

Appendix B – Submissions Response Table (SSD- 65924461)

Summary of Issue Raised	Response	Relevant Document
Department of Planning, Housing and Infrastructure (DPHI)		
Background		
1. Please provide details on existing site operations including existing hours of operation, traffic numbers and staffing numbers	The site currently operates from 9:30pm Sunday to 9:30pm Friday except for public holidays. There are currently 88 employees on the site. Existing traffic conditions are provided in Section 5 of the updated Traffic Impact Assessment provided at Appendix M .	Appendix M
Urban Design		
2. The Department has significant concerns regarding the bulk and scale of the proposed development, particularly its visual impact when viewed from the sensitive low-density residential area located directly opposite the site on Stephen Road. The building presents as a monolithic six storey building form to Stephen Road, with a scale and visual dominance significantly exceeding that of surrounding developments, resulting in an incongruous streetscape interface. While the Department acknowledges the industrial character of the eastern side of Stephen Road, the expectation is this interface is to act as a transition area between residential uses and the Stephen Road industrial area, meaning the design requirements/aesthetics are more onerous. As such, the Department requests that the design of the building fronting Stephen Road be revised to ensure a more contextually appropriate and visually compatible outcome. This should include, but not be limited to, significantly increasing the upper-level setbacks to reduce the perceived bulk and scale of the warehouse particularly when viewed from the residential interface.	The built form (particularly bulk and scale) of the proposed development has undergone significant design development to provide an amended scheme in response to feedback raised. Updated architectural plans are provided at Appendix F , a revised Design Report at Appendix I as well as a comparative analysis provided in Section 4 of the RTS and Amendment Report. An updated Visual Impact Assessment has also been prepared, provided at Appendix L which assesses the updated development in comparison to the previous design. As demonstrated within the VIA and Section 6 of the report, the revised two storey scheme results in significantly reduced visual impacts across a number of viewpoints when compared to the previous three storey scheme. The highest visual impact rating has been reduced from high/moderate to moderate and several other viewpoints have been reduced from moderate or moderate-to-minor and minor or negligible impacts.	Appendix F Appendix I Appendix L
3. The visual dominance of the building is further exacerbated through the use of large blank facades to Stephen Road, including the building's ground level interface which is largely unarticulated and dominated by vehicle ramps. This must also be revisited as part of the above design changes.	Further to the above, the updated Architectural Plans and VIA detail the amendments to the proposed design. The built form has been updated with the consideration of the visual amenity of residential dwellings along the Stephen Road frontage, presenting a softer visual character than what would typically be associated with conventional industrial development, as well as the previous design.	Appendix F Appendix L
4. The Department raises concerns over the shadowing impact the proposal will have on residential properties opposite the site on Stephen Road, particularly during winter mornings. Revising the buildings interface with Stephen Road by reducing the scale of the building will likely assist in minimising the impact on solar access to the sensitive receivers.	Further to the above, updated shadow diagrams provided in the revised Design Report demonstrate that the two-storey scheme results in significantly less overshadowing than the previous design. The reduced height, increased setback, and larger landscaped buffer along the Stephen Road frontage work together to improve solar access to dwellings opposite the site. The revised footprint also limits the amount of warehouse floor space positioned directly along the boundary, further minimising bulk and shadow impacts.	Appendix F Appendix I
5. The eastern façade of the building presents as a 'back of house' elevation, despite being clearly visible from Coal Pier Road. This includes unsightly views of the underside and structural supports of the three storey spiral heavy vehicle ramps. Given the building's considerable size, the eastern elevation must be reviewed to provide a more 'front' facing façade due to its exposure to the public domain.	The viewpoints from Coal Pier Road provided in the Visual Impact Assessment show the revised design resulting in a significantly softer visual impact, with the Year 15 impact being broadly comparable with the existing vegetated condition.	Appendix F
6. The proposal includes fencing along the Stephen Road site boundary, creating a further hard barrier to Stephen Road. The Department recommends setting the fencing further back behind landscaping, or removing it entirely where not operationally required, to allow for the landscaping to soften the visual impact of the built form and enhance streetscape presentation.	The revised proposal provides a 3m landscape barrier between the proposed fencing and the site boundary, allowing for the retention of all street trees along Stephen Road. Combined with the reduced building height, addition of a staff outdoor area, pedestrian paths, and softer street interface of the revised scheme, the revised design results in less of the warehouse floor space being positioned	Appendix F Appendix I Appendix L

Summary of Issue Raised	Response	Relevant Document
	directly along the building boundary. Therefore the proposal is considered to adequately soften the visual impact of the development compared to the original proposal.	
Landscape		
7. The Department reiterates Bayside Council's concerns over landscaping. Landscaping within the site is limited, further exacerbating the above built form and urban design issues. Further, it appears the landscape strategy relies on a significant amount of turfed area under the three storey eastern ramp, which is not considered reasonable. The landscaping of the site must be revisited to create a meaningful landscaping response.	The revised design removes the three-storey rear ramp design, as well as the landscaped area beneath the ramp. The revised design provides extensive landscaping to prioritise retention of existing vegetation, enhance the surrounding streetscape and mitigate visual and acoustic impacts on surrounding receivers and provide open spaces for workers.	Appendix I Appendix N
Noise		
8. During exhibition, significant community concern was raised regarding the potential noise impacts during construction. The Department notes that the submitted noise impact assessment concluded several residential receivers would be classified as 'highly noise affected' during construction works. While various mitigation measures have been recommended, it remains unclear whether these measures will meaningfully reduce construction noise impacts. As such, please provide further information, including additional noise modelling, to demonstrate the effectiveness of the proposed mitigation measures (such as hoarding) and include a clear commitment from the Applicant to implement them.	The Noise and Vibration Impact Assessment confirms that, under conservative worst-case assumptions and without mitigation, some nearby residential receivers may be classified as highly noise affected during short periods of demolition works. These impacts are temporary, limited to standard daytime construction hours, and will occur only when high-noise activities are undertaken close to the site boundary. ESR commits to implementing all feasible and reasonable mitigation measures identified in the assessment, including temporary solid hoarding along sensitive boundaries, optimised plant siting, quieter equipment, staged works and minimising concurrent high-noise activities. These measures are well established to provide meaningful noise reduction, typically in the order of 5–10 dB where line-of-sight screening is achieved. Further, the Applicant will prepare a Construction Noise and Vibration Management Plan prior to works commencing, including additional, stage-specific noise modelling that incorporates the proposed mitigation measures, verification monitoring and adaptive management to ensure construction noise impacts are effectively reduced and managed.	Appendix S
9. The Department notes that several individual noise-generating activities (e.g. an excavator with a medium rock hammer) are predicted to exceed the 'highly noise affected' threshold at residential receivers. Further details must be provided on any proposed respite schedules for such activities.	As part of the revised development, certain short-duration, high-noise activities, such as use of an excavator with a medium to large rock hammer during demolition, may exceed the ICNG 'highly noise affected' threshold at nearby residential receivers under conservative worst-case assumptions. The Applicant commits to managing these activities in accordance with the ICNG through the implementation of respite scheduling, to be detailed in the Construction Noise and Vibration Management Plan. This will include limiting the duration of high-noise activities in any one location, providing regular respite breaks, scheduling such works during less sensitive periods of the day (e.g. mid-morning to mid-afternoon), and notifying affected residents in advance of the timing and duration of these works. These measures are consistent with ICNG expectations and will ensure that highly noise-affected periods are minimised and appropriately managed.	Appendix S
10. Public submissions have raised concerns over existing noise generated by the development. It is unclear if all periods of background noise monitoring captured noise generated by the development (i.e. was the existing development operating during the night-time period). If so, consideration must be given to section 1A of Fact Sheet A of the Noise Policy for Industry, including if exclusion of the existing operation's noise from monitoring is required. It is noted this may also impact on justification related to the selection of noise amenity category.	The updated Noise and Vibration Impact Assessment has considered whether existing industrial noise formed part of the background noise environment, applied the relevant NPfI provisions without requiring the exclusion of existing operational noise from monitoring.	Appendix S
11. Please provide LA_{max}, dB(A) levels predicted at residential receivers.	Predicted LA_{max}, dB(A) levels have been provided for residential receivers.	Appendix S

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12. Please provide justification for the assumed number of heavy vehicle movements used in the worst-case 15-minute scenario.	The worst-case 15-minute traffic data for each assessment period is summarised in the updated Noise and Vibration Report.	Appendix S
Hazards		
13. The EIS did not include a preliminary risk screening or any information regarding the storage or transport of dangerous goods (DGs) and hazardous materials to assess if the SSD is potentially hazardous under Chapter 3 of the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>. As such, please provide a preliminary risk screening, clearly detailing the class, storage and handling quantities, and location of all DGs and hazardous material associated with the development. If the preliminary risk screening indicates that the development is potentially hazardous, a preliminary hazard analysis (PHA) in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis' will also be required.	A Hazards and Risk Assessment has been undertaken by Sherpa Consulting and is attached to this submission at Appendix X. The proposed development is for general goods warehousing and does not include storage and handling of dangerous goods. It is confirmed that any future provision of dangerous goods on the site will require a separate development application.	Appendix X
14. Please confirm if each separate tenancy would store DGs below the placard quantities listed in Schedule 11 of the Work Health and Safety Regulation 2017. If not, a PHA will be required to demonstrate compliance with the relevant DG Australian Standards and how the risk of fire spreading across adjoining tenancies can be mitigated effectively.		
Contaminated Land		
15. It is unclear how the existing Environment Protection Licence (EPL) 993 and Voluntary Management Proposal (VMP) no. 20201720 will interact with the construction and operation of the development, including should groundwater remediation works extend beyond the estimated finish dated of 2027. Please provide further information on the interaction between the EPL, VMP and the proposed development, including a likely timeline of surrendering the existing EPL.	The existing EPL and VMP on the site will be required to be extinguished/surrendered once all works and obligations are complete. ESR has a commercial arrangement with Allnex which requires the obligations of the EPL and VMP to be undertaken prior to Allnex vacating the site in April 2028. Evidence of this can be submitted to the Department at the relevant time.	Appendix Y
16. Please confirm if an EPL is required for the remediation works under Clause 15 of Schedule 1 of the Protection of the Environment Operations Act 1997.	Refer to responses to EPA submission below.	Appendix Y
17. It is acknowledged a Site Auditor has been engaged and is in the process of reviewing the Remedial Action Plan (RAP) in order to prepare a Site Audit Statement to confirm the adequacy of the RAP. The Department requests the Site Audit Statement be provided once completed.	Noted. This will be provided to the Department at the appropriate time.	N/A
Air Quality		
18. Significant concerns have been raised in public submissions and by the Environment Protection Authority (EPA) relating to management of dust and air quality during construction and remediation of the site. Please provide an adequate response to issues raised by the EPA on this matter.	Noted. A response to the NSW EPA has been provided within this table.	N/A
Traffic		
19. Please provide further information regarding the operational traffic movements associated with the servicing of the proposed café, including details on loading and unloading arrangements, and the ability of the site layout to accommodate these activities.	The café has been removed from the architectural plans.	N/A

Summary of Issue Raised	Response	Relevant Document
20. Please provide future (10 year horizon) traffic scenarios of the development.	An updated Traffic Impact Assessment has been attached at Appendix M. A 10-year horizon assessment has been undertaken and demonstrates that the surrounding road network will continue to operate generally within a suitable Level of Service. The modelling outlines that the majority of key intersections in the vicinity of the site will continue to operate satisfactorily with increases in intersection delay for all intersections. However, it is noted the exception of the intersection Foreshore Road/Botany Road/Penrhyn Road, which has a reduced LoS 'F' in both the AM and PM peak, Botany Road/Hills Street which has a reduced LoS 'D' in the AM peak, and Stephen Road/Swinbourne Street which has a reduced LoS 'C' and 'D' in the AM and PM peak respectively. Traffix notes that it is important to consider the 10-year growth of 2% on the surrounding network is considered extremely conservative for the area, with the additional traffic from the development being a very minor component of the total traffic	Appendix M
21. There appears to be errors in the in and out vehicle numbers provided in section 8.2.1 (i.e. numerous parts refer to 52 vehicles in). Please review this section and provide updated vehicle numbers where appropriate.	The updated Traffic Impact Assessment has been updated to provide accurate in and out vehicle numbers.	Appendix M
Flooding and Stormwater		
22. Bayside Council has raised several concerns relating to the EIS flood assessment and changes to stormwater infrastructure. The Department requests these concerns are adequately addressed, which may require further consultation with Council prior to the lodgement of the Submissions Report.	Noted. A response to Bayside Council's comments have been provided within this table.	N/A
Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Water Group		
Water supply, take and licensing		
Department of Planning, Housing and Infrastructure (DPHI) requests the proponent to quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies. Insufficient information has been provided to confirm the potential groundwater inflow volumes. The EIS has identified that the excavations required to execute the project may intercept groundwater and dewatering may be required during periods of extended rainfall. No information has been provided about the volume of maximum potential water take, the availability of exemptions or affected water source/s. The proponent has not presented sufficient information and analysis of inflows during the construction and ongoing operation of the site. Quantification of maximum potential inflow volumes is required.	Douglas Partners understands that works are not proposed to extend below the groundwater table. This is consistent with the general development approach of raising site levels and groundwater being at depth (typically 4-6 m depth (RL ~3-5m AHD)) across most of the site. On this basis dewatering/extraction of water is not anticipated to be required for the development and hence not proposed.	Appendix T
DPHI requests the proponent to ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2018. Under the <i>Water Management Act 2000</i>, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exception under Clause 7 of Schedule 4 of the <i>Water Management (General) Regulation 2019</i> applies. An exemption may be available if water take is less than or equal to 3 ML per water year, subject to the development meeting other exemption requirements, such as: - The water is not taken for consumption or supply; - The person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and	The applicant agrees to the requirement for a WAL being conditioned.	N/A

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- The records are kept for 5 years.

Groundwater Impacts and Dewatering Requirements

If the take of the groundwater is found to be greater than 3 ML per year, the proponent must access the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and Framework (2012).

As per Recommendation 1.1 above, the EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. NSW DCCEEW Water Group notes that without groundwater take estimation it is difficult to assess the level of risk. Therefore, the proponent should determine the estimated take volume.

Douglas Partners understands that works are not proposed to extend below the groundwater table. This is consistent with the general development approach of raising site levels and groundwater being at depth (typically 4-6 m depth (RL ~3-5m AHD)) across most of the site. On this basis dewatering/extraction of water is not anticipated to be required for the development and hence not proposed.

