

29 July 2026

Our Ref: SSD-2025/5
Our Contact: Angela Lazaridis (02) 9562 1719

Gabriel Kim
Senior Planning Officer
Housing Delivery Authority
Department of Planning, Housing and Infrastructure

Sent via email: gabriel.kim@dpie.nsw.gov.au

Dear Mr Kim,

Bayside Council submission on State Significant Development Application for Eastlakes Shopping Centre- 19A Evans Avenue, Eastlakes (SSD-90572458)

Thank you for your correspondence dated 14 July 2026 requesting Bayside Council to comment on the State Significant Development (SSD) application for the proposed construction of affordable and market housing, including:

Construction of a mixed-use development comprising of a two storey podium containing speciality retail and commercial tenancies on ground level and second level, with four 14 to 18 storey residential buildings above the existing ground level. The proposal comprises of a total of 736 dwellings inclusive of 74 affordable dwellings. The proposal also includes four levels of basement car parking and 10% affordable housing. Specifically, the SSDA seeks development consent for:

- Construction of a supermarket and specialty retail tenancies across two levels of podium;
- Construction of four residential envelopes of up to 14 to 18 storeys in height (RL81.55) above ground floor to provide 736 apartments including 74 affordable dwellings, residential amenities, services and shops. Some dwellings will function as dual key units which could increase the total number of dwellings to 877;
- Provision for a supermarket, retail tenancies, child care centre, community centre, indoor recreation, wellness facility, medical centre and entertainment facility;
- Provision of car parking spaces, motorbike parking and bicycle parking in the basement;
- Provision for End-of-Trip facilities in the basement levels;
- Provision for separate supermarket, retail and residential waste storage rooms at the basement and ground level for easy access to the loading bays and driveway;
- Provision of Build-to-Rent amenities on Level 14 and 17;
- Residential communal open spaces on Levels 4, 14, 17 and 18;
- Provision of hard and soft landscaping works including a through site link;
- Associated works for the provision of infrastructure and servicing.

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The following comments are provided by Council raising issues and/or conditions:

1. Planning Considerations

The following planning issues are to be taken into consideration:

Building Height, Density and Character

The proposed development demonstrates a significant disparity in scale, height and built form within the Eastlakes area. The proposal is inconsistent with the established character of the surrounding area and would result in an excessive visual dominance that undermines the existing streetscape that is formed by 3-storey residential flat building walk ups. The substantial increase in height creates adverse impacts including overshadowing of adjoining properties, particularly to the south on Barber Avenue and St Helena Parade, reduced access to sunlight, diminished privacy through overlooking onto surrounding properties, and changes to the sense of openness currently enjoyed by neighbouring residents. Furthermore, the development would represent an abrupt and unsympathetic transition in built form, failing to provide an appropriate relationship with surrounding development and setting an undesirable precedent for further out-of-character intensification. As a result, the proposal does not adequately respond to its context and is incompatible with the prevailing urban character and amenity of the area.

The EIS report asserts that the proposed development is compatible with the emerging character of the locality. However, this conclusion gives insufficient weight to the established and prevailing built form character of the immediate Eastlakes area surrounding the site. The existing character is predominantly defined by three-storey residential flat buildings situated on local streets, particularly within the residential precincts adjoining Jack Munday Reserve and Bridget Tight Reserve. These developments exhibit a consistent scale, generous building separation, landscaped settings, and a built form that is distinctly different from the intensity and scale proposed.

While the EIS places reliance on broader strategic planning objectives and redevelopment occurring within other parts of Eastlakes, it does not adequately demonstrate how the proposed development responds to the specific character of its immediate surrounds. The concept of "emerging character" should be grounded in a realistic and evidence-based assessment of areas where change is anticipated and supported by the planning framework. In this instance, there is no identified planning pathway, strategic direction, or zoning framework that would facilitate widespread upzoning of the adjoining residential precincts to deliver a built form of comparable scale and density.

Consequently, the proposed development cannot reasonably rely on the assumption that neighbouring properties will be redeveloped in the future to justify its scale, bulk, or intensity. The assessment of compatibility must be based on the character that currently exists and the character that is reasonably foreseeable under the applicable planning controls. Absent any strategic planning mechanism that would permit higher density redevelopment of the immediate area, the surrounding three-storey residential flat buildings are likely to remain the dominant character for the foreseeable future.

As a result, the proposal would present as a significantly more intense form of development that is not reflective of, nor sympathetic to, the established and anticipated character of the surrounding neighbourhood. Rather than representing a logical transition within an evolving urban context, the development risks creating an isolated and visually dominant built form

that is inconsistent with the scale and character of the adjoining residential precincts and public open space interfaces.

Reducing the height to 12 storeys, as formerly approved under MP09_0146, would provide a more appropriate transition between the site and the surrounding predominantly 3-storey development, maintain consistency with the established planning framework for the site, and achieve a more balanced outcome that better protects the amenity of adjoining properties while still allowing for significant redevelopment.

Visual impact

The proposed development would have a substantial visual presence due to its height significantly exceeding that of surrounding development. As a result, the building would be highly prominent within the local and wider landscape and would be visible from considerable distances. This contrast in scale and built form would make the development a dominant visual element, potentially altering existing views and the established character of the area. It is noted that a visual impact assessment has been undertaken which has taken the impact on several points close by and at a distance away. The most problematic impact is in direct proximity to the site along Evans Avenue and Jack Mundey Reserve and from different points along Gardeners Road. It is noted that no view assessment has been undertaken from the southern side of the site along Barber Avenue and further up St Helena Parade. This should be included as part of any assessment as the views towards the north are quite prominent.

Affordable Housing

The proposal includes the provision of 10% affordable housing within the development for a period of 15 years.

Council's Affordable Rental Housing Strategy, adopted in October 2025, requires that 10% of the uplift generated through rezoning be delivered as affordable housing in perpetuity. As this requirement has not yet been incorporated into the Bayside Local Environmental Plan 2021, the affordable housing contribution would need to be secured through an appropriate statutory mechanism, such as an in-kind contribution under a planning agreement with Council.

It is recommended that the applicant commence discussions with Council at an early stage regarding the negotiation of an appropriate revised planning agreement. This should include consideration of arrangements for the dedication of affordable housing dwellings to Council in perpetuity, or an alternative delivery mechanism acceptable to Council.

Other planning issues and questions

- a) For the purposes of assessment, the dual key units have been considered as individual units when calculating car parking, unit mix, solar access, and cross ventilation. The total amount of units is 877 units.
- b) Communal Open Space- The COS area calculation plan has included the childcare centre within the overall COS calculations. The childcare centre is not to be included in the overall amount. This will result in a revised COS area from 30.87% to 28.8%.
- c) Communal Open Space – There is no shade areas proposed in the COS within Buildings A, B and C. Consideration of appropriate shading or pergolas should be considered. Additionally, there is a pool proposed for Building D and a Bocce court in Building C. Are these areas accessible from Buildings A and B or limited to the

residents and occupants of Building C/D? If accessible from other buildings, how do they access this area?

- d) Deep Soil – The proposal provides 3.3% deep soil area. The ADG requires sites that are greater than 1,500sqm to have 7% deep soil area. The deficiency is not supported and should be increased to a minimum of 7%. The proposal provides a strip of deep soil along the western side of the site however the eastern and southern boundaries should be explored for greater deep soil.
- e) Solar Access- There are issues with the overshadowing proposed to the neighbouring properties to the south. This is further elaborated in the Urban Design section of the letter below.
- f) Solar Access- The solar access plans and timetables rely on assessment from 8am to 3pm rather than from 9am. This contradicts the requirement in the ADG and demonstrates further that the proposal would have a significant impact on overshadowing to neighbouring properties and within itself should it be restricted to 9am-3pm. Additionally, it is recommended that the Proponent provide plans to demonstrate that a minimum of 1sqm of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes.
- g) Community Centre- The community centre is generally discussed in further detail in the Urban Design section of the letter below. However, a question is raised in how the centre will be managed and whether it will be accessible to the public, rather than only for residents of the development.
- h) Common Circulation- The proposal does not comply with the number of lifts for the number of units proposed. The package refers to a vertical transport study. This will need to be taken into consideration as part of the assessment.
- i) Staging Works - The development proposes Staging of works. As part of Stage 1, there will be the delivery of 15 units within the podium level. These units will not have access to communal open space within the site. They should not be relying on the Jack Munday Reserve.
- j) Staging - How does the Staging work in terms of operation? Will Stage 1 be completed and commence operation while the buildings above are under construction? If that is the case, what safety measures will be in place should a construction mishap occur and pedestrian safety on the street and in the mall are at risk?
- k) CPTED Report- The report refers to outdoor dining areas. Are these proposed along Evans Avenue or facing Jack Munday Reserve? The report also refers to restricting the COS areas to not be accessible between 10.30am to 11am by any occupants. What is the reason for the closure during this period? Is it for maintenance purposes?
- l) POM - A plan of management is required to outline the operation of the retail component, the waste and loading dock areas and the management of the Build-to-Rent units.
- m) Trolleys- The architectural plans do not demonstrate where trolleys will be stored in the basement levels once they have been used. A Trolley Management Plan is to be provided as part of the application.
- n) Parking- The childcare centre car parking spaces are not physically separated from the remainder of the retail parking spaces. It is likely that people wishing to shop or go to one of the other retail uses may park within the dedicated childcare spaces.
- o) Architectural plans- The floor plans do not demonstrate the location of the wellness centre, entertainment centre, indoor recreation or medical centre; however, the section plans have provided that detail. The floor plan should be consistent and outline the proposed uses. Additionally, it is unclear what type of 'entertainment' is proposed in this area and what impact that may have on residents above.
- p) BTR - Within Building D, there are areas that are marked as 'BTR amenity'. It is unclear whether these are bathrooms or other facilities.
- q) Air conditioning condensers- The plans do not show the location of the air conditioning condensers on the site. Will these be located on the rooftop? Currently there is a large

- area on each rooftop earmarked electric hot water plants. Additional plant on the rooftop may result in perceivable bulk.
- r) Indoor Recreation Area - The recreational area has been earmarked for 'Bowling'. It is understood that the use will be subject to a separate application approval and should consider vibration and noise from the use as a bowling centre.
 - s) Early Works SSD- The works proposed under the Early Works SSD and the current SSD are to be consistent, particularly relating to the basement levels.

