

Response to Submissions and Amendment Report

49–61 Stephen Road, Banksmeadow

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Acknowledgment of Country

Urbis acknowledges the Traditional Custodians of the lands we operate on. We recognise that First Nations sovereignty was never ceded and respect First Nations peoples continuing connection to these lands, waterways and ecosystems for over 60,000 years. We pay our respects to First Nations Elders, past and present.

Urbis is committed to incorporating our respect for First Nations cultures, peoples and storytelling in our work across the Country. We are proud to have partnered with Darug Nation artist, **Hayley Pigram**, and to profile her artwork – **Sacred River Dreaming**.



The river is the symbol of the Dreaming and the journey of life. The circles and lines represent people meeting and connections across time and space. When we are working in different places, we can still be connected and work towards the same goal.

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Response to ESR Banksmeadow – Submissions and Amendment
Report

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Executive Summary

This Response to Submissions (**RTS**) and Amendment Project Report has been prepared on behalf of ESR Australia (**the Applicant**) to address matters raised by the local, regional and broader community interests during the exhibition of SSD-65924461 at 49-61 Stephen Road, Banksmeadow in the Bayside Council Local Government Area (**LGA**) (**the Site**). The SSD was lodged with the Department of Planning, Housing and Infrastructure (**DPHI**) in accordance with the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and the *State Environmental Planning Policy (Planning Systems) 2021* (**Planning Systems SEPP**).

The SSD was placed on public exhibition for 28 days between Monday 10 March 2025 and Monday 7 April, 2025.

DPHI issued a letter on 8 April 2025 requesting a response to the issues raised during the public exhibition of the application.

This combined Response to Submissions and Amended Project Report addresses all the matters for consideration and responds to all concerns raised within the submissions. The Amendment Report assesses the changes proposed in response to the submissions and detailed design development.

Overview of Submissions

A total of 10 public submissions and 12 agency submissions were received in relation to the project, including one (1) in support, nine (9) of objection and 12 providing comments.

The key issues raised in the submissions can be broadly grouped within the following categories:

- Built form, scale and height
- Site suitability
- Traffic, Access and Parking Impacts
- Environmental Impacts
- Contamination and Remediation Impacts
- Stormwater and Flooding Concerns
- Amenity Impacts
- Trees and Landscaping

Based on the above categories, the RTS report provides a response to each of the key issues at **Section 4**.

Actions Taken Since Exhibition

Since the SSDA was publicly exhibited, the applicant has undertaken further consultation with DPHI to discuss the issues raised within their submissions. This further consultation enabled the applicant to seek clarification on the key issues and additional information being requested.

Proposed Amendments

The applicant has amended the proposed in response to the submissions and stakeholder consultation, and changes are sought to the original development proposal SSD-65924461. The key impetus for the proposed physical changes to the layout were to reduce the impacts of the construction and operation of the three-storey scheme, which will be suitably achieved by reducing the height and scale of the development, therefore reducing the site's intensity of use once operational.

Key amendments include:

- **Building Height:** Reduction of the built form from three storeys (31.7m) to two storeys (21.2m).
- **Number of Warehouses and GFA:** Reduction from 24 warehouses to 10 warehouses with ancillary office spaces on both Stephen Road and Coal Pier Road, resulting in the reduction of 11,136 m² GFA from 57,034 m² to 45,898 m².
- **Building Layout** Amendment to the warehouse layout and orientation to provide warehouse tenancies located along the eastern and western portion of the site with internal hardstand areas.
- **Parking:** Reduction in car parking spaces from 293 spaces to 240 spaces.
- **Tree Removal:** Reduction in number of trees proposed to be removed from 105 trees to 61 trees.
- **Café:** Removal of the café located along Stephen Road.