Appendix T

Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Conservation Programs, Heritage and Regulation (CPHR) Group

Flooding

CPHR has reviewed Section 7 of the Civil Engineering Report that refers to flood impacts on the proposed development. CPHR notes the subject site is located within a designated Flood Planning Area. It is not identified as a floodway and is only affected by a minor, shallow overland flow path coming from a small upstream catchment near Stephen Road. During a 1% Annual Exceedance Probability (AEP) event, the subject site experiences shallow overland flooding predicted only during the Probable Maximum Flood (PMF) event. CPHR notes that flood hazard mapping indicates the area surrounding the subject site is generally classified as H1, consistent with low hazard conditions. The source and extent of flooding are primarily from the minor upstream catchment, that experiences low hazard conditions. The flood afflux for the 1% AEP event with 30% increase in rainfall intensity and +0.9 m sea level rise is -0.02 m to +0.05 m.

1. Finished floor levels

The Bayside Development Control Plan 2022 (DCP), requires:

 - *habitable floor levels must be set at least 500 mm above the 1% AEP flood level*
 - *non-habitable floor levels, such as for garages or storage areas, must be at least 300 mm above the 1% AEP flood level.*

Recommended action:

 - CPHR recommends the proponent confirm the proposed finished floor levels will comply with the DCP.

An updated Civil Engineering Report has been prepared by Costin Roe and attached at **Appendix U**, where Section 7 of the report has been updated.

Costin Roe confirm that the development will be sited in accordance with the Bayside DCP 2022, which requires habitable floor levels to be at least 500mm above the 1% AEP flood level and non-habitable floor levels to be at least 30mm above the 1% AEP flood level.

The 1% AEP flood level is noted to be RL10.13 at Location 2 and Location 7 as per the Bayside Council Flood Advice Certificate (Ref: FA-2024/211) dated 19 September 2024.

Flood Information

Location	1% AEP Flood Level (m AHD)	PMF Level (m AHD)
1	10.03	10.26
2	10.13	10.26
3	9.9	10.12
4	9.44	10.0
5	10.11	10.25
6	10.02	10.12
7	10.13	10.22
8	9.87	9.94
9	5.20	5.39
10	5.92	6.05
11	6.35	6.41

The proposed development will be sited at RL11.90 which achieves more than the required 500mm freeboard above the 1% AEP flood level.

Biodiversity

CPHR notes the project description provided in the EIS is consistent with the Biodiversity Development Assessment Report (BDAR) waiver for this SSD that was granted on 22 November 2024. If the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the proponent will need to lodge a new BDAR waiver request or prepare a BDAR.

An updated BDAR Waiver will be provided prior to formal lodgement.

Appendix Q

Summary of Issue Raised	Response	Relevant Document
Heritage NSW		
Aboriginal Heritage		
- All reasonable steps must be taken so as not to harm, modify or otherwise impact Aboriginal objects except as authorised by this approval. - The Registered Aboriginal Parties (RAPs) must be kept informed about the SSD. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements. - The Unexpected Finds Procedure in the ACHAR should be updated to include: - A minimum 20m no-works buffer zone for any unexpected finds or skeletal material. - A notification requirement to Heritage NSW and the Department of Planning for any unexpected finds.	Noted. To be implemented as a condition of consent. The ACHAR will be updated to include the Unexpected Finds Protocol requirements.	N/A
Transport for NSW (TfNSW)		
Traffic Impact Assessment		
- The traffic assessment scope generally follows the TfNSW advice letter to DPHI dated 16 January 2024 (SYD22/01604/02) with the exception of the following: “Weekly tube surveys on Stephen Road and Botany Road to understand the change in heavy and light vehicle volumes / percentages between the existing conditions and post development”	A revised Transport Impact Assessment has been prepared by Traffix and is provided at Appendix M. Weekly tube counts have been undertaken and provided at Appendix D within the TIA document.	Appendix M
- Following a review of the TIA dated November 2024, the following comments are made on the TIA: - While tube surveys are referenced in the report in Section 8.1 of the TIA, the results are not provided. Please include the tube survey results for review.		
In Section 8.2 of the TIA, the site peak hour and network peak hour are referenced. Please advise what the likely site peak hour and road network peak hour are and are they expected to overlap at this site?	The TIA appropriately adopts the road network peak hour to assess the operational performance of the surrounding road network, which represents the most critical conditions for intersection and network capacity. The Guide to Traffic Impact Assessment (GTIA) provides separate traffic generation rates for the site peak hour and the road network peak hour, recognising that these periods may occur at different times and therefore may generate different traffic characteristics. For the purpose of road network capacity and intersection performance assessment, the road network peak hour is the relevant assessment period. The site peak hour rates provided in the GTIA are intended for other assessment purposes and do not necessarily correspond with the surrounding network peak periods. If the site peak hour and road network peak hour were expected to overlap, the GTIA would present the same traffic generation rates for both periods rather than separate values. Accordingly, the TIA has correctly adopted the road network peak hour for the purposes of assessing potential impacts on the surrounding transport network	Appendix M
Figure 12 and Figure 13 of the TIA estimate no additional right turning vehicles from Foreshore Road into Botany Road. Please include justification for this or if additional vehicles are anticipated to use the movement, please document the change in the queue for the right turn into Botany Road.	The eastern leg of the Botany Road / Foreshore Road intersection, particularly right-turning vehicles into Botany Road, represents only a minor proportion of the surveyed traffic movements. Accordingly, the same observed proportion has been adopted to distribute the proposed development traffic.	Appendix M

Summary of Issue Raised		Response	Relevant Document												
iv)	The cycle times modelled for the two signalised intersections appear incorrect. Please confirm the cycle times on the day of the survey as a review of SCATS plan data indicates the following cycle times:	Cycle times in the SIDRA models have been updated to match the cycle times on the day of the survey provided by TfNSW.	Appendix M												
	<table border="1"> <thead> <tr> <th>Intersection TCS Number</th><th>Intersection</th><th>AM Cycle Time</th><th>PM Cycle Time</th></tr> </thead> <tbody> <tr> <td>1525</td><td>Foreshore Road / Botany Road / Penrhyn Road</td><td>130 sec</td><td>130 sec</td></tr> <tr> <td>2763</td><td>Stephen Road / Swinbourne Road</td><td>100 sec</td><td>100 sec</td></tr> </tbody> </table>	Intersection TCS Number	Intersection	AM Cycle Time	PM Cycle Time	1525	Foreshore Road / Botany Road / Penrhyn Road	130 sec	130 sec	2763	Stephen Road / Swinbourne Road	100 sec	100 sec		
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v)	While TfNSW cannot provide detailed comments on the SIDRA models without seeing the files, we note that storage at an intersection should be the length of a turn lane measured up to the point at which a vehicle can be stored within that lane and let vehicles in the other lane pass, rather than the length of the lane (i.e. including taper). TfNSW notes that the right turn bay for the Botany Road/Foreshore Road/Penrhyn Road intersection has been coded at 80m, where the likely storage for a vehicle to sit within the lane is likely closer to 61m, as shown below.	The lengths of all turning lanes have been updated based on a review of the most recent available aerial photography to correspond with the available storage length that allows a vehicle to be fully accommodated within the turning lane while enabling through vehicles in the adjacent lane to pass unobstructed.	Appendix M												
															
vi)	Other parameters to ensure are checked include walking speed set to 1.2m/s	Pedestrian walking speeds have been updated to 1.2m/s as per TfNSW requirements.	Appendix M												
c.	TfNSW also requires the provision of the electronic SIDRA files for review. These files will need to be updated to address the comments above. Details are also required on how the base model has been calibrated with on-site observations (e.g. instance queue lengths, delays, etc).	SIDRA files are to be submitted for TfNSW review with the revised DA.	Appendix M												

Green Travel Plan			
a.	General: TfNSW notes that the site is currently served by some active and public transport options, and the GTP should be updated when new infrastructure and services are added. Certainly, carpooling and shuttle bus options (for example extra services from the warehouse development to the train stations) are viable options in the interim, as well as use of existing active and public transport services.	Noted. As new active and public transport infrastructure is made available, relevant updates will be made to the Green Travel Plan and Transport Access Guide, and will be provided to tenants, employees and visitors.	Appendix M
b.	Section 2.1: Public transport infrastructure: Please add in train stations for completeness in this section – it is noted the bus service to the stations, but not the locations of train network which would be helpful.	Locations of train stations have been provided in the updated Green Travel Plan provided at Appendix M.	Appendix M
c.	Mode share: Please update the text for Table 3 ABS Travel mode share, as this states that “a high percentage (56%) of workers within the area who use public transport” – the table shows 86% as car as driver or passenger. Further, the target mode shift for car as driver and passenger (84%) is still considered high – with very little change for public transport from the existing mode share to proposed. Even an increase in car as passenger through implementing a carpooling scheme will help in the interim.	Existing and target mode shares have been updated to reflect existing travel modes and more optimistic transition to sustainable mode shares as per TfNSW comments.	Appendix M

Summary of Issue Raised	Response	Relevant Document
d. Travel Survey: The GTP should include a travel survey to be provided to the employees and visitors, and should include questions on residential postcode which will inform strategies to encourage public and active transport options.	Regular surveys will be undertaken with employees and visitors of the site to gain a better understanding of current travel modes and areas of travel (including residential postcodes).	Appendix M
e. Bicycle parking and End of Trip Facilities (EoT): TfNSW appreciates that some bicycle parking spaces are to be provided as well as EoT – however no detail on the amount has been provided, other than that it is “in accordance with DCP requirements” which are likely to be absolute minimums. Further, TfNSW asks that both the bicycle parking and EoT be monitored over time to ensure sufficient supply to encourage active transport. The bicycle parking should be flexible to allow for parking of other micromobility options, as they come on stream. The bicycle parking should be safe, secured and under cover. Some further guidance on bicycle parking and end of trip facilities can be found in the Cycleway Design Toolkit.	A total of 78 bicycle parking spaces will be provided within the development, in accordance with the requirements of the Bayside DCP 2022. These spaces are designed to be safe, secure and covered, and can accommodate other emerging micromobility options as they become more widely used. End of Trip facilities, including showers and lockers, will also be provided to support active transport. To ensure the provisions remains adequate over time, the usage of bicycle parking and EoT facilities will be monitored post-occupation. Should demand exceed supply, additional spaces and facilities will be provided in consultation with the building/strata manager to maintain compliance and encourage active transport.	Appendix M
f. Travel Access Guide (TAG): TfNSW appreciates that a TAG has been provided in Appendix A. of the GTP. The TAG should also include: i) A comprehensive map showing all modes of public and active transport, including buses (private and public), trains, walking and cycling routes, as well as times for these public transport options (noting that some of this information is already included in the GTP). ii) Add a section on train station and rail options iii) Number and location of End of Trip facilities and bicycle parking (bicycle racks, showers, lockers, change rooms) and locate on more detailed map.	Appendix A of the revised Green Travel Plan provides an updated TAG which includes a map showing all modes of public and active transport and location of EoT facilities.	Appendix M
NSW EPA		
Site Contamination and Remediation		
The Site is impacted by soil and groundwater contamination. In its current use there is no risk to the soil and groundwater contamination, including off-site migration of contaminants. The Remediation Action Plan (RAP) for the proposed remediation works have satisfactorily addressed the National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013) (ASC NEPM). The current groundwater remediation works will be managed under the Voluntary Management Proposal (Notice # 20201720) and will be completed in 2027. The EPA acknowledges that the Applicant has engaged a suitably qualified and accredited site auditor. The Site Auditor will be required to provide the following reports to the EPA: a) an independent review of the proposed works b) a site audit statement c) a site audit report for the suitability of the Sites proposed use	Noted. The Site Auditor requirements are to be conditioned and will be undertaken during remediation works.	N/A
Contaminated Land		
There is existing infrastructure and buildings currently on the Site, and as a result, the actual or potential extent of soil contamination may be underrepresented. The EPA recommends that additional data-gap investigations following the demolition and removal of infrastructure may be required to characterise contamination in potential source areas that have otherwise been inaccessible.	Noted. To be implemented as a condition of consent.	N/A
Environment Protection Licence		

Summary of Issue Raised	Response	Relevant Document
There is little information provided to determine if the Proposal will require an EPL under the Protection of the Environment Operations Act 1997 Schedule 1, Clause 15 Contaminated Soil Treatment. The Proposal may require an EPL under Schedule 1, Clause 15 Contaminated Soil Treatment if the following applies: (1) This clause applies to contaminated soil treatment, meaning the on site or off site treatment of contaminated soil (including, in either case, incineration or storage of contaminated soil but excluding excavation for treatment at another site). (2) The activity to which this clause applies is declared to be a scheduled activity if— (a) In any case, it has the capacity to treat more than 1,000 cubic metres per year of contaminated soil received from off site, or (b) where it treats contaminated soil originating exclusively on site, it has a capacity— (i) to incinerate more than 1,000 cubic metres per year of contaminated soil, or Page 2 (ii) to treat (otherwise than by incineration) and store more than 30,000 cubic metres of contaminated soil, or (iii) to disturb more than an aggregate area of 3 hectares of contaminated soil. The EPA recommends that DPHI advise the Applicant to provide further information and justification if an EPL under the Protection of the Environment Operations Act 1997 will be required under Clause 15 of Schedule 1 Contaminated Soil Treatment for the Proposal.	With respect to the EPL and <i>Schedule 1, Part 1, Clause 15 of the Protection of the Environment Operations Act 1997</i>(POEO Act) the following notes are provided by Douglas Partners: 2(a): This is not applicable given contaminated material from off-site sources will not be received at the site. Only soils sourced from the site will be treated. 2(b)(i): This is not applicable given the process of incineration is not proposed for soil treatment. 2(b)(ii): ESR in consultation with Douglas Partners has estimated the likely volume of soil needing to be treated and temporarily stored to be in the order of 15,500 m³ (estimated range ~12,500–22,000 m³). This is below the 30,000 m³ referenced in the Clause. 2((b)(iii): The area to be disturbed will be less than 3 ha in the aggregate. As indicated in the RAP, the main areas of contamination concern are shown on Drawing 7, Appendix A1. The total area of the shaded areas shown on Drawing 7 is ~11,000 m² (i.e. 1.1 ha). For the contingency sections, lighter shaded sections associated with Area 1, Area 2, Area 3 and Area 4, the sum of these contingency sections is ~3,100 m². The total area, including the shown contingency sections, is ~14,100 m² (i.e. 1.41 ha). It noted that not all soils in these areas would need treatment, hence, these areas are considered conservative in relations to the Clause. Accordingly, an EPL is not considered to be required under <i>Schedule 1, Part 1, Clause 15</i> of the POEO Act. ESR acknowledges that should the above circumstances change during design finalisation or works then an application would be made to the EPA if and when such time the requirements for an EPL are met.	Appendix Y
Air Quality and Odour The Air Quality Assessment (the Assessment) does not adequately address potential contaminants of concern that are likely to be encountered during the remediation of contaminated land. There is little information regarding the mitigation measures and triggers the potential contaminants may have on sensitive receivers. Further, the Assessment does not adequately meet the Secretary’s Environmental Assessment Requirements (SEAR’s) as the potential sources of odour have not been addressed during the preparation and construction phase of the project. Table 2. Additional Government Authority Advice Requirements of the Assessment states that ‘odour is not considered to be a significant source of emissions during the construction or operation and therefore is not considered further’. The Engagement Outcomes Report recommends that the impacted contaminated soils be covered with fabric or plastic, using dust and odour suppressants and implementing a monitoring program to check the effectiveness of the mitigation measures. The Remediation Action Plan Volume 1 states that the Occupational Hygienist will be responsible inter alia for developing an asbestos management plan and air quality and odour management/monitoring plan for the project. The EPA recommends that DPHI advises the Applicant to: a) Meet with DPHI and the NSW EPA to discuss future licensing and environmental matters in relation to the Environment Protection Licence no. 993 and the Voluntary Management Plan (VMP) prior to any demolition works commencing.	A Construction Air Quality Management Plan would be development with or provided by the engaged construction servicer at the appropriate stage. It is not anticipated that odour would be a significant source of emissions form earthworks. Therefore, this report does not include an odour assessment. Management of remediation is managed separately to the Air Quality and Odour report through the Remediation Action Plan. This addresses emissions of VOCs, some of which may be odorous. Though these VOCs may cause unexpected odours, these odours would be highly difficult to quantify and therefore it is recommended that mitigation is prioritised. Therefore, mitigation of unexpected finds is considered in the updated Air Quality Assessment prepared by SLR and attached at Appendix R.	Appendix R