2. Strategic Planning Comment

While Council supports the renewal of the Eastlakes Shopping Centre and the provision of additional housing, the proposal is inconsistent with the strategic planning framework established by the Bayside LSPS and Eastern City District Plan. The scale and intensity of development are inconsistent with the strategic role of Eastlakes as a Local Centre within the Bayside centres hierarchy and exceed the function and growth expectations identified in the Bayside LSPS and Eastern City District Plan.

The proposal represents an overdevelopment of the site, is not adequately supported by infrastructure, public open space or community facilities, and places undue emphasis on residential yield at the expense of employment, retail and local centre functions. As a result, the proposal fails to appropriately balance housing growth with infrastructure provision, place-based outcomes and employment objectives, and would fundamentally alter the character and role of the centre beyond that envisaged by the strategic planning framework. Accordingly, the proposal has not demonstrated sufficient strategic merit or consistency with the Bayside LSPS and Eastern City District Plan to justify the scale of development proposed.

3. Urban Design

Council's review compares the Proponent's SSDA documentation, including the Design Report (Appendix F), Architectural Drawing (Appendix L), ADG Compliance Table (Appendix H), Connecting with Country Report (Appendix LL), and Landscape Report (Appendix Y), with the SDRP's Final Advice Letter from March 2026. It focuses on whether the Panel's concerns have been addressed or remain unresolved.

In addition to this compliance check, the review highlights opportunities in the current proposal for Council, especially regarding the public domain and park interface. Coordinated engagement may achieve a better outcome than relying only on the SDRP's advice.

Summary

Overall, this is a well-considered development that responds positively to several of the SDRP's key concerns (see below table). The height hierarchy, with the tallest towers to the north stepping down to the lowest point at the south-eastern corner, provides a sensible transition to the lower-scaled context. The internalised through-site link improves permeability between Barber Avenue and Jack Munday Reserve. The Connecting with Country narrative is embedded in the landscape design, expressed through the material palette, finishes, and each building's distinct identity.

The two-storey expression podium has its own internal height hierarchy and presents a human-scaled street wall that breaks down the bulk of the towers above. Despite these strengths, several matters remain outstanding, particularly the western park interface, per-

building ADG compliance, and overshadowing of adjoining neighbours. The proposal also presents several opportunities for Council to pursue, especially around the public domain and community facility provision.

No.	SDRP Item	Status	Comment / Basis																																																		
1–3	Connecting with Country — translate the four principles (Women's Knowledge; Living Country; Trade, Tracks & Decision Making; Acknowledgement, Legacy & Continuity) into tangible design outcomes	Mostly Addressed	Evidence of connecting with Country is present in both the landscape and architectural design. In the landscape, dune, ripple, and paperbark forms define pathways and communal spaces. Endemic six-season planting has been specified. A well-researched account of Botany Swamps ecology and the Jack Munday environmental legacy is included. These principles are only reflected in materials and façade design and are not demonstrated to shaping tower siting, built form, or height.																																																		
4a	Overshadowing of existing dwellings (mid-winter, 9am–3pm, 21 June)	Provided and concerning	Refer to Appendix L (page 45) shadow diagrams and table. <table border="1"><caption>NEIGHBOURING BUILDINGS DAYLIGHT ANALYSIS (FUTURE ENVELOPE)</caption><thead><tr><th>Lot No.</th><th>Storeys</th><th>total units</th><th>solar %</th><th>Units >2hrs</th></tr></thead><tbody><tr><td>34 Barber Ave</td><td>3</td><td>24</td><td>75%</td><td>18</td></tr><tr><td>32 Barber Ave</td><td>3</td><td>12</td><td>50%</td><td>6</td></tr><tr><td>30 Barber Ave</td><td>3</td><td>12</td><td>50%</td><td>6</td></tr><tr><td>28 Barber Ave</td><td>4</td><td>15</td><td>33%</td><td>5</td></tr><tr><td>26 Barber Ave</td><td>4</td><td>15</td><td>53%</td><td>8</td></tr><tr><td>24 Barber Ave</td><td>3</td><td>6</td><td>17%</td><td>1</td></tr><tr><td>22 Barber Ave</td><td>3</td><td>4</td><td>0%</td><td>0</td></tr><tr><td>20 Barber Ave</td><td>4</td><td>18</td><td>33%</td><td>6</td></tr><tr><td>18 Barber Ave</td><td>3</td><td>6</td><td>67%</td><td>4</td></tr></tbody></table> Across the precinct: of 112 total neighbouring units modelled, only 54 (48%) achieve 2+ hours — this means that 58 units (52%) do not meet the benchmark solar access required. The impacts to 22 Barber Ave are not supported: 0% solar, 0 of 4 units achieving 2+ hours of mid-winter sun. Every single unit in that building will lose solar access entirely under this modelled scenario. This represents a total loss of solar amenity. The impacts to 24 Barber Ave are not supported. only 1 of 6 units (17%) meets	Lot No.	Storeys	total units	solar %	Units >2hrs	34 Barber Ave	3	24	75%	18	32 Barber Ave	3	12	50%	6	30 Barber Ave	3	12	50%	6	28 Barber Ave	4	15	33%	5	26 Barber Ave	4	15	53%	8	24 Barber Ave	3	6	17%	1	22 Barber Ave	3	4	0%	0	20 Barber Ave	4	18	33%	6	18 Barber Ave	3	6	67%	4
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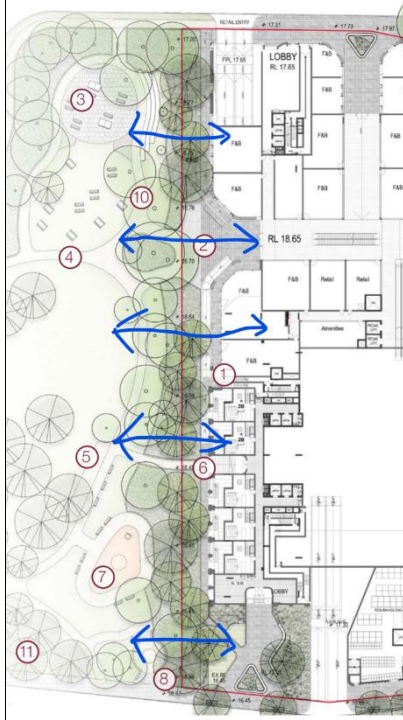
No.	SDRP Item	Status	Comment / Basis
			the benchmark — 5 units do not receive any solar access. Overshadowing to adjoining neighbours — a continuing concern; solar access modelling shows several neighbouring properties (notably 22 and 24 Barber Ave) receiving little to non-compliant solar access under the future envelope scenario.
4b	Overshadowing and visual impacts on Jack Munday Reserve	Addressed	Shadow diagrams show at least 3 hours of full solar access to Jack Munday Reserve.
4c	Visual impact analysis from surrounding streets and public spaces	Provided	Refer to Appendix W (Visual Impact Analysis) Acceptable in an emerging urban context. view 03 (Jack Mundy Reserve 68% of the view showing new development. Acceptable in an emerging urban context. - Tree Canopies will soften the edges. View 09 Astrolabe Park broadly acceptable, consistent with the "emerging context" reasoning applied
4d	Interfaces with existing neighbours (ADG setbacks, privacy, daylight)	Provided	.
4e	Cumulative traffic impacts	-	Refer to traffic comment's below
5	Detailed local conditions analysis (built form grain, future context, circulation, transport, nodes, demographics, hydrology, existing amenity)	Somewhat Addressed	A detailed narrative is now provided in the Design report. However, several responses read as justification for the proposed uplift (e.g. "the site presents an appropriate opportunity for increased height and density") rather than neutral site and context analysis, which was what the SDRP's originally stated. There are no principles such as transitioning to lower built form to its surround.

No.	SDRP Item	Status	Comment / Basis
6	TfNSW engagement — confirm optimal public transport solution, street upgrades, bus-stop bay sizing	-	Response states only that engagement "has commenced and is ongoing." No detail provided on street upgrades, relocation of on-street parking, or bus-stop bay dimensions/quality as requested by SDRP The provision of a bus stop in Barber Avenue suggests that a route has been selected. This is contrary to the route preferred by Council to go along Florence Avenue and connect to other existing routes. The introduction of a bus route into the narrow Barber Avenue will likely impact on street parking negatively. This is not supported. Whilst the dialogue about bus stops has been around this development only, Council is confident that other sites in the precinct will also redevelop and hence the public transport routes need to take a more strategic approach rather than a reactive approach and the placement of bus stops is a consideration otherwise it will transfer readjustment costs to council in due course.
7	Through-site links and public spaces align with circulation patterns	Addressed	A proposed through-site link from the Barber Avenue bus stop to Jack Munday Reserve, aligned with the retail entrance. Noting that a bus route in Barber Avenue is not supported this is nevertheless an appropriate site link.
8	Retail strategy — clear hierarchy of nodes and activity	Addressed	Provide some form of hierarchy described, with higher-intensity food and beverage uses concentrated at the park interface and pedestrian intersections.
9	Reconfigure loading dock to minimise public interface / sleeve with residential	Partially Addressed	Consolidating loading to the south is an acceptable design measure. Sleeving with residential use proved difficult to achieve; instead mitigation measures have been introduced, including a reduced dock extent, feature brickwork, and landscaping.

