Nevertheless, this detail will be outlined as part of a future Construction Traffic Management Plan following development approval, once a Contractor is engaged and has established their construction methodology.</p>
<p>Impact to the existing Botany Road and McCauley Street signalised intersection:</p> <p>The signalised intersection of Botany Road /McCauley Street is a major intersection used by high volumes of traffic where network safety and efficiency are of great importance.</p>	<p>This intersection has been assessed as part of the TIA, with the impacts deemed to be acceptable.</p>
<p>The TIA has based generation rates from Technical Direction (TD2013-04a) using the average of two sites to adopt a generation rate</p>	<p>It should be noted that the adopted traffic generation rates have also been adopted for other recently approved projects, including Coal</p>



Submission	Response
<p>of 0.32 trips per 100m<sup>2</sup>. However, these sites are at Eastern Creek and Riverwood. Given the importance of Botany Road for freight a higher rate is more appropriate of 0.52 vehicle trips per 100m<sup>2</sup> GFA for the AM and 0.56 vehicle trips per 100m<sup>2</sup> GFA for the PM peak hour as per the summary table in TD2013-04a.</p>	<p>Pier Industrial Precinct (DA-2020/4171, approved 22 July 2021), which adopted the following peak hourly trip rates:</p> <ul style="list-style-type: none"> <li>AM peak: 0.304 veh/hr/100m<sup>2</sup> GFA</li> <li>PM peak: 0.203 veh/hr/100m<sup>2</sup> GFA.</li> </ul> <p>Ason Group has also undertaken surveys at another industrial facility at Boorea Street, Lidcombe which demonstrated similar peak hour trip generation rates (0.34 in the AM and 0.28 in PM).</p> <p>As such, we believe that the adopted rates reflect the reasonable levels of traffic to be generated by the development, with any further sensitivity assessment using TDT2013-04a average rates need not be undertaken.</p> <p>Notwithstanding, the results of an updated SIDRA assessment taking into consideration the other comments) is included (referred as 'Standard' tests) in Section 5 of the updated TIA, with expanded results in Appendix C (<b>Appendix F</b>).</p> <p>Futhermore, an additional 'sensitivity' analysis has been undertaken with the advised trip rates, with the results included in the updated TIA. This demonstrates that, even with these higher trip rates, the intersections shall still perform within acceptable levels.</p>
<p>The TIA traffic generation has assumed 27-37% of trips from Botany Road (west) whereas based on the existing surveys the trip percentage patterns are approximately 50% for all peak hour periods from Botany Road (west). The percentage rates to be applied are; Botany Road (west) 50%, Botany Road (East) 7% and the remainder for Perry Street.</p>	<p>The intersections serve a range of uses (industrial in Raymond Avenue but also residential in Australia Avenue and others) so a straight adoption of surveyed demands may not best replicate distribution of the proposed industrial development.</p> <p>Ason Group had previously adopted the future development trip distribution from Strategic Motorway Projection Model (SMPM) data (for Zone 628).</p> <p>However, as requested, the development trips in this revised modelling have been re-assigned using the advised directional distributions. Subsequently, the Project Case SIDRA models have been updated and included in Section 5.3</p>

Submission	Response
	of the updated TIA ( <b>Appendix F</b> ), with modelling results in Appendix C.
<p>The annual growth rate from 2021 to 2031 (based on TfNSW Sydney Strategic Model) is 2.2% and 1.7% for the AM and PM peak periods respectively.</p>	<p>The future growth has been adopted using SMPM 2021 and 2036 data. This approach is consistent with previous Ason Group studies in this area, which was confirmed with TfNSW. The resultant growth rates (per annum) were:</p> <ul style="list-style-type: none"> <li>▪ AM 0.88%; and</li> <li>▪ PM 0.89%.</li> </ul> <p>The difference in growth rates are of a relatively minor nature and, noting that the intersection performs relatively well (LoS B even with development), so as to provide a buffer for the difference. In this regard, it is also noted that the current variability/uncertainty in TfNSW future forecasts, e.g. post COVID impacts on future model forecasts.</p>
<p>The setup parameters in the base model are not in accordance with the SCATS data, for example the cycle length should be 130 seconds. Individual phase times should be optimised for the base and future scenario comparisons.</p>	<p>Confirming the peak hour cycle time in SCATS data are consistent with the onsite observations. Revised modelling was carried out with 'fixed' phase times as well as optimised phase times (i.e. with fixed Cycle time) for Base case, and optimised phase times for Project case, as advised by TfNSW.</p>
<p>It is noted that the intersection models are using default settings. The following modelling inputs should be addressed:</p> <ul style="list-style-type: none"> <li>a) actual grades should be used</li> <li>b) pedestrian walk and clearance times are too short</li> <li>c) pedestrian volumes are shown as 1 person</li> <li>d) consideration of Peak Flow Factors</li> <li>e) truck speeds to be reduced to a more appropriate value</li> <li>f) late starts missing on A, B and C phase</li> <li>g) amber time is 5 seconds and Red time 3 seconds for D phase.</li> </ul>	<p>In general, these very detailed input changes and are unlikely to materially impact the outcome of the assessment. Furthermore, the base models were deemed fit-for-purpose with the modelled performance effectively calibrated to real life conditions through observation of queue lengths such that this level of detailed input was not deemed significant.</p> <p>Nevertheless, a response to each item raised is provided below.</p> <ul style="list-style-type: none"> <li>a) The models have been updated with gradients on each leg. Gradient information was collated from Google Earth in lieu of detailed survey information being available.</li> <li>b) Models have been updated based on supplied data. Lane and median widths have been double-checked to ensure the pedestrian crossing distances are replicated in the model</li> </ul>

Submission	Response
	<p>accurately. Walk times generally increased. However, it should be noted that the modelled pedestrian walk times are less than occur in practice to account for the average time, noting that pedestrian movements are called only infrequently.</p> <p>c) Pedestrian volumes are consistent with the survey data which showed negligible pedestrian activity during the surveyed periods.</p> <p>d) Peak flow factors (<b>PFF</b>) were calculated using the standard SIDRA template. However, the calculated PFF's turned out to be quite close to SIDRA default and, as such, the default PFF of 95% was retained in this model. This was deemed appropriate in consideration that the modelled performance was effectively calibrated to real life conditions through observation of queue lengths.</p> <p>e) The models have adopted signposted speeds, as is standard practice.</p> <p>f) Noting the low pedestrian volumes - in some cases only a single pedestrian - this has negligible impact on the modelled performance of the intersection. Nevertheless, this has been checked and addressed in the updated models.</p> <p>The Late Start parameter can be only applied to a movement and not into a given phase in which the pedestrians / movements have right of way. As per SIDRA user guide recommendations, Opposing Peds (Signals) parameter in the Gap Acceptance dialog is used to replicate the late starts.</p> <p>g) The models have been updated accordingly.</p>
<p>Residents have raised concerns about B double trucks from this proposed development using the Perry Street as Perry St a vehicular weight restriction of 3 tonnes. McCauley St has recently installed an island to prevent trucks over a certain size entering that street. The current traffic conditions of Perry St limiting heavy vehicles from utilising the street need to be preserved to restrict inappropriate use of these residential streets by heavy vehicles.</p>	<p>No Heavy Vehicles associated with the proposal are to access Perry Street, via McCauley Street.</p> <p>With reference to Figure 11 and 17 of the TIA, all Heavy Vehicle traffic relies solely on the intersections of McCauley Street / Botany Road, via the southern intersection of Raymond Avenue / McCauley Street.</p>