Summary of Issue Raised	Response	Relevant Document
b) Obtain interim advice from the appointed NSW EPA Accredited Contaminated Sites Auditor regarding any potential evidentiary gaps in source areas that were previously inaccessible following demolition activities to grade and prior to disturbance of sub-surface materials. c) Develop and implement asbestos management plan and air quality and odour management/monitoring plan for the project. d) Prepare and implement a Construction Noise and Vibration Management Plan prior to any demolition activities commencing. The plan should detail all mitigation management measures and monitoring activities that will be implemented to minimise noise impacts on surrounding sensitive receivers throughout the duration of the project. EPA also advised DPHI that the future use of the premises be subject to a Section A2 Site Audit Statement and accompanying Site Audit Report issued by the appointed NSW EPA Accredited Contaminated Sites Auditor		
Sydney Water		
Water Servicing		
- Our preliminary assessment indicates that water servicing should be available for the proposed warehouse development. - Amplifications, adjustments, deviations and/or minor extensions may be required. - A connection to the 250mm watermain along Stephen Road is recommended. - Detailed requirements will be provided at the Section 73 application stage.	Noted. To be implemented as a condition of consent.	N/A
Wastewater Servicing		
- Wastewater services are available for the proposed development. - Amplifications, adjustments, deviations and/or minor extensions to the 300mm wastewater main may be required. - Detailed requirements will be provided at the Section 73 application stage.	Noted. To be implemented as a condition of consent.	N/A
Recommended Development Conditions		
<u>Prior to the issue of an Occupation/Subdivision Certificate:</u> Section 73 Compliance Certificate A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator. Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.	Noted. To be implemented as a condition of consent.	N/A
<u>Prior to the issue of a Construction Certificate/Complying Development Certificate:</u> Building Plan Approval (including Tree Planting Guidelines) The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be	Noted. To be implemented as a condition of consent.	N/A

Summary of Issue Raised	Response	Relevant Document
affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply. Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales. Tree Planting Certain tree species placed in proximity to Sydney Water’s underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees. For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal. For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water’s Technical guidelines – Building over and adjacent to pipe assets.		
Trade Wastewater Requirements		
If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water’s sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission. The permit application should be emailed to Sydney Water’s Business Customer Services at businesscustomers@sydneywater.com.au A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment. If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.	Noted. To be implemented as a condition of consent.	N/A
Backflow Prevention Requirements		
Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply. All properties connected to Sydney Water’s supply must install a testable Backflow Prevention Containment Device appropriate to the property’s hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum. Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property. Before you install a backflow prevention device: 1. Get your hydraulic consultant or plumber to check the available water pressure versus the property’s required pressure and flow requirements.	Noted. To be implemented as a condition of consent.	N/A

Summary of Issue Raised	Response	Relevant Document
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.		
Water Efficiency Recommendations		
Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment. Some water efficiency measures that can be easily implemented in your business are: - Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards) Scheme, http://www.waterrating.gov.au/ - Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to https://www.sydneywater.com.au/your-business/managingyour-water-use/water-efficiency-tips.html - Install water-monitoring devices on your meter to identify water usage patterns and leaks. - Develop a water efficiency plan for your business. It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.	Noted.	N/A
Contingency Plan Recommendations		
Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs. Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned. Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.	Noted.	N/A
Sydney Airport		
This location lies within an area defined in schedules of the Civil Aviation (Buildings Control) Regulations which limit the height of structures to 15.24 metres above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority. The application sought approval for the PROPERTY DEVELOPMENT to a height of 43.6 metres Australian Height Datum (AHD). In my capacity as Manager, Airfield Spatial & Technical Planning and an authorised person of the Civil Aviation Safety Authority (CASA) under Instrument Number: CASA 229/11, in this instance, I have no objection to the erection of this development to a maximum height of 43.6 metres AHD. The approved height is inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc.	Noted.	N/A
Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the Airports (Protection of Airspace) Regulations. Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct. Information required by Sydney Airport prior to any approval is set out in Attachment A.	Construction crane heights as well as a detailed Construction Management Plan will be finalised following completion of detailed design. In the event the CMP requires the use of cranes lower than 51m AHD, no aviation approvals are necessary for the development to proceed. For cranes that intrude the OLS, but remain below the PANS-OPS, they would need to be approved by the Civil Aviation Safety Authority.	Appendix W

Summary of Issue Raised	Response	Relevant Document
"Prescribed airspace" includes "the airspace above any part of either an Obstacle Limitation Surface (OLS) or Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surface for the airport (Regulation 6(1)). The height of the prescribed airspace at this location is 51 metres above AHD.		
Planning for Aircraft Noise and Public Safety Zones: Current planning provisions (s.117 Direction 3.5 NSW Environmental Planning and Assessment Act 1979) for the assessment of aircraft noise for certain land uses are based on the Australian Noise Exposure Forecast (ANEF). The current ANEF for which Council may use as the land use planning tool for Sydney Airport was endorsed by Airservices in December 2012 (Sydney Airport 2033 ANEF). Whilst there are currently no national aviation standards relating to defining public safety areas beyond the airport boundary, it is recommended that proposed land uses which have high population densities should be avoided.	Noted.	N/A
Bayside Council		
Council has reviewed the submitted documentation and raises several objections, below. These objections are predominantly due to a level of missing or incomplete information to demonstrate how the proposal in its current form is suitable for the site and within the locality, and how some site-specific environmental issues will be managed. It is requested that the Applicant provides additional information to address Council's concerns.	Noted. See below.	N/A
Built Form		
<u>1. Site Analysis / Context</u> A detailed analysis has been provided to outline the primary constraints and opportunities of the site, establish fundamental principles for the development and explore several design options for the site. However, the architectural drawings still lack context as the proposed building is largely shown in isolation, and no elevation or section has been provided to show how the proposal relates to the low-density residential context of Stephen Road. A clear and accurate depiction of how the proposal relates to the low-density residential context of Stephen Road has not been provided.	An updated set of Architectural Plans and Design Report has been prepared by SBA and are attached at Appendix F and Appendix I, respectively, which depict the revised built form of the proposed development in context of the residential surroundings.	Appendix F Appendix I
<u>2. Excessive Building Bulk and Scale</u> The front façade and built form of the building must be redesigned to reduce the bulk and scale. This can be achieved through reducing the height of the building, stepping of the built form and providing greater articulation of the façade. A wider landscaped setback also is strongly recommended to help reduce the development's scale and impact on the adjoining residential area. The proposal is of excessive bulk and scale when viewed from the low-density properties. The visual bulk when viewed from properties fronting Stephen Road is even less reasonable given the interface with the R2 Low Density Residential zone.	The revised design of the proposed development has reduced the height of the building from three (3) storeys to two (2) storeys, provided stepped back upper portion, and provided greater articulation of the residential-facing façade. The footprint of the revised design provides a larger landscape buffer between the warehouse and the Stephen Road frontage.	Appendix F Appendix I
<u>3. Interface with R2 Low Density Residential Zone</u> The three-storey warehouse is located opposite the residential area on Stephen Road. The proposed scale of the development scheme results in a poor transition to the lower scale residential neighbourhood to the west. The proposal provides a poor transition between developments in the different zones. Furthermore, as demonstrated in the Viewpoint 6 (Figure 1) extract from the Visual Impact Assessment (VIA), prepared by Geoscapes (dated, 29 January 2025), the building would appear unsightly when viewed from the residential	In addition to the response above, the building's visual impact has been significantly reduced compared to the three-storey design, contributing to a more human-scaled built form and reduces overshadowing on residential neighbours. A revised Visual Impact Assessment has been prepared by Geoscapes and is provided at Appendix L, which provides an assessment of the redesigned built form of the proposed development in comparison with the three-storey design. The highest visual impact rating has been reduced from	Appendix I Appendix L

Summary of Issue Raised	Response	Relevant Document
properties and street level. Refer to Figure 1, which is a view from the street in front of No.42A Brighton Street – located 8 metres above the street level of Stephen Road. Viewpoint 6 is the only location judged to be of high/moderate visual impact significance, with the development obscuring existing easterly views for these homes. However, Council staff consider that the other viewpoints, including viewpoints 5, 7, 8, and 9 also have a high visual impact when viewed from residential properties and public domain from various angles. In this regard, the VIA makes assumptions regarding the scale of vegetation growth in the interface between the industrial zone and the R2 zone. The front landscape area slopes down between the street level and the proposed building. This raises concerns about whether the planting will be able to effectively provide screening of the lower parts of the building as shown in the VIA. Given the height of the proposed building, the trees will not adequately screen the built form. In addition, as noted in the Landscape section of this letter, Council raises concern that the dimensions of the landscape setback will not allow the trees to grow optimally and offset the visual impact of the building. A revised VIA must be submitted in response to any design and landscaping changes to accurately assess visual amenity impacts on the public domain and to the residents located along the western side of the site that are affected by the line of sights to the truck ramp towards the south of Stephen Road.	high/moderate to moderate and several other viewpoints have been reduced from moderate or moderate-to-minor and minor or negligible impacts.	
4. <u>Solar Analysis</u> A review of the solar analysis and shadow diagrams provided in the Design Report, prepared by SBA (dated 18 November 2024), appears to show some discrepancies in depicting the extent of shadow cast over Stephen Road. The section in Figure 2 shows the shadow cast at 10AM, mid-winter as being approximately 49.6 metres in length. This is approximately 10 metres longer than the shadow shown on Page 30 of the Design Report (Figure 3). It is also noted that the position of residential dwellings depicted on shadow diagrams are not included in the survey drawing provided. Further information is required to clearly and accurately demonstrate the extent of overshadowing to existing residential dwelling on the western side of Stephen Road.	The revised two-storey design results in significantly less overshadowing impacts than the previous three-storey design. There will be no overshadowing of any dwellings, with a minor intrusion into the private open space along Stephen Road at 9amm which is considered a minor solar impact. New shadow diagrams have been provided in the updated Design Report at Appendix I.	Appendix I

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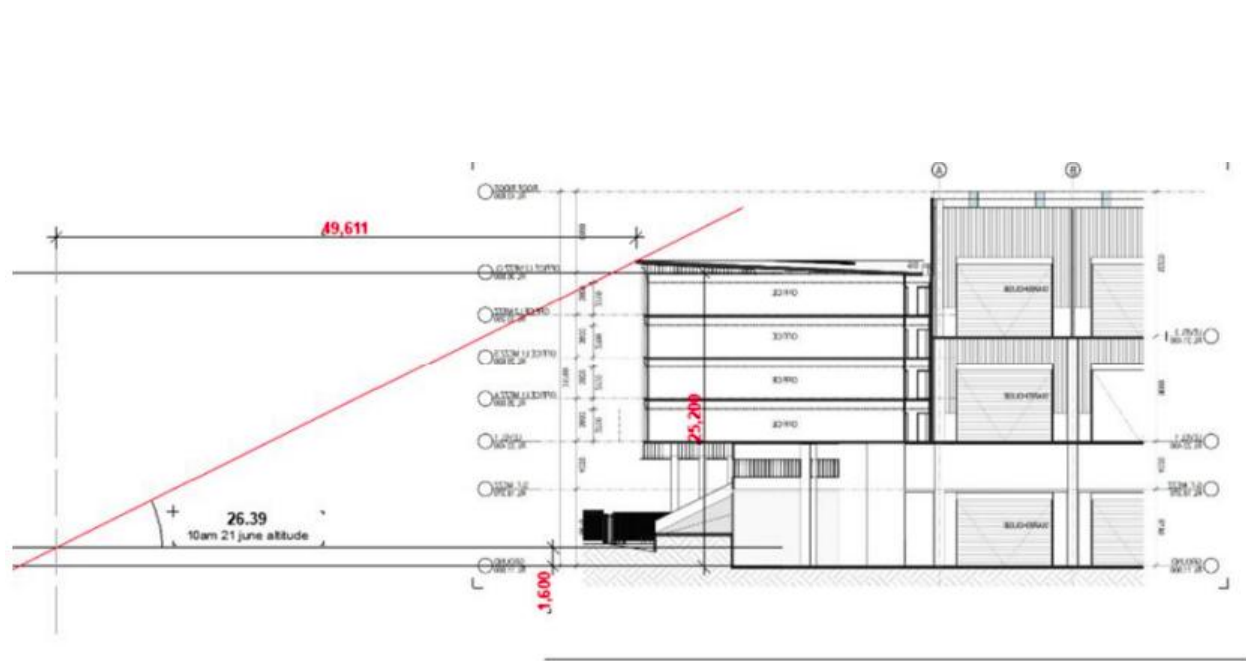


Figure 2: Office Sections - Extract from Office Section A of Appendix F Architectural Plans
(Source: Architectural Plans, SBA)

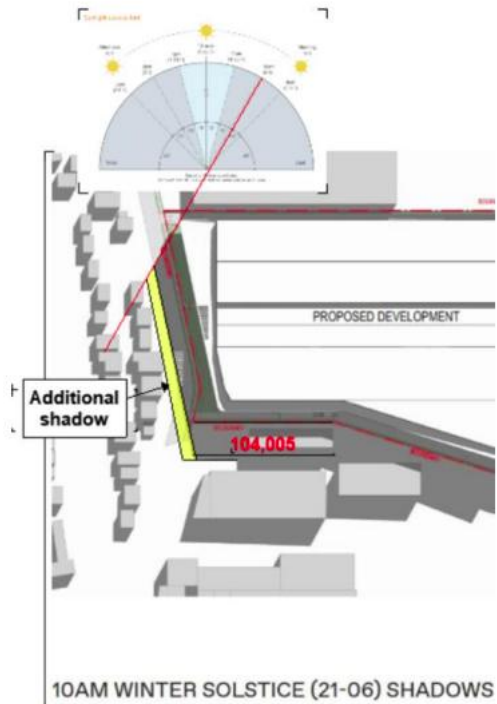


Figure 3: Shadow Diagrams – Extract from Page 30 of Appendix I Design Report
(Source: Design Report, SBA)

5. Built Form / Program

The proposed form provides a functional facility that locates its front of house office facilities on its western façade, fronting Stephen Road. In principle, a robust strategy has been established for the development of the site. However, the proposal’s interface with the neighbouring low density residential zone is unnecessarily harsh. Consideration should be given to the following refinements to improve the interface of the building with Stephen Road:

- The elevated vehicular driveway is an incongruous element that is not consistent with the character of residential streets. The exposed nature of the ramp will result in vehicles elevated 6m above street level being visible from within the residential street. Vehicle headlights may also illuminate upper-level windows in homes opposite the site. It is recommended that the ramp is enclosed within the building, allowing the base of the building to be expressed as a continuous horizontal brick base.
- The proposed development includes an entire street level interface that is inactive. The northern portion of the street is dominated by an elevated vehicle ramp, while the southern portion of the street is addressed by a blank 6m high brick wall. The sunken nature of the Café and the primary pedestrian entry to the facility (located 1.6m below street level) effectively isolates the building from the street and necessitates over 20 metres of switch back ramp to provide access to the building. Given the generous floor to floor height proposed, it appears possible to elevate the entrance and Café to provide level access from the street, without compromising the building's layout.