No.	SDRP Item	Status	Comment / Basis
10	Shift retail parking entrance near Racecourse Place to improve arrival and reduce impact on Jack Munday Reserve	Not Addressed	Location retained based on traffic engineering advice. Response does not address the SDRP's placemaking/park-impact concern, only vehicle movement efficiency. Pedestrian priority and connectivity is essential in this location.
11	Revise Level 01 configuration — circulation, natural light, outlook	Addressed	Level 01 comprises predominantly residential units along the western edge, which achieve good natural light, a shallow floor depth, and favourable outlook toward the park. The provision of residential adjacent the open space is supported. The provision of residential will result in assured passive surveillance rather than potentially low activation especially at night. The access steps shown at “Item 6 Residential Access to park” - Landscape Masterplan (Park interface – for discussion with Council only – subject to agreement) intending to connect directly to the park south of the ramp is NOT supported. This set of stairs is to be removed and space incorporated into adjoining private residences or the southern lobby. This represents opportunity for anti-social behaviour and direct connections from the development to the park for private benefit is not supported. Entry gates and fencing to be provided at boundary to limit intrusions into the walkway and to be assured via Condition of Consent and/or Body Corporate requirements to ensure these pathways are kept clear at all times.
12	Relocate childcare centre away from loading dock; improve amenity/solar access/deep soil access	Addressed	Childcare centre relocated to the Barber/Evans Avenue corner with a dedicated basement drop-off lift. Consideration for on-street drop off (not specifically for child use only) should be considered in lieu of the bus stop that would be better routed through Florence Street

No.	SDRP Item	Status	Comment / Basis
13	Increase deep soil provision by reducing basement extent, incl. connection to adjoining verges and Jack Munday Reserve	Inadequately Addressed	Proposed deep soil is 3.3% of site area against the ADG design criterion of 7% (applicable given site area >1,500m ²). The justification offered is that the shortfall is offset by connection to Jack Munday Reserve's own deep soil — effectively relying on Council's park to compensate for an on-site shortfall. We do not agree with this justification. Recommend that the applicant is asked to review how to enhance this situation such as making the landscape plaza to the south deep soil and/or additional setback adjustments along street frontages.
14	Generous, connected soil volumes for canopy in all landscaped areas on structure (esp. podium COS)	-	Refer to landscape comments below
15	Adopt an ambitious, demonstrated canopy cover target	-	Refer to landscape comments below
16	Increase setback to Barber Avenue for landscaped interface	Addressed	Barber Avenue (east and south): 2–3m setback, provided to widen the footpath and accommodate new street tree planting. Evans Avenue: 0.5–1m minimal setback. Jack Munday Reserve (west): 4m landscape setback, reflecting the site's primary public open space interface. There is an opportunity for additional deep soil in this area.
17a	Jack Munday Reserve interface — liaise with Council on modifications; note level-change mediation may require additional setback	Partially addressed	There is a difference of about 1.0m to 2.3m between internal ground levels and existing park grade along the 150m western frontage, matching the fragmented 1:20 ramps and platform lift previously identified. This interface can be improved by providing a generous widened ramp and removing the adjoining planter box, which is too narrow for meaningful planting. Replace it with bespoke fencing & wall

No.	SDRP Item	Status	Comment / Basis
			treatment to enhance the elevation. A lighting strategy for this interface is also important to ensure a high standard of safety, amenity and decorative/artistic lighting. Request that sections and elevations are provided to clarify the level change at each of the following interfaces (see diagram above): • Retail (north of thoroughfare) / park interface • Thoroughfare / park interface • Retail (south of thoroughfare) / park interface • Residential / park interface • Residential entrance / park interface • Southwest entrance / park interface A generous north/shared path (with lighting) is to be provided from the landscaped plaza to Evans Avenue. This path is to connect logically from pedestrian crossings in Evans Ave and Barber Ave and to be a minimum of 4m at grade to provide north/south movement and should be included as part of the park design to support logical walking routes.

No.	SDRP Item	Status	Comment / Basis
			
17b	Provide sufficient setback for generous circulation and public/private transition at the Reserve edge	Requires Verification	This interface can be better resolved. Recommend the proposed ramps be redesigned and widened, removing the adjoining planter boxes — their narrow width cannot achieve meaningful planting and will become polluted. The ramps should instead be finished in premium materials, with bespoke metal/ glass railings to the façade elevation, maintaining design quality at this park-facing interface. A lighting strategy for this interface is also important. Ideally this area should benefit from cover from inclement weather.
17c	Ensure trees can be planted over existing underground infrastructure at the Reserve interface		Refer to landscape comments below Retain all mature trees
18	Communal open space meets ADG objectives (provision, solar access, wind comfort)		Refer to landscape comments below
19	Communal open space diversity of experiences/age groups		Refer to landscape comments below

No.	SDRP Item	Status	Comment / Basis
20	Revise height strategy to transition to lower-scale context to the south	Partially Addressed	The tallest towers are placed in the north, while the lowest buildings are in the south-eastern corner. Each building has a unique height and style, reflecting the Connecting with Country approach through its materials and finishes. The street wall now appears as a two-storey structure, which, although slightly taller than a true two-storey podium, helps create a more comfortable, human-scale street experience. Overshadowing of nearby properties remains a concern.
21	Provide a mix of tower arrangements for variety	Addressed	Each tower given a distinct identity linked to a Connecting with Country theme.
22	Test street wall heights against existing apartment scale	Addressed	Street wall reduced from 6 storeys to a 2-storey expression podium, with the façade broken into smaller segments to align with the fine-grain, 3-storey walk-up context.
23	Increase range of dwelling types for a diverse community	Addressed	Mix confirmed: 1B/2B/3B, studios, dual-key, and affordable housing.
24	Demonstrate solar/ventilation objectives per building, not aggregated across the whole development	Inadequately Addressed	Response wording in Appendix H ADG Compliance is ambiguous. Request the actual per-building ADG compliance table rather than accept this statement as written.
25	Ensure variety of articulation/materiality responding to microclimate and orientation	Addressed	Each building assigned a distinct material palette and Country-linked theme; orientation-responsive articulation described.
26	Site-wide sections through to adjacent buildings	Provided	Require additional sections across western boundary and the reserve.
27	Sections of public spaces/streetscape interfaces showing deep soil, circulation, outdoor dining	Addressed	Information provided

No.	SDRP Item	Status	Comment / Basis
28	Detailed circulation routes — vehicles, cyclists, pedestrians	Not addressed Requires Verification	The current proposal is insufficient. Please provide a circulation route for vehicles, including residents, customers, and cyclists. Collaboration with Council is required to confirm the brief for the redesign of Jack Munday Reserve impacted by this proposal to ensure connections to the Council's existing and planned networks, and address pedestrian movement as well as ensure the new park brief is appropriate.
29	Solar access at mid-winter to existing/proposed public spaces (current, approved, proposed)	Provided	Cross-referenced to Appendix E.
30	Wind testing and comfort analysis	Provided	Cross-referenced to the Wind Report (Windtech).
31	Overview of dwelling numbers — market, BTR, affordable, incl. location	Provided	-
32	Contribution to NSW Net Zero emissions goal by 2050	Requires Verification	The ESD Report's response to the NSW Net Zero Statement (Section 2.8) lists relevant design measures but does not adequately demonstrate the development's contribution to the 70% emissions reduction by 2035 or net zero by 2050 targets.

Opportunity – Southwest Corner Active Transport Connections

The southwest corner of the site, Barber Avenue (south), the residential entry, and Jack Munday Reserve converge, presents an opportunity for design to better meet public domain and open space objectives not yet explored in the applicant's material.

This corner is a connection point to Council's active transport route from Universal Avenue to Gardeners Road that includes a pedestrian/cycle path through Jack Munday Reserve. It is a logical arrival point for people cycling or walking to the site from the south.

Opportunity — Proposed Public Domain Plan (Park Interface)

The "Park Interface" plan (Page 19 of the Landscape Design Report (Appendix Y) proposes an upgrade to Jack Munday Reserve — including an amphitheatre stair connection, a new

loop path, an upgraded exercise/fitness station and active zone/basketball courts, a new entry "arc," and an upgrade to the Jack Munday Memorial.

This presents an opportunity to secure meaningful public domain improvements to Council's reserve. This scope should be extended to include:

- A coordinated lighting and wayfinding strategy, developed in consultation with Council;
- 4-metre-wide share path to connect pedestrian crossing facilities and provide north-south connections

Note: Drawing 0019 is marked "For Discussion with Council Only — Subject to Agreement," and this is contrary to Design Report's claim that works are contained entirely within the site.

Opportunity — Community Facility (VPA Renegotiation)

The previous consent (MP09_0146) secured a community space through a condition of consent with plans indicating a small space adjacent to Barber Avenue. The current proposed location for the Community Facilities facing Barber Avenue is not considered appropriate and is not consistent with the 2013 Part 3A approval which required a suitably sized community facility with frontage to Jack Munday Reserve.

Council considers it necessary to renegotiate the VPA given the significant development uplift proposed through this application.

This is an opportunity to secure improved community infrastructure to match the development's population increase. Siting community facilities adjacent to Jack Munday Reserve is essential, using the internal thoroughfare to maximise visibility and integration with the park. A community facility is required with a minimum site area of 500 square metres in a well-positioned location with excellent universal access to public toilets, parking and loading. The location of the community facility could be on either ground level or level 2 in the vicinity of the escalators to the west of the development overlooking the reserve.

The Bayside Social Infrastructure Study projected the shortfall of facilities utilising now outdated population growth information. At that time, population for Eastlakes was considerably more modest than the outcomes being sought through this application for hundreds of apartments not forecast at the time of the study. The below are snippets from the study that reveal a significant shortfall of open space, recreational and community facilities provision even before considering the introduction of high-density development.

The introduction of a significant increase in population must address the increasing shortfall with the provision of large community facility, enhanced open space and contribution to expand these opportunities nearby. Please refer to Appendix A attached which demonstrates these figures.

4. Parking, Traffic and Access

The following comments are provided relating to parking, traffic and access

A. Public Domain

Vehicular and Pedestrian Access

The shopping centre will attract a significant volume of vehicular and pedestrian movements that need to be carefully managed by the design of the development.

Both proposed vehicular accesses to the basement parking facility need to be designed as intersections (roundabouts) consistent with the latest approved plans for the previous approval (MP09_0146-Mod-4). Intersection design plans need to be submitted. The retail vehicular entry exit at the intersection of Racecourse Place and Evans Avenue needs to be designed to be properly aligned with the roundabout, like the previous approval MP09_0146, including appropriate priority control. Similarly, the basement vehicular entry/exit at the intersection of Barber Avenue and St Helena Parade needs to be designed as a roundabout intersection including appropriate priority control. Sightlines and both intersections need to comply with the applicable standards. Civil design plans for the works to both intersections shall be provided for review and be aligned with the architectural design.

The development proposes only one vehicular entry to the retail carpark. This is a departure from the previous approval on the site (MP09_0146) which incorporated two vehicular entrances to the retail car park from both the Evans Avenue/Racecourse Place intersection and Barber Avenue/St Helena Parade intersections. Having two retail vehicular entry/exit will help avoid the concentration and congestion of retail traffic in one location and offers redundancy in case an issue occurs internally/externally blocking the retail vehicular entrance. The access arrangements need to be modified to include two retail entry/exit provisions from the two intersections north and south of the site.

Pedestrian access to the shopping centre is poorly designed from the south, improvements need to be made to provide a more appropriate pedestrian connection to the shopping centre from the south in the layout of the ground floor. The approved plans for the previous approval (MP09_0146-Mod-4) incorporated such a provision in the southwestern corner.