Updated Justification and Evaluation

The proposed development has been assessed in regard to the matters for consideration under section 4.15 of the EP&A Act and the SEARs issued by the Secretary of DPHI. We conclude that the proposed development can be supported for the following reasons:

- **The proposal is consistent with state and local strategic planning policies:**

The proposal is consistent with the relevant goals and strategies contained in:

- Greater Sydney Region Plan: A Metropolis of Three Cities
- The Sydney Plan (Draft)
- Our Greater Sydney 2056: Eastern City District Plan
- Statewide Policy for Industrial Lands (Draft)
- Bayside Local Strategic Planning Statement

- **The proposal satisfies the applicable local and state development controls:**

The proposal is permissible with consent and meets the statutory requirements of the relevant environmental planning instruments, including:

- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Bayside Local Environmental Plan 2021*

- **The proposal is highly suitable for the Site:**

- The warehouse and distribution centre use is permitted in the IN1 zone and satisfies the zone objectives, including delivery of new warehousing and associated employment opportunities in an appropriate manner which minimises adverse effect of industry on other land uses.
- The development satisfactorily responds to the relevant provisions in the Transport and Infrastructure SEPP and Bayside Development Control Plan 2022 (**BDCP 2022**) including acoustic amenity, built form, setbacks, car parking and landscaping.
- The site is within an established industrial area and the character and scale of the development is compatible with the adjoining and surrounding industrial development. The proposal is across the road from low density residential development and presents a suitable interface with this use, noting the essential functions required to be accommodated on core industrial land.

- The site is highly accessible to transport, regional freight networks and the rail network and optimises use of a brownfield Site to deliver sustainable development.
- The site has an extensive history of chemical production and storage use as well dangerous goods and toxic substances production which has left the site significantly contaminated over a period of numerous decades. Not only does the proposal seek to undertake extensive onsite remediation works to allow for the Site to operate for ongoing commercial and industrial uses, but the highly contaminated use will also be completely removed from the site and replaced with cleaner warehouse operations. This will reduce ongoing polluting operations within close proximity to the surrounding residential areas and Banksmeadow Public School, which is a considerable environmental benefit.

▪ **The proposal is in the public interest:**

- The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- The proposal will provide up to 578 jobs during the construction phase, and up to 461 jobs per year once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year. This project is fully funded and 'shovel ready' for commencement of construction.
- The site redevelopment introduces a clean warehousing use onto a site that is currently highly contaminated and contains a highly polluting user (Allnex). The proposal will involve site remediation to improve the quality of the land which is located close to residential dwellings. The new operation has been designed to minimise and mitigate impacts onto these adjoining residential dwellings, whilst ensuring that a viable development can be delivered on this site.
- The site remediation, and replacement of a polluting industry with a cleaner warehouse operation, will result in a significant public benefit to nearby residential and educational users.
- The amended proposal will result in improved level of environmental impacts on sensitive receivers including reduced building bulk and scale, reduced traffic, acoustic and air quality impacts and social impacts.
- Subject to the implementation of the mitigation measures recommended by the specialist consultants, there will be no unacceptable social or economic impacts during the construction and ongoing operation of the facility. Based on the assessment of noise, air quality and traffic, the proposal will not result in any adverse cumulative impacts.
- All issues identified during the community and stakeholder engagement undertaken to date have been addressed through the assessment of the impacts of the modified project.

In view of the above, it is considered that this SSDA as amended has significant merit and should be approved, subject to the implementation of the mitigation measures described in this report and supporting documentation.

1 Introduction

1.1 Applicant Details

The applicant details for the proposed development are listed in **Table 1** below.

Table 1 Applicant Details

Descriptor	Applicant Details
Full Name (s)	ESR Development (Aust) Pty Ltd
Postal Address	L13, 39 Martin Place, Sydney 2000
ABN	88 625 766 109
Nominated Contact	Gannon Cuneo Planning Consultant – ESR gannon.cuneo@esr.com

1.2 Exhibited Project

This RTS Report and Amendment Application is submitted to the DPHI on behalf of ESR and in support of the proposed amendments to the original proposal associated with SSD-65924461.