As described above, the revised two-storey design results in a significantly softer interface with Stephen Road. The vehicle ramp remains located on the Stephen Road frontage but will be screened from view but the proposed façade materiality. This materiality will ensure that headlights will not create any head light impacts on the adjacent residential dwellings.

The café has been removed from the scheme. The office component of the development will activate the street frontage alongside the open space areas for the staff located along Stephen Road. The proposed façade treatment has been selected to reduce impacts to the adjacent residential dwellings. The building has been stepped down from the street to reduce visual bulk and scale impacts whilst also reducing the potential of privacy and lighting issues for the residential dwellings from the proposed development.

The brick façade has been proposed to present as a single storey which is comparable to the surrounding 2 storey residential dwellings which will be screened by existing and proposed landscaping.

Appendix F
Appendix I

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- The brick base to the building fronting Stephen Road is in excess of 6m in height (comparable to a 2-storey residential dwelling). The wall is largely blank / lacking in articulation, particularly in its southern portion. Consideration should be given to providing articulation within the brick work that may also contribute to providing some natural lighting to the spaces it serves. - The inclusion of landscaping within the street setback will also contribute to the street presentation of the proposed MLWH development. Refer to the Landscaping section of this letter.		
6. <u>Building Aesthetic</u> The proposed material palette depicted in the Design Report (Page 23), and specified on the Elevation Plans, provides an acceptable selection of materials. However, further refinement of the western façade is recommended as outlined in the Built form / program section above.	As part of the revised scheme, the design of the western façade and interface with the Stephen Road frontage has been refined to achieve a softer visual character and impact on views.	Appendix F Appendix L Appendix I
7. <u>Environmental Issues</u> The offices servicing the facility orient large areas of floor to ceiling glazing to the west, this approach is contrary to good passive design principles. Consideration should be given to reducing the extent of glazing / the provision of solar screening.	A reduction of glazing to the west has been incorporated into the revised scheme.	Appendix F Appendix I
8. <u>Draft Concept</u> The proposed scheme includes departure from the design proposed in the Scoping Report at the SEARs stage regarding the transition to the Stephen Road frontage including a stepped setback design (see Figure 4 below). A stepped setback building frontage could provide a gentler transition and address other concerns stated above.	As this comment is related to the three-storey design, this consideration is no longer relevant as the revised design involves substantially less of a visual impact when compared to the draft concept or the three-storey design.	Appendix F Appendix I



Landscaping		
9. Minimum Landscape Requirements At least 10% of the total site area 4,818.6m² must be landscaped in addition to the 3 metres wide landscaping setback along the frontage as per Control 13 in Section 6.4 of the BDCP 2022.	A revised landscape plan has been prepared by Geoscapes and is attached at Appendix U . The proposal will achieve 5,566m² of landscape area and 4,858m² of canopy cover across the site. The	Appendix U

Summary of Issue Raised	Response	Relevant Document
Council staff have calculated the proposed landscape area to be approximately 2,960.9m² (6.1%), plus a 3m wide front landscape setback. The proposal fails to meet the minimum required landscape area as specified in the BDCP 2022. Furthermore, the BDCP 2022 defines landscaping as areas not occupied by buildings, structures, or primarily used for purposes like parking, access, or manoeuvring (Section 3.7.1). A section of the designated landscape area under the multi-level car park on Coal Pier Road is not considered usable deep soil landscaping and should not be included in the landscape area calculation. Planting or turf in this area is unlikely to thrive due to conditions created by the overhead structure, such as shading and water stress, which would hinder plant growth. The proposal indicates a total of 863m² of landscaped area will be provided in the front setback facing Stephen Road (excluding the 3m-wide front landscape setback), which represents about a quarter of the required site area 4,818.6m². Control C34 in Section 6.4 of the BDCP 2022 states that most landscaping should be located at the street frontage of the development. Therefore, the amount of landscaped area in the front setback must be significantly increased to meet the BDCP 2022 objectives and controls.	majority of landscaping is located at the front and rear setbacks along the Stephen Road and Coal Pier Road frontages to assist in the screening and softening of the development.	
10. <u>Insufficient Landscape Setback on Stephen Road</u> The proposal should include landscaping along the site's perimeter, scaled appropriately to the proposed built form and to create a pedestrian-friendly environment in the public domain, as per Control C33 in Section 6.4 of the BDCP 2022. The proposed ground level of the landscaped area along Stephen Road is lower than street level, which will reduce the effectiveness of the landscape buffer for the adjoining residential area. Therefore, the proposal must provide a wider landscape setback on Stephen Road to reduce the visual impact of the proposed built form to the R2 low-density residential properties located west of Stephen Road. While the proposal meets the minimum front landscape (3m) and building (9m) setback requirements of the BDCP 2022, the proposed landscape buffer and tree plantings are inadequate to screen or reduce the visual impact of the building due to the scale of the development. Existing eucalyptus trees are around 15-20m tall, and proposed species like E. gummifera and E. maculata may reach 15-25m after 10-20 years, while Elaeocarpus eumundi can reach to a mature height of 5-10m. These will not provide adequate screening for a proposed 32m building. A precedent for a wider landscape buffer reducing the impact of a large industrial site can be seen at the adjoining 28 Swinbourne Street, Banksmeadow. The combination of a wider setback and a smaller built form results in a more appropriate development scale and transition to a residential area. The Bayside Bike Plan 2024 identifies Stephen Road as a north-south priority cycle route connecting Botany Bay to Maroubra. The design of frontage works must allow a 2.5m wide shared path on the eastern side of Stephen Road, with localised narrowing to protect existing trees.	Landscaping has been incorporated into the design of the development to reduce building bulk and scale, increase native plantings on the site and create a comfortable shaded environment for workers especially within the office spaces along Stephen Road. A 10m building setback has been provided that will be generally landscaped and extensively planted to create an effective landscaped buffer to the development. As part of the revised design, the bulk and scale of the proposed building have been significantly reduced and therefore can be adequately screen by surrounding vegetation. The footprint of the revised design provides a larger landscape buffer between the warehouse and the Stephen Road frontage. The landscape plans have also been updated to respond to feedback received and ensure suitable species have been selected to contribute to effect landscape screening. No works are proposed to the public domain area that will impact the construction of the potential future shared path.	Appendix U
11. <u>Extensive Tree Loss</u> The Landscape Detail Plans, prepared by Geoscapes (dated, 25 October 2024), propose the removal of existing trees on the northern boundary. The significant loss of mature trees along the northern boundary of the site is unacceptable. The design must be revised to preserve existing mature trees where possible. The proposal does not meet the objective of the Bayside Council's 2032 Community Strategic Plan and Urban Forest Strategy 2024-2040, which aim to increase the tree canopy across the Bayside LGA, contributing to the NSW government's goal of a 40% tree canopy for Greater Sydney by 2040.	The revised Landscape Plans identify the prioritisation of preserving existing trees on the site, particularly those on the northern boundary. A 7.5m setback including 1.5m of landscaping is provided to the northern boundary. This setback is considered suitable as a result of the requirements for fire access. It is noted that the proposed landscaping area is consistent with the existing site conditions which support the existing tree species that are proposed to be retained along the boundary.	Appendix U

Summary of Issue Raised	Response	Relevant Document
The proposal does not meet the objectives set out in SEPP (Transport & Infrastructure) 2021, which emphasizes preserving trees and vegetation to maintain area amenity and biodiversity. Existing trees should be retained where they positively contribute to the streetscape or neighbouring properties.		
12. <u>Insufficient Landscape</u> Setback on the Northern Boundary The existing mature trees along the northern boundary provide significant canopy, privacy, and amenity. The proposal must be redesigned to preserve these trees, ensuring a positive boundary interface and maintaining the tree canopy. The proposal is not compliant with the 2m wide planting buffer required for the fire brigade staging area, as outlined in Control 14 of Section 6.4 in the BDCP 2022.		
13. <u>Insufficient Information on Landscape Plans</u> Plans lack detail such as existing and proposed levels, cut and fill, particularly existing and proposed retaining wall heights and terracing within the front setback. In addition, the location of landscape sections are not identified on the Landscape Plans. The Landscape Plans shall be amended to provide sufficient details in order to adequately assess the proposal.	The revised Landscape Plans have been provided at Appendix U.	Appendix U
14. <u>Protection of Existing Trees</u> Significant construction works are proposed within the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) of existing trees in the streetscape and front setback on Stephen Road, including replacement of existing retaining walls and removal of hard stand areas. The proposal should demonstrate that the existing trees will be protected to ensure minimum disruption both during and post-construction.	An updated Arboricultural Impact Assessment has been prepared by Arborscan and is attached at Appendix O. The updated assessment provides recommendations for the protection of NPZ, TPZ and SRZ of existing trees.	Appendix O
15. <u>Inappropriate Western Façade Balcony</u> The proposed landscape treatment on the western balcony requires refinement as the planter beds shown in the Landscape Plans appear removable. Instead, integrated and raised planters are required. The plant species selected for the west-facing balconies (Buxus microphylla, Aspidistra elatior, Adiantum aethiopicum, Blechnum 'Silver Lady', Viola hederacea) are inappropriate for this aspect. Balcony planting should include small trees, shrubs, and 10 understory plants suited for screening and shading, with appropriate soil depths as specified in Bayside Council's Landscape Technical Specification. All species shall be low-water-use and suitable for the western aspect. All planting, whether in deep soil or on structures, shall adhere to Bayside Council's Landscape Technical Specification.	As part of the revised design, the western balcony no longer provides planter beds. Outdoor areas for staff are provided on the ground floor with extensive planting to align with council comments.	Appendix F
16. <u>Outdoor Staff Area</u> The outdoor staff recreation area controls in Section 6.4 Industrial Premises of the BDCP 2022 state that outdoor staff recreation areas should be designed to receive direct sunlight for the four hours between 10am and 2pm during mid-winter as well as provide shading in the summer. The proposed outdoor staff amenity area in the Landscape Master Plan (Figure 5) is located towards the southeast of the site and is not favourable for use as it is shaded from the sun due to being underneath and surrounded by the elevated truck ramps. This will also result in excessive noise from circulating trucks. Some plans also show the adjacent grassed area within the ramp being used for stormwater detention which could create amenity or safety issues for staff in the adjacent outdoor space.	Outdoor balcony and landscaped areas are provided within the development for the office spaces, which would provide amenity for future workers within the development. Internal tenancy fit outs will be subject to future applications. The balconies have been stepped down to ensure suitable solar access to these areas which will include suitable spaces for seating and landscaping. Staff outdoor areas are now located along the eastern portion of the site for the eastern office spaces which will receive suitable solar access. A north facing staff amenity area is not considered suitable to align with the proposed office locations and the site layout as there would be insufficient space to support a meaningful and useable landscaped outdoor area for staff.	Appendix F

Summary of Issue Raised	Response	Relevant Document
A more suitable outdoor staff area shall be provided, preferably in an east or northfacing location, to improve usability of the space.		
17. <u>Pedestrian Safety and CPTED Principles</u> All planting in the interface with the public domain shall follow Crime Prevention Through Environmental Design (CPTED) principles. The proposal lacks an active street frontage and opportunities for passive surveillance on Stephen Road. This is exacerbated by the change in levels between street level and the building entry (1.6m approx.). The design and location of the café and front entry should be redesigned to better activate and address the street. The car park design near Coal Pier Road does not ensure a safe pedestrian environment. The proposal should prioritise safe pedestrian movement, including entry from Coal Pier Road and navigation within the car park, without reducing the landscaped area. It must also include adequate, safe lighting—both on the street and within the complex—along with appropriate planting and the retention of clear sight lines.	The café has been removed from the scheme. The office component of the development will activate the street frontage alongside the open space areas for the staff located along Stephen Road. The proposed façade treatment has been selected to reduce impacts to the adjacent residential dwellings. The building has been stepped down from the street to reduce visual bulk and scale impacts whilst also reducing the potential of privacy and lighting issues for the residential dwellings from the proposed development. The proposal has prioritised increased landscaping and other design measures to reduce the bulk and scale of the development to respond to feedback received within submissions. Suitable lighting and surveillance will be provided on the site to ensure a safe pedestrian environment is provided.	Appendix F
Tree Management		
18. <u>Tree Protection and Retention</u> The EIS is accompanied by an Arboricultural Impact Assessment, prepared by ArborScan, dated 13 December 2024. The proposal requests the complete stand of trees numbered 7-87 along the northern boundary be removed to accommodate the development. Council's Tree Management Officer does not support the removal of trees 7-87. All trees along the northern boundary of the site shall be retained. The proposed development must be modified to accommodate the retention of these trees. However, priority Weeds under the Biodiversity Conservation Act 2016 at this location can be removed.	The proposed development has been modified to retain trees along the northern boundary.	Appendix O Appendix U
19. <u>Tree Offset Controls</u> The proposed development includes the removal of live trees. To offset the loss of canopy the applicant is required to replace the trees at a ratio of 3 trees planted for each tree removed. The consent specifies that a Tree Location Plan must be lodged with Council prior to the issue of a Construction Certificate, nominating the location and species of trees to be replanted. Where the applicant is relying on a Deed of Agreement with Council to satisfy this requirement, the agreement must be in place prior to the issue of a Construction Certificate.	The Arborist report identifies 61 trees to be removed and proposed in the landscape plans are 195 trees. Tree Location Plan is to be implemented as a condition of consent.	Appendix O Appendix U
20. <u>Deed of Agreement</u> In accordance with the BDCP 2022, Section 3.8.2 accepts offset planting on public land subject to an application or property owner entering into a Deed of Agreement that is supported by a condition of consent under s4.16 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Agreement is to provide for a funding arrangement between the applicant and Council where Council has approved removal of tree's required by way of a condition of consent. An applicant may choose to replant all required trees on private land at the required ratio, or enter into an arrangement with Council to provide funding to Council for the replanting of trees on public land.	Noted. To be implemented as a condition of consent.	N/A
Engineering		