Pedestrian Movements

The development will create significant additional pedestrian movements in the surrounding area which need to be properly addressed and accommodated in the surrounding street network.

- Intersection of Racecourse Place and Evans Avenue. This intersection currently has a raised pedestrian crossing on the western leg, a footpath along the southern leg and no crossings on the northern and eastern legs of the roundabout. The western and southern leg of the intersection caters for a large volume of pedestrian movements given there is a strong pedestrian desire line. The introduction of the retail vehicular access at this location will create a conflict with east-west pedestrian movements and vehicles entering the centre that needs to be resolved.

If pedestrian priority was provided for east-west movements in the current design at the roundabout, this would likely result in significant vehicle delays in the roundabout, resulting in congestion in the surrounding road network. Given the congestion introduced, it will likely induce aggressive driver behaviours which would create a poor road safety outcome. However, there is a very strong desire line for pedestrians, and this pedestrian corridor needs to be accounted for in the design of the development.

The previous approval incorporated a separated pedestrian access provision (detailed in red below on plans from previous approval) that allowed pedestrians to freely move around

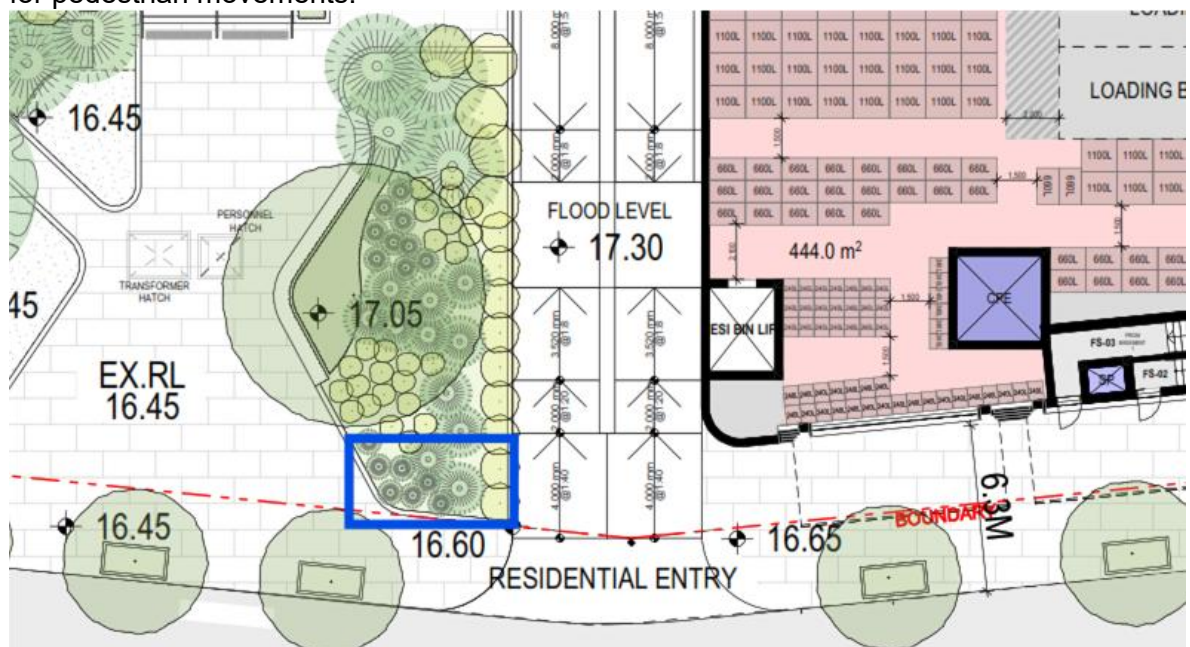
the roundabout without needing to conflict with vehicles at vehicular entry. This was a separate path to the shopping centre and would've been publicly accessible at all times.



A similar outcome needs to be incorporated into this development to remove the conflict between pedestrians and vehicles at the critical northern roundabout retail entry. This path needs to operate at all times and function as a public pedestrian footpath, requiring it to be separated from the shopping centre and covered by an easement.

Pedestrian fencing shall be incorporated into this intersection in appropriate locations

- Intersection of Barber Avenue and Evans Avenue. This intersection requires an upgraded treatment to improve pedestrian safety and priority.
- Intersection of Barber Avenue and St Helena Parade. This intersection needs to be designed to be a roundabout with pedestrian priority provided on the northern and western legs of the intersection (pedestrian crossings), the refuge on the eastern leg shall be upgraded. The blue highlighted section shall be paved to provide more room for pedestrian movements.



- Lighting for the site frontage, pedestrian crossings, intersections, and the park requires review and upgrade to ensure lighting complies with current Australian Standards.

Public Transport

- The architectural plans indicate a provision for two bus stops on Barber Avenue. However, the EIS and TIA lack supporting details of the proposed new bus stops. No details were provided of bus routes through the council area and no swept path analysis demonstrating the routes are feasible. In the proposed location there is insufficient road space to accommodate a bus stop without either requiring in a significant loss of street parking, making a change the traffic flow surrounding the site or committing to road widening to provide dedicated bus stops.
- The development will be heavily reliant on public transport access. Upgrade to bus stop infrastructure/capacity is warranted and requires investigation. Pedestrian connections and desire lines to bus infrastructure requires review to ensure safe and convenient access is provided.

B. Transport Impact Assessment (TIA):

TIA Section 4: Parking Assessment - Residential Car Parking

- Whilst the applicant has aligned their proposed residential car parking rates with GTIA Category 1 area this is not reflective of the “working” group that exists which is “shift workers” that will continue to operate in the area who need parking due to the varying work periods (shifts) from this establishment or other residential developments. It is very unlikely that their movement patterns will align with the current bus service routes/timetables or future bus service routes/timetables or the like. In that regard, consideration to a “blended” parking rate likely aligned to being the “mid-point” between the Lower Parking Band (GTIA – Category 1) and the Bayside DCP 2022 must be considered.

<u>Time period</u>	<u>Route 301</u>	<u>Route 303</u>	<u>Route 306</u>	<u>Combined services</u>	<u>Route 343</u>	<u>Route 358</u>
<u>AM peak (7:00–9:00 am, weekdays)</u>	<u>30 min</u>	<u>30 min</u>	<u>30 min</u>	<u>10 min average</u>	<u>Every 8–10 minutes</u>	<u>Every 10–15 minutes</u>
<u>Inter-peak (9:00 am–4:00 pm, weekdays)</u>	<u>30 min</u>	<u>15–30 min</u>	<u>30 min</u>	<u>10–15 min average</u>	<u>Every 10 minutes</u>	<u>Every 15–20 minutes</u>
<u>PM peak (4:00–6:00 pm, weekdays)</u>	<u>30 min</u>	<u>15 min</u>	<u>30 min</u>	<u>7.5–10 min average</u>	<u>Every 8–10 minutes</u>	<u>Every 10–15 minutes</u>
<u>Evening (after 6:00 pm, weekdays)</u>	<u>Limited/ends around early evening</u>	<u>15–30 min</u>	<u>30 min</u>	<u>15–30 min average</u>	<u>Every 15–20 minutes</u>	<u>Every 20–30 minutes</u>
<u>Saturday</u>	<u>30 min during daytime service</u>	<u>30 min</u>	<u>30 min</u>	<u>10 min average</u>	<u>Every 10 minutes (daytime); 15–20 min evenings</u>	<u>Every 15–20 minutes (daytime); 20–30 min evenings</u>

<u>Time period</u>	<u>Route 301</u>	<u>Route 303</u>	<u>Route 306</u>	<u>Combined services</u>	<u>Route 343</u>	<u>Route 358</u>
<u>Sunday</u>	No/limited 301 service	30 min	30 min	15 min average	Every 10 minutes (daytime): 15–20 min evenings	Every 20 minutes (daytime): 20–30 min evenings

For bus services, Route 301 operates until approximately 6:00 pm, Route 303 operates until approximately 11:20 pm, Route 306 operates until approximately 12:10 am, Route 343 operates until approximately 1:00 am, and Route 358 operates until approximately 12:55 am.

- The surrounding streets are mostly fully occupied with street parking due to the context of the surrounding area being older style walk up RFBs often incorporating garaging and car parks that are non-compliant with current standards. This development with limited on-site residential parking will place overwhelming pressure on the surrounding residential streets and will have flow on impacts into low density residential streets within walking distance of the site which is not an acceptable outcome.
- The residential parking shall be recalculated based on the unit mix where dual keys are counted as two units.
- The visitor parking needs to be recalculated based on the total number of dwellings where dual keys are counted as two units (877 dwellings), requiring an increase in the visitor parking provision.
- Electric Vehicle (EV) charging shall be provided as per the Bayside DCP.

TIA Section 4: Parking Assessment - Non-Residential Car Parking

- Bayside Council DCP has separate parking rates for the following uses that have not been addressed in the car parking calculation:
 - o Medical Centre
 - o Indoor recreation facility
 - o Supermarket
- The numerical provision of car parking allocated to the Community Centre is not documented or detailed on the plans, this needs to be addressed, and numerical provision determined in consultation with Council to ensure the parking provision is acceptable.

Section 4.4

- The 14 car share spaces shall be clearly detailed on the architectural plans. The spaces shall be in publicly accessible car park areas such as the retail carpark.

Section 4.5

- Residential visitor bicycle parking (74 spaces) and retail visitor bicycle parking (55) shall be provided at ground level in suitable locations (e.g. around building/lobby entrances) in a manner that does not deteriorate from the public domain outcome or impact pedestrian movements. Any visitor bicycle parking that cannot fit at ground level can be provided in the basement. Visitor bicycle parking must be clearly detailed on the plans and be designed as security level C from table 1.1 of AS2890.3:2015

- The architectural plans shall be revised to ensure each location that has bicycle parking shall also include the number of bicycle spaces to enable assessment.
- There is no door to the retail bicycle parking on basement level 2 north east corner, this shall be revised to provide a door to the bicycle parking area.
- End of trip facilities shall be revised to comply with section 3.5.4 of the Bayside DCP:
 - o 1 personal locker for each retail bicycle parking space
 - o 1 shower and change cubicle for every 10 retail bicycle spaces or part thereof
 - o 1 bicycle repair toolkit and pump
 - o Toilets, drying rooms, and hand-washing facilities.

Section 4.6

- The architectural plans shall be revised to ensure the required Bayside DCP section 3.5.4 motorcycle parking spaces are shown on the drawings.

