

9 July 2026

Our Ref: SSD-2026/2
Our Contact: Angela Lazaridis- (02) 9562 1719

Gabriel Kim
Senior Planning Officer
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Mr Kim,

Bayside Council submission on State Significant Development Application for 19A Evans Avenue, Eastlakes (SSD-105575706)

Thank you for your correspondence dated 12 June 2026 requesting Bayside Council to comment on the State Significant Development (SSD) application for proposed early works to facilitate future redevelopment of the site, including:

- Site establishment;
- Erosion and sediment control;
- Bulk excavation of the basement equivalent to 4 levels approximately;
- Construction and anchoring of piled shoring wall and capping beams for the basement; and
- Infrastructure services coordination and deviation.

Council has reviewed the submitted documentation, and the following comments are provided raising issues and/or conditions:

1. Planning Matters

The following planning issues are for consideration:

- There is a significant risk in approving this Early Works SSD application, considering that the Major Works SSD application is still in the preparation stages of the EIS. The proposal includes the excavation of four basement levels. No details have been provided as part of this application to demonstrate how many car parking spaces are required, location of loading bays and how many required. It is difficult to determine whether the number of basement levels is appropriate and whether all parking, loading, and storage requirements can be accommodated within this area.
- Due to the limited information relating to the building envelopes and built form, it is not clear how the buildings will be located above ground and whether the proposed core areas indicated within the site and basement floor plans marry up. There may

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be significant changes to the Major Works SSD which result in significant changes to the Early Works SSD, which may result in modifications in the future.

- There are inconsistencies amongst the documentation provided with the EIS. Some documents refer to three levels of basement however other documents refer to four levels. The documents should be updated to reflect four levels, as demonstrated in the plans.
- Additionally, some documents refer to no tree removal proposed as part of the Early Works SSD. However, there are others where tree removal is referenced. Also, consideration should be made to trees that are not proposed to be removed however as a result of the excavation at the boundary edge, will result in significant impact on the trees. It is also noted that the architectural plans should be updated to reflect what is currently on site and its surrounds. It is noted that there are trees marked up in the plans that are currently no longer around the site.
- The proposal will result in limited deep soil area on the site. The proposal will accommodate 3.3% deep soil as a result of the basement levels being built to the northern, eastern and southern boundaries. This is not consistent with the requirements of the ADG for sites greater than 1,500sqm to have up to 15% deep soil planting. At the moment, the site will not be able to accommodate large canopy trees that will most likely be requested as part of the future Major Works SSD. Further detail on the deep soil and landscaping non-compliances has been delved into below.

Planning Policy

Council's key concerns, based on the information provided, is as follows:

- *Strategic Planning Framework*
 - (i) Proposal is premature in the context of the Eastlakes Town Centre Master Plan.
 - (ii) It does not align with the intended sequencing or vision for the precinct.
- *Zoning Objectives – E1 Local Centre*
 - (i) Development overemphasis residential uses, with insufficient retail and business floor space.
 - (ii) This undermines the intent of the E1 zoning, which seeks to promote a vibrant, mixed-use centre.
 - (iii) These early works are allowing premature approval of the above which has not been appropriately considered.
- *Car Parking Provision*
 - (i) The basement levels, whilst not specifically referencing car parking numbers, proposes significantly fewer parking levels to allow for the required parking for a large scale development in accordance with the Bayside DCP 2022, potentially leading to local parking pressures.
- *Access to open space and recreation*

- (i) The premature proposal does not adequately address public open space needs or provide sufficient recreation opportunities for future residents.

2. Engineering Matters

The following engineering issues are for consideration:

a) Construction Traffic Impact:

Council is experiencing significant truck impacts from the construction works already being undertaken, and this truck traffic is having an impact on the local residential amenity surrounding the site. The local roads surrounding the site are narrow residential streets that have limited capacity to accommodate frequent truck movements, particularly in the school, AM, and PM peak periods. Furthermore, the development proposes the basement with a nil setback to most of the property boundary with the road, resulting in insufficient area for construction staging and truck access for excavation and concrete pour activities. This will lead to trucks clogging up the streets, parking illegally and poor/risky construction sequencing given the insufficient area available to undertake construction activities from.