It relates to 49-61 Stephen Road, Banksmeadow, within the Bayside Council LGA, as identified in the aerial photograph at **Figure 1**. The site has an area of 48,160 m² and is legally described as:

- Lot A in Deposited Plan 190526
- Lot 1 in Deposited Plan 10955110
- Lot 1 in Deposited Plan 311767

Figure 1 Aerial Photograph



Source: Nearmap (2024)

The exhibited proposal sought consent for:

- Demolition of all existing built form.
- Site preparation works, bulk earthworks and infrastructure/service provisions and/or augmentation.
- Removal of 105 trees on Site.
- Extensive remediation of the Site to allow for ongoing industrial and commercial use.
- Construction and operation of a three-storey warehouse and distribution centre building including the following key components:
 - Approximately 57,034m² of total GFA comprising:
 - 51,195m² of warehouse area.
 - 4,775m² of office area.
 - 964m² of lobby space.
 - 100m² café.
 - A three-storey building comprising northern and southern warehousing tenancy spaces on the either side of a central hardstand containing:
 - Twelve (12) units within Warehouse A to the north (3 levels).
 - Twelve (12) units within Warehouse B to the south (3 levels).
- 240 car spaces provided on the ground floor mezzanine carparking area.
- 50 ground floor carpark spaces off Coal Pier Road.

- 20 motorbike parking spaces.
- End of trip facilities including 7 showers and 102 lockers.
- Site landscaping works totalling 5,000m², and
- Provision of building/business identification signage.