Summary of Issue Raised	Response	Relevant Document
21. <u>Floodplain Management</u> a) The submitted Civil Engineering Report includes only a limited desktop analysis of flooding and overland flow which is not supported and does not allow any understanding of the development's impact on floodplain behaviour. The site is flood affected and a thorough analysis and 2D modelling of floodwater behaviour is required. A Flood Study shall be provided that assesses the flooding impacts of the development with 2D flood modelling as per the flood controls in the Bayside DCP Section 3.10 & Section 9.5.4, including the NSW Government's Flood Prone Land Policy & Flood Risk Management Manual.	An updated Civil Engineering Report has been prepared by Costin Roe and is attached to this submission at Appendix U. Refer to Section 8 of the updated report for 2D flood modelling results and floodwater behaviour. Site drainage and the Council pipe realignment has been included in the model.	Appendix U
b) The 2D modelling to include the site drainage including the OSD draining and the Council pipe realignment.		
c) The Flood Study shall fully comply with Bayside DCP 2022 Section 3.10 and Section 9.5. Two-dimensional (2D) flood modelling shall be submitted demonstrating that the development will have less than or equal to 10mm impact (afflux) on surrounding properties (including the road reserve) in the 1% AEP flood event (including 1% AEP climate change and 1% AEP sea level rise flood event) and, less than or equal to 50mm impact (afflux) in the PMF flood event. Existing flood hazard shall not be increased on surrounding properties (including the road reserve) because of the development for all flood events up to the PMF.		
d) Accurate pre and post development 2D flood modelling demonstrating that the development complies with the abovementioned controls shall be submitted. If a flood mitigation measure is required, it must be demonstrated through 2D flood modelling that any flood mitigation measure proposed will result in compliant flood afflux in the post development scenario for the 1% AEP & PMF flood events.	No flood mitigation measures are proposed nor required for the proposed development.	
e) All relevant flood maps as per Bayside DCP Section 3.10 and 9.5 to be provided including commentary on the tailwater, blockage factors etc, and any proposed flood mitigation measures.	Refer to Section 8 of the updated report for 2D flood modelling results and floodwater behaviour.	
f) A soft copy of the 2D flood modelling (TUFLOW) is to be submitted.	A soft copy of the modelling has been provided.	
g) A Flood Planning level assessment has not been undertaken for the development (i.e. no assessment was made of the proposed finished floor levels on the architectural plans in relation to the adjacent flood levels). Section 7.6.1 of the Civil Engineering Report is inadequate. It must be confirmed that all habitable areas and non-habitable areas are sufficiently protected from floodwaters. A comprehensive review of all non-habitable and habitable floors on the ground level with the highest flood level (spot levels) taken adjacent to these floors from the post development flood modelling to determine the adequacy of the adopted floor level. Habitable floor levels need to be physically protected to the 1% AEP flood level + 500mm freeboard.	The 1% AEP flood level is noted to be RL10.13 at location 2 and location 7 per the Bayside Council Flood Advice Certificate (Ref: FA-2024/211) dated 19 September 2024. The proposed development will be sited at RL11.90 which achieves more than the required 500mm freeboard above the 1% AEP flood level.	
22. <u>Council Stormwater Realignment</u> a) Council does not have any records of Council stormwater pipe traversing through the site; however, the submitted information indicates there is a Council stormwater pipe present that mainly drains Stephen Road to Coal Pier Road. There is an existing easement over the general location of the stormwater pipe and full details 13 of all easements benefitting and burdening the site shall be submitted to Council for review. Full terms of all easements to be submitted. No consultation was made regarding the realignment of the Council stormwater pipe.	Terms of easement have been provided by the surveyor at Appendix II .	Appendix II
b) The proposed realignment of Council's stormwater pipe is not supported. The proposed realignment proposes additional bends in comparison to the existing alignment which causes inefficient flows and head loss in the Council pipe which is not supported. The Council pipe realignment must be revised to remove the sharp bends.	The bends in the proposed pipe realignment has been incorporated into the design to maintain existing trees located at the south-west corner of the development site fronting Coal Pier Road. The	

Summary of Issue Raised	Response	Relevant Document
	pipe realignment (including bends) has been assessed in DRAINS using Hydraulic Grade Line (HGL) analysis to confirm the pipe can convey the peak flows with the head loss as a result of the bends.	
c) A full and accurate survey of the existing Council stormwater pipe traversing though the site shall be submitted. The Survey Plan does not properly indicate the exact location of the Council stormwater pipe and, the existing alignment of the stormwater pipe is only shown by the CRE plans and appears to be an assumed location. Furthermore, a survey of the Council drainage system of the downstream and upstream of the stormwater pipe realignment is to be provided (i.e. survey of Council drainage in Stephen Road and Coal Pier Road) including the pipe size and pipe invert level. This shall include Council has limited data on the discharge on Coal Pier Road and full drainage survey of Coal pier road to be submitted.	A letter from MNG Landpartners has been provided at Appendix II , confirming the location and alignment of the stormwater pipe.	Appendix II
d) The proposed stormwater pipe realignment is not within the proposed Council drainage easement. This is not supported. The new Council stormwater pipe realignment must be within the proposed Council drainage easement as per Section 8 of the Bayside Technical Specification Stormwater Management.	As noted above, the pipe realignment is proposed to be provide clear of existing retained trees. The existing easement will be required to be redefined to match the proposed pipe realignment.	Appendix U
d) The width of the proposed easement over the Council stormwater pipe realignment is not shown on the plans, the width of the easement is to be as per Section 8 of the Bayside Technical Specification Stormwater Management.	The proposed easement is to be 3m wide.	Appendix U
e) The Council stormwater pipe realignment cannot be used to capture the run-off from the development. All run-off from the development (5% AEP and 1% AEP) is to be directed into the internal drainage system. Surface flows in the major event (1% AEP) for the internal drainage system shall be designed not to be directed into the Council stormwater pipe.	Noted.	N/A
f) The DRAINS Model is to be revised for the stormwater pipe realignment and must include a DRAINS catchment plan showing the catchment draining into each pit.	A download link for the DRAINS model has been provided.	Appendix U
23. <u>Internal Stormwater Drainage</u>	Refer to survey showing existing discharge point to Coal Pier Road.	Appendix H
a) The Civil Plans do not show a legal point of discharge. This is not supported. The plans show a pit at the boundary which does not drain anywhere. Council has limited details of the existing drainage on Coal Pier Road. The development has not provided any method of drainage connection into Coal Pier Road.		
b) The required pollution reduction targets as per Bayside Technical Specification Stormwater Management Section 7 are not met in the stormwater design and are shown to be significantly lower than the required pollution reduction targets, which is not supported. An 85% reduction is to be met for the total suspended solids and currently shows only a 3.7% reduction which is wholly inadequate. Furthermore, the gross pollutants are to be a minimum 90% reduction target whilst the table shows only 45.7%. The development must be revised to ensure the targets are met. A MUSIC screenshot of the pollution reduction targets is to be provided. A revised MUSIC Catchment Plan is to be submitted, which is to be coordinated with architectural plans and the MUSIC Model.	Refer to revised modelling at Section 7 of the Civil Engineering Report	Appendix U
c) The submitted DRAINS Modelling is incorrect for the OSD, as it does not model the bypass and does not include the tailwater condition. The pre to post development flows modelling is not supported as it shows the post development exceeds the pre-development flows. The OSD is designed incorrectly. The development must be revised to comply with Bayside Technical Specification Stormwater Management Section 6.	Refer to revised modelling at Section 5 of the Civil Engineering Report	Appendix U
d) An OSD Catchment Plan is to be provided showing the impervious (roof and hardstand) and pervious area draining into the OSD system. Also show the bypass area. If there is OSD bypass, the OSD storage is to be modified as per Section 6.5. the OSD bypass is not to exceed 15% of the total site area (If the bypass exceeds 15%	Refer to drawing SSDA410 for catchment plan.	Appendix U

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then the PSD for the total site area shall not exceed the pre-development flows for the state of nature for all storms). The OSD Catchment Plan and the WSUD Catchment Plan are to be coordinated with each other, including the bypass.		
e) The catchment areas in the DRAINS Modelling and the MUSIC Model do not add up to the total site area. This is not supported and does not correctly model the whole site drainage system. All the catchment areas in the OSD and WSUD Catchment Plan shall be revised to add up to the total site area of 4.816ha. The current DRAINS Model must be revised to add up to the total site area and include a tailwater condition in relation to the legal point of discharge either the 1% AEP flood level or the surface level of the grate, whichever is higher. The MUSIC Catchment Plan is incorrect as it does not show the elevated ramp which sits above the car park, sprinkler tank and OSD, the cat landscape bypass and the OSD bypass are shown as 0% impervious which is incorrect, given there is an elevated ramp.	Refer to revised MUSIC and DRAINS model.	Appendix U
f) An HGL analysis for all internal drainage lines into the OSD is to be provided. Given the significant size of the site and its position upstream in the catchment, all the minor and major flows shall drain into the OSD. It must be demonstrated that all surface flow paths are drained into the OSD to ensure that all major flows are captured and detained with the OSD. If it is not possible to capture the major flows via surface drainage, then the inground drainage is to be upsized to capture the 1% AEP flows and must be demonstrated on the HGL.	Refer to DRAINS model.	Appendix U
g) An HGL analysis for the drainage discharging from the OSD is to be provided including the bypass drainage and the discharge into the existing drainage in Coal Pier Road shall be provided. Compliance with Section 3.2.5 Bayside Technical Specification Stormwater Management must be demonstrated. An upgrade of the existing drainage in Coal Pier Road is likely required, as the report notes the existing stormwater drainage is drained into a 3 three phase oil and sediment separator with a 600m ³ first flush basin, which is then all pumped through a neighbouring property that drains to a different catchment other than Coal Pier Road. This means the existing drainage in Coal Pier Road may not be sufficient to accommodate the run-off from this development.	HGL analysis has been undertaken as outlined within the Civil Engineering Report.	Appendix U
h) A pit schedule is to be provided showing the pits fitted with the Oceanguards.	Refer to drawing SSDA452 for pit schedule.	Appendix U
i) The rainwater tank size is to be a minimum 120kl as per Bayside Technical Specification Stormwater Management Section 7.2.1, and is to maximise the catchment of the roof draining into the rainwater tank. The current rainwater tank (shown as 70kl on the stormwater plans) is incorrectly sized. As per Section 7.2.1 e) of the Bayside Technical Specifications Stormwater Management the rainwater tank is to be a minimum of 120kL, and must be connected for re-use for the toilet flushing for all floors and landscape irrigation. The MUSIC model is to include the 120kl rainwater tank.	Refer to drawing SSDA400 showing 120kL rainwater tank.	Appendix U
j) The hydrant tank to be separated from the OSD.	Refer to drawing SSDA460 showing the hydrant tank separated from the OSD with a dividing wall.	Appendix U
24. Traffic, Parking and Access	An updated Traffic Impact Assessment (TIA) has been prepared by Traffix and is attached at Appendix M . Fire truck swept paths are provided at Appendix C of the updated TIA.	Appendix M
a) Fire truck swept paths to Stephen Road were not provided, these swept paths for are to be provided for manoeuvring into and out of the driveways to Stephen Road. There shall be no loss of on-street parking for residents to accommodate the swept paths of the fire trucks.		
b) The Traffic Impact Assessment (TIA) report does not undertake any future year assessment. This is not acceptable. The TIA shall be revised to undertake a future year traffic generation assessment (10 years after development completion) as per the Guide to Transport Impact Assessment, Section 3.4.1. A development of this	The submitted TIA is robust and comprehensive. It has been prepared in accordance with the Guide to Traffic Impact Assessment (GTIA) and directly responds to Transport for NSW's review comments, which did not require any further sensitivity testing or extended horizon modelling. The assessment	Appendix M