The construction impacts of the development need to be addressed in the SSD with the submission of a construction traffic management plan (CTMP). The CTMP needs to address the following:

- i. The applicant needs to detail a way to get all trucks to undertake concrete pours, excavation activities, construction staging, and the like along their development frontage that reduces the impact on the residential streets. The applicant has been made aware that particular streets such as St Helena Parade and Longworth Avenue are not suitable for truck movements due to width and LATM devices, and truck movements need to occur through their site from the roundabout on Evans Avenue to Barber Avenue. There is potential to widen the verge along Barber Ave to a suitable width to allow it to be used for construction purposes (with the footpath being closed for the duration of construction subject to BTLF and obtaining the applicable permits). The CTMP needs to map out the required width (turning path analysis or similar) and determine whether the roadway could work two-way (with or without parking) or one-way with parking (residential side) in a one-way paired arrangement potentially. Noting any proposed changes to the current road environment would require tabling at the BLTF for approval, including any changes in traffic flow. Detailed plans and a traffic study shall be provided for Councils review.



- ii. In addition to point i) above, the CTMP needs to detail pedestrian movements and footpath closures surrounding the site to ensure the surrounding residents have a safe path of travel (with priority treatments introduced if necessary) to “The Grand Shopping Centre” which provides an important amenities for residential including two supermarkets, post office, pharmacy etc.
- iii. The CTMP needs to detail that there will be 'Nil' or 'minimal' truck traffic during the school, AM, and PM peak periods (if minimal is chosen then the CTMP needs to specify the maximum number of truck movements permitted in an hour).
- iv. Detail truck routes through the LGA that must be adhered to, with routes that minimise the traffic through residential streets and priority given to traversing along state roads.
- v. The site is in a medium-high density region with high demand for parking. Arrangements/efforts should be made to provide sufficient off-street parking for contractors and subcontractors at all stages of construction.

b) Groundwater/Basement Design

The basement and excavation will intersect and extend below the groundwater table. Therefore, the following matters shall be addressed by the applicant:

- i. The basement shall be designed as a fully “tanked” and waterproofed structure. No groundwater is permitted to enter the subsurface structures. The plans submitted with the development are to confirm this will be adhered to.

- ii. Hydrogeological modelling shall be submitted demonstrating that during construction, the extraction of groundwater (temporary dewatering) to construct the basement will not have any adverse impacts on surrounding properties and infrastructure from the groundwater drawdown. Cut-off walls to an impermeable stratum layer need to be implemented to reduce the inflow of groundwater during excavation.
- iii. Stormwater plans shall be provided for the basement and ground floor, demonstrating compliance with Bayside Technical Specification Stormwater Management section 6 and section 7. The stormwater plans shall confirm the basement is fully tanked.

c) Flooding:

The Flood Impact Risk assessment (FIRA) report is not undertaken correctly and is not supported by Council for the following reasons:

- i. The FIRA has not utilised Councils adopted flood model and has instead developed a new model for the subject site. This is not acceptable. The proponent is required to adopt Councils flood model in line with NSW Floodplain Management Manual. As such, they will need to re undertake the assessment using the adopted model, even if similar parameters from the MRE Flood Study have been assumed.
- ii. The FIRA does not address the final basement or ground floor configuration, as the assessment is limited to early works (construction phase conditions). Given this SSD is proposing to construct permanent works including all basement levels including ground floor level, the modelling should not represent the site purely as an open excavation. Instead, the building extent should be blocked out in the model, with appropriate openings (e.g. basement entry points and building access locations) to assess flood levels in accordance with DCP requirements.
- iii. The flood modelling has not been prepared in accordance with section 9.5.4 of the Bayside DCP. The FIRA needs to be updated to demonstrate that it has been prepared in accordance with section 9.5.4 of the DCP. Maps showing flood extent, flood contour, flood depth, flood hazard (H1 to H6) and velocity of pre-development and post-development for the 1% AEP and PMF flood events need to be provided. Additionally, 1% AEP + climate change maps shall also be provided as per section 9.5.4 of the Bayside DCP.
- iv. The development must provide flood afflux maps for the 1% AEP and PMF and climate change event, demonstrating that the proposed structure (basement to ground level) will result in less than 10mm increase in flood levels off-site for the 1% AEP event (including 1% AEP and climate change) and less than 50mm increase in flood levels off-site for the PMF event.
- v. It's not clear whether the proposed ground floor slab is set at the correct flood planning level (1% AEP + 500mm), given there is no flood planning level assessment. All openings to the basement need to be physically protected to, or set above, the flood planning level.