Section 4.7

- In section 4.7.2, please clarify the difference between small, medium, and large vehicles with reference to Australian Standard vehicle sizes.
- Based on the loading assessment, the architectural basement plans need to provide 14 van loading bays in the retail basement, the current plans only indicate 6 spaces on basement 1 right near the vehicular entry point which is not supported. The basement plans shall be revised to provide 14 van loading spaces separated from normal retail parking with access to a goods lift.
- The routes through the Council LGA for service vehicles to follow to and from the site needs to be detailed in the TIA. The use of residential streets to large service vehicles shall be avoided, service vehicles shall prioritise travel through the classified road network.
- The articulated vehicle (AV) spaces shall follow the latest Australian Standard (AS2890.2:2018) which specifies a 20m long truck, not 19m. Loading bays shall be designed accordingly.
- Swept path analysis is required to be provided for all service vehicles (SRV, MRV, HRV, Council Garbage Truck, AV) accessing/exiting the loading dock and through the surrounding street network along the identified service vehicle routes. Concerns are raised regarding the feasibility for large vehicles (such as HRV and AV) to access the loading dock through the local streets.

TIA Section 5: Traffic Impact Assessment

The SIDRA modelling has not provided any information regarding model calibration to the “Back Of Queue (BOQ)” metric to ensure the software accurately replicates the real-world congestion. This is required to establish the existing intersection performance from which the “added” Development Traffic is superimposed to determine the likely future level of performance and associated traffic queues or similar.

Council requests that the Department undertakes a robust independent assessment of the SIDRA analysis (noting clearly “all” modelling input assumptions which should in part be captured within the SIDRA Input Data Sheet, as applicable) is undertaken prior to determining that the future modelling will replicate what likely traffic conditions will prevail and the associated mitigation measures.

Further the traffic modelling does not consider as part of the “Base Case” which is referred to as the existing case what “approved” developments are in place to have then an “Updated Future Existing Base” to then develop the appropriate traffic management scheme.

The SIDRA modelling should incorporate the latest existing traffic volumes and the additional background traffic generated by developments that have occurred since the previous assessment. This is necessary to ensure that the adopted base-year traffic volumes accurately reflect current traffic conditions and that the assessment of the proposed development is undertaken against a realistic background traffic scenario.

Provide details of the signal phasing changes and the acceptance of these changes from TfNSW.

The SIDRA modelling needs to account for pedestrian movements in the precinct and at key intersections into the site.

The servicing assessment indicates there will be 58 service vehicle arrivals per hour (116 entry/exit movements per hour) with 503 service vehicle arrivals per day (1006 entry/exit movements per day), it's not clear as to whether service vehicle movements have been incorporated into the traffic generation assessment including appropriate vehicles sizes into the modelling.

The appropriateness of having only one single vehicular entry to the retail carpark is not justified and is a departure from the previous approval on the site (MP09_0146). The previous approval incorporated two entrances to the retail car park from both the Evans Avenue/Racecourse Place intersection and Barber Avenue/St Helena Parade intersections. Having two retail vehicular entry/exit helps avoid the concentration and congestion of retail traffic in one location and offers redundancy in case an issue occurs internally/externally blocking the entrance. The access arrangements need to be modified to include two retail entry/exit provisions from the two intersections north and south of the site.

TIA Section 7: Preliminary Construction Traffic Management Plan

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 CTMP needs to address the following:

- 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 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.



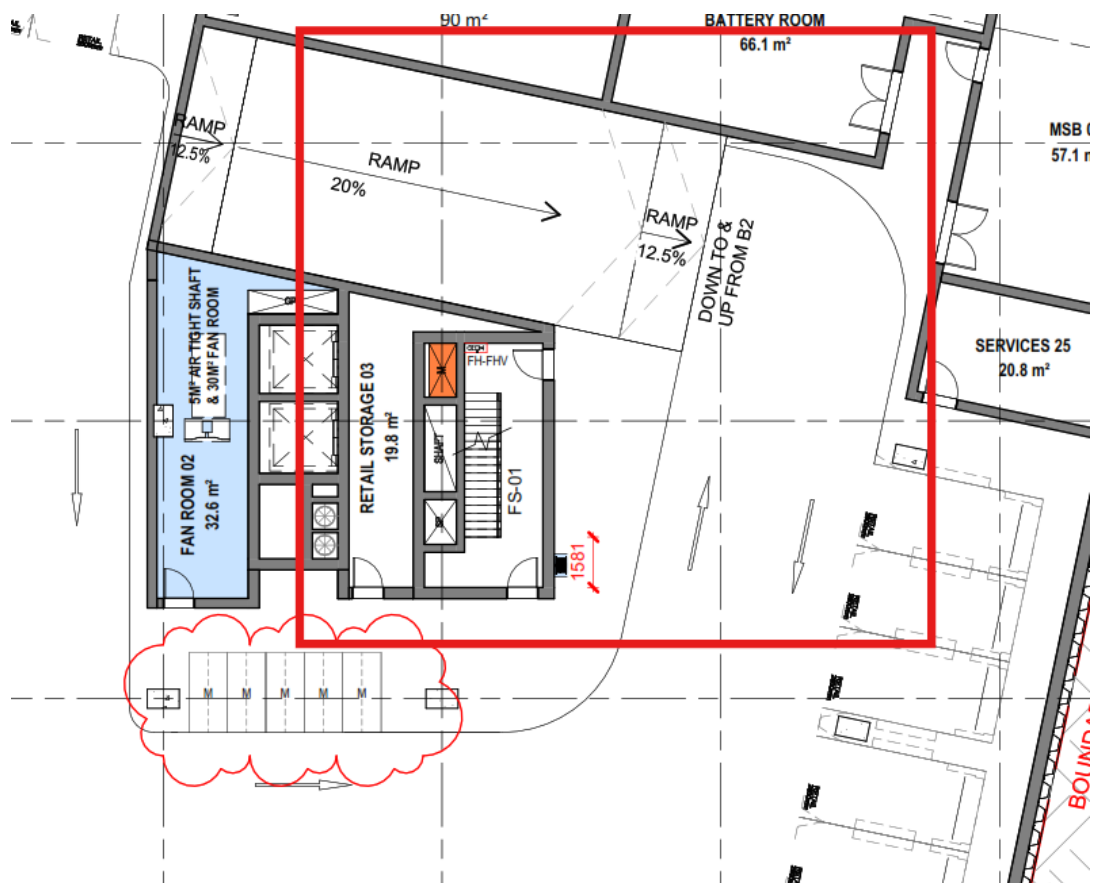
- In addition to the point above, the CTMP needs to detail pedestrian movements and footpath closures surrounding the site to ensure the surrounding residents have a safe path of travel (with priority treatments introduced if necessary) to “The Grand Shopping Centre” which provides important amenities for residential including two supermarkets, post office, pharmacy etc.
- 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).
- 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.
- 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.
- There is no mention within the CTMP regarding “restricted heavy vehicle” operation times when there is heightened pedestrian activity (AM and PM peaks).
- During the school pick-up/drop-off times no construction traffic is permitted in Evans Avenue.

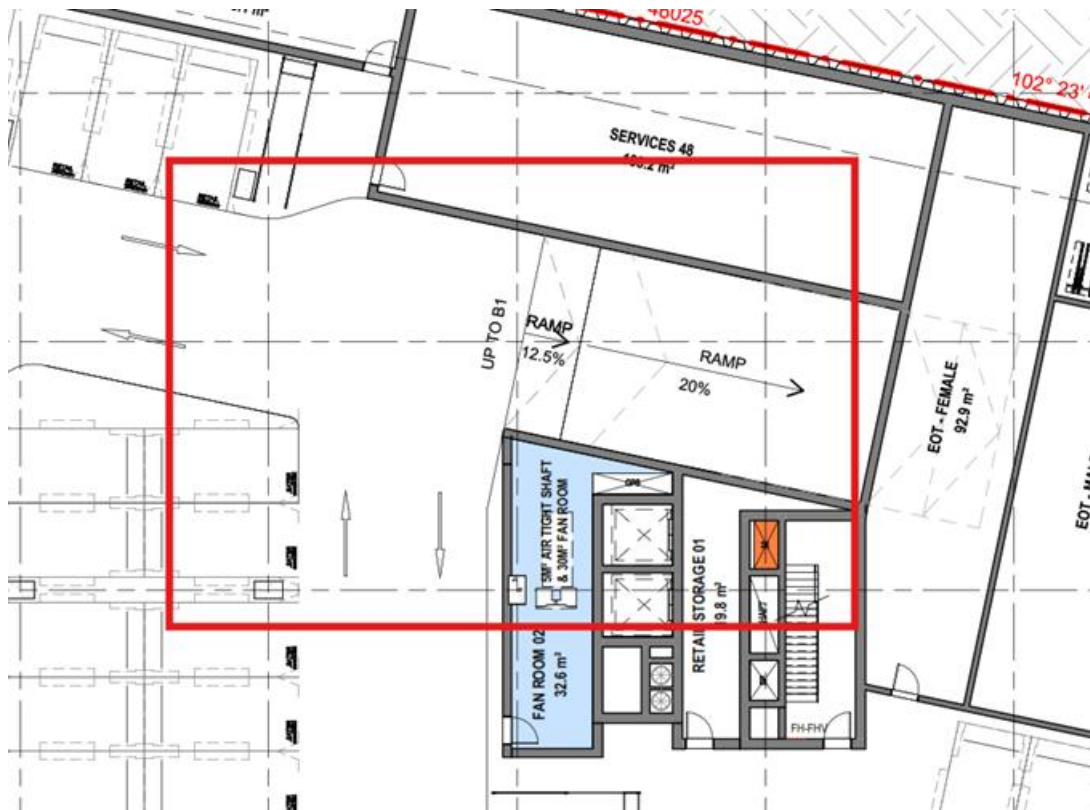
C. Internal Parking Facility Design:

- The architectural plans need to detail where the boom gates will be located. The TIA shall be updated to provide a queuing assessment detailing there will be no queuing