Submission	Response
<p>The Banksmeadow Waste Transfer Terminal SSD 5855 which was approved 2015 and modified in 2016 has conditions of consent requirements for the Applicant to complete the road upgrade works at the intersection of Beauchamp Road and Perry Street in consultation with City of Botany Bay Council and Randwick City Council, and to the satisfaction of RMS and the Secretary. This SSD included conditions requirements for heavy vehicles do not use Perry Street to travel to/from the site. Hence the Perry St &amp; McCauley St intersection should not be included in the servicing of this proposed Raymond Avenue complex.</p>	
<p>Council notes that there is no reference in the EIS to B double vehicles being required to service the site, however Appendix K of the TIA notes that Currently access to the Site via Raymond Avenue is not a B-Double approved route. This assessment notes that an application is underway to allow B-Doubles to access the site to and from Botany Road. As Council understands that B doubles vehicles physically cannot use the McCauley Perry Street intersection, approval for this SSD should not be provided until a B double route unless access has first been approved from Botany Road.</p>	<p>It is acknowledged that Raymond Avenue is not currently an approved B-double route.</p> <p>In this regard, the subject site has been designed to cater for B-doubles should use of the network by vehicles of that size be permitted at some point in the future. Noting that there is a separate approvals process, requiring Council endorsement as the relevant Roads Authority, this matter should not materially impact whether the proposed on lot works (built-form) can be approved at this time.</p>
<p>The Traffic Assessment report evaluated the performance of two intersections near the site being Botany Road/McCauley Street and Perry Street/McCauley Street. The modelling concluded that both these intersections will continue to perform at an acceptable level of service because of the proposed development, with both intersections performing in the AM and PM peaks. As such, the Traffic report finds that the proposal is not expected to result in any adverse impacts on the surrounding road network during operation.</p> <p>Council queries why modelling of the McCauley/Perry Street intersection is included in the assessment given that rigid and articulated trucks are not permitted or capable of using this intersection. This analysis creates confusion as to the intended route proposed for</p>	<p>The McCauley Street / Perry Street intersection was included to enable assessment of Light Vehicle traffic movements – i.e. associated with staff using private cars – travelling to/from the site. Restrictions on the use of Perry Street only apply to Heavy Vehicles and, as such, staff would be legally permitted to use that intersection.</p> <p>The TIA is clear that Heavy Vehicles are not to use that intersection – refer Figures 11 and 17. A requirement for installation of signage is noted and can be appropriately documented in Construction Certificate documentation.</p>

Submission	Response
<p>heavy vehicles accessing and leaving the site. Therefore, the Traffic Assessment report should be reviewed to eliminate consideration of the Perry/McCauley Street intersection for rigid and articulated vehicles and any approval should specify that heavy vehicles should not use this intersection and that clear signage should be installed at the site's exit prohibiting trucks from proceeding towards that intersection.</p>	
<p>Beauchamp Road is a classified State Road which comes under the control of Transport for NSW and provides a major thoroughfare to the Port Botany Container Terminal. As such since this development is proposing a 24 hour per day operation. The frequency and type of vehicles which will service this development may adversely affect traffic flows along Beauchamp Road. Truck movements at the Port are increasing and it is recommended that a comprehensive traffic study be undertaken to ensure the proposal will have no major impacts on traffic flows along Beauchamp Road or the operation of the Port Facility.</p>	<p>A traffic study has been undertaken with the scope of that assessment endorsed by TfNSW</p> <p>Given the relatively moderate traffic generation, assessment of Beauchamp Road is outside the scope of reasonable assessment for this application. TfNSW have not requested such a broader assessment to be undertaken.</p>
<p>Further there was a previous proposal by the State Government to construct a Cruise Liner Terminal at Yarra Bay which would significantly increase traffic volumes along Foreshore Road / Beauchamp Road / Bunnerong Road. While this Project has been temporarily suspended by the Government it could still become a reality in the future and should be considered with any Traffic Study.</p>	<p>The proposed development has considered reasonable growth on the surrounding road network. Particularly in circumstances where the Cruise Liner Terminal project has been suspended, then this is outside the reasonable scope of assessment for the subject application.</p>
<p>Transport for NSW are currently considering options to upgrade Botany Road between Foreshore Road and Excel Street Banksmeadow to improve traffic flows in the area and in particular assist access into Port Botany. While this location is north of the development site it should be considered with any Traffic Study.</p>	<p>Noted, however, that section of road is remote from the subject site and the scale of development would not materially impact volumes on that section of road. As such, further assessment is deemed outside the scope of the traffic study.</p>
<p>The Owner of the Botany Goods Train Line (ARTC) have commenced a Project to duplicate the Rail Line from the Alexandra Canal Mascot to a location north of McPherson Street Banksmeadow (3km long track). This Project</p>	<p>It is understood that the eastern extent of the duplication works finish in the vicinity of Stephen Street. This area is remote from the subject site and therefore not within the scope of reasonable assessment. Furthermore, given</p>

Submission	Response
will not be completed until late 2024 and may generate construction traffic during the works therefore, the impacts of this Project should be included in any Traffic Study.	approval and construction timeframes, it is expected that there will be limited crossover between ARTC construction traffic and operational traffic associated with this development.
<b>4.3.2. Parking Impacts</b>	
There is already not enough street parking in the area to support the growth of industrial warehouse and office area.	The proposed development provides sufficient on-site car parking to satisfy relevant Randwick Development Control Plan ( <b>DCP</b> ) requirements. As such, it is not anticipated that the development will impact demands for on-street parking in the locality.
<b>4.3.3. Noise and vibration impacts</b>	
The potential increase in traffic noise is cited as a source of noise concern by residents living in close proximity to the subject site. The TIA details night-time exceedance for receiver R03 caused by a combination of noise from the roof mounted fans, on-site truck movements (hardstand) and loading activities. Further clarification is required to verify if the accelerating and decelerating articulated vehicles and small rigid trucks, as they utilise the key access ramps to level one, have been included as a night-time source.	<p>Table 18 of the Noise Impact Assessment (<b>NIA</b>) (<b>Appendix H</b>) specifies the sound power level assumptions used in the modelling. Increased sound power levels have been used for medium and large trucks on ramps to level 1 to allow for potential acceleration/deceleration noise. These increased sound power levels have been applied to trucks in all periods. The updated NIA includes further discussion to clarify this.</p> <p>Representative worst-case scenarios have been assessed in the NIA with the development not predicted to result in any exceedances of the <i>Noise Policy for Industry</i> Project Noise Trigger Levels during any periods, assuming the recommended mitigation measures are put in place. Maximum noise levels are predicted to marginally exceed the sleep disturbance screening level when truck airbrakes are occasionally used, however, this minor exceedance was deemed of low significance and not requiring any additional mitigation as the predicted levels are not expected to cause sleep disturbance and are comparable to or lower than existing maximum noise levels from existing vehicles in the area.</p>
Additionally, feasible and reasonable noise mitigation measures such as at-property treatments along the access ramps may be required to minimise night-time noise impacts.	Representative worst-case scenarios have been assessed in the Noise Impact Assessment and the development is not predicted to result in any exceedances of the <i>Noise Policy for Industry</i> Project Noise Trigger