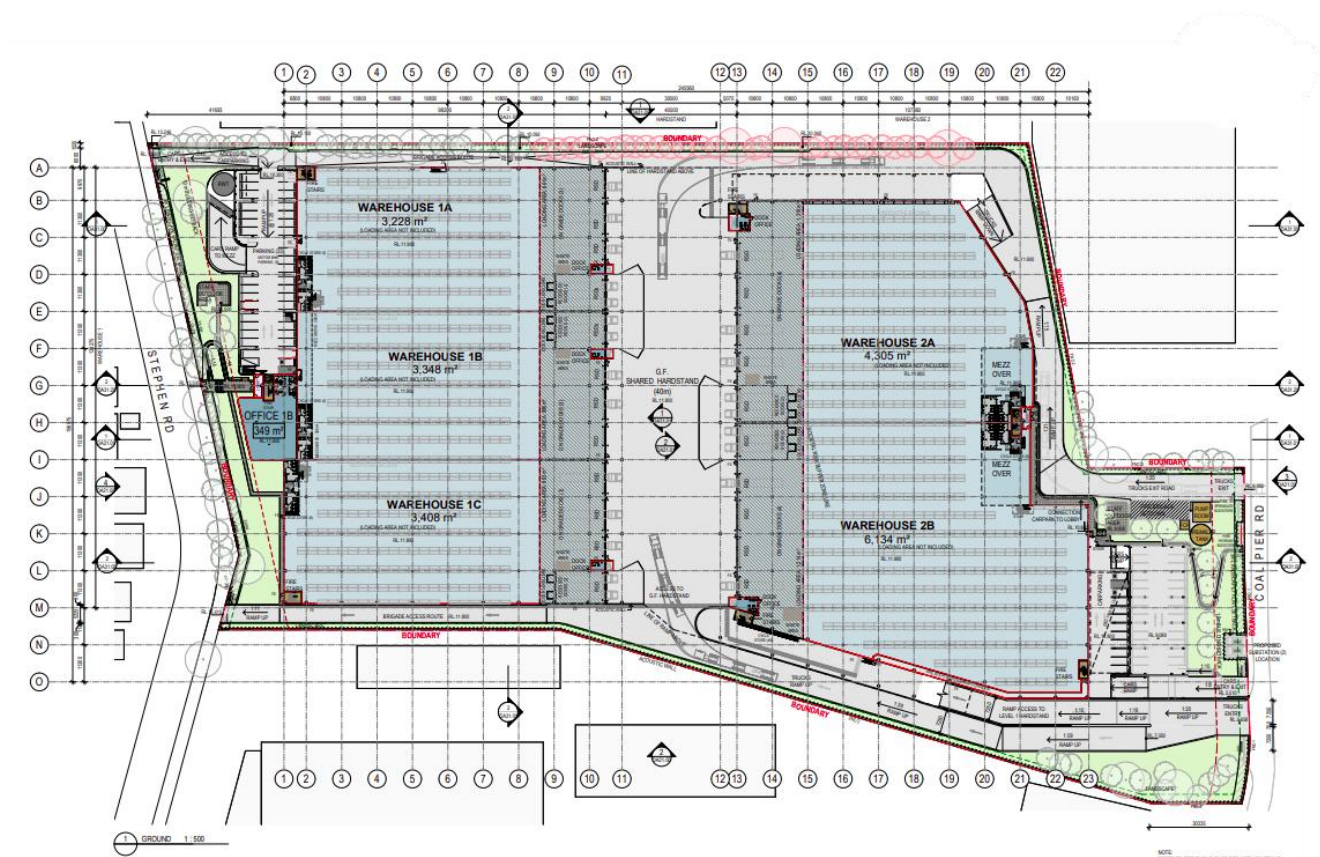
1.3 Project Amendments

Amendments to the project are proposed to respond to the matters raised by DPHI, Council, State agencies and to address concerns raised by the community during the public exhibition period. The main reasons for these changes are to respond to public and agency feedback on the exhibited three storey proposal, particularly in relation to built form, height and scale alongside noise and traffic issues as a result of the operational use of the site. Submissions made had particular focus on the height and visual dominance of the three-storey scheme as well as the amount of GFA that would create an increase in traffic and noise generation across the 24 hour, 7 days a week operational period.

The amendments also respond to additional engagement undertaken during the preparation of the RTS and ongoing design development.

The proposed amended site plan is illustrated in **Figure 2**.

Figure 2 Proposed Amended Site Plan



Source: [Insert source]

The Amendment Report seeks changes to the exhibited proposal. The proposed amendments include the following changes to the development, for which consent is sought:

- The number of warehouses has been reduced from 24 tenancies to 10 tenancies.

- The proposed two (2) warehouse forms have been shifted from being located along the northern and southern boundaries of the site to the eastern and western portions of the site with a central hardstand area.
- Offices have been shifted to a dual site layout response, providing offices along the Stephen Road and Coal Pier Road frontages.
- The scheme has been reduced from three storeys to two storeys.
- The proposed building height has been reduced from 31.7m to 21.2m (-10.5m).
- Upper massing removed, resulting in a visibly flatter roofline and reduced skyline presence when viewed from Stephen Road and nearby dwellings.
- Reduction in car parking from 293 spaces to 240 spaces.
- Stephen Road frontage has been reconfigured, with the warehouse form removed from this frontage and replaced by office and amenity buildings.
- Public café along Stephen Road has been deleted from the scheme.
- Office buildings have been split into smaller components rather than a single continuous built form, reducing visual length and perceived scale along Stephen Road.
- Minimum building separation increased to approximately 32 metres from the opposite street edge, with separations of up to 60 metres in parts of the site.
- Façade treatment along Stephen Road has been refined, introducing angled vertical battens to limit direct overlooking into residential properties while maintaining daylight to offices.
- The architectural materials have been revised, incorporating a brick base and horizontal articulation to reference surrounding residential forms and visually ground the buildings.
- The proposal seeks to retain existing mature street trees and boundary planting to reinforce screening and soften views of the development.

1.4 Supporting Documentation

This RTS and Amendment Report is supported by the following technical reports and documentation which has been amended to reflect the amended application.

Table 2 Supporting Documentation

Appendix No.	Report
Appendix A	Submissions Register
Appendix B	Submissions Response Table
Appendix C	Statutory Compliance Table
Appendix D	Mitigation Measures
Appendix E	Community Engagement Outcomes Report
Appendix F	Architectural Plans
Appendix G	EDC Report
Appendix H	Survey Plan
Appendix I	Design Report
Appendix J	BCA & Access Assessment

Appendix K	Fire Engineering Review
Appendix L	Visual Impact Assessment
Appendix M	Green Travel Plan
Appendix M	Transport and Accessibility Impact Assessment
Appendix N	Landscape Plans
Appendix O	Arboriculture Impact Assessment
Appendix P	ESD Report
Appendix Q	BDAR Waiver Request
Appendix R	Air Quality Impact Assessment
Appendix S	Noise and Vibration Assessment
Appendix T	Geotechnical Letter
Appendix U	Civil Plans
Appendix V	Water Cycle Management Report
Appendix W	Aeronautical Impact Assessment
Appendix X	Hazard and Risk Assessment
Appendix Y	Contamination Investigation Report
Appendix Z	Remediation Action Plan
Appendix AA	Site Audit Statement
Appendix BB	Waste Management Plan
Appendix CC	ACHAR
Appendix DD	Heritage Impact Statement
Appendix EE	Light Spill Assessment
Appendix FF	Embodied Emission Materials Form
Appendix GG	Net Zero Statement
Appendix HH	Stormwater Survey Letter