d) Interface with public domain and landscape:

The plans indicate that consent is sought for the ground level slab. The ground level slab is shown to be significantly higher than the surrounding footpath and park levels which is

not acceptable as this will provide a poor interface with the public domain. Currently the ground floor is approx. 1.5m - 2m higher than the Barber Avenue footpath (southern boundary) and 2m higher than the park levels along the western boundary which is an excessive level difference. The plans are to be revised to revise the ground floor level to provide an acceptable interface with the surrounding public domain.

e) Council Stormwater:

A Council stormwater pipeline traverses the property shown in the image below. These stormwater pipeline will need to be relocated outside of the development site to facilitate the basement works.



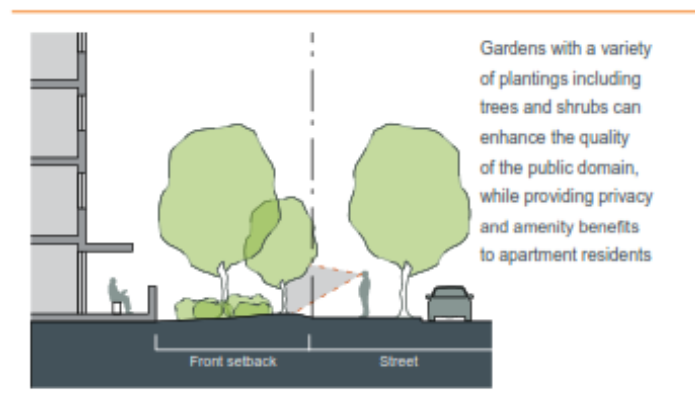
3. Landscape Matters

The following landscape issues are for consideration:

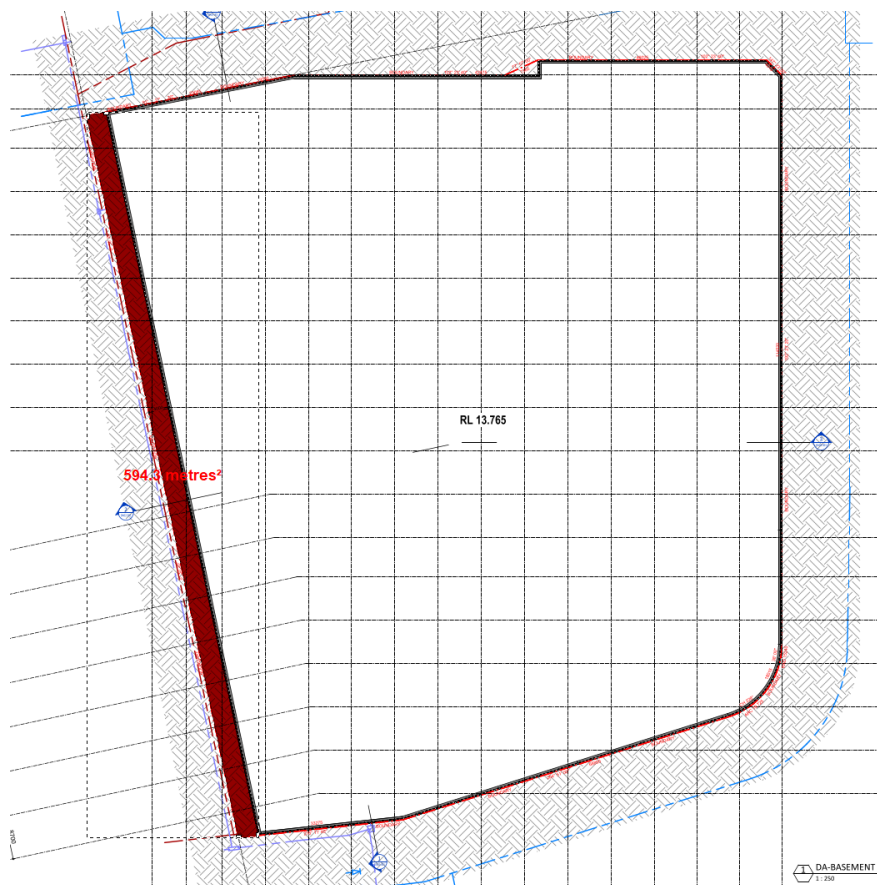
The submitted plans identify a 4-metre deep soil setback only along the western boundary adjoining Jack Munday Reserve. No equivalent landscape setbacks are shown along the remaining street frontages to Evans Avenue and Barber Avenue. Instead, the proposed basement structure appears to extend to, or close to, the site boundaries, significantly constraining opportunities for deep soil planting and future canopy tree establishment.

