



Your ref: SSD-61389706
Our ref: DOC25/202889

Tuong Vi Doan
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

11 April 2025

Subject: CPHR Advice – Environmental Impact Statement - Uniting War Memorial Hospital Waverley (SSD-61389706)

Dear Tuong,

Thank you for your correspondence received 10 March 2025 seeking comments from the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Environmental Impact Statement EIS for the Uniting War Memorial Hospital Waverley.

Please note on 20 January 2025, BCS became the Conservation Programs, Heritage and Regulation (CPHR) Group.

CPHR has reviewed the *Environmental Impact Statement* (Willowtree Planning, 21 November 2024) and supporting studies and provides detailed flooding and biodiversity comments at **Attachment A**.

Should you have any queries regarding this matter, please contact the Greater Sydney Planning team at rog.gsrplanning@environment.nsw.gov.au.

Yours sincerely

Louisa Clark
**Director, Greater Sydney
Regional Delivery
Conservation Programs, Heritage and Regulation**

Attachment A – CPHR'S advice – Environmental Impact Statement - Uniting War Memorial Hospital Waverley (SSD-61389706)

Documents Reviewed

In preparing this advice CPHR has reviewed the following documents:

- *Environmental Impact Statement* (Willowtree Planning, 21 November 2024)
- *Civil Engineering State Significant Development Application Report* (Enstruct Group, December 2024)
- *Architectural Plans* (Architectus, 28 November 2024)
- *Biodiversity Development Assessment Waiver Report* (Narla, 13 September)
- *Biodiversity Development Assessment Waiver Determination - DOC23/835920* (DCCEEW, 19 September 2024).

Key Assessment Issues

	Issue	Description of Issue
1.	<i>Flooding</i>	<p>The development site is located on a plateau between the two local drainage catchments discharging to Bronte Gully to the east and Centennial Park to the west. 113 and 115 Birrell Street are currently identified on Waverley Council's Flood Planning Area maps as having low flood risk. However, as outlined in Section 2.2 of Enstruct Group's Civil Engineering Report the properties are within a proposed flood planning area and when finalised will be subject to flood planning controls. As outlined in Section 2.2.1 of Enstruct Group's Civil Engineering Report the proposed development is subject to flood related development controls as seniors housing is categorised as sensitive development. Buildings E and F are in these existing lots. The anticipated floodwater depth under the Probable Maximum Flood (PMF) event at 113 and 115 Birrell Street would be 0.2 m to 0.3 m. The drainage patterns and the proposed stormwater networks indicate that there is an overland flow path through these lots. This flow path would activate under major flooding events including the PMF and discharge to a low point at Bronte Road in the east.</p> <p>113 and 115 Birrell Street and the footprint of the proposed buildings would be impacted by overland flows under major events including the PMF event. The proponent should investigate hydraulic conditions to ascertain the extent of flooding impact to Buildings E and F based on modelled water levels under the PMF event.</p> <p>The drawings of proposed buildings show that the entries to basement carparks of Buildings E and F would be impacted by floodwater under the PMF event. The entries would act as broad crested weirs and its ramps to the basement parking would act as spillway chutes during flood affectation under the PMF event. The proponent should ascertain the floodwater volume, which may enter the basements of these buildings based on water level plots and configurations of these car park entries. This would identify the potential risk to basement car parks under the PMF event. The proponent should use these details to identify suitable flood risk mitigation measures, which may include the adjustment of entry levels to basement car parks and/or divert the floodwater to a sump at the basement and then pump it out to adjacent drainage networks.</p>

		Recommended actions: <ul style="list-style-type: none"> • <i>Ascertain the extent of floodwater volume, which may enter the basement car parks, based on entry levels and modelled water levels under the PMF event, and</i> • <i>ensure that all entries to the basement should be protected to the height of the 1% AEP flood level plus freeboard and the PMF level.</i>
	<i>Extent and Timing</i>	Prior to determination
2.	Flood Mitigation Measures	<p>The proposed flood risk mitigation measures include:</p> <ul style="list-style-type: none"> • regrading of the footpath away from buildings • retaining wall of 0.3 m height along the buildings, and • installation of flood gates at the entries to the basement car parks of Buildings E and F. <p>The proponent should revisit the installation of flood gates at the entries to the basement car parks to prevent floodwater ingress into the basement of Buildings E and F in the PMF event. The flood gates may not function under the major flooding events including the PMF event due to several reasons, such as mechanical and associated problems as they would be idle for prolonged periods prior to activation.</p> <p>The floodwater velocities and associated hazards through entries and ramps of the basement car parks may pose considerable risks to residents and visitors. The proponent should evaluate the floodwater hydraulics based on modelled water levels under the PMF event and the configurations of basement car park entries and ramps to identify suitable flood risk mitigation measures.</p> <p>The use of flood gates should be avoided, and instead passive controls should be implemented through design such as by setting the level of the entries to a certain height, to prevent the floodwater ingress to basements of Buildings E and F.</p> <p>The proponent should also investigate alternative measures, which may include the collection and transfer of floodwater to a basement sump and then pumping it out to drainage networks</p> <p>Recommended actions:</p> <ul style="list-style-type: none"> • <i>Avoid using flood gates at the entries to the basement car parks, and</i> • <i>implement passive design controls to prevent floodwater ingress into the basement car parks and /or investigate and implement justified alternative measures to collect and dispose floodwater safely from the basements of Buildings E and F.</i>
	<i>Extent and Timing</i>	Prior to Determination

3.	Consistency with BDAR waiver determination	<p>CPHR has reviewed the EIS against the description of development in Schedule 1 of the BDAR waiver determination issued 13 October 2023. It is difficult to tell if there are changes to the development footprint shown in the Landscape Masterplan (Figure 3), the EIS landscape plans and architectural plans. There appear to be some changes to the shapes of buildings, but it is unclear if there are additional footprint changes. As per CPHR's BDAR waiver advice (DOC23/835920), if the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new waiver request or prepare a BDAR.</p> <p>Recommended action: <i>Clarify if there has been an increase or decrease in Gross Floor Area (GFA) or increase to the development footprint between the approved BDAR waiver and the EIS.</i></p>
	<i>Extent and Timing</i>	Prior to determination
4.	Incorrect reference to Biodiversity Conservation Act (2016)	<p>The BDAR waiver issued 13 October 2023 was issued pursuant to Section 7.9(2) of the <i>Biodiversity Conservation Act 2016 (BC Act)</i>. It does not relate to Clause 2.10 of the BC Act as stated in the EIS.</p> <p>Recommended action: <i>Update the EIS to correctly reference the relevant sections of the BC Act.</i></p>
	<i>Extent and Timing</i>	Prior to determination
5.	Pre-clearance survey for microbats	<p>The BDAR waiver request states that a 'preclearance survey is to be conducted for microbats in the buildings prior to demolition, in case any individuals have entered the dwellings in the time between the survey and demolition. If any individuals are found to be present, they are to be captured the morning of demolition works and released at nighttime into surrounding bushland following demolition works'.</p> <p>Recommended action: <i>The pre-clearance survey for micro-bats be included as a condition of consent if approval is granted.</i></p>
	<i>Extent and Timing</i>	Condition of consent

End of Submission