2

Response to Submissions

2 Analysis of Submissions

This part of the report provides response to submissions based on the categorisation of issues in accordance with the *DPE State Significant Development Guidelines*. It includes the responses to the agency advice/feedback and public submissions made in response to the exhibition of the SSDA. It addresses all relevant matters in *State Significant Development Guidelines – Preparing a Submissions Report*.

This section of the report should be read in conjunction with **Appendix A** – the register of public submissions and **Appendix B** – which provides a tabulated response to DPHI, Council and agency comments.

2.1 Overview of Submissions

A total of 10 public submissions and 12 agency submissions were received in relation to the project, including one (1) in support, nine (9) of objection and 12 providing comments.

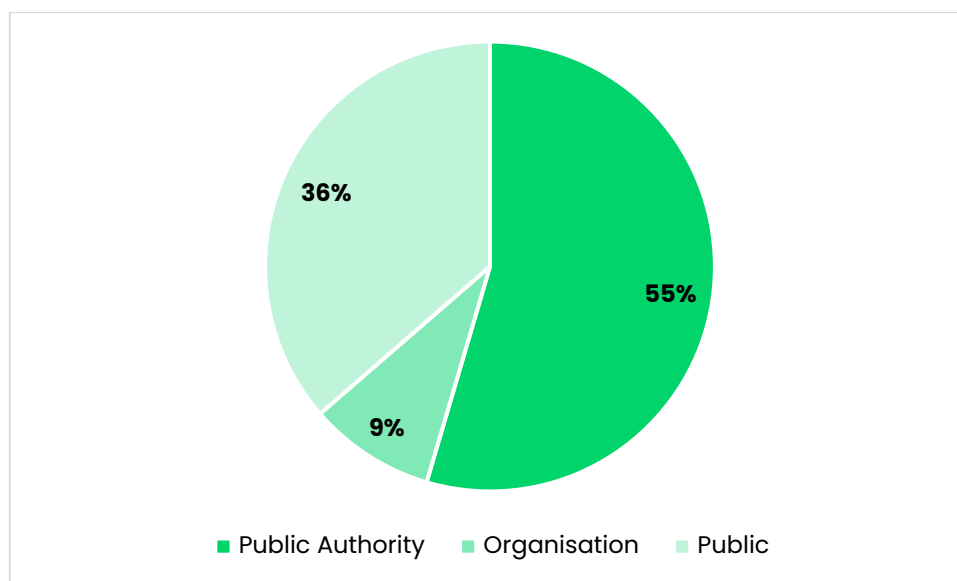
The submissions included responses from the following State government authorities and utility service providers:

- Bayside Council
- Environmental Protection Agency (**EPA**)
- Transport for NSW (**TfNSW**)
- Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Heritage NSW
- DCCEEW – Water Group
- DCCEEW – Conservation Programs, Heritage and Regulation Group (**CPHR**)
- Ausgrid
- Sydney Water
- Sydney Airport
- Fire and Rescue NSW
- Schools Infrastructure NSW (**SINSW**)
- DPHI – Industry Assessments
- NSW Ports

All submissions were managed by DPHI, which included registering and uploading the submissions on to the Major Projects Portal website.

Figure 3 below identifies the breakdown of whom the submissions were received from.

Figure 3 Distribution of Submissions



Source: Urbis, 2025

2.2 Categorisation of Issues

A Submissions Register is included at **Appendix A** which categorises the themes/issues of each community submission. A table of submissions received from DPHI, Council and relevant agencies and the Applicant's response is provided at **Appendix B**.

