

Our ref: SSD-65924461

Mr Gannon Cuneo
Planning Consultant
ESR Developments (Australia) Pty Ltd
Level 13, 39 Martin Place
Sydney NSW 2000

28 May 2026

Subject: Request for Additional Information – Stephen Road Multi-level Warehouse,
Banksmeadow (SSD-65924461)

Dear Mr Cuneo,

I refer to the Amendment Report for the State Significant Development application for the above proposal. After careful consideration, the Department of Planning, Housing and Infrastructure (the Department) is requesting that you provide additional information.

You are requested to submit additional information that effectively addresses the issues identified by the Department in **Attachment 1**.

In addition, the Department has received Bayside Council's comments on the Amendment Report, available on the Major Projects Portal. Council's comments must be addressed in the Submissions Report, with a particular emphasis on Council's comments regarding traffic, stormwater and flooding.

If you have any questions, please contact Rasmus Altenkamp on 02 8275 1145 or via email at rasmus.altenkamp@dphi.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Joanna Bakopanos".

Joanna Bakopanos
A/Director
Industry Assessments

Attachment 1: The Department's comments on the Amendment Report

The Department requires the following information to finalise its assessment of the application:

Remediation of contaminated land

1. The Remedial Action Plan (RAP) proposes placing soils containing organochlorine pesticide concentrations exceeding the remediation criteria within a containment cell. Additional information is required to clearly define the location and design of the proposed containment cell, its relationship to the overall development, and to provide written interim advice from the Site Auditor confirming acceptance of this approach.
2. The RAP identifies both 'required' and 'recommended' remediation works. Please clarify which remediation measures are proposed to be implemented as part of the development to make the site suitable for the proposed industrial warehouse use, and provide written interim advice from the Site Auditor confirming their acceptance of these proposed works.
3. The development proposes off-site biopiling, however, it is unclear whether approval for this activity is being sought under the current application or whether it is intended to be addressed through a separate application or an existing consent. Please clarify the approval pathway for the proposed off-site biopiling.
4. Section 6.3 of Volume 1 of the Report on Supplementary Site (Contamination) Investigation refers to 'Additional VMP Works – South-Eastern Area', noting that this remediation system has yet to be designed, finalised, and approved. Please clarify whether these works will be carried out by Allnex under the Voluntary Management Plan, or if they form part of the Remedial Action Plan for the current application.

Noise and vibration

5. The Department does not accept the nominated project amenity noise levels, which downgrade the R2 zoned residential receiver category from 'suburban' to 'urban' based on industrial noise influenced background levels. This approach is not consistent with the principles and intent of the NPfI, which seek to limit cumulative industrial noise and protect communities from increasing noise levels. The EPA's NPfI implementation guidance also states that, where there is ambiguity in assigning an amenity category, the more conservative category should generally be adopted.
6. The exception under Section 2.4 of the NPfI for deriving project amenity noise levels has not been applied. Given the Applicant's characterisation of the existing noise environment as being dominated by industrial activities, this provision should have been considered. In particular, it has not been established whether the resultant project

amenity noise level is 10 dB or more lower than the existing industrial noise level, nor whether those levels are unlikely to reduce over time.

Accordingly, the Department requires that all feasible at source and path noise controls be reconsidered using the suburban project amenity noise levels derived in accordance with the standard NPfI methodology, unless an alternative is appropriately justified in accordance with Section 2.4.

Construction noise assessment

7. The NVIA identifies that several residential receivers would be classified as ‘highly noise affected’ during construction works. Further information is required to detail the specific mitigation measures proposed to minimise construction noise impacts on neighbouring industrial and residential properties across the entire construction period. This should be supported by a comparison table outlining unmitigated and mitigated construction noise levels to demonstrate that the proposed mitigation measures are effective and achieve greater compliance with the relevant noise criteria.

Construction vibration assessment

8. Figures 5 and 6 of the NVIA indicate that the industrial sites to the north, east and south are located within the minimum area for cosmetic damage, while neighbouring industrial sites and residential dwellings along Stephen Road and Brighton Street fall within the minimum working distances for human comfort. Further information is required to detail the specific mitigation measures proposed to be undertaken to manage construction-related vibration impacts, including both cosmetic damage and human comfort.

Visual Impact - Retaining walls

9. The proposed earthworks involve substantial fill along the northern, eastern and southern site boundaries in order to form the warehouse development pads. Retaining walls are proposed directly on the site boundaries, with heights ranging from 2.0 m–3.5 m along the northern boundary, up to 3.6 m along the eastern boundary, and up to 2.7 m along the southern boundary, with no stepping or provision for meaningful landscaping. This results in significant visual impacts, particularly for adjoining properties. Please provide further information on the proposed screening measures for these retaining walls, including details of materials and/or landscape treatments, with particular focus on the retaining walls along the northern and southern boundaries.

Traffic

10. The Department requires additional traffic modelling, specifically a 10-year growth scenario without the development, to adequately assess the future road network performance. The Department notes that Council has also identified the need for this additional modelling.

Light spill

11. The first mitigation bullet point in section 6.2 of the Light Spill Assessment states that *“Pole lighting should face inward toward the middle of the site or toward the west and away from the east and south”*. Given the receivers sensitive to light are located to the west, please confirm the basis for facing the pole lighting to residential receivers to the west and how this will mitigate light spill to these properties.

Tree removal

12. The Amendment Report identifies that three trees on adjoining land are proposed to be removed. Please provide landowner’s consent for the removal of these trees.

Project description clarification

13. The number of trees shown to be removed in the Arborist Report tree protection plan and architectural drawing DA10.00 are inconsistent and are to be clarified. Please ensure all documentation (Landscape Plan, Architectural Plan and Arborist Report) is consistent with regard to the number of trees proposed to be removed.
14. Please provide calculations detailing the total area and corresponding percentage of the site proposed to be allocated as deep soil.
15. The signage legend plan (Drawing DA50.10) is labelled ‘in progress’, please provide a final version of plans.
16. The locations of Sign S8 (tenant signage) signs referenced in the drawing DA50.10 legend are not shown in the ‘Ground – Signage’ or ‘Level 1 – Signage’ drawings on drawing DA50.10. Please clarify where these signs will be located.
17. The gross floor area (GFA) calculations are inconsistent across Table 5 of the Amendment Report and Architectural Drawings DA01.20 and DA70.00, and require clarification. Please ensure all GFA figures are consistent across all documentation.

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