This approach does not demonstrate consistency with the intended landscape outcomes Council seeks for developments of this nature, which requires a minimum 3 metre landscape setback to primary and secondary street frontages. Furthermore, the proposal is inconsistent with Council's objectives seek to maximise deep soil planting opportunities and provide landscaping within larger, consolidated and functional landscape areas. The

proposed basement envelope does not allow for appropriate landscaping and planting to occur as part of the Major SSD application. The ADG also requires basement and building setback to include large canopy trees along the front setback area.



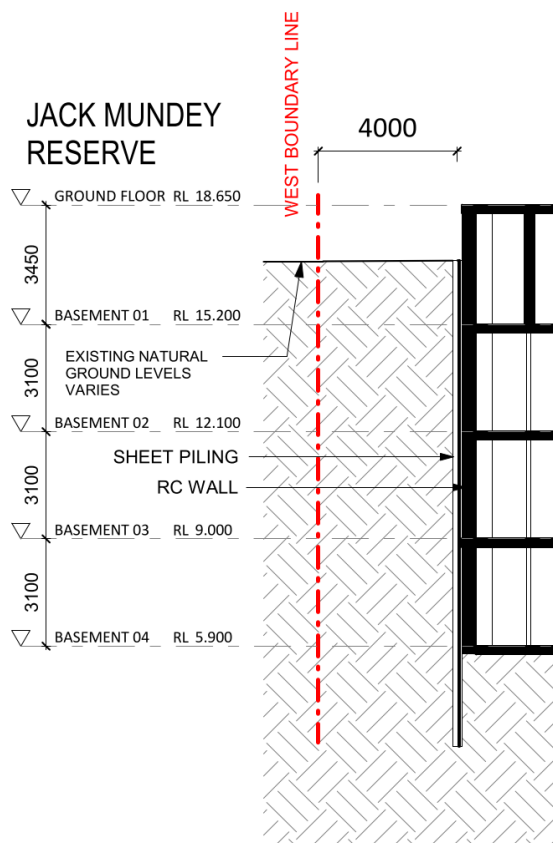
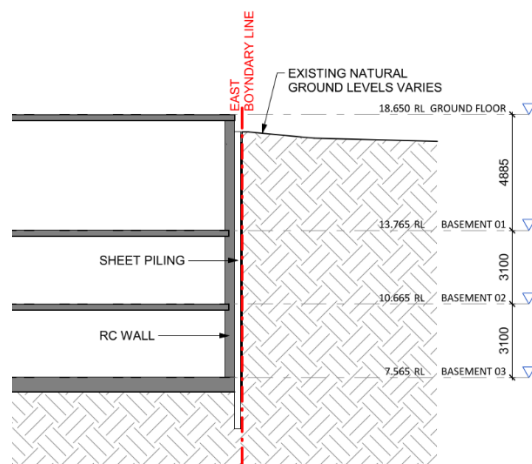
Council notes that only 594.3 m² of deep soil area is proposed across the 17,958.3 m² site, representing approximately 3.3% of the site area. This falls significantly below the Apartment Design Guide benchmark of 15% deep soil landscaped area (as site area >1500sqm). The proposed extent of excavation and four-level basement therefore raises significant concerns regarding the site's ability to accommodate meaningful deep soil landscaping and large canopy trees as part of the future Major SSD application.