Submission	Response
	<p>Levels during any periods, with the implementation of the recommended mitigation measures.</p> <p>No residual impacts are predicted after the use of the recommended noise mitigation measures, meaning there is no requirement to consider at-property treatments.</p>
<p>Cumulative noise has not been adequately assessed given the industrial context of the proposed development. Consideration of the proximity of this development to 24/7 noise generating activities at Port Botany and the nearby Opal Paper mill should be key considerations when assessing noise impact on surrounding sensitive land uses specifically residential areas. This is particularly important as these residential areas are already being affected by exceedance in night time noise criteria and any additional impact, no matter how small needs to be given adequate consideration.</p> <p>Given Port related night time noise impacts are experienced by residents as far away as Little Bay the cumulative impact of this development on surrounding development given prevailing south westerly winds and temperature inversions should be comprehensively assessed. The attached Port noise study complete in 2021 for NSW Ports provides details of these current impacts should be considered in regard to this proposed development and its potential impact on surrounding residential areas.</p>	<p>The potential cumulative noise impacts have been addressed in the noise assessment using the appropriate procedures defined in the <i>Noise Policy for Industry</i>. Section 2.4 of the policy requires the recommended amenity noise levels to be reduced by 5 dB to give the project amenity noise levels where a site has possible cumulative noise impacts from existing or potential future industrial developments. The policy states that this approach is suitable (for assessing cumulative noise impacts) where "an existing cluster of industry, for example, an industrial estate or port area, is undergoing redevelopment and/or expansion and the development constitutes a single premises addition or expansion". This approach is considered to sufficiently address any potential cumulative noise impacts from this development and has been applied in the Noise Impact Assessment.</p>
<p>Whilst the conclusions of the noise assessment are noted, Council remains concerned that the 24 hour operation has the potential to create adverse amenity impacts on nearby residents. In particular, concern is raised in regard to noise generated from reversing alarms, container stacking, truck movements and trucks idling onsite and offsite as this has the potential to have the greatest sleep disturbance for nearby residents.</p>	<p>Representative worst-case scenarios have been assessed and the development is not predicted to result in any exceedances of the <i>Noise Policy for Industry</i> Project Noise Trigger Levels during any periods, with the implementation of the recommended mitigation measures. The sound power levels used in the assessment are considered representative of all noise emissions from on-site truck movements, vehicle reversing and loading dock activities. One of the recommended measures includes used of broadband and/or ambient noise</p>

Submission	Response
<p>Given port related night time noise impacts are experienced by residents as far away as Little Bay, the proposed development has the potential to contribute to cumulative noise impacts on surrounding development given prevailing south westerly winds coming across Botany Bay and temperature inversions. A Port Botany Noise Investigation Report prepared by Wilkinson Murray in January 2021 for NSW Ports provides details of these current impacts and is particularly relevant in considering potential cumulative impacts on surrounding residential areas. This study utilised the Sydney Airport weather monitoring station data as it is more indicative of prevailing wind directions affecting the northern Botany Bay areas.</p> <p>The proximity of this development to 24 hour noise generating activities at Port Botany and the nearby Opal Paper Mill should be key considerations when assessing noise impact on surrounding sensitive land uses specifically residential areas. This is particularly important as these residential areas are already being affected by exceedance in night time noise criteria and any additional impact, should be given adequate consideration. Council therefore recommends that cumulative noise impacts across a broader area should be comprehensively assessed given the industrial context of the site and its proximity to the Port. Council notes that the cumulative impacts and prevailing south westerly winds have not been adequately considered in this noise assessment study. Therefore, given the absence of a comprehensive noise assessment Council considers it appropriate to restrict night time operations to between 7am to 10pm. This is consistent with development consent conditions for nearby logistic facilities.</p>	<p>sensing reversing alarms during the night-time to minimise the potential impacts, as far as practicable. This will be included as a requirement under the Lease to ensure tenant adherence.</p> <p>Off-site traffic noise impacts are expected to be negligible given there are no sensitive receivers between the site and Botany Road, and Botany Road is a major arterial road with high existing traffic volumes.</p> <p>It is not anticipated that the operational use of the facility will include the stacking of containers, with no spatial allowance made for this on the site.</p> <p>The Noise Impact Assessment (<b>Appendix H</b>) has been updated to include south westerly winds. No exceedances of the Project Noise Trigger Levels are predicted with this prevailing weather condition included. Maximum noise levels are predicted to marginally exceed the sleep disturbance screening level when truck airbrakes are occasionally used, however this minor exceedance was deemed of low significance and not requiring any additional mitigation as the predicted levels are not expected to cause sleep disturbance and are comparable to or lower than existing maximum noise levels from existing vehicles in the area.</p> <p>It is noted that numerous nearby logistic facilities within the <i>Transport and Infrastructure SEPP</i> area have approval to operate 24/7 including:</p> <ul style="list-style-type: none"> <li>▪ Orica Southlands Industrial Estate, 28 McPherson Street (SSD-9691)</li> <li>▪ 9 Bumborah Point Road (DA/858/2008)</li> <li>▪ Matraville Paper Mill, 1891 Botany Road (MP05_0120)</li> <li>▪ Vopak Bulk Liquids facility, 37 Friendship Road (SSD-7000)</li> <li>▪ 107 Beauchmap Road (DA/293/2021)</li> <li>▪ 9 Coal Pier Road (DA/2020/417).</li> </ul>



Submission	Response
	<p>The site is located within an IN1 zone within the <i>Transport and Infrastructure SEPP</i> area. The environmental impact assessment of the proposal has concluded that the impacts of the 24/7 operation are acceptable. As such the hours of operation are consideration acceptable in accordance with the objectives of the IN1 zoning.</p>
<p>It is understood the proposal is a speculative development without any tenants committed and the exact operational procedures of the site are not known at this time. The submitted air quality and noise and vibration reports are based on assumptions made regarding likely future uses. On this basis, council requests further detailed assessments to be carried out based on future known uses operating on the site. Council requests further assessment to be carried out in relation to noise and vibration.</p>	<p>The NIA has been based on conservative assumptions regarding the future tenants and likely sources of noise, based on the assumed warehouse and distribution uses. These assumptions have been used to develop scenarios which represent the likely worst-case noise modelling scenarios that reflect the highest noise emissions that the development would likely emit and is considered appropriate for assessment of the development at approvals stage.</p>
<p><b>4.3.4. Water Quality</b></p>	
<p>Given proximity to the Amcor dam to the south greater consideration should be given to the developments impact on these water ways, especially as these drain directly into Botany Bay. As this development is within 40m of a waterfront land Council understands this requires a controlled activity approval may be required under the Water Management Act and greater setbacks from the dam and drainage line should be provided that are greater than those proposed in the landscape plan. There does not appear to have been any consideration of these requirements by the proposal and these need to be considered as they may significantly affect the design layout and landscape design requirements of the proposal.</p>	<p>DPE has confirmed that the <i>Water Management Act</i> does not apply and therefore a controlled activity approval is not required. The Amcor Dam and Bunnerong Channel are not subject to riparian setbacks, therefore the setbacks provided are considered adequate.</p>
<p>Given the location of the Amcor dam adjoining the southwestern boundary of the site and Sydney Water drainage line (Bunnerong Stormwater Channel No 11) on the north-western boundary, greater consideration should be given to the impact on these waterways during operations, especially as these drain directly into Botany Bay. This proposal should include the provision of one-way valve on</p>	<p>Water discharging from the site into the Bunnerong Channel will be treated in accordance with the requirements of Sydney Water. A shut-off valve will be provided to ensure spills are not discharged into the Bunnerong Channel and Botany Bay.</p>