Summary of Issue Raised	Response	Relevant Document
scale needs to assess the future 10-year scenario on the intersections listed in Tables 7 & 8 of the TIA. Further traffic modelling is required to be presented for this development to properly understand the traffic impacts.	has also accounted for surrounding committed developments, which collectively generate traffic volumes approximately double that of the proposed development. Accordingly, the TIA exceeds standard transport assessment requirements. a 10-year horizon assessment has been undertaken. Section 8.4 of the updated TIA demonstrates that the surrounding road network will continue to operate within capacity with the proposed and committed developments, including a 10-year horizon incorporating background traffic growth (note that this results in double-counting the committed developments).	
c) It must be confirmed that all truck access for the development will be obtained from Coal Pier Road and that restrictions will be in place to prevent trucks from accessing the site from Stephen Road. The Applicant needs to provide further detail in relation to what measures will be in place to prevent trucks from attempting to enter the site via the large driveways on Stephen Road.	All truck access will occur from Coal Pier Road. Trucks will be directed to utilise the approved truck access routes from Botany Road to access the site. Large driveways are not provided on Stephen Road which will also physically restrict truck access.	Appendix M
Transport Impacts		
25. <u>Strategic Context</u> Recognition and reference to the relevant State and Bayside Transport Strategies (including SE Sydney Transport Strategy) should be cited in addition to the Greater Sydney Region Plan and Eastern City District Plan.	The proposal aligns with the strategic directions of the Southeast Sydney Transport Strategy and Bayside Council's Local Transport Strategy, which promote sustainable transport outcomes, mode shift, and efficient use of existing transport infrastructure. To support these objectives, a Green Travel Plan (GTP) has been separately prepared and submitted as part of the application as a proactive measure to encourage sustainable travel behaviour, prioritising walking, cycling, and public transport use. The GTP also facilitates the compliant and forward-looking provision of bicycle parking, motorcycle parking, and electric vehicle (EV) charging infrastructure within the development, demonstrating a commitment to integrated, low-emission, and future-ready transport solutions. By incorporating these measures, the development not only meets but exceeds standard transport sustainability expectations.	Appendix M
26. <u>Cycling networks</u> The site has high potential for considerable active transport mode share by employees. This has been further explored briefly in the Green Travel Plan (GTP), prepared by Traffix (dated, November 2024). Amended plans for the development should allow for the presence of (or setback from) a future bi-directional cycleway on the kerbside of Stephen Road (Route NS8 on the Bayside Bike Plan). Currently an undefined on-road cycle route exists, however, as designated in the Bayside Bike Plan 2024, Council have identified an upgrade of the road space of Stephen Road to accommodate a future cycleway link between Eastgardens and Botany Bay/Sir Joseph Banks Park. Access from this Stephen Road cycleway to the end-of-trip facilities within the development should be clear and well signposted and 'bicycle access' marked on the Site Plans adjacent to existing 'pedestrian access'.	The proposed bi-directional cycleway identified as Route NS8 within the Bayside Bike Plan 2024 appears to be located within the existing Stephen Road road reserve. Any future reallocation of carriageway space or delivery of cycling infrastructure within the public domain is a matter for Council and does not necessitate additional setbacks as part of the proposed development as no works within the public domain are proposed. The development has been designed to provide direct and legible bicycle access from Stephen Road to the proposed end-of-trip facilities. Bicycle access has been identified on the architectural drawings accordingly. On the above basis, no additional setback is considered warranted from a traffic engineering perspective.	Appendix M
27. <u>Pedestrian Access</u> Future Site Plans should include detail relating to pedestrian walkways within the car park and loading areas. Designated pedestrian access corridors should be identified within the Site Plans, clearly marked within these areas of vehicular movement.	The internal car park and loading areas are designed as low-speed shared environments. Loading hardstand areas are high-risk, staff-only zones, as is typical for industrial warehouse developments, while the car park functions as a conventional low-speed environment accommodating vehicle manoeuvres and safe access to building entrances. Formal line-marked pedestrian corridors within active loading and manoeuvring areas are not proposed, as such treatments can create an implied pedestrian priority and a false sense of security within areas intended to operate as controlled shared zones. Instead, pedestrian access to building entries is clearly legible from all parking areas and supported by appropriate signage and pavement	Appendix M

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	treatments at key interface points. The design intent is to minimise conflict through visibility, controlled vehicle speeds, and clear separation of user types, rather than through line marking.	
28. <u>Public Transport</u> Bus routes 307 and 309 provide regular services and with 2 x bus stops located within 200m of the site. These stops are expected to be well utilised and were recently upgraded by Council. A path and public domain upgrade between the site and the bus stops should be considered to enhance pedestrian amenity and utility of nearby public transport services.	The TIA has assessed the bus routes outcomes. Refer to Section 8 and Appendix C of the updated TIA.	Appendix M
29. <u>Electric Vehicle (EV) Charging Spaces</u> It is noted that the EIS (page 85) identifies that the development should consider equipping at least 25% of car spaces with “future EV charging capacity”. This is not compliant with the BDCP 2022 rates for commercial developments: that at least 20% of the 243 parking spaces are provided with EV chargers. There is also no allocation of EV charging spaces on plans as required in the BDCP 2022. The development should be amended to meet or exceed these BDCP 2022 requirements.	Architectural plans updated to reflect the revised scheme have been provided at Appendix F . The proposed design is capable of facilitating future EV parking spaces to meet Bayside DCP requirements.	Appendix F Appendix M
30. <u>Car Share</u> There is no inclusion or mention of car share in parking allocation within the development – Reference is made to the Bayside DCP 2022 and provision of car share for commercial premises requiring 1 car share space for every 1000m² of office GFA. Detail of this should be provided as part of the proposal with further detail outlined in the GTP. Location of the Car Share vehicles should be grouped together and in publicly accessible spaces (e.g. visitor parking areas adjacent to Stephen Road entrance).	Commercial premises are defined in the Bayside LEP 2022 as: - Commercial premises means any of the following: a. Business premises, b. Office premises, or c. Retail premises A warehouse and distribution centre is separately defined as: - Warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and does not include local distribution premises. Accordingly, there are no statutory car share requirements applicable to a warehouse or distribution centre under the Bayside DCP 2022. It is also noted that the office spaces within the development are ancillary to the warehouse, with all parking requirements provided onsite. As such, provision of car share spaces would be considered unnecessary, excessive and inappropriate in this context.	Appendix M
31. <u>Traffic, Transport and Accessibility</u> A summary of the traffic generation has been provided in the Traffic Impact Assessment, prepared by Traffix (dated, November 2024). Council encourages consultation with Transport for NSW (TfNSW) related to capacity of Botany Road, Excell and Hill Street intersection and the LoS of increasing volumes of heavy vehicles relying on this ingress/egress to Coal Pier Road. Enhancement of the heavy vehicle access route on Coal Pier Road to the Banksmeadow Industrial precinct should be considered by TfNSW to be inclusive as part of any early planning of any future Sydney Gateway Stage 2 (Port Botany to West Connex).	Noted.	N/A
32. <u>Bicycle Parking</u> The 114 Bicycle parking and 20 Motorcycle spaces are noted as meeting the BDCP 2022 requirements. Design of the paths and ramps that leading to and from the future Stephen Road cycleway (detailed as route NS8 in the Bayside Bike Plan) is requested so as to provide easily accessible end-of-trip facilities and bike parking spaces.	Architectural plans updated to reflect the revised scheme have been provided at Appendix F. A total of 78 bicycle parking spaces have been provided, as well as 16 motorcycle spaces and end of trip facilities.	Appendix F Appendix M

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It must be confirmed that the end of trip facilities provided comply with the requirements of Section 3.5.4 in the BDCP 2022.		
33. <u>Green Travel Plan</u> Figures that reference Traffic Movements should be updated to include bicycle access movement to and within the site. Figure 2 in the Green Travel Plan (shown below, Figure 8) is incorrect and shows a site in Waverley near Bondi Junction. Please correct this image and note the route detail in the Bayside Bike Plan 2024 and actions to advocate for use of the cycleway when complete. 34. Please include detail within the GTP of specific EV charging provision requirements rather than a general statement. Council reiterates that a GTP is not a one-off document – but a process of ongoing action, review, and improvement.	Section 4.1.3 of the updated TIA has been updated to include pedestrian routes between the future cycleway along Stephens Road to the bicycle parking and end of trip facilities. Figure 2 has been updated with the correct image. The development proposes a total of 48 car parking spaces to be provided with EV chargers, in accordance with the Bayside DCP. It is agreed that a Green Travel Plan is an adaptive management framework and will be subject to ongoing action, review and improvement.	Appendix M
Contaminated Land		
35. Council notes that the site is currently considered significantly contaminated under the Contaminated Land Management Act and is regulated by the NSW EPA. Remediation of total petroleum hydrocarbons (TPH) and Toluene, Ethylbenzene and Xylenes (TEX) contaminants in groundwater in the central/western and eastern section of the site, and in groundwater migrating off-site is currently occurring under an approved Voluntary Management Plan (VMP). This remediation involves in-situ bioremediation in the source area and air sparging/soil vapour extraction at the downgradient boundary of the site. The expected timeframe for remediation completion and VMP closure is currently 2027. Council also notes that the site suitability for the proposed development relies on the completion of the above remediation by 2027, with no residual contamination posing a risk requiring remediation (including design measures) in the proposed development. The Remediation Action Plan (RAP) provided for the development will focus purely on remediation of soils and include: - Remediation and validation of the aboveground storage tank and underground storage tank farms; - Placement of the soils with organochlorine pesticide (OCP) concentrations above the RAC in a containment cell lined with a low permeable liner; - Ex Situ remediation (biopiles) of volatile organic compounds (VOC) and total recoverable hydrocarbons (TRH) / total petroleum hydrocarbons (TPH) contaminated soils from above the groundwater table; - Capping of all asbestos and lead contaminated soils (i.e. all fill and non-validated natural soils) across the full extent of the Site with a geotextile marker layer and minimum 1m thick capping layer comprising imported soils. The capping layer is likely to be generally around 1.5-2 m thick to allow earthworks design levels to be achieved; - Management of existing soils during the works which, in addition to any requirements outlined in the RAP, would involve, as a general principle, not placing any existing soils impacted with chemical contaminants within 1.5 m of the groundwater table without further consideration by the Environmental Consultant; and - Assessment and validation of inground infrastructure (e.g. pits, sumps, drains and services) encountered during works that are considered to be of significant contamination concern.	Noted.	N/A
36. Council also notes that a Site Audit Statement (SAS) has not been completed for the Remediation Action Plan (RAP) as required in the SEARs, that clearly confirms that the site can be made suitable for the proposed development, particularly in regard to the potential impacts of groundwater contaminants on the development. The RAP is only for the remediation of the soil and does not consider a scenario where the VMP needs to continue	A Site Audit Statement will be prepared as required by the expected conditions of consent. The applicant notes councils proposed conditions of consent.	N/A

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beyond 2027. The nature of remediation means that there is a possibility that the groundwater remediation may not be completed by 2027. If this is the case, Council questions the process of construction, considering there may still be contamination that requires remediation and that has not been considered in the RAP for the development. Council recommends that appropriate conditions limiting the commencement of construction until after the remediation of the groundwater by Allnex (the tenant) is completed.												
Development Contributions												
37. The SSDA seeks the demolition of all existing built forms and construction of a new warehouse and distribution facility. Section 7.11 of the EP&A Act does not apply to the development as the SSDA is within the Botany Precinct and based on City of Botany Bay S7.11 Development Contributions Plan – Amendment 1, Council does not levy contributions for workers in the Botany Precinct. However, Section 7.12 of the EP&A Act applies to the development based on the total cost of work, including GST. Before the issue of a Construction Certificate, the Applicant must pay a total contribution of \$3,098,667.00 calculated at the date of this consent to Council under Section 7.12 of the EP&A Act, in accordance with the City of Botany Bay S94A Development Contributions Plan 2016 – Amendment 1. The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the City of Botany Bay S94A Development Contributions Plan 2016 – Amendment 1. Copies of Council’s Development Contributions Plans are available for inspection at the Bayside Council Customer Service Centre, 444–446 Princes Highway Rockdale.	Noted, an updated contribution calculation for the amended scheme is included within the RTS/Amendment report.	RTS/Amendment Report										
<table><tr><td>Contributions Mechanism</td><td>Fee Payable</td><td>Fee Code</td><td>Precinct</td></tr><tr><td>S7.12 (S94A) Levy</td><td>\$ 3,098,667.00</td><td>S94ABB</td><td>Botany</td></tr></table>			Contributions Mechanism	Fee Payable	Fee Code	Precinct	S7.12 (S94A) Levy	\$ 3,098,667.00	S94ABB	Botany		
Contributions Mechanism	Fee Payable	Fee Code	Precinct									
S7.12 (S94A) Levy	\$ 3,098,667.00	S94ABB	Botany									
Other Issues												
38. <u>Heritage</u> There are no known Aboriginal sites or artefacts identified within the project area, and the proposal is unlikely to pose an adverse impact on the indigenous cultural heritage of the area. However, it must be noted that in the event of unexpected finds, all works should cease, and the appropriate protocol followed to protect, identify and preserve the items, and relevant authorities must be notified accordingly.	Noted. To be implemented as a condition of consent.	N/A										
39. <u>Risk</u> The site is partially within the measurement length of the APA’s Moomba–Sydney Ethane Pipeline. Consultation with APA group is therefore required to ensure the proposal would not affect the pipeline’s ongoing safety requirements and ensuing compliance with AS 2885.	As outlined in in the Engagement Outcomes Report, an email was sent to the APA on the 24 th November 2024 providing details of the proposal. No response was received. A submission was not made by the APA during exhibition of the proposal and therefore no further consultation was undertaken.	Appendix D										
40. <u>Amenity Impacts</u> Council notes the recommendations provided in the Air Quality Impact Assessment prepared by SLR Consulting (dated, 20 November 2024), and Noise and Vibration Impact Assessment prepared by Renzo Tonin & Associates (dated 9 December 2024). The applicant must comply with all monitoring, mitigation and management measures contained within the aforementioned assessments. Council requests the appropriate mitigation measures related to noise, vibration and air quality are mandated by way of conditions of consent.	Noted.	N/A										

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Fire and Rescue NSW		
FRNSW note the proposal includes a multi-level warehouse. It is the experience of FRNSW that developments of this type pose special problems of firefighting. To ensure first responders have the ability to render safe an incident, should this project be approved, FRNSW make the following recommendations. 1. Compliance is demonstrated with FRNSW fire safety guideline – Access for fire brigade vehicles and firefighters. Perimeter Vehicle Access must be provided at ground level and of an obvious and appropriate hardstand material	An updated Fire Safety Strategy has been prepared by Affinity and is attached at Appendix K . It is confirmed that the proposed design is in compliance with the FRNSW Fire Safety Guideline – Access for fire brigade vehicles and firefighters. An emergency vehicle perimeter access road has been provided in accordance with the BCA and the Fire Safety Guideline.	Appendix K
2. It is the experience of FRNSW that the water demand for fire infrastructure servicing a development of this scope is unlikely to be supplied by mains water alone. FRNSW recommend that suitable design considerations are considered for the placement of tanks and other firefighting infrastructure if required.	Fire hydrant and sprinkler systems are to each be provided with dual water supplies as per the BCA requirements for buildings over 25m effective height. On site water tanks are provided, along with fire booster assemblies.	Appendix K
3. That thorough analysis of the Fire Brigade Intervention Model is conducted to ensure that appropriate water supply is provided for hydrant and sprinkler systems.	Section 6.5 of the Fire Safety Strategy addresses Fire Brigade Intervention.	Appendix K
4. Implement the applicable provisions of AS2419 Appendix C (informative).	Noted. The design will consider all relevant Australian Standards as necessary.	N/A
5. Prior to occupation or commissioning an Emergency Plan (EP) is developed for the site in accordance with HIPAP No.1.	Noted. To be implemented as a condition of consent.	N/A
6. Prior to occupation or commissioning an Emergency Services Information Package (ESIP) be prepared in accordance with FRNSW fire safety guideline – Emergency services information package and tactical fire plans.	Noted. To be implemented as a condition of consent.	N/A
Ausgrid		
Ausgrid Underground Cables are in the vicinity of the development. Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA). In addition to BYDA the proponent should refer to the following documents to support safety in design and construction: ▪ SafeWork Australia – Excavation Code of Practice. Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. The following points should also be taken into consideration: ▪ Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. ▪ Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing. ▪ Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.	Noted. To be implemented as a condition of consent.	N/A