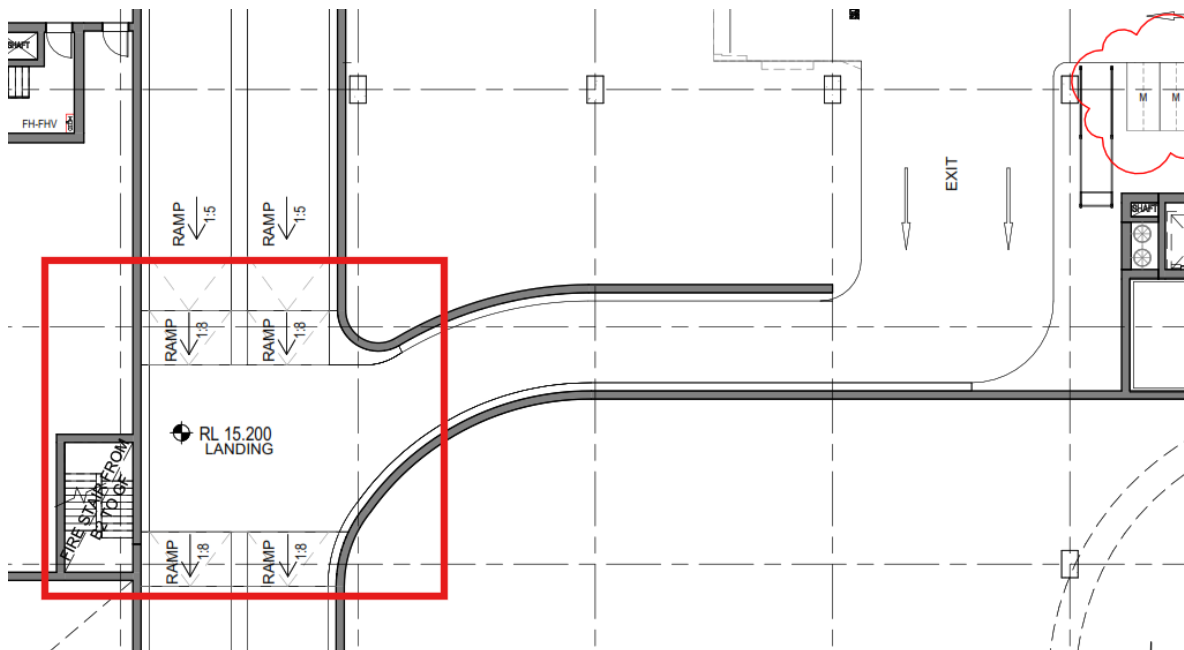
on the public road network from vehicular queues within the site. Council preference is to use a number plate technology system to manage traffic rather than a ticketing system. Council requires a free parking period of minimum 3 hours to be provided for the shopping centre.

- The retail parking shall be provided with pedestrian line marking, signage, and priority control to manage traffic movements which shall be detailed on the plans. All signage and line marking shall comply with AS1742.
- A more thorough set of swept path analysis shall be provided for internal car movements with focus on critical passing areas where a B99 shall be able to pass a B99. Concerns are raised regarding the geometry of these tight turns at the top and bottom of the ramp connecting B1 to B2. These areas shall be revised to improve sight distance and minimise vehicle conflict.





- The retail exit to the south has a merge with residential traffic that has safety issues due to poor sightlines. It's suggested to reconsider this design to improve safety at this conflict point.



D. Loading Dock Management Plan (LDMP)

The LDMP shall be updated to address the following:

- Should an “outage” or breakdown occur for the turntable, an intervention scheme needs to be set up with the manufacturer/supplier to ensure that repairs are undertaken within

24 hours (not days or weeks later). The LDMP shall be revised to incorporate this requirement.

- During a turntable breakdown or congestion within the loading dock, the LDMP shall detail a communication protocol with delivery partners to “stop” deliveries until a suitable alternative is arranged as we do not want trucks “stacking”, queueing, or loading on Council roads.
- Trucks should NOT be waiting on Council roads to access the Loading Dock, specific site-based communication protocols to be established with truck drivers to prevent this occurrence from happening.
- Table 1 of the LDMP does not align with the architectural plans, displaying different numbers of AV, MRV and SRV bays compared to what is provided on the plans. Residential waste bay in table 1 needs to be increased in size to be an 11m long HRV as per section 13.5 of Bayside Technical Specification Waste Management.
- The LDMP does not address the movements of service vehicles through the surrounding street network. The LDMP needs to detail the routes of service vehicles through the Council LGA detailed. The use of residential streets to large service vehicles shall be avoided, service vehicles shall prioritise travel through the classified road network.
- The LDMP shall address and manage the operation of both the ground level truck loading dock and the basement van loading bays.

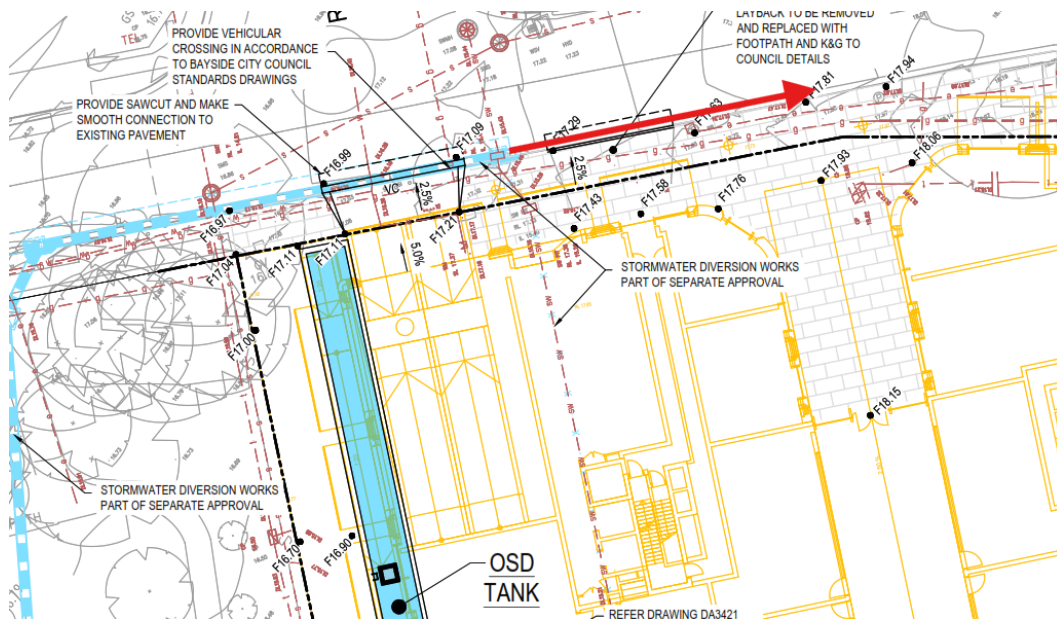
5. Floodplain and Stormwater Management

The following comments are provided relating to floodplain and Stormwater Management:

A. FIRA comments:

- While the site is subject to H1 (low hazard) flooding with relatively shallow flood depths; the assessment should mention flood emergency evacuation consideration within FIRA.
- Details shall be provided demonstrating how flood ingress and basement inundation will be prevented during the greater of the 1% AEP flood event plus 500 mm freeboard and the PMF event. The assessment shall address all potential flood entry points, including basement ramps, stairwells, lift access points, service penetrations, ventilation openings, and any other openings below the applicable flood planning level.
- The assessment shall demonstrate that the proposal is consistent with the principles of flood risk management and will not result in unacceptable adverse impacts on surrounding properties, infrastructure, overland flow paths, or the broader floodplain.
- Applicant shall demonstrate consistency between the adopted flood model and Councils endorsed flood study, including hydrology, tailwater conditions, hazard categorisation, and flood behaviour assumptions. Any departures from Councils adopted flood study shall be clearly identified and justified. Discrepancies are observed in the flood hazard mapping, where the applicant's assessment identifies H1 hazard in locations that are classified as H2 hazard within Councils flood model.
- Applicant shall ensure diversions to Council stormwater network are included in the model.
- The non-compliant flood afflux in the 1% AEP and PMF flood events is not supported. Revised flood modelling shall be provided which demonstrates compliance with a maximum of 10mm increase in 1% AEP (including climate change) flood levels and maximum 50mm increase in PMF flood levels on surrounding property and

infrastructure. This may require additional flood mitigation measures. It's suggested to investigate extending 600mm pipe in Evans Avenue (without impacting the existing London Plane Trees) and providing with more kerb inlet pits to address flood afflux.



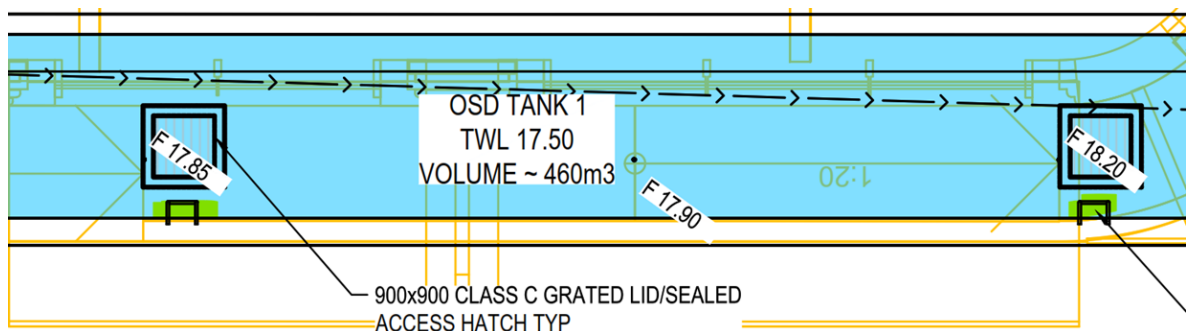
- A more detailed flood planning level assessment is required, providing 1% AEP and PMF flood levels for all tenancies and entries into the development along the entire periphery of the site. A more comprehensive spot level map shall be provided and shall accompany table 9 in the report for ease of assessment. Table 9 of the FIRA shall be updated to include PMF flood levels in addition to 1% AEP level.
- Table 9 indicates multiple non-compliances with the flood planning level requirements of Council which is not appropriate. For ground level shops, Council is willing to support the floor level being set at the PMF flood level in lieu of the 1% AEP + 500mm freeboard, to provide a better street interface. For the remainder of the site including residential lobbies and particularly any fire stair, vehicular access, or any other opening to the basement, these must be protected to the applicable 1% AEP + 500mm freeboard level or PMF, whichever is higher.