Council recommends that continuous 3 m wide landscape setbacks be provided along the remaining Evans Avenue and Barber Avenue frontages, free of basement encroachments

and other structural constraints. These areas should prioritise deep soil planting and the establishment of large canopy trees (minimum 200 L pot size) to support long-term canopy cover, urban cooling, and the intended landscape character of the Eastlakes Shopping Centre area.

These sections below demonstrates a poor relation between public domain and the shops at ground floor given the substantial level difference between ground floor and footpath level/park level.



Design changes need to be implemented to increase deep soil landscaping and provide suitable setback to the street.

Overall, the development is not supported in the current form due to the lack of consideration to deep soil planting, street setbacks and the percentage of appropriate landscape area.

4. Tree Matters

Council concurs with the removal of non-significant trees where underground infrastructure constraints are such that retention is not feasible. However, significant tree works have already been undertaken without the involvement or consent of a Tree Management Officer and Council are concerned that at least one of the mature Eucalyptus trees within Jack Munday is unlikely to survive as a result of the works completed.

To suggest works were undertaken under the supervision of an AQF Level 5 project arborist is difficult to reconcile with the evident disregard for Australian Standards. The extent of canopy pruning and final branch cuts raises serious concerns regarding compliance with accepted arboricultural practices.

In relation to the proposed replacement planting across the site, the Applicant is to clarify what advanced tree stock is proposed and provide the location of the relevant landscape plans for review. Replacement planting outcomes are to be discussed and endorsed by Council's Tree Management Officers prior to consideration of any offset or replacement arrangements and before the final planting strategy has been finalised.

5. Environmental Health Matters

The following environmental health i.e. noise, dust, odour etc, issues are for consideration:

A. Waste Management Plan

Council appreciates the Applicant aiming for a 96% waste diversion rate and that a clear "stop work" rule has been implemented should they hit unexpected asbestos or contamination. Having separate skips for timber, metal, etc., is highly encouraged and supported. However, the report does not go into detail how 305,000 tonnes of dirt will be managed and discarded from the site. Council requires details on how many trucks will be used daily, what routes will be used etc. The cumulative impact of dirt removal will result in significant traffic, noise, and air quality issues for the neighbourhood. Additionally, the site plan that has been provided has a vague 'Proposed Bin Storage Area'. Council requires a firm, sealed and bunded spot for bins so that leachate does not run into Council's stormwater system.

B. Noise and Vibration Plan

The Applicant has indicated that they are being proactive with monitoring by installing seven vibration monitors with real-time alerts—and setting trigger limits before they hit the legal maximum. It is acknowledged that they have admitted that there will be noise impact as a result of the big excavators which will exceed the "Noise Affected" limits at nearby residential properties. However, their mitigation strategy is not supported. They have indicated that smaller machines or providing residents respite would be acceptable, however at the same token in time, they recommend restricting the loudest work to

between 10am to 3pm to allow for works to occur faster, having no regard to exceeding the noise limits. This will create issues with the neighbouring residential properties amenity. Noise limits should be adhered to.

C. Integrated Water Management Plan

Whilst the Applicant has referenced the "Blue Book" (Landcom) standards and listed standard erosion control measures like shaker grids for trucks and silt fences, they are deferring the actual stormwater drainage design, On-Site Detention (OSD), and flood risk assessment to the "Main Works" application. The proposal involves significant excavation of a hole to accommodate multiple levels of basement. Should a large storm hit, the site will flood and muddy, sediment-filled water will pour straight into the Council's stormwater system. The Applicant has referenced temporary sediment basins, however, have not provided any calculations for how big they need to be or where they will fit on the site.

Inconsistency with documentation

It is evident in the documentation that they have been written in isolation. The Waste plan and the Noise plan discuss heavy machinery and trucks, however, do not go into detail on dust mitigation. The Geotechnical report in the Noise plan mentions the soil is "fine-to-medium sand." Moving 305,000 tonnes of fine sand with dozens of trucks daily is going to create a dust nightmare, yet dust management is completely missing from the report. Additionally, the Waste plan goes into detail on stockpiling soil, and the Water plan discusses managing runoff, however the site plans do not show how these two elements interact. Council does not support soil stockpiles sitting in the middle of a stormwater flow path.