Summary of Issue Raised	Response	Relevant Document
Ausgrid Overhead Powerlines are in the vicinity of the development. The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at www.ausgrid.com.au. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost.	Noted. To be implemented as a condition of consent.	N/A
Purpose Of Easement This easement was acquired for new assets currently owned and operated by Ausgrid. The purpose of the easement is to protect Ausgrid assets and to provide adequate working space along the route of the lines for construction and maintenance work. The easement also assists Ausgrid in controlling works or other activities under or near Ausgrid assets which could either by accident or otherwise create an unsafe situation for workers or the public or reduce the security and reliability of Ausgrid’s network. The Following Conditions Apply for any Activities Within the Electricity Easement: 1. All construction works on or near the easement and/or powerlines must adhere to the Safework NSW – Work Near Overhead Powerlines: Code of Practice, 2006 2. Ausgrid is not responsible for the reinstatement of any finished surface within the easement site. 3. Ausgrid requires 24-hour access along the easement for plant and personnel. For the purpose of exercising its rights under the easement, Ausgrid may cut fences and/or walls and install gates in them. Where the easements on a site do not provide practical access to all of Ausgrid’s infrastructure, a suitable right of access at least 5m wide must be provided to each asset. 4. Access driveways shall withstand the weight of a heavy rigid truck when fully laden weighing 30 tonne. 5. Access gates, minimum 4.5 metres wide, may be required in all fences crossing the transmission line easement. 6. No vehicles, plant or equipment having a height exceeding 4.6 metres are to be brought into the easement site without written approval from Ausgrid. 7. Vehicles brought into the easement, with a height less than 4.6m but having an extension capable of extending greater than 4.6m above ground, must not have that extension operated at all whilst within the easement. 8. Adequate removable protection must be installed to prevent vehicles inadvertently colliding with Ausgrid assets. This proposed form of protection must be forwarded to Ausgrid for review and consent. 9. All metal work within the easement site including metallic fencing, are to be locally earthed by a qualified electrician via a 50 sq. mm stranded copper, insulated earth wire bonded to a copper-clad earth-stake driven at least 1.6 metres into the ground.	Noted. To be implemented as a condition of consent.	N/A

Summary of Issue Raised	Response	Relevant Document
10. Metallic fencing is generally not permitted to extend away from the easement site unless an insulating section is installed, at least 3 metres wide. This requirement maybe relaxed upon assessment of a supplied fencing design. 11. No buildings/structures or parts thereof constructed may encroach the easement without written approval from Ausgrid. 12. No obstruction of any type shall be placed within 10 metres of any part of a transmission line structure except where installed to protect transmission structure from vehicle impacts when Ausgrid has approved such structures. 13. Care must be taken to prevent any damage to underground metalwork which can extend up to 15 metres away from the transmission line structure. 14. The storage of non-flammable materials is allowable provided access is maintained along the easement and subject to height limitations of 2.5 metres if climbable or 4.6 metres if not climbable. Lifting of materials within the easement area must consider the clearance requirements given in Safework NSW Code of Practice. 15. The erection of minor structures such as clothes hoists, barbecues, and the like are permitted within the easement site provided they do not exceed a height of 2.5 metres if climbable or 4.6m if not climbable, and the metallic components are earthed. The positioning of such structures should allow a 5m wide vehicular access along the full length of the subject easement area. Ausgrid reserves the right to remove such structures where required for safety, access, and maintenance. 16. The flying of kites, model aircraft etc. is not permitted within the easement site. 17. Any change to ground levels must be submitted to Ausgrid for approval. 18. Trees, shrubs, or plants which have a mature height of greater than 3.0m, or climbable portions greater than 2.5m above ground, are not permitted within the easement. The planting of other vegetation is to ensure Ausgrid's access and maintenance requirements are maintained. 19. Ausgrid is to be indemnified from all actions, suits, claims and demands of whatsoever nature, which Ausgrid may incur as a result of the encroachment/s. 20. Ausgrid reserves the right, by written notice, to require the owner of the property, at the owner's expense, to implement further safety measures, removal or modification of any encroachments not specifically approved by Ausgrid should this be necessary in the future for the safe and continued operation or upgrade of the network asset.		
New Driveways – Proximity to Existing Poles Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.	Noted. To be implemented as a condition of consent.	N/A
New or modified connection To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; https://www.ausgrid.com.au/Connections/Get-connected Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets – Clearances”. This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries	Noted. To be implemented as a condition of consent.	N/A

Summary of Issue Raised	Response	Relevant Document
NSW Department of Education		
The department raises no objection to the proposal. However, the successful operation of schools relies on safe pedestrian, cyclist and vehicle access and minimal noise and vibration interference. As such, consideration and incorporation of the following will assist to limit and manage any impacts to the school and its students: Construction Management Plan (CMP) Prior to construction, the proposal should be supported CMP which specifically considers impacts to the school as a sensitive receiver including student safety, traffic, noise, vibration and air quality. The CMP should include appropriate mitigation measures where impacts are identified.	A Construction Management Plan will be finalised following completion of detailed design, including appropriate noise and vibration, traffic and safety mitigation measures.	N/A
Construction Traffic - If approved, it is recommended the proposal be conditioned to prohibit construction traffic access via Stephens Road, with all construction vehicles to use Coal Pier Road. - If vehicles are to use Stephens Road, construction vehicles accessing and egressing the site during school drop-off and pick-up times (30 minutes before and after school start and finish times). - Work zones should not be proposed in locations that will compromise pedestrian, cyclist and vehicular access to the school and associated drop-off and pick-up spaces. - Pedestrian and cyclist safety should be closely considered and managed including where necessary, traffic controllers for construction vehicle entry and exit movements. - If any impacts to school bus services are anticipated, these should be addressed and mitigated through the CMP.	All truck access will occur via Coal Pier Road, noting that truck access will not be physically possible from Stephens Road and truck access arrangements will be required from Botany Road towards Coal Pier Road.	Appendix M
Noise and Vibration - Noise and vibration assessments are to assess construction noise impacts and consider the school as a sensitive receiver. - If noise and vibration exceedances at the school are identified, mitigation measures should be developed consistent with NSW EPA construction noise guidelines. The mitigation measures should seek to maintain internal noise levels for classrooms required by the department's Educational Facilities Standards and Guidelines (EFSG). - If necessary, a mitigation measure should also be included to provide periods of respite during the school day to limit impacts to student learning.	A revised Noise and Vibration Impact Assessment has been prepared by SLR and is attached at Appendix S. The school has been considered as a sensitive receiver. Construction noise levels are predicted to exceed noise management levels at the nearest receivers during worst-case construction scenarios, although this would only be expected to occur when noisy work is being completed close to the site boundary nearest to these receivers. Standard mitigation and management measures have been recommended to address the potential construction impacts. A Construction Noise and Vibration Management Plan (CNVMP) will be prepared before any work begins.	Appendix S
Air Quality Consideration should be given to air quality impacts arising from construction dust including appropriate mitigation measures as necessary.	A revised Air Quality Impact Assessment has been prepared by SLR and is attached at Appendix R. Both general and specific mitigation measures have been provided, detailing the mitigation of impacts during demolition, earthworks and construction phases.	Appendix R
Operational Traffic - Per Section 9.1 of the Traffic Impact Assessment, all heavy vehicle access is proposed via Coal Pier Road. - It is recommended that the proposal be conditioned to prohibit heavy vehicle access via Stephens Road, due to the potential safety, traffic, air quality and acoustic impacts heavy vehicles may have on the operation of the school.	All truck access will occur via Coal Pier Road, noting that truck access will not be physically possible from Stephens Road.	Appendix M
Goodman		

Summary of Issue Raised	Response	Relevant Document
Contamination		
- It is noted that an EPA Accredited Site Auditor has been appointed for the Development; however no Section B Site Audit Statement has been included with the Application. This is important to ensure the site can be made suitable for the intended purpose and should be provided prior to DPHI approval of the Proposal. - Relevant conditions of consent should be included with the SSDA-65924461 approval, to ensure appropriate remediation of the site is undertaken and any potential offsite impacts are mitigated. This includes the requirement for a Remediation Action Plan (RAP) and the issuance of a Section A Site Audit Statement. - Goodman requests to be kept informed of the proposed site remediation (RAP) once finalised.	Noted. A Site Audit Statement will be prepared as required by the conditions of consent.	N/A
Flooding		
It is noted that the flood assessment has inconsistencies with the Bayside DCP, key issues for consideration are as follows: - Due to the extent of works proposed on-site, including the existing overland flow path, Goodman cannot be confident there will be no adverse off-site impacts of up to 10 mm in the 1% AEP event and up to 50 mm in the PMF event without a site-specific 2D hydraulic model for the proposed development. - Off-site flood impacts in the 1% AEP with climate change event do not appear to be adequately addressed in the assessment and should be provided. - The amount of overland flow discharging from the site, as estimated by the DRAINS model, appears underestimated due to the blockage factors adopted when compared to a 2D hydraulic model. - There is a substantial amount of pit inserts proposed within the stormwater quality treatment train which will require regular maintenance. If not adequately maintained, this could impact on the water quality outcomes for downstream properties. Relevant conditions of consent should therefore be included to ensure appropriate maintenance is maintained. It is requested that the flood assessment be updated to consider the above-mentioned items.	A site-specific 2D hydraulic flood model has been undertaken and documented in the updated Civil Engineering Report prepared by Costin Roe (Appendix U). The modelling assesses pre- and post-development conditions for the 1% AEP, 1% AEP with climate change and PMG events, and includes the existing overland flow path through the site. The results confirm that the proposal complies with Bayside DCP criteria, with post-development flood afflux limited to less than 10 mm in the 1% AEP event (including climate change) and less than 50 mm in the PMF event on surrounding properties and within the road reserve. Concerns regarding reliance on the DRAINS model have been addressed by the use of 2D hydraulic modelling as the primary assessment tool. The stormwater quality treatment train, including pit inserts, has been designed to meet Bayside Council's water quality objectives. Ongoing inspection and maintenance requirements for stormwater treatment devices will be secured through conditions of consent and reflected in the operational Stormwater Management Plan to ensure long-term performance and downstream water quality protection.	Appendix U
Traffic Impact		
- The Traffic Impact Assessment (TIA) assesses the current, but not future, traffic conditions. Studies suggest that the future traffic conditions in the Banksmeadow precinct will be subject to congestion and delays. It is therefore essential for the future scenarios to be considered in the TIA, including 10 years in the future. - The TIA adopts the large format warehouses' traffic generation rate, with 'tenancies providing greater than 5,000m²'. As the Proposal comprises 24 individual tenancies with the with sizes ranging from 1,149m² to 3,226m², a more appropriate rate should be adopted to avoid underestimating trip generation caused by the Proposal. A more appropriate rate of 0.3 movements / 100m² for standard analysis and also conducting sensitivity analysis using a rate 0.5 movements / 100m² is suggested. Alternatively, surveys of a similar development should be undertaken. - The TIA does not provide clarity on the 'AM peak' or 'PM peak' periods. It references the AM peak as 07:45 – 08:45 and the PM peak as 15:00 – 16:00, however no summary on existing traffic flows is provided to confirm these periods. Survey data for the full morning and afternoon period should be provided to validate the suggested peak period timeframes.	A 10-year future traffic horizon assessment has now been undertaken and included in the updated Traffic Impact Assessment prepared by Traffix (Appendix M). This assessment incorporates background traffic growth and surrounding committed developments and demonstrates that the surrounding road network will continue to operate within acceptable capacity and performance thresholds. It is noted that the warehouse configurations has changed from 24 tenancies to 10 tenancies, and as such traffic generation rates for large format warehouses between 10,000sqm and 100,000sqm has been adopted. Intersections have been modelled using SIDRA in accordance with TfNSW and GTIA requirements. Cumulative traffic distribution in peak hours has been provided in the updated TIA. Fire truck swept paths have been included at Appendix C of the updated TIA.	Appendix M

Summary of Issue Raised	Response	Relevant Document
- To assess the impact of the Proposal, a SIDRA model has been developed with intersections modelled in isolation. This means no consideration is given to the interaction between the identified intersections – particularly necessary for the Botany Road corridor. The SIDRA modelling should be revised to model the identified intersections as a network, which would ensure that the interdependencies between intersections are accurately assessed, and the network operates appropriately at peak periods. - While the SEARS requires assessment of vehicle queue lengths on intersection resulting from the proposal, there is no discussion on this in the Proposal. The TIA should be updated to include this assessment. - No swept path analysis for the Fire Rescue New South Wales Brigade Appliance set down has been completed for the required manoeuvres. This should be included in the TIA.		
We request that the Applicant consult with Goodman in the preparation of the Construction Environmental Management Plan (CEMP), Construction Environmental Traffic Plan (CTMP), Remedial Action Plan (RAP), and long-term environmental management plan (LTEMP) to ensure the impacts to the area are acceptably managed.	Noted.	N/A
NSW Ports		
NSW Ports is responsible for managing the port and freight assets of Port Botany, Port Kembla, the Cooks River Intermodal Terminal and the Enfield Intermodal Logistics Centre (ILC). These assets, along with the efficient movement of freight to and from these assets, are critical to the future economic growth, liveability, productivity and sustainability of New South Wales. NSW Ports have reviewed the documentation submitted with the application and support the proposed multi-level warehouse on 49- 61 Stephen Road, Banksmeadow. The proposal is supported as it proposes a large industrial allotment and is well positioned to serve the State's freight network.	Noted.	N/A
Public Submissions		
Anonymous Individual (Botany, NSW)		
We are writing as long-standing residents of Stephen Road to formally lodge our objection to the proposed development application SSD-65924461, which seeks approval for the construction of a multi-level warehouse facility in our immediate neighbourhood. Stephen Road is home to a close-knit, family-oriented community. Many residents, ourselves included, chose to settle here because of the reasonably quiet, safe and residential nature of the area – qualities which foster a supportive environment for families, children, and individuals alike. The proposed development stands in stark contrast to this character and poses a significant threat to the liveability, safety, and value of our community. We outline our key concerns below 1. <u>Noise Pollution</u> Warehousing and industrial operations typically bring high levels of persistent noise – from heavy vehicle movement, loading docks, forklifts, reversing alarms, and general operations. These disturbances will inevitably affect the comfort and wellbeing of residents, particularly during early mornings, evenings, and weekends when ambient noise is otherwise low. Especially given it is proposed to be a 24/7 operational facility. 2. <u>Vibration Risk to Nearby Properties</u>	The Noise and Vibration Impact Assessment confirms that, with the implementation of required mitigation measures, operational noise is predicted to comply with the NSW Noise Policy for Industry at nearby residential receivers. It is noted that there are some exceedances of the Sleep Disturbance Noise Criteria. While the facility is proposed to operate 24 hours, modelling shows noise levels will generally be consistent with the existing urban-industrial environment, with only minor and negligible residual impacts predicted. Construction noise will be temporary, restricted to standard daytime hours, and managed through a Construction Noise and Vibration Management Plan. With respect to vibration, assessments confirm there is no risk of structural damage to nearby residential buildings. Any perceptible vibration during construction would be short-term and managed through standard controls in accordance with NSW guidelines. The proposed redesign of the proposed warehouse ensures that all heavy vehicle access is via Coal Pier Road, with no truck access possible from Stephen Road. Traffic assessments confirm the surrounding road network can safely accommodate the development, with no material increase in congestion or safety risk to pedestrians or cyclists along Stephen Road. The built form and visual	Throughout Amendment/RTS Report