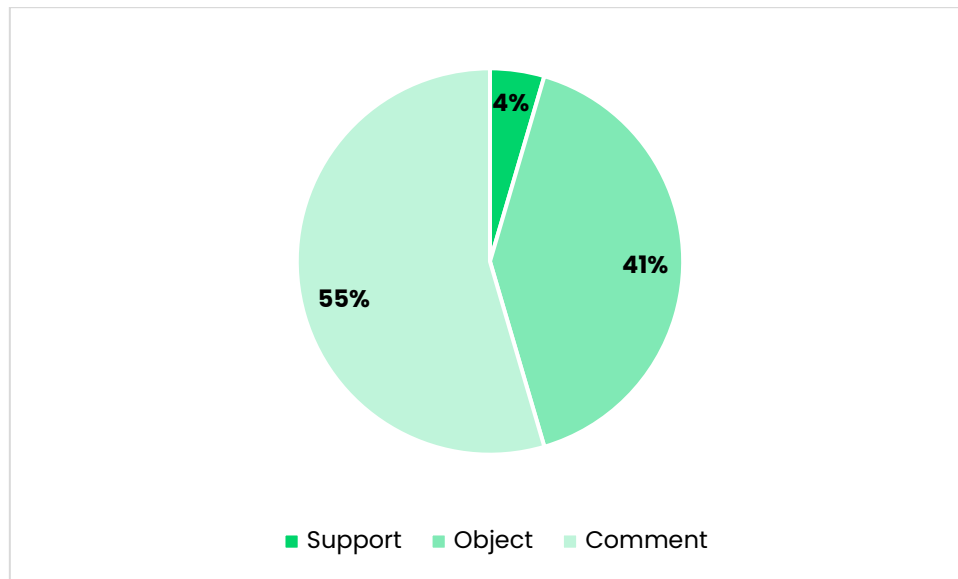
The key issues raised in the submissions can be broadly grouped within the following categories:

- Built form, scale and height
- Site suitability
- Traffic, Access and Parking Impacts
- Environmental Impacts
- Contamination and Remediation Impacts
- Stormwater and Flooding Concerns
- Amenity Impacts
- Trees and Landscaping

Based on the above categories, the RTS report provides a response to each of the key issues at **Section 4**.

As outlined above, a total of 10 public submissions and 12 agency submissions were received in relation to the project, including one (1) in support, nine (9) of objection and 12 providing comments. This is illustrated in **Figure 4** below.

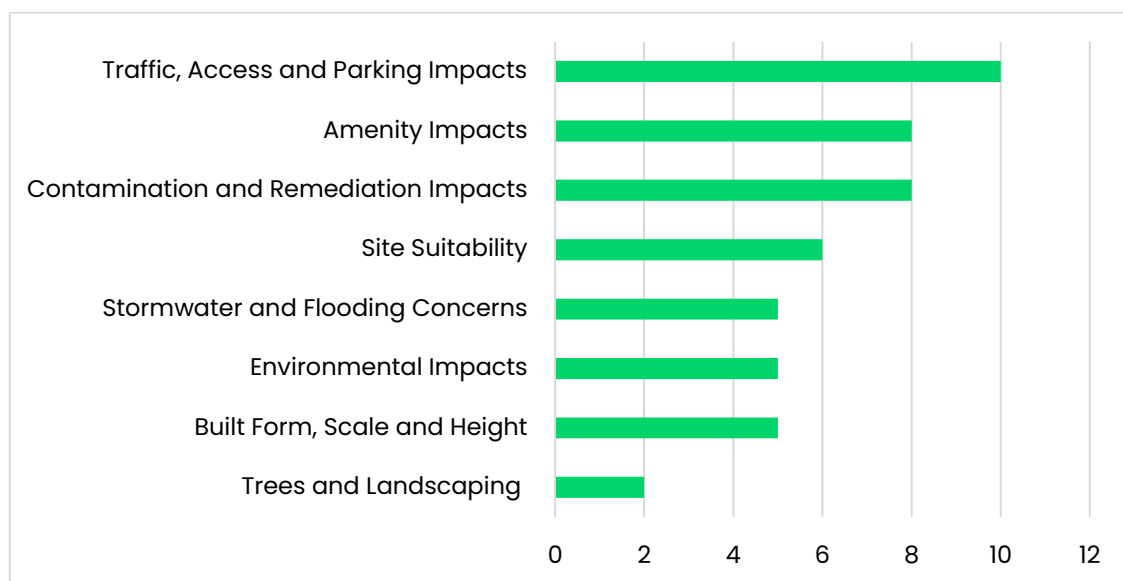
Figure 4 Submissions Overview



Source: Urbis, 2026

A review of the submissions was undertaken to understand the key issues raised by the agencies, organisations and the public. The categorisation of these issues and the number of times these issues were raised are outlined in **Figure 5** below.