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<p>stormwater drains into the Bunnerong Canal to enable the valves to be shut off given a spill, leak, or fire incident within the complex. This would contain any pollutants onsite and prevent pollutants entering the nearby drainage line and Botany Bay and is best practice for logistics/container storage facilities.</p>	
<p>It is not known whether the subject site is affected by a ground water exclusion zone, Council requests the EIS be updated to clarify whether the subject site is affected by ground water to allow us to adequately assess the impact of the proposal.</p>	<p>The site is located in Area 1 of the “Temporary Water Restriction (Botany Sand Groundwater Source) Order 2018”. The order prevents the use of groundwater for domestic purposes and restricts its use for industrial purposes. A Detailed Site Investigation (<b>DSI</b>) has been completed that did not identify any human health risks to the proposed development from groundwater. Additionally, the development does not propose to use groundwater for any purpose (consistent with the 2018 order) and will not alter groundwater flow characteristics at/or adjacent to the site (as no underground structures will be constructed and the site hardstand/cover will remain similar to its current condition). As a result, it is considered that the development will not be impacted by the 2018 order and, if approved, the development will not impact on the presence/distribution of contamination in the aquifer.</p>
<p><b>4.3.5. Landscaping</b></p>	
<p>The proposed landscaping does not go far enough to reduce the size and scale of the proposed building, nor integrate with the design to provide a more cohesive landscaped setting. Clarification is required regarding the lack of landscaping along the north-western boundary.</p>	<p>The scale of the building would be most apparent from Botany Road (View Impact Assessment VP1), VP2 and Raymond Ave (VP3 &amp; VP4). Landscaping is included to the south western site boundary adjacent to the Sydney Water basin, to visually mitigate views from Botany Road. Proposed trees in this location would be expected to reach a mature height of 20m. In response to the submission, trees at the entrance to the development along Raymond Avenue have been amended to include larger species to improve the landscape setting of the development (refer updated Landscaping Plans, <b>Appendix D</b>).</p> <p>The design has also been revised to add landscaping along the north western site boundary. This will help to reduce the bulk and</p>

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	<p>scale of the building as seen from View Impact Assessment VP2.</p> <p>It is also be noted that the existing site is largely cleared of all vegetation. The landscaping proposed for the development is a significant increase to canopy cover and landscape area over the exiting site condition. A large proportion of indigenous planting has been added including communities from the locality such as:</p> <ul style="list-style-type: none"> <li>▪ Coastal mantle heath PCT 664</li> <li>▪ Coastal sandplain heath PCT 1061</li> <li>▪ Coastal sand Apple-Bloodwood forest PCT 1779.</li> </ul> <p>This integrates the design to provide a more cohesive landscaped setting more suited to its environment.</p>
<p>Canopy trees are proposed to be sited within designated easement areas for multiple services. Confirmation that the landscaping within these easement areas satisfy the guidelines and technical requirements for planting over pipeline assets.</p>	<p>Inline with the easement summary table and survey mark-up provided (<b>Appendix P</b>), the existing easements providing the right to maintain and lay down pipes will be extinguished. A new easement will be granted to Opal Packaging over the location of a new sewer asset being installed as part of the works. However, its location primarily over concrete pavements will not inhibit the ability of the development to accomodate landscaping.</p>
<p>Hill's Weeping Fig (<i>Ficus microcarpa</i> var. <i>hi/lit</i>) in Randwick are historic specimens possibly associated with early Inter-War period (c.1915-1940). These specimens are considered to have significance, as individuals and as a group at the local level in terms of their historic, social, cultural, aesthetic and visual qualities. As a group they visually dominate the narrow easement streetscape and provide a dense contiguous screen to the development from McCauley Street.</p> <p>Following a site visit, Council noted what appears to be a second Hills Weeping Fig located within close proximity (southeast) to tree number 5 proposed for removal. This tree does not appear to have been identified in the</p>	<p>A review of historic imagery, as shown in Figure 3 &amp; 4 within section 4.4 of the Arboricultural Impact Assessment (<b>AIA</b>), indicates tree 5 and 8 were planted between 1955 and 1971 and are therefore not linked to inter-war period plantings.</p> <p>It is confirmed that tree 5 was observed to be a multi-stemmed specimen that was co-dominant at ground level. As noted in the AIA, there is a second Fig tree which will be retained being tree 8.</p> <p>The aesthetic and visual benefit provided by the specimen to the local community is minimal. A Google Earth massing photomontage from McCauley Street has been undertaken and</p>

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<p>Arborist Impact Assessment (<b>AIA</b>) provided in Appendix FF. Council requests clarification as to whether Tree 5 proposed for removal is multi stemmed, which may be due to a change in soil level surrounding the established tree, or whether there is an additional Hills Weeping Fig tree within close proximity of tree 5 not recognised on the AIA and whether this tree is too proposed for removal.</p> <p>Council recommends that given the important visual and aesthetic values of the tree proposed for removal that further investigations be undertaken to ensure that this tree to retained and accommodated within expanded landscaped areas, on site with minimal branch and/or rot pruning.</p>	<p>assessed by Geoscapes (see <b>Figure 1</b> below). It can be seen that the Fig trees do not completely screen the proposed development and can only seen from small view corridors along McCauley Street due to the presence of other developments. The visual impact is minimal following the removal of the tree 5, notwithstanding the view is judged to be low in sensitivity.</p> <p>In replacement of tree 5, the Landscape Plans propose the planting of two <i>Corymbia gummifera</i> which has the potential to reach over 20m in height. It can be seen in the year 15 image below that the additional plantings contribute to the screening of the development in time.</p> <p>It is noted that the root zone of the existing Fig tree encroaches into the development area, extending under proposed structures and in-ground services infrastructure. Tree roots left in situ have the potential to undermine the proposed structures/services &amp; increase risk of damage, destabilising or failure after construction. As such, the removal of tree 5 is considered to be acceptable in the site circumstances.</p>
<p>The proposal should note and take into consideration Council's Environment Strategy target tree canopy of 40% across the City. An important part of reaching this canopy target is protecting and maintaining existing canopy trees within the LGA. These Hills Weeping Figs have a significant canopy and contribute greatly to the tree canopy in the area. Council has a target to increase native planting across the City by at least 60%.</p>	<p>As per the updated Landscape Plans (<b>Appendix D</b>), the tree canopy provided is 2,379m<sup>2</sup> or 12% of the developable site area. From aerial maps and survey information the current canopy cover over the site is approximated to be 351m<sup>2</sup> (2% of site area). However, 287m<sup>2</sup> of this is provided by trees which do not fall within the site boundary. 17m<sup>2</sup> of existing canopy cover provided from trees outside of the site boundary would still remain on completion of the development and would be in addition to the 2,379m<sup>2</sup> listed above.</p>



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Figure 1 McCauley Street photomontage



Source: Geoscapes

#### 4.3.6. ESD

Council understands that this warehouse development proposal is required to meet the NCC section J minimum requirements for energy efficiencies. Council has reviewed the Sustainability Management Plan (SMP) prepared by SLR (Appendix M). Council supports the inclusion of a 300kW photovoltaic (PV) panels system to achieve net zero emissions of the complex, as this is consistent with Councils Environment Strategy Objective to reduce greenhouse gas emissions by 100% by 2030. A back up battery system should be included especially given its proposed 24/7 operations. This photovoltaic system would also

Coupling batteries with a PV solar system allows the energy to be stored during times of low demand and released at times of peak demand or at night. The economic viability of storage is strongly driven by the degree to which electricity produced by the PV system is self-consumed.

In this instance battery storage would be ineffective as it is likely that the renewable energy will be consumed by the proposed development as it is produced. The night-time energy consumption is anticipated to be low

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<p>help to meet or exceed the NCC section J minimum requirements for energy efficiencies and should be included as a condition in any development consent.</p>	<p>with the installation of LED lighting and motion sensors.</p> <p>The current battery storage options available on the market are also limited and operate at low efficiency.</p>
<p>As it is not clear as to which energy efficiency measures suggested in the Sustainability Management Plan are to be implemented Council suggest that a NCC Sections J Deem-to-Comply Report be submitted prior to any consent being granted to assess the compliance of the proposed measures against the NCC Section J minimum energy efficiency requirements. This would also make building certification/compliance easier to determine given the scale of the development.</p>	<p>An NCC Section J Deem-to-Comply Report will be submitted prior to issue of the Construction Certificate once detailed design is complete and specific energy efficiency measures are confirmed.</p>
<p>Conditions of any consent should also specifically address:</p> <ul style="list-style-type: none"> <li>- The provision of electric vehicle charging points for passenger vehicles capable of expanding with growing needs or workers and customers.</li> <li>- Installation of Solar hot water systems or heat pumps</li> <li>- LED internal and external lighting, including daylight/movement sensors</li> <li>- Provision of rainwater collection tanks, harvested for irrigation and toilet flushing</li> <li>- Development of an operational waste management plan</li> <li>- Efficient air conditioning system</li> <li>- Energy metering and monitoring.</li> </ul>	<p>All energy efficiency measures outlined are proposed be accommodated in the development, with the exception of solar hot water system as the PV panel system is provided in lieu.</p> <p>Provision for future electric charging points for passenger vehicles will be accommodated for 5% of the total car spaces.</p>
<p><b>4.3.7. Flood impacts and stormwater</b></p>	
<p>The subject site is affected by overland flow flooding as determined within the Birds Gully Flood study (Randwick Council 2018). The proposal includes introducing fill and capping above the existing slab level. Due to the mapped overland flow, and the proximity to the open Bunnerong Stormwater Channel a Flood</p>	<p>The updated Civil Engineering Report (<b>Appendix R</b>) contains modelling and discussion around the overland flow from Raymond Avenue to the Bunnerong Channel, as well as the associated Flood Risk Management Plan. The modelling confirms the development has no impact on the water's ability to flow to Bunnerong Channel, and does</p>

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Impact Study and associated Flood Risk Management Plan is required to be submitted.	not increase flood risk for surrounding properties or road users.
<p>There is a major Sydney Water Stormwater Channel / Pipeline located between Beauchamp Road and the Development Site. Appendix R - Civil Engineering report relies on the GIS information provided by Randwick Council to assess the flooding impacts which is not sufficient to address the flood impact on the adjoining sites.</p> <p>As per the Birds Gully Flood study (Randwick Council 2018), this site is affected by overland flow flooding in the 1% and PMF events. The open channel is considered a floodway in major storm events. The proposed filling of 1.5m above the existing slab level, may redirect flow to the adjoining sites in a major storm event. It is critical to undertake a Flood Impact Study (based on the survey of the site and any new development adjacent to this site) to ensure the proposed development does not adversely affect any adjacent properties. The flood impact assessment shall be undertaken for all flood events up to the PMF event.</p>	<p>The updated Civil Engineering Report (<b>Appendix R</b>) contains TUFLOW Flood modelling and discussion around the overland flow from Raymond Avenue to the Bunnerong Channel. The modelling confirms the development has no impact on the water's ability to flow to Bunnerong Channel, and does not increase flood risk for surrounding properties or road users.</p>
A Flood risk management plan shall also be prepared for all events up to the PMF event.	A flood risk management plan has been prepared as part of the updated Civil Engineering Report ( <b>Appendix R</b> ).
<p>Requirements for Sydney Water's stormwater assets (for certain types of development) may apply to this site. The proponent should ensure that satisfactory steps/measures will be taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets including building bridges over stormwater assets.</p> <p>The proponent should also consider taking measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.</p>	<p>The applicant also is preparing to submit an out of scope Building Plan Approval (<b>BPA</b>) with Sydney Water including a Specialist Engineering Report (<b>SEA</b>). Refer revised Civil Engineering report, which contains modelling and discussion around the overland flow from Raymond Avenue to the Bunnerong Channel.</p>
<b>4.3.8. Visual impacts</b>	
The proposal includes significant bulk and scale due to the large footprint, height and lack of	The building's façade has been further refined by the introduction of a secondary dark

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<p>landscaped area around the proposal. Whilst the proposal remains compatible with the visual bulk and scale of surrounding existing and approved buildings in the IN1 zone, the façade design does not go far enough to respond to the visual amenity impact to the streetscape and viewpoints that will adjoin the site. Design alternatives that minimise the visual impacts including improved façade design and finishes (as a priority) are recommended.</p>	<p>grey banding that aligns with the top of the office levels. The additional band reflects the clean lines and angles of the original design, which allows it to maintain its simplicity but also provide an interesting façade presentation to the street. The new dark band also has the additional impact of effectively articulating and reducing the bulk and mass of the development. The specific perspectives taken in the View Impact Assessment (<b>VIA</b>) images (<b>Appendix G</b>), show evidence that the dark band is able to divide up the original blank and flat colour that was visible from these views. The reduction of this singular tone has the impact of blending the façade in with the surrounding variety of tones both in the landscape and surrounding buildings.</p>
<p>Additional fill will be imported and located within the subject site. The additional fill will require retaining walls up to 3m in height. The location and indicative heights are only demonstrated on Engineering plan Co14452.00- C50. As a result, the artificial site level of up to 3m above natural ground level has not been considered within the visual impact assessment nor considered within the noise assessment. Further details including the inclusion of these walls on elevation plans, section plans and montages to demonstrate the visual impact of these retaining walls from within the subject site and from neighbouring sites is required.</p>	<p>The average level increase across the site is around 1.5m (5.8m to 7.3m RL) to meet the Bayside Council flood planning requirements. There are locally higher retaining walls on the north-western boundary where levels fall away from the existing slab. Additionally, the walls are embedded up to 1.5m for the protection of the Bunnerong Channel, hence the exposed height of the retaining walls is less than 2m. The retaining walls are only present at the rear of the site. The site will be close to the same level of Raymond Avenue.</p> <p>The VIA (<b>Appendix G</b>) has been updated at Section 6.3 to note the impact of the rise in level above the existing site level to the south. Viewpoints 1 &amp; 2 have been updated to include the additional fill to the rear of the site and retaining walls.</p> <p>The NIA also considers the finished levels of the site within it's assessment.</p>
<p>There is no reference on the architectural plans regarding the solar panel's mountings (flush or angled mounting), as a result the visual impact of these panels cannot be assessed.</p>	<p>Refer to Architectural Plan DA104 (<b>Appendix C</b>), noting flush mounted solar panels. Additionally as per section 6.7 of the VIA, these panels will not be visible in any eye-level views.</p>
<p>Part of the north western boundary of the site adjoins land within Bayside LGA and they typically comprise of smaller scale industrial</p>	<p>Due to the building's position setback from Beauchamp Road, the visual impact of the development from the north-west street</p>