Summary of Issue Raised	Response	Relevant Document
The movement of heavy vehicles and construction activity introduces the risk of structural vibration. This can have both immediate and long-term effects on surrounding dwellings, including potential damage to building foundations, fixtures, and other structural components. 3. <u>Depreciation in Property Values</u> The presence of a large-scale industrial facility on an otherwise residential street has the very real potential to diminish the value of surrounding properties. This is of particular concern to homeowners who may wish to sell in the future, with prospective buyers likely deterred by the increased industrial activity, reduced amenity, and overall shift in neighbourhood character. 4. <u>Traffic Congestion and Pedestrian Safety</u> The increase in heavy vehicle traffic associated with a warehouse of this scale is incompatible with the existing road infrastructure and usage patterns of Stephen Road. Our streets are frequented by families walking with children, local school traffic, cyclists, and pedestrians. The added volume and size of vehicles poses a serious safety risk and will place unnecessary strain on local roads. 5. <u>Disruption of Residential Character and Amenity</u> Whilst Stephen Road has elements of an industrial zone, the introduction of a warehouse of this magnitude and nature contradicts and ignores the established residential use of the area. The scale, operational hours, and visual dominance of the development will erode the peaceful and family-friendly atmosphere that currently defines our community. 6. <u>Environmental and Air Quality Concerns</u> Warehousing typically involves the use of diesel trucks and machinery, contributing to increased emissions and a deterioration of local air quality. This is of particular concern to families with young children, elderly residents, and individuals with respiratory conditions. Additionally, construction and stormwater run-off may pose environmental hazards that extend beyond the site boundaries. 7. <u>Light Pollution and Loss of Privacy</u> A multi-level structure operating into early or late hours will likely generate significant light pollution from both internal and external lighting systems. Furthermore, the height of the proposed warehouse raises concerns about overlooking and privacy intrusion into neighbouring homes and backyards. <u>Request for Review</u> In light of the serious concerns detailed above, we respectfully urge the Planning Department and relevant Council to reconsider this development application. The proposed warehouse is incompatible with the residential zoning, local character, and expectations of the Stephen Road community. We ask that the well-being of local families, homeowners, and residents be prioritised, and that a more suitable location be considered for a development of this scale and industrial nature. Should the application proceed further, we request that community consultation be extended and that local voices are meaningfully heard as part of the process. Thank you for the opportunity to make this submission.	impact of the development been significantly revised in response to feedback, resulting in a meaningful reduction in visual dominance and overshadowing. With respect to lighting impact, the updated scheme is capable of meeting the AS 4282:2023 requirements for surrounding residential dwellings. It is expected that the impact will be reduced when compared to the previous scheme due to the reduced size of the development and the additional screening around the carpark areas.	
Anonymous Individual (Botany, NSW)		

Summary of Issue Raised	Response	Relevant Document
I object due to a number of issues: 1. This is a residential area with Stephen St providing one of the few roads in and out of Botany which is already choked with traffic most days 2. Page St and Stephen St should not be thoroughfares for trucks 3. This warehouse facility is located very close to a local primary school 4. Extremely dangerous due to increase in traffic and pollution 5. Why does it need to be so large? So tall? Block sun from residential dwellings 6. There should be NO access to this facility from Stephen St 7. Explosion in the number of rodents from year of down the current dwelling to what will live/breed there in a massive warehouse facility 8. What will be stored in these warehouses? Chemicals etc? Proposes a huge hazard/risk to local homes 9. There is already a massive logistics centre being built on Baker St – again how is the area going to cope with this increase in trucks and cars? 10. It is not appropriate to have a 24 hour facility which will create noise so close to residential homes. Homes that have been in the areas for at least 40–50 years.	The proposed redesign of the proposed warehouse ensures that all heavy vehicle access is provided via Coal Pier Road, with no truck access possible from Stephen Road. Traffic assessments confirm the surrounding road network can safely accommodate the development, with no material increase in congestion or safety risk to pedestrians or cyclists along Stephen Road. Cumulative traffic and amenity impacts have been assessed and found to be manageable within the capacity of the existing network and services. The built form and visual impact of the development have been significantly revised in response to feedback, resulting in a meaningful reduction in visual dominance and overshadowing, with increased setbacks and enhanced landscaping along Stephen Road. Air quality impacts are predicted to be minor and consistent with the existing industrial-urban environment, with strict dust and emissions controls required during construction. Pest management will be addressed through standard operational controls, and the development does not propose storage or handling of dangerous goods. Any future storage of hazardous materials would require separate approval. With mitigation measures in place, operational noise from the 24-hour facility will comply with the NPfI requirements at residential properties. Construction noise will be temporary, restricted to standard daytime hours, and managed through a Construction Noise and Vibration Management Plan.	Throughout Amendment/RTS Report
Anonymous Individual (Botany, NSW)		
As a local resident in a neighbouring street, I don't want this for many reasons, noise, more trucks, asbestos & rats when they demolish, parking many factors! I am not directly across from this development but asbestos will be floating down in my direction and construction noise etc when they demolish and put a warehouse up not to mention rats! My children go to school just up the road at Banksmeadow Public school. Please reconsider this development for the health and safety of my family and many others who will be affected.	Potential impacts during demolition and construction, including noise, dust and asbestos management, have been carefully assessed and will be subject to strict regulatory controls. Any asbestos removal will be undertaken in accordance with NSW Work Health and Safety and EPA requirements, including licensed removalists, containment measures, air monitoring and clearance certification to ensure there is no risk to surrounding residents or the school. Construction dust, noise and vibration will be temporary and managed through approved Construction Environmental, Noise and Vibration, and Air Quality Management Plans, with works restricted to standard daytime hours and ongoing monitoring and complaint response procedures in place. Banksmeadow Public School has been considered as a sensitive receiver, and impacts relating to noise, air quality and traffic have been specifically assessed, with mitigation measures proposed to protect students and staff.	Throughout Amendment/RTS Report
Anonymous Individual (Botany, NSW)		
We do not need or want a multi-story building on Stephen Road. It will cause chaos, unwanted noise and not what Botany needs nor wants. I fully object to this happening along with all of Botany.	Potential impacts during demolition and construction, including noise, dust and asbestos management, have been carefully assessed and will be subject to strict regulatory controls.	Throughout Amendment/RTS Report
Anonymous Individual (Botany, NSW)		
I would like to object to the development of a multi-storey warehouse on Stephen Road. The multi-storey development would be an over-development of the existing site and detrimental to the already congested Stephen's Road, local residences both Stephen's Road and surrounding areas.	The proposed development has been significantly revised in response to consultation and feedback from relevant agencies and the local community. The Traffic Impact Assessment confirms that the surrounding road network can accommodate the development without unacceptable impacts. Importantly, all heavy vehicle access is proposed via Coal Pier Road only, with no truck access from Stephen Road.	Throughout Amendment/RTS Report

Summary of Issue Raised	Response	Relevant Document
The consultation process has not been adequate to ensure local residential property owners have had enough time to fully understand and provide feedback on the proposed development of the site. The current road infrastructure linking Stephen’s Road to the main roads in and around the Botany/Banksmeadow are not sufficient as it is currently to cater for the heavy vehicle traffic, let alone the increase in traffic this development and others (Banks St development) will undoubtedly bring.	All submissions received during exhibition, including this objection, form part of the assessment and will inform the determination of the assessment.	
Anonymous Individual (Botany, NSW)		
As a local resident living a few streets from the proposed 24/7 multilevel warehouse, I’m concerned about the impact this development will have on an area that, while close to Port Botany and some industrial activity, is also home to a well-established suburban community. Our neighbourhood includes a mix of family homes and low-rise developments, and the local council has made efforts to preserve this balance by limiting high-density or high-impact projects in residential pockets. The scale, height, and continuous operation of the proposed warehouse feel inconsistent with that vision, and I’m particularly concerned about the increased traffic and noise—especially during construction—spilling into residential streets. I urge the Department to carefully consider how this development fits within the broader context of a mixed-use but still suburban community, and to ensure that residential amenity is not overlooked in favour of industrial expansion.	The proposal has been assessed within the context of a mixed residential–industrial interface, recognising the need to balance industrial activity with protection of residential amenity. In response to feedback, the development has been substantially revised, including reducing the building from three storeys to two storeys, increasing setbacks to Stephen Road and enhancing landscaping to reduce visual and lighting impacts on nearby residences. Potential traffic and noise impacts, including during construction, have been the subject of detailed independent assessments. Construction works will be temporary, restricted to standard daytime hours and managed through a Construction Noise and Vibration Management Plan. For operation, noise modelling confirms that with mitigation in place, a 24-hour use can operate within NSW noise standards at surrounding residential properties. Importantly, all heavy vehicle access is via Coal Pier Road only, with no truck access from residential streets.	Throughout Amendment/RTS Report
Anonymous Individual (Botany, NSW)		
To Whom it May Concern, I am writing this submission on behalf of myself, my husband and my three children. We are all greatly against this building project going ahead for many reasons. The fact that it is directly across the road from our family residence greatly concerns us and if it does go ahead the building works as well as the finished product will dramatically and negatively affect our lives. My husband is a shift worker and the building work as well as a 24/7 operating facility will greatly affect his ability to sleep and rest between shifts. All three of our children are studying at university and school, and one of our children will be doing their HSC in 2027. We do not want our children’s results and careers to be affected by the constant noise the building works will create as well as the constant noise a 24/7 operating facility will make. Two of our children have asthma and one has ADHD, the dust, asbestos particles and dirt that will be released during the building project will negatively affect my children with asthma and the constant noise from the building work and the 24/7 site operations will greatly affect my child with ADHD ability to sleep and have down time. I am a school teacher and I do not need the constant noise from a 24/7 industrial site keeping me from sleeping and being able to function within the classroom. I am sure if you lived across the road from this proposed project that you would not want it to go ahead. The noise pollution from the building work as well as the 24/7 running site is going to greatly affect our day to day lives. On top of this we are greatly concerned about the asbestos removal that will need to occur as well as the amount of airborne dust and dirt. Our homes & cars are going to be constantly dirty and dusty. We would actually insist that the company building this new site pay for my family to be relocated during the entire building process so that our health is not affected. This relocation would need to be in a home close to our work & children’s schools and with a backyard as we have a dog.	The potential impacts of construction and operation noise have been independently assessed. Construction activities will be temporary, limited to standard daytime hours only, and managed through a Construction Noise and Vibration Management Plan that includes mitigation, monitoring, notification and respite measures where required. For operation, detailed modelling confirms that with the required mitigation measures in place, noise from the 24-hour facility is predicted to comply with NPfI standards at nearby residences, including those directly opposite the site in the Worst Case Scenario. Any asbestos removal will be undertaken in strict accordance with NSW Work Health and Safety and EPA requirements, including licensed contractors, containment, air monitoring and clearance certification to ensure there is no risk to neighbouring residents. Construction dust and emissions will be controlled through an Air Quality Management Plan, including suppression measures and monitoring to protect surrounding homes and sensitive receivers. Banksmeadow Public School has been treated as a sensitive receiver in the assessment. Conditions of consent will require ongoing management and monitoring to minimise impacts on learning environments and residential amenity. Regarding traffic and parking, all heavy vehicle access to the site will be via Coal Pier Road only, with no truck access from Stephen Road. On-site parking is provided to meet demand generated by the development, and traffic assessments confirm no unacceptable impacts on local parking availability or safety.	Throughout Amendment/RTS Report

Summary of Issue Raised	Response	Relevant Document
The issue of parking is also a major concern for us. Even now we can find it at times difficult to park in front of our own residence. You say that you will be providing parking for your workers but they will still often choose to park on Stephen Road and cause issues for us. The proposed cafe on Stephen Rd will also cause more parking issues. Please do not ruin our lives by letting this go ahead.		
Anonymous Individual (Botany, NSW)		
To whom it may concern, my family and I object to the project as we live across the road in number 62, and it will impact our lives drastically. My granddaughter has ADHD and noise, and sleepless nights affect her condition. I have Cancer and do not need any disturbances at this time. My daughter is a shift worker and needs to have her sleep at various times of the days. We have lived in this house for over 34 years and having a 24hour operation 7days a week would impact us dramatically. The noise from the trucks and not to mention the containers and forklifts in the warehouse would be noisy 24/7 regardless of how much you say they wouldn't. We have so many cars in our street as it is and having staff from this warehouse also parking in our street would be a nightmare. We have difficulties parking already. The factory that is there now would be full of asbestos and that concerns all of us greatly. My father in-law passed away a few years back from that terrible disease and I don't want any particles coming anywhere near us as he suffered terribly and was on oxygen to breath and had a terrible death. In the past we have had fallout from Kellogg's and they had to pay for all of our cars to be cleaned and resprayed. The current building has had some of its roof replaced around 1997 as it was full of asbestos! When they did this, we had a "RAT" plaque which none of us want to encounter ever again! They were horrendous and I am sure once this building starts getting pulled down it will 100% happen again. You don't personally live here so you don't understand the ramifications. Overall, we do not want this to go ahead because the noise from the factory across the road is bad enough and we don't need any construction noise and future on going noise and disturbances!	Noise, dust, asbestos management and parking, have been carefully assessed through independent technical studies. Construction works would be temporary, restricted to standard daytime hours only, and managed through a Construction Noise and Vibration Management Plan that requires mitigation, monitoring, advance notification and clear complaint response procedures. For the operational phase, detailed noise modelling demonstrates that, with required mitigation measures in place, the proposed 24-hour facility is predicted to comply with the NPfl at nearby residences, including properties directly opposite the site. Any asbestos removal would be undertaken in strict accordance with NSW Work Health and Safety and EPA requirements, using licensed removalists, containment measures, air monitoring and clearance certification to ensure there is no risk to surrounding residents. Construction dust will also be actively managed through an Air Quality Management Plan to minimise off-site impacts. With respect to traffic and parking, all heavy vehicle access is proposed via Coal Pier Road only, with no truck access from Stephen Road. On-site parking will be provided to meet staff demand, and traffic assessments confirm that the development is not expected to result in unacceptable parking or safety impacts on surrounding residential streets.	Throughout Amendment/RTS Report