It is important that these issues are addressed as part of this application and not left to the Major Works SSD application, as it would be too late to address at that stage, particularly when related to critical stormwater and flood design.

Recommendations

Council recommends the following information to be provided as part of this application:

- a) **Truck and Dust Plan:** The Applicant is to provide a detailed plan showing heavy vehicle routes, daily truck limits, and exactly how they will suppress dust from the sand excavation and truck movements. Real-time dust monitoring at the site boundaries should be mandatory.
- b) **No Deferring the Water Design:** The Applicant must provide a temporary stormwater and flood management plan for the Early Works phase. A giant pit cannot be left unprotected for months without Council knowing how it will handle a 1-in-100-year storm.
- c) **Prove the Sediment Basins Will Work:** Update the Water plan to show the sizing, location, and maintenance schedule for the temporary sediment basins. There should be no vague promises made.
- d) **Lock in the Bin Area:** Update the Waste plan site map with a fixed, bunded, and covered waste storage area that won't interfere with stormwater flows.

- e) Tighten the Noise Rules: The Applicant cannot give themselves permission to exceed noise limits from 10am-3pm. The applicant must negotiate a formal respite agreement with the residents of R1-R8, and the use of the loudest equipment (i.e. vibratory pile drivers) must be strictly limited and automatically shut off if vibration triggers are hit.

6. Contamination

The following contamination issues are for consideration:

Report on Detailed Geotechnical Investigation

A Geotechnical Investigation (GI) was undertaken by Douglas Partners, dated 11 March 2026. The GI comprised of 12 cored boreholes to depths up to 44.9m below existing ground level (begl), and three groundwater monitoring wells. The site subsurface was found to comprise of fill until 1.2-4.2m begl, underlain by aeolian sands until 13.0-18.5m begl, underlain by interbedded sand and clay until 24-36m begl, underlain by sandstone bedrock. Groundwater was measured at depths of 1.1-3.5m begl across the site. Groundwater was found to flow towards the south-west. Given the BEL exceeds this depth, temporary dewatering will be required.

Detailed Site Investigation

A Detailed Site Investigation (DSI) was undertaken by TRACE Environmental, dated 13 April 2026. The site was found to have been continuously used for commercial purposes since at least 1917, including use as a racetrack and subsequently a shopping centre. Potential contamination sources identified included historical fill importation, the on-site substation, Asbestos-Containing Materials (ACM), historical on-site dry-cleaning operations, and a former Shell service station to the north-west (275-279 Gardeners Rd). The former service station was regulated by the NSW EPA for contamination, but has since been remediated and redeveloped as high-density residential. Appropriate Contaminants of Potential Concern (COPC) were derived from these sources.

The DSI comprised of 22 test pits and six boreholes (converted to groundwater monitoring wells), which just meets the minimum sampling density requirements as stipulated by the NSW EPA. No anthropogenic inclusions (besides fill) were noted within boreholes, with the exception of ashy wooden material and/or possible slag in two test pits. No fragments of suspected ACM were observed. Samples were collected from both fill and natural soils at all locations. The DSI tested for all COPC and against the HIL/HSL-A human-health criteria for residential land use. The more conservative A criteria was used as a future childcare centre is proposed at the site (most likely on the first floor).

Soil contaminants found above the adopted human-health criteria included Asbestos Fines and Friable Asbestos (AF/FA) at one near-surface location (3x above the adopted limit), and lead (2x limit), benzo(a)pyrene TEQ (1x limit), and PFOS/PFHxS (1x limit) at one location each. Each exceedance is located within the proposed basement footprint, which will be excavated and eliminated during development works. In the context of the proposed development, the DSI argues that these impacts and exposure pathways will be removed and are not considered to be a risk to future site users. No Remedial Action Plan (RAP) was deemed to be required for this reason. Statistical analysis was completed for lead and benzo(a)pyrene TEQ, which found both exceedance locations to not be considered hotspots and as such, are expected to pose only a low risk to future residential receptors. The statistical analyses were completed using valid techniques.