Figure 5 Categorisation of Issues



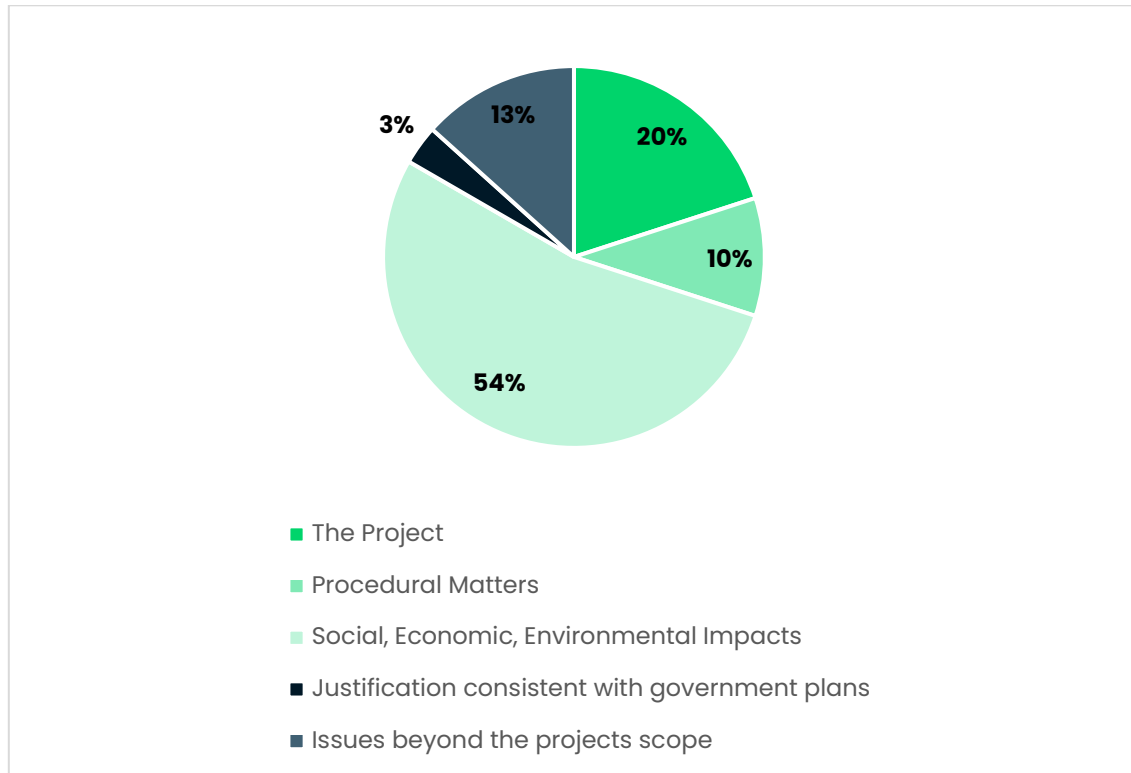
Source: Urbis, 2026

In accordance with the DPHI *State Significant Development Guidelines*, the issues raised in the submissions have also been categorised into the following groups as outlined in **Figure 5** and a summary of matters raised is provided in **Table 3** below.

- The project (e.g. the site, the project area, the physical layout and design, key uses and activities, timing).
- Procedural matters (e.g. level or quality of engagement, compliance with the SEARs, identification of relevant statutory requirements).
- The economic, environmental and social impacts of the project (e.g. flooding, green space, noise).

- The justification and evaluation of the project as a whole (e.g. consistency of project with Government plans, policies or guidelines), and,
- Issues that are beyond the scope of the project (e.g. broader policy issues) or not relevant to the project. In accordance with the DPHI State Significant Development Guidelines. **Appendix B** provides a response to submissions, based on the categorisation of issues in **Table 3**.

Figure 6 Categorisation of Issues