B. Stormwater and Civil Design

- The 750mm outlet pipe connecting to the existing 1050 pipe in the Council Park shall be designed to ensure the placement of the pipe does not conflict with deep soil tree planting.
- The stormwater basement plan must show the basement as a fully “tanked” system (full structural tanking and waterproofing) with adequate provision for future fluctuation of the water table. If subsoil drainage is provided around the subsurface structure, the subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure but must not be connected to the internal drainage system. No groundwater is permitted to enter the subsurface structures and, no pump-out system is permitted to be used to drain and discharge groundwater from the subsurface structures. The note on the basement drainage plan to state the above-mentioned wording regarding fully tanked system. The basement stormwater drainage plan needs to be revised to remove the subsoil lines entering the basement, no subsoil

drainage is permitted to drain into any of the basement surface inlet pits & pump tank as the basement needs to be fully tanked.

- The On-Site Detention System (OSD) calculation has not been provided to confirm the volume required for the internal OSD system. The OSD must be designed according to Part 6 of Bayside Technical Specification Stormwater Management. A tailwater condition to be adopted for the major storm. DRAINS model to be submitted to Council for assessment. The overflow weir from the OSD to be modelled in DRAINS.
- The DRAINS model for the upstream and downstream catchments to be provided for the adopted tailwater.
- Calculations to be provided as per the Blue Book if a sedimentation basin is required. If a sedimentation basin is required all calculations to be provided including the location of the SED basin with the internal dimension.
- The MUSIC Model to be revised as it shows the rainwater tank 50kl draining into 4x ocean Guard, this is incorrect as the 50kl rainwater tank drains into the 35x690 Psorb cartridges and the hardstand area and trafficable area drain into the filter chamber. The WSUD catchment plan to be revised to show the catchment area that drain into the tank 1 with the 2 x Ocean Guards and the catchment area for OSD tank 2 that drain into the 2xOcean Guards. MUSIC model to be provided for Council for assessment.
- The location of the access hatches to the OSD need to be adjusted to be adjacent the side wall where the step irons are located.



- Demonstrate that safe emergency overflow is available from the OSDs. There are sealed access hatches that have lower SL's than the emergency overflow grate, this is not supported. Furthermore, in addition to have a grated surcharge also provide a secondary pipe above the TWL connecting to the outlet pipe. Safe emergency overflow to the street should be provided instead of being directed into the Council park.
- Proposed vehicular entry/exit to the basement designed as driveway crossings is not acceptable, these vehicular entrances need to be designed as intersections (roundabouts).

DRAINS modelling and TUFLOW flood modelling files, including the associated results files, shall be provided to Council for review.

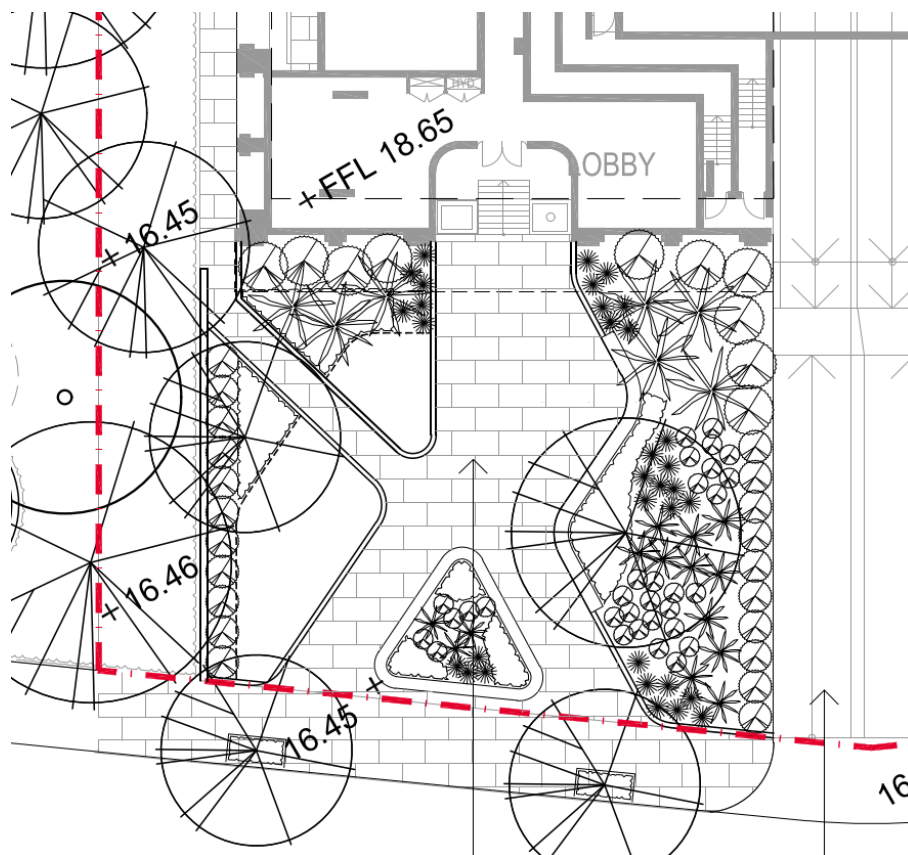
6. Landscaping

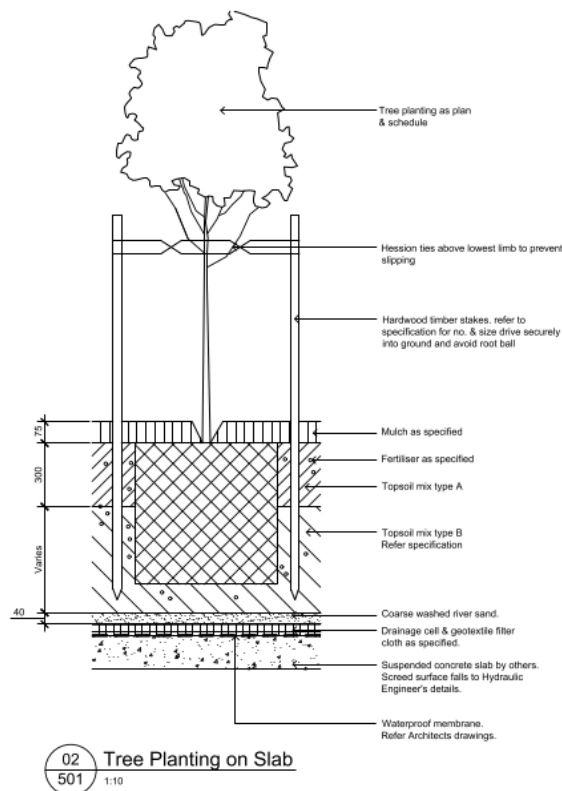
The following comments address Council's issues relating to landscaped area:

Council notes that the basement footprint remains substantially the same as that shown within the earlier Early Works documentation.

The internal landscaping outcomes have been well considered. However, the plaza garden facing Barber Avenue should provide a minimum 3 m soil depth over at least one level of basement to facilitate meaningful greening outcomes and support the intended community space.

Further, all medium-sized canopy trees proposed on structure are required to be provided with a minimum soil depth of 1.1 m in accordance with the ADG. The submitted plans do not clearly nominate the available soil depths and instead indicate varying planter heights only. Accordingly, compliance with the ADG soil depth requirements for canopy tree planting has not been demonstrated.





The current planting schedule demonstrates only approximately 60% native species overall, which is substantially below the minimum 80% native and/or indigenous species requirement within deep soil planting areas under BDCP 3.7.2 C1. The updated planting schedule will need to demonstrate compliance with this requirement.

The proposed street tree planting also requires further clarification, as the planting methodology has not been clearly demonstrated at this stage. It is unclear whether some street trees are proposed above structure, and no details have been provided regarding the available soil depths or soil volumes. At least one basement level should be setback to provide adequate soil depth to accommodate the proposed 200L street trees and ensure their long-term health and viability.

STREET TREES					
Lop con	<i>Lophostemon confertus</i>	Brush Box	15.0 x 10.0	75L	As Shown
Fra Urb	<i>Fraxinus pennsylvanica</i> 'Urbanite'	Urbanite Green Ash	11.0 x 8.0	75L	As Shown

For ease of reference, Council's previous comments provided in relation to the Early Works application are reproduced below.

'The submitted plans identify a 4 m landscape 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 of BDCP 6.3.2 Control C2 (Table 14), which requires a minimum 3 m landscape setback to primary and secondary street frontages. Furthermore, the proposal is inconsistent with the

objectives of BDCP 3.7.1 Controls C2 and C3, which seek to maximise deep soil planting opportunities and provide landscaping within larger, consolidated and functional landscape areas.

Section 6.3.2 of BDCP indicates the required the basement and building setback for commercial premises which the development needs to be revised to comply with.

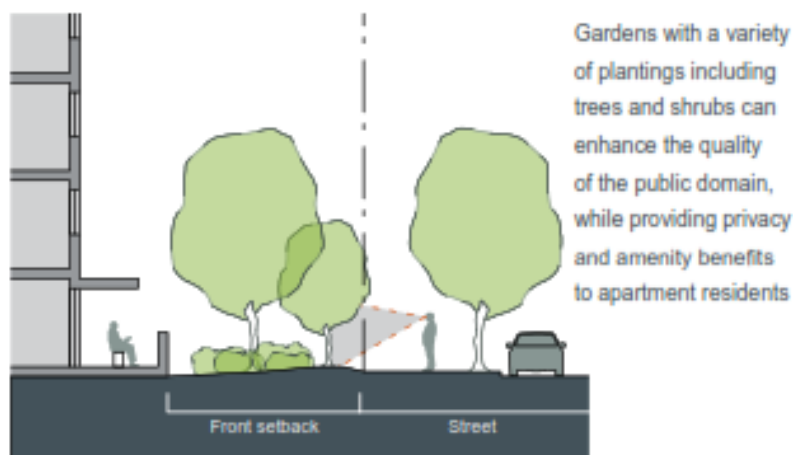
C2. Street setbacks are to be in accordance with the following table, unless precinct-specific controls are outlined in **Chapter 7 Specific Places** or otherwise where a consistent and desirable streetscape for commercial development already exists:

Boundary	Landscape Setback	Building Setback
Front - Primary and Secondary Streets	3 metres	4 metres
Front (secondary street) – to a non-classified road	4 metres	9 metres
Side and Rear – To Podium	3 metres	4 metres
Side and Rear – To Tower above Podium	-	6 metres

Table 14: Street Setbacks

Note: Landscaping setbacks are to be free from overhangs, hard elements such as paths, ramps, substations, fire hydrant boosters, signs, parking (both above ground and underground) advertising structure (including pole signs). This quantity of landscaping may be used in calculating 10% landscaped area on site with an area below 2,000m².

ADG also requires basement and building setback to include large canopy trees along the front setback area.