The site is not shown to be within any Acid Sulfate Soil (ASS) Class land on Council IntraMaps. It is located 300m from Class 5 ASS land. As such, there are no requirements to complete an ASS assessment or management. DSI chromium reducible sulfur analysis did not identify any ASS, although monitoring during works was recommended.

Groundwater sampling identified a 1mm surface film in one well, and white sheen in two wells. However, the surface film was clear and none of the wells had a chemical or petroleum odour. Following well re-purging in a follow-up sampling event, no LNAPL, or viscous water, sheen, or odours were observed in any of the wells. As such, these results were not considered indicative of petroleum-derived LNAPL and do not pose a potential risk to future site receptors.

Groundwater analysis for all COPC identified elevated levels of TRH F2 in two wells (up to 10x limit), dissolved metals in all wells, and chloroform in three wells (up to 4x limit). Elevated TRH F2 was not considered significant as basement levels will separate the overlying ground floor, which is proposed for commercial use and not residential, and the levels did not exceed the commercial/industrial criteria. Additionally, as volatile hydrocarbons were below the laboratory limit and lower TRH levels (below the limit) were found after silica gel analysis, the impact was considered to be of organic origin and not of a petrogenic origin. The elevated metals were consistent with urban background conditions and were not considered to pose a risk to human receptors. The chloroform only exceeded drinking water guidelines and was not considered significant.

The DSI concluded that the site is suitable for the proposed mixed-use redevelopment subject to the preparation of an Asbestos Management Plan (AMP) prior to any subsurface disturbance works. The AMP is to include an Unexpected Finds Protocol. Friable asbestos removal must be carried out by a licensed removalist with an Asbestos Removal Control Plan (ARCP). Following removal, validation of the excavation base and walls is required, with a Validation Report confirming clearance prior to excavation of surrounding soils.

Recommendations

The DSI was completed in accordance with the NEPM 2013. No impacts were identified from historical dry-cleaning operations or the nearby service station. The DSI adopted the more sensitive residential criteria as a future childcare centre may be proposed, and completed sufficient sampling to characterise the site.

Minor soil exceedances of lead and TEQ were not found to be significant following statistical analysis. The PFOS exceedance was also insignificant. However, one fill sample was found to contain AF/FA exceeding the criteria. While Council agrees that this contamination risk will be removed via the basement excavation, we do not concur that a RAP will not be required. Double density sampling for asbestos should have been completed for full asbestos delineation, in accordance with WA Department of Health guidelines, which is recommended where asbestos contamination has been identified. Due to the heterogeneous nature of fill, it is possible that asbestos may be present in untested locations.

There are no requirements to complete any ASS management, as no ASS-affected material was identified.

While a surface film and sheen was observed in two groundwater wells, this was not found during re-sampling, and no evidence was found that these were as a result of petroleum-derived LNAPL. Council agrees that this does not pose a potential risk. While groundwater

analysis found TRH F2 up to 10x the adopted residential guideline, Council can concur that this is not considered significant as basement levels will separate the overlying ground floor, meaning the residential guideline is not applicable, and was found to be of organic origin, as no hydrocarbon contamination was found. We do not believe this will pose a risk to any occupation of the basement levels.

Overall, Council does not concur with the conclusion of the DSI. The site is not yet suitable for the proposed mixed-use residential development - a RAP is required to remediate asbestos contamination and make the site suitable. This is more appropriate than an AMP, as remediation via excavation and off-site disposal is required.

The completion of a RAP may be provided as a Condition prior to Construction Certificate. Should the DPHI pursue with approving the Early Works SSD, Council can provide a condition of consent requiring the above.

We trust that the Department will carefully consider Council's submission when assessing this proposal.

If you require any further information, please do not hesitate to contact Angela Lazaridis, Coordinator Development Administration and Advisory on (02) 9562 1719 or via email: angela.lazaridis@bayside.gov.au.

Yours sincerely,

A handwritten signature in grey ink, appearing to read 'Carine'.

Carine Elias
Manager, Development Services