

5 September 2016

Cameron Sargent
Team Leader Key Sites Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Brendon Roberts

Dear Mr Sargent

Re: Exhibition of State Significant Development Application for Staged Commercial Precinct, West Hoxton (SSD 6407)

I write in response to your letter dated 15 August 2016 in relation to the exhibition of State Significant Development Application for Staged Commercial Precinct, West Hoxton (SSD 6407).

Council has considered the Response to Submissions document provided, which addressed Council's submission of 11 December 2015, and its amended submission dated 5 February 2016. Council makes comments as follows in relation to the responses provided:

1. Subdivision and proposed land uses

Council notes that this issue has been adequately addressed in the Response to Submissions.

2. Economic considerations

In the Response to Submissions document, the applicant notes Council's submission, including the recommendation as follows:

However, it is recommended that any consent limit the development to no more than 6000sqm Gross Leasable Area, and that the size of any supermarket be limited to no more than 1600sqm GLA.

While the applicant has not expressed any disagreement with this recommendation, Council would like to restate its request that both floor space maxima be included in any consent issued for the proposal.

3. Flora and Fauna

Based on the applicant's submission of a revised Flora and Fauna report as part of its Response to Submissions, Council is now satisfied that the proposal adequately considers the environmental impacts associated with the plans. However, Council wishes to reinforce its recommendation that any conditions of consent issued include the requirement for any works or activities to adhere to the recommendations outlined in the Flora and Fauna Assessment.

4. Flooding and Stormwater

i. It is recommended that detailed design plans/drawings and hydrologic/hydraulic assessment reports on the proposed detention basin, overland flow paths and stormwater drainage system along with all modelling files should be provided for Council's approval prior to the issue of a construction certificate. The design documentation should confirm that the development satisfies the requirements outlined in Council's comments dated 11 December 2015. Design plans should address the following issues to the satisfaction of Council:

- a) There is an overland flow path across the site conveying stormwater flows to an existing 750mm culvert on the western boundary from the residential development located to the south of Fifteenth Avenue. It has been proposed to divert the stormwater flow around the development site via a stormwater pipe along Fifteenth Avenue up to the intersection with Twenty Seventh Avenue and then via an open channel up to the 750mm culvert.

The proposed pipe should be designed to convey flows for the full length of the diversion and should have capacity to convey the 100year ARI flow from the catchment. An open channel for conveying stormwater flows along the road section is not acceptable.

It is recommended that the open channel sections proposed along Twenty Seventh Avenue be piped with appropriate blockage factor. It is also recommended that the hydraulic/hydrologic analysis of proposed stormwater pits/pipes, along with the necessary plans and a design report, be provided for Council's approval, prior to the issue of a construction certificate.

- b) Review the capacity of the existing 750mm culvert under Twenty Seventh Avenue to ensure that it has adequate capacity to discharge flows safely from the development and external catchments.

ii. It is further recommended that a detailed design of water quality devices along with necessary assessment reports and MUSIC modelling files be provided for Council's approval prior to the issue of a construction certificate.

5. European and Aboriginal Heritage

Council acknowledges that the proposed childcare centre site has been relocated to minimise the potential impact on Kirkpatrick-Boyland Park.

The response to submissions makes no comment on Council's recommendations with regard to Aboriginal Heritage. Council seeks to reemphasise its recommended conditions of consent as outlined in its submission of 11 December 2015.

6. Traffic and Access

Council acknowledges that the proposal was referred to the Roads and Maritime Authority, who have specified that the intersection of Fifteenth Avenue/Twenty Second Avenue/Access Road to the site does not meet the warrants for a signalised intersection at this time. The RMS has further advised that traffic signals will replace the proposed roundabout when the road is widened and other intersections in the vicinity are rationalised.

Council raises no objection to the decision to develop a roundabout at the intersection as an interim measure, but believes consideration must be given to planning for its replacement. To clarify responsibility for replacement of the roundabout in the future, Council recommends that a condition of any consent require that the RMS liaise directly

with the WSPT at such time as the warrants exist for the development of a signalised intersection. Council is not to be held liable for any part of the associated cost.

7. Environmental Health

Contamination Assessment

Council acknowledges that the Preliminary Environmental Site Assessment did not find any evidence of contamination on the site where the Child Care Centre is proposed. In addition, samples of soil were analysed from two locations where fragments of fibre cement sheet (confirmed by laboratory analysis to contain chrysotile and amosite). No asbestos was detected at the limit of reporting of 0.1g/kg. However, the Preliminary Site Assessment also recommended a Stage 2 Detailed Site Investigation be undertaken and in addition, preparation of a Stage 3 Remedial Action Plan (RAP).

It is recommended that a Stage 4 – Validation Assessment be prepared to demonstrate whether the objectives state in the RAP prepared by Zoic have been achieved and to indicate whether the subject premises is suitable to accommodate a child care centre. Validation must confirm statistically that the remediated site complies with the clean-up criteria set for the site. The consultant should follow the relevant EPA guidelines when validating the site.

Council recommends that the following condition of consent be added to any consent for the proposal:

Engage the services of a qualified contaminated land consultant and prepare a Stage 4 – Validation Assessment which confirms that the premises at: 185 & 195 Fifteenth Avenue, Austral (including the area proposed to be occupied by a Child Care Centre and Outdoor play area) are suitable for the proposed/continued land use. The Validation Assessment shall be undertaken in accordance with the EPA Contaminated Sites Guidelines and any other relevant guideline or criteria.

8. Land and Development Engineering

Key Engineering Issues

Council acknowledges that the proposed internal access road (Pt Lot 8) shall remain in WSPT ownership. Council restates its recommendation that the provision of kerb and gutter drainage and half width roadworks be required along the full frontage of Fifteenth Avenue be required as a condition of consent.

Earthworks

Council wishes to reemphasise its recommendation that the conditions regarding earthworks outlined in its 11 December 2015 submission are imposed on any consent issued for this application.

Conclusion

Thank you for your consideration of these issues. Council would be pleased to discuss these matters further if required.

Should you require any further information on this matter, please contact Graham Matthews Senior Strategic Planner on 9821 9156.

Yours sincerely



Toni Averay
Director Planning and Growth