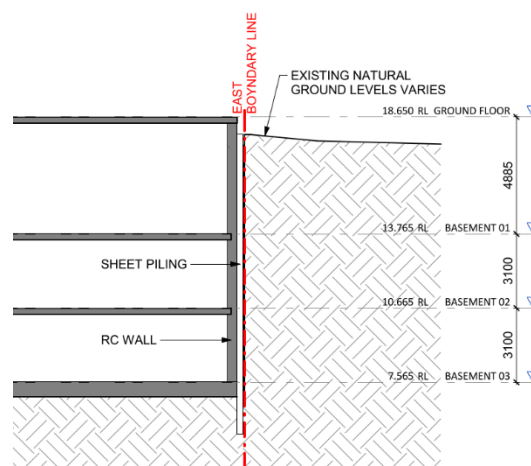
Council notes that only 594.3 m² of deep soil area is proposed across the 17,958.3 m² site, representing approximately 3.3% of the site area. This falls significantly below the Apartment Design Guide benchmark of 15% deep soil landscaped area (as site area >1500sqm). The proposed extent of excavation and four-level basement therefore raises significant concerns

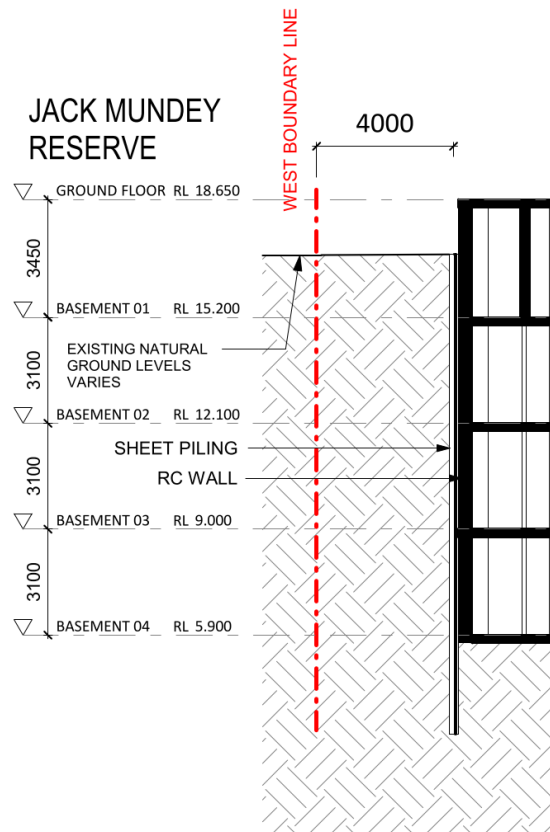
regarding the site's ability to accommodate meaningful deep soil landscaping and large canopy trees as part of the future town centre outcome.



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.

This section 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 percentage landscape area.'

7. Environmental Scientist

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.

8. Environmental Health

The following comments have been provided by Council's Environmental Health Officer:

A review of the Noise and Vibration Impact Assessment (Acoustic Logic) and the Operational Waste Management Plan has been undertaken for the above mixed-use development.

Overall, the reports are generally robust, but there are a few operational risks and design gaps that need to be tightened up via conditions of consent before any determination occurs. This is broken down as follows:

A. Noise and Vibration (Operational & Construction)

Operational Noise (Mechanical & Loading Dock)

- The acoustic report predicts a marginal (up to 2dB) exceedance at Receiver R9 during evening operations due to the loading dock. While the consultant notes this is negligible under the EPA Noise Policy for Industry, Council needs to be strict here given the scale of the development.
- Recommendation: The recommended mitigation measures (absorptive soffit lining, no engine idling, minimizing air brake use) must be converted into strict, enforceable operational conditions. Furthermore, a detailed acoustic assessment of the final mechanical plant selections must be required at the Construction Certificate (CC) stage to ensure cumulative noise doesn't push these exceedances higher.

Childcare Centre Noise

- The report relies heavily on a 3.0m solid acoustic barrier around the outdoor play area to achieve compliance at nearby receivers (R6-R8). If this barrier isn't built to specification, Council will receive noise complaints.
- Also, they've flagged that early morning staff arrivals (pre-7am) couldn't be fully assessed at this stage.
- Recommendation: Condition the 3m barrier as a strict minimum requirement, with detailed design drawings to be approved prior to CC. A condition must also require an acoustic assessment of pre-7am staff movements and mechanical plant at CC stage to ensure sleep disturbance criteria are met.

Noise Intrusion (Aircraft & Road Traffic)

- The site is within the ANEF 20-25 contour and adjacent to busy roads. The report specifies heavy glazing (up to 12.38mm laminated) and acoustic seals for residential facades.
- Crucially, to achieve internal noise goals, windows will need to remain closed, meaning alternative mechanical ventilation (air conditioning complying with AS1668.2) is mandatory.
- Recommendation: Include a standard condition requiring the alternative ventilation system to be installed and operational prior to the issue of the Occupation Certificate (OC). No mohair seals allowed on acoustic doors/windows—must be Q-lon or equivalent.

Construction Noise & Vibration

- Predicted construction noise levels will significantly exceed management levels at nearly all residential receivers, especially during bulk excavation and piling. Vibration from piling is also a risk to nearby residential structures.
- Recommendation: A detailed Construction Noise and Vibration Management Plan (CNVMP) must be prepared and approved by the Principal Certifier prior to any works commencing. The CNVMP must enforce respite periods, the use of localised acoustic hoardings, and real-time vibration monitoring where works encroach on safe working distances for surrounding structures.

B. Operational Waste Management

General Waste Strategy & FOGO

- They are proposing dual chutes (general waste and recycling) and a communal FOGO room. This means residents will have to manually carry FOGO to a communal room.
- Recommendation: We need to ensure the communal FOGO rooms are highly accessible, well-ventilated (mechanical exhaust per AS1668.4), and have easy-to-clean facilities to prevent odour and vermin issues, which EHOs get called out to investigate constantly.

Waste Room Sizes and "TBC" Areas

- The report lists several waste room areas as "TBC" (To Be Confirmed), including all the Bulky Waste Rooms and FOGO rooms. The consultant claims the basement has "sufficient allowance," but this is too vague for an SSDA.
- Recommendation: The final square meterages of *all* waste rooms (including bulky waste, FOGO, and the supermarket waste room) must be confirmed on the architectural plans prior to CC to ensure they meet the minimum areas specified in the report's Table 11.

Bin Movement and Collection Times

- Because of the distance from the chute discharge rooms to the collection point (over 10m), the consultant recommends motorized bin moving equipment. The developer must supply this.
- The OWMP mentions collections but doesn't explicitly restrict collection times. Given the loading dock is right next to the residential component, early morning private contractor collections could cause severe noise complaints.
- Recommendation: Condition that all private commercial/retail/supermarket waste collections must occur strictly between 7:00am and 6:00pm, Monday to Saturday (no Sunday/Public Holiday collections). Council residential collections can follow standard council schedules. The developer must provide the motorized bin moving equipment prior to OC.

Supermarket Waste

- A 23m³ compactor is proposed for the supermarket general waste. This is a massive volume and will require a hook-lift truck to service it.
- Recommendation: Confirmation from the Traffic Consultant is required to demonstrate that a hook-lift truck can safely enter, maneuver, and exit the loading dock via Barber Ave without causing traffic queues on the street.

Suggested Draft Conditions for the Planning Officer to Include:

1. Construction Certificate Stage - Acoustics: Prior to the issue of the CC, an updated acoustic assessment must be submitted to the Principal Certifier detailing the final mechanical plant selections, confirming compliance with NPfI criteria, and detailing the pre-7am childcare staff arrival noise impacts.
2. Construction Certificate Stage - Waste Rooms: Final architectural plans must confirm the exact floor areas of all waste storage rooms (including bulky waste, FOGO, and supermarket waste) in accordance with the recommendations of the OWMP.

3. Ventilation: All waste rooms and communal FOGO rooms must be provided with mechanical exhaust ventilation in accordance with AS 1668.4-2012.
4. Construction Noise: A Construction Noise and Vibration Management Plan (CNVMP) must be prepared and approved prior to the commencement of any site works.
5. Waste Collection Hours: All private waste collections for commercial, retail, and supermarket tenancies must be restricted to between 7:00am and 6:00pm, Monday to Saturday.

9. Waste collection

The application was referred to Council's Waste Team for feedback. Their comments are attached as Appendix B.

10. Section 7.11 Development Contributions

The SSD seeks the construction of a mixed-use development comprising of two storey podium containing speciality retail and commercial tenancies on ground level and second level, with four x 14 to 18 storey residential buildings above the existing ground level. The proposal comprises of a total of 736 dwellings, inclusive of 74 affordable dwellings, 521 market housing and 215 Build-to-Rent (BTR) dwellings. Some dwellings will function as dual key units. In the calculation of the payable S7.11 contribution, the dual key apartments are considered as two dwelling units. Based on this, the proposed development has 877 apartment units consisting of 143 studio units, 279 one-bedroom units, 396 two-bedroom units, and 59 three-bedroom units. Based on Former City of Botany Bay S7.11 Development Contributions Plan 2016 - Amendment 1 (the Plan), Council does not levy for workers in Botany Precinct. Therefore, the S7.11 monetary contribution is levied for 877 dwellings. As all the residential contribution rates are capped at \$20,000 under the Plan, the dwelling mix does not affect the total leviable amount. No credits are given as the existing development on the site is non-residential.

Condition:

A Section 7.11 contribution of \$17,540,000.00 shall be paid to Council. The contribution is calculated according to the provisions contained within Council's adopted Former City of Botany Bay s7.11 Development Contributions Plan 2016 (Amendment 1) and having regard to the Ministerial Directive of 21 August 2012 (the \$20,000 cap). The amount to be paid is to be adjusted at the time of payment, in accordance with the review process contained Contributions Plan. The contribution is to be paid prior to the issue of any subdivision certificate or construction certificate. The contributions are only used towards the provision or improvement of the amenities and services identified below. Copies of the Contribution Plan can be inspected at the Council's Customer Services Centre, Administration Building, 444-449 Princes Highway, Rockdale.

Community Facilities	\$1,529,914.64
Recreation and Open Space	\$12,707,529.63
Transport Facilities	\$3,160,094.55
Administration	\$142,461.18
Total in 2026/27	\$17,540,000.00

If you require any further information, please do not hesitate to contact Angela Lazaridis,
Coordinator Development Administration and Advisory on (02) 9562 1719.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Carine'.

Carine Elias
Manager Development Services