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<p>development. The proposed development involves a significant building envelope (22m) and building footprint (over 19 000m<sup>2</sup>). As a result of the scale of this development, when viewed from the north western boundary, the proposed development is likely to present as a large monolithic built area with ineffective landscaping to reduce the apparent extensive bulk and scale in the development, particularly along the north western boundary of the site.</p>	<p>perspective is limited. The VIA images (<b>Appendix G</b>), in particular VP3, show that the existing industrial development obscures the visibility of the majority of the façade, with all VIA views taken looking towards the north-western façade identified as having a low to very low sensitivity due to the industrial nature of the area. Furthermore, the inclusion of the new articulated and updated facade effectively breaks down the scale and mass of the building when viewed from a distance. In combination with this, additional planting and landscaping to the north western site boundary is proposed to help soften and screen not only the new development, but also the existing industrial developments.</p>
<p>The proposed landscape plan does not include any landscaping along this boundary. Council recommends the inclusion of larger landscaped areas and setbacks along the north western boundary of the site to provide visual breaks and screening to buildings located within the development. In addition, non-reflective materials and colours will need to be included in the finishes for the development to reduce the potential for reflectivity and glare towards neighbouring industrial properties in Bayside as well as reducing visual impacts.</p>	<p>Additional landscaping in the form of <i>Casurina sp.</i> have been incorporated at the southern end of the north western boundary. These trees are expected to reach 15 – 20m in height softening and providing effective screening to the neighbouring industrial properties as well as the Beauchamp Street perspective as evident in VP2 of the VIA (<b>Appendix G</b>).</p> <p>The development has already considered and incorporated non-reflective materials, minimising any adverse impact on the surrounding industrial developments.</p>
<h4>4.3.9. Air quality</h4>	
<p>Further clarification on how the proposed site management measures would be implemented in practice to ensure that no off-site impacts would be experienced. In areas of elevated background concentrations, the EPA guideline for air quality and assessment advises an applicant should demonstrate that no additional exceedances of the impact assessment criteria will occur as a result of the proposed activity and that best management practices will be implemented to minimise emissions of air pollutants as far as is practical.</p>	<p>Recommended operational site management is detailed in Section 8.2 of the Air Quality Impact Assessment (<b>AQIA</b>) (<b>Appendix I</b>). As outlined, good site management practices are recommended to be implemented at the proposal site to ensure that off-site air quality impacts are minimised. The management measures to be implemented at the site will be outlined in site specific management plans and conveyed on site via signage and include:</p> <ul style="list-style-type: none"> <li>Adhering to the on-site speed limit signs located on the internal roads at the proposal site; and,</li> </ul>

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	<ul style="list-style-type: none"> <li>▪ Implementing a no idling policy for heavy vehicles during loading / unloading.</li> </ul> <p>The results of the AQIA indicate that no additional exceedances of the relevant criteria are predicted. It is anticipated that the implementation of these site management practices would be sufficient to ensure that no off-site air quality impacts are experienced at sensitive receptors.</p>
<p>It is understood the proposal is a speculative development without any tenants committed and the exact operational procedures of the site are not known at this time. The submitted air quality and noise and vibration reports are based on assumptions made regarding likely future uses. On this basis, council requests further detailed assessments to be carried out based on future known uses operating on the site. Council requests further assessment to be carried out in relation to air quality, emission, and odours.</p>	<p>As outlined in Section 2.1 of the AQIA (<b>Appendix I</b>), the intended future use of the warehouses located at the proposal site is not yet determined. However, for the purposes of this assessment it is anticipated that distribution and general warehousing activities would be performed in accordance with the design of the proposal.</p> <p>Based on the intended future use, it is not anticipated that any activities would be undertaken at the proposal site which would result in potential emissions to atmosphere significantly different in scope and nature to those assessed within the AQIA.</p> <p>Based upon this assumption, the potential emissions to air resulting from activities within the future use of the proposed development would be limited to vehicle movements in and around the site, in line with the intended nature of activities being performed (i.e warehousing and distribution).</p> <p>The level of assessment provided is commensurate with that emissions profile, and provides a reasonable assessment of the potential worst case impacts of the proposal (e.g. assuming vehicles idling constantly, peak daily traffic rates).</p>
<b>4.3.10. Residential amenity</b>	
<p>Council officers wish to express concern at the proposed signage and building illumination and the potential for adverse impacts on the amenity of nearby current and future residents.</p>	<p>As a facility operating 24/7, it is important to provide illuminated wayfinding signage on entry that will allow occupiers to identify the site at night. The signage including lighting will be restricted to a 9m x 3.5m pylon sign located on the Raymond Avenue boundary, with all other</p>

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<p>Illumination should be curtailed in terms of hour of illumination and/or illuminated display area.</p>	<p>signage within the site having no illumination. The address on the pylon sign '42 Raymond Ave' is proposed to be LED backlit for standard visibility. The tenant logos will be lit by ground mounted spotlights to illuminate the surface. This illumination is restricted to the immediate signage and therefore will have minimal to no adverse effect on the surrounding neighbours and residents.</p>
<b>4.3.11. Aboriginal heritage</b>	
<p>Please provide a finalised version of the Aboriginal Cultural Heritage Assessment (ACHA) as part of the RTS report. The RTS report should clearly describe how the finalised ACHA and its associated recommendations have influenced the design, construction and operation of the proposed development.</p> <p>HNSW notes that the EIS submitted for review includes a draft version of the ACHA (EIS 2022; Appendix AA) and incomplete information regarding the consultation undertaken with the Aboriginal community. Consequently, the EIS does not present current information about the potential impacts of the proposal on ACH as information contained in Section 6.1.15 of the EIS is outdated and incorrect. HNSW recommends this document be updated to include the finalised ACHA and any subsequent results from additional ACH investigation undertaken within the development area to provide an accurate summary of the potential ACH impacts of the proposal.</p>	<p>The final version of the ACHA (<b>Appendix AA</b>) is included as part of the Response to Submissions.</p> <p>An updated version of the Aboriginal Cultural Heritage impact assessment section of the EIS is provided at <b>Appendix Q</b>, in accordance with the final Aboriginal Cultural Heritage Assessment Report.</p>
<p>Based on the ACHA findings and previous archaeological investigations undertaken in the vicinity, Urbis (2022:48) have recommended a 'staged subsurface archaeological investigation program' be undertaken within the development area prior to the commencement of the proposed works, to ascertain the nature and extent of any Aboriginal objects associated with potential subsurface archaeological deposits.</p> <p>HNSW supports the recommendation to undertake further ACH investigation in the form of test excavation within the curtilage of the</p>	<p>Urbis has advised Heritage NSW that, in its view, any archaeological investigation should be undertaken post-approval and in coordination with the proposed construction, as this would provide a better outcome in relation to providing an understanding of the Aboriginal Cultural Heritage associated with the study area. The approach proposed by Urbis is supported in full by the Registered Aboriginal Parties (<b>RAPs</b>). In an email of 24 June 2022, Heritage NSW has agreed that post-approval archaeological excavation is adequate and</p>

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<p>proposal area. However, we are of the view where further primary ACH assessment is recommended, this should be completed as part of the EIS rather than being deferred until post-approval.</p>	<p>appropriate given the nature of the study area and the in line with the wishes of the RAPs.</p>
<p>HNSW recommends that where there is uncertainty regarding potential impacts to ACH values and there is a recommendation to conduct further investigation via archaeological test excavations within the development area, this should be completed as part of the current ACHAR to inform the impact assessment for the project.</p> <p>HNSW recommends that the proponent undertake further ACH assessment to determine the nature and extent of potential subsurface deposits within the development area, in consultation with relevant Aboriginal parties, to adequately capture the information required to address the SEARs for the project and inform the EIS by the development of appropriate management and mitigation measures for any ACH values.</p>	<p>Heritage NSW has agreed that post-approval archaeological excavation is adequate and appropriate given the nature of the study area and the in line with the wishes of the RAPs.</p>
<p>The ACHA includes a preliminary significance assessment of Aboriginal objects associated with any potential subsurface deposits located within the development area. To adequately assess the ACH significance of the lands subject to the proposed infrastructure project, the proponent must clearly identify all potential areas, objects, places or landscapes of heritage significance to Aboriginal culture and people that may potentially be impacted by the proposal. It is unclear how the significance of any Aboriginal objects and potential subsurface deposits has been assessed, when the nature and extent of any such deposits has not been confirmed through test excavation.</p>	<p>An assessment of significance has been undertaken in the ACHA based on the information gathered from a desktop assessment and survey of the subject area. The assessment found that the only potential for significance is if the subject area retains intact Tuggerah sands below the surface fill layers that may retain Aboriginal objects. Heritage NSW has indicated that post-approval archaeological excavation is adequate and appropriate for further investigation of any potential deposits given the nature of the study area and to further investigate the significance of subject area.</p>
<p><b>4.3.12. Dangerous goods</b></p>	
<p>The Environmental Impact Statement (EIS) is silent on Chapter 3 of the Resilience and Hazards SEPP, specifically around the storage of dangerous goods (DG). As a result,</p>	<p>It is not proposed to store dangerous goods on site.</p>

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clarification for potential DG storage for the four tenancy operations is required.	
<p>The subject site is located approximately 130m south-west of a pipeline corridor containing numerous high-pressure dangerous goods pipelines operated by Ampol. As such, the Applicant is required to consult with Ampol regarding the application and provide details of the consultation and confirmation of any impacts in the RTS.</p>	<p>Consultation undertaken with Ampol confirmed the site is not affected by Ampol assets (present up McCauley Street and crosses Raymond Ave near Harold Street) and that there is no potential for impacts to the development. The Engagement Outcomes Report Addendum (<b>Appendix L</b>) provides details on the consultation.</p>
<p>The former City of Botany Bay Council implemented the Denison Street Land Use Safety Study Review of Planning Controls to examine potential risk along Denison Street, Hillsdale, due to the transportation of dangerous goods and its proximity to the Botany Industrial Park (<b>BIP</b>). The EIS does not provide any details on the type of goods to be transported to and from the site and what route it would use.</p> <p>It is recommended the proponent confirm if the application will involve the transportation of dangerous goods along Denison Street during the construction and operation phase and provide this information if it has been omitted. This will better enable Council to undertake future strategic planning near Denison Street, based on the cumulative risk in the area.</p>	<p>Transportation of dangerous goods to or from the site is not proposed.</p>
<b>4.3.13. Earthworks</b>	
<p>The proposal includes a retaining wall along the north-western, south-eastern and south-western boundaries up to 3.0m in height. Please clarify how earthworks will be carried out in a coordinated manner, particularly considering level differences between the site, the Bunnerong Stormwater Channel and adjoining properties to ensure level transitions can be provided.</p>	<p>Retaining walls and bulk earthworks will be conducted in a staged manner which will enable the safe filling of the site. The staging shall be confirmed by the builder and completed in general accordance with the Specialist Engineering Assessment submitted to Sydney Water. The builder shall ensure that the stability of all surrounding structures is maintained during the works. Level transitions will be provided at access points and road frontages as necessary.</p>

## 4.4. SOCIAL IMPACTS

Submission	Response
<b>Societal risk impact</b>	
The subject site is located approximately 280 m south of Botany Industrial Park (BIP), outside the relevant individual risk contours of the 2018 BIP QRA, thus satisfying the individual risk criteria in the Department's Hazardous Industry Planning Advisory Paper No. 10, 'Land Use Safety Planning'. However, further information is required on how the proposed development will ensure compliance with the societal risk once operational (should development consent be granted). As such, the Applicant should verify the population associated with the operation aligns with the employment population limit, in response to the findings of the 2018 BIP QRA.	<p>A Societal Risk Impact Report (<b>Appendix M</b>) has been prepared and is included as part of the Response to Submissions.</p> <p>The Societal Risk Impact Report concludes that that the maximum anticipated population for the development proposal does not affect the cumulative societal risk presented in the BIP QRA 2018. The report notes that the subject site is at the periphery of the area where population significantly affects societal risk. The assessment includes a sensitivity case with double the anticipated maximum population which also demonstrates that the cumulative societal risk presented in the BIP QRA 2018 is not materially affected.</p>

## 4.5. ISSUES BEYOND PROJECT SCOPE OR NOT RELEVANT

Submission	Response
<b>Vehicular access to Raymond Avenue</b>	
Raymond Ave needs to be closed at Harold St intersection to prevent heavy vehicles using this residential end.	Limitations on heavy vehicle access to Raymond Avenue is beyond the scope of the project.
<b>Notification of Bayside Council</b>	
Botany Industrial Park and the Three Ports SEPP area are covered by only Randwick and Bayside LGAs. Council does not consider it an onerous consultation exercise to notify both Councils for any SSDs or modifications proposed within this area, regardless of which Council has jurisdiction for the proposal – particularly when considering the nature of the proposals and potential impacts on our communities.	Notification of Councils of SSDAs within the <i>Transport and Infrastructure SEPP</i> area is undertaken by DPE and beyond the Applicant's control.

## 5. UPDATED PROJECT JUSTIFICATION

This section provides the justification and evaluation of the project as a whole.

In responding to the submissions received, no additional mitigations measures are proposed beyond those submitted with the original SSDA. Updated management and mitigation measures are proposed as a result of the final ACHAR. The mitigation measures for the project, including those updated in relation to Aboriginal cultural heritage, are provided at **Appendix B**.

Given the additional assessments undertaken in response to the issues raised in submissions have not materially altered the impacts of the development, we reiterate the justification for the project as previously outlined in the EIS.

The proposed development has been assessed with regard to the matters for consideration under section 4.15 of the EP&A Act and the SEARs issued by DPE. We conclude that the proposed development can be supported for the following reasons.

### 5.1. PROJECT DESIGN

The design of the proposal has been carefully considered to ensure any potential impacts of the development are minimised. The proposal seeks to meet the objectives of the project through enabling industrial uses and employment opportunities to be delivered on site. The proposal seeks to deliver an innovative and modern employment-generating development on an existing, vacant industrial site.

The layout and design of the proposal has been developed to minimise impacts on the public domain and maximise the relationship of the building to the streetscape, providing enhancements to the local context. The proposal seeks to make efficient use of the site to deliver employment opportunities in both the short and long-term.

The proposal includes extensive uplift to the site in relation to landscaping and planting. Where mitigation measures are proposed these will ensure the proposal can be constructed and operated without any unacceptable economic, social or environmental impacts.

### 5.2. STRATEGIC CONTEXT

The proposal is consistent with State and local strategic planning policies. The site is highly suitable for the proposed development being a vacant, designated industrial site. The proposal will deliver additional industrial floorspace in a designated industrial employment zone to meet growth and demand.

The generation of additional employment for the Eastern City Region will also contribute to the 30-minute city vision set in the Region Plan. The proposal will provide a range of employment opportunities of benefit to the local community and broader Sydney region.

### 5.3. STATUTORY CONTEXT

The relevant State and local environmental planning instruments are assessed in Appendix C to the EIS. The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 the Act.
- This EIS has been prepared in accordance with the SEARs as required by Schedule 2 of the EP&A Regulations.
- Consideration is given to the relevant matters for consideration as required under the Biodiversity Conservation Act and the SSD is supported by a BDAR waiver accordingly.
- This SSDA pathway has been undertaken in accordance with the SRD SEPP as the proposed development is classified as SSD.
- Concurrence from TfNSW will be required as per the ISEPP for 'traffic generating development'.

- The proposal complies with the relevant provisions under *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The proposed development is consistent with the objectives of the IN1 zone.
- The proposed development has been assessed in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* and *State Environmental Planning Policy (Industry and Employment) 2021*. The proposed development complies with the relevant clauses of these SEPPs.
- The proposal accords with the relevant provisions of the Randwick DCP 2013.

## 5.4. COMMUNITY VIEWS

As set out in **Sections 3 and 4**, feedback received during the public exhibition has informed the design refinements made to the proposal. Consultation feedback received during the assessment of the application will continue to be considered.

## 5.5. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment:** the proposal addresses the principles of ecologically sustainable development (**ESD**) in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**) and as outlined below:
  - Precautionary principle: the precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. The development as modified will not result in any threat of serious environmental damage or degradation.
  - Intergenerational equity: the needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. The development represents sustainable development, making best use of a brownfield site in an accessible location. The development will not have any unacceptable impacts on the environment.
  - Conservation of biological diversity and ecological integrity: the proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity. The proposal includes landscaped setbacks and planting including native species planting.
  - Improved valuation, pricing and incentive mechanisms: this requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and places a value on waste generation and environmental degradation. The development will not have any unacceptable environmental impacts in relation to air quality, water quality or waste management. The effects of the development will be acceptable and managed accordingly by the proposed mitigation measures as required.
  - Overall, the proposal will not have any unacceptable impacts on the natural environment. The Sustainability Management Plan identifies a number of different ecological sustainability initiatives including energy savings, energy efficiency and waste minimisation.
- **Built Environment:** the proposal has been assessed in relation to the following key built environment impacts:
  - Visual Impacts: As set out in the EIS, **Section 4** and the VIA, the proposed development is expected to generally create minor visual impacts for people who will experience views of the development, including the residential areas within Matraville.
  - Traffic Impacts: As set out in the EIS, **Section 4** and the TIA, the local road network will continue to perform at an acceptable level of service as a result of the proposed development and the proposal is not expected to result in any adverse impacts on the surrounding road network during operation.



- **Trees and Landscaping:** As set out in the EIS, **Section 4**, the AIA and Landscape Plans, the proposal includes a high level of indigenous species planting and large canopy landscaping across the site. The removal of the Hills Weeping Fig is mitigated by the proposed landscaping design.
- **Air Quality:** As set out in the EIS, **Section 4** and the AQIA, the operation of the proposal would result in the achievement of all air quality criteria. Accounting for the background air quality conditions, and adopting worst-case assumptions in relation to truck idling, the proposal will not have any unacceptable air quality impacts including in relation to nearby residential receivers.
- **Noise and Vibration:** As set out in the EIS, **Section 4** and the NIA, the operation of the proposal is anticipated to comply with the required noise levels at all surrounding receivers including nearby residential receivers. The proposal is found to have acceptable impacts in relation to noise and vibration, including during operations at night.
- **Social:** The proposal will have positive social impacts by enabling employment generating uses to be delivered on site in the short-term, providing local employment opportunities both in the construction and operational phases.
- **Economic:** The proposal will have positive economic impacts through enabling the delivery of operational industrial uses on site which will result in investment and economic benefit for Campbelltown as well as the wider region.

The potential impacts can be mitigated, minimised or managed through the measures discussed in detail in the EIS and as summarised in **Appendix B**.

## 5.6. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The warehouse and distribution centre use is permissible within the IN1 zone and in accordance with the zone objectives including to provide a wide range of industrial and warehouse land uses; to encourage employment opportunities; and to minimise any adverse effect of industry on other land uses.
- The development is compliant with the *Transport and Infrastructure SEPP* and compliant with the RDCP 2013 including in relation to acoustic amenity, built form and setbacks, car parking and landscaping.
- The site is located within an existing industrial area and the character and scale of the development is in keeping with the site's context, without having any unacceptable impacts on residential amenity.
- The site is highly accessible to both the transport and regional freight network and makes use of a vacant brownfield site to deliver sustainable development.

## 5.7. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.
- The proposal will provide 186 jobs during the construction phase, and up to 210 jobs once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year. This project is fully funded and 'shovel ready' for commencement of construction as soon as possible next year.
- The issues identified during the stakeholder engagement have been addressed through the development of the design of the proposal and the assessment of the impacts of the project.

Having considered all relevant matters, there will be no additional environmental impacts as a result of the proposed refinements and clarifications. The proposed refinements continue to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied.

Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

**APPENDIX A**

**SUBMISSIONS REGISTER**

## **APPENDIX B**

## **MITIGATION MEASURES**

## **APPENDIX C**

## **ARCHITECTURAL PLANS**

## **APPENDIX D**

## **LANDSCAPE PLANS**

## **APPENDIX E**

## **DESIGN REPORT**

## **APPENDIX F**

## **TRAFFIC IMPACT ASSESSMENT**



## **APPENDIX G**

## **VISUAL IMPACT ASSESSMENT**

## **APPENDIX H**

## **NOISE IMPACT ASSESSMENT**

## **APPENDIX I**

## **AIR QUALITY IMPACT ASSESSMENT**

## **APPENDIX J**

## **ARBORICULTURAL IMPACT ASSESSMENT**

## **APPENDIX K**

## **SUSTAINABILITY MANAGEMENT PLAN**

## **APPENDIX L**

## **ENGAGEMENT OUTCOMES REPORT ADDENDUM**

## **APPENDIX M**

## **SOCIETAL RISK ASSESSMENT**

## **APPENDIX N**

## **BCA ASSESSMENT REPORT**



## **APPENDIX 0**

## **ACCESS REVIEW**

## **APPENDIX P**

## **SECTION 88B INSTRUMENTS & EASEMENTS**

## **APPENDIX Q**

## **EIS ABORIGINAL CULTURAL HERITAGE ASSESSMENT**

## **APPENDIX R**

## **CIVIL ENGINEERING REPORT**

## **APPENDIX AA**

## **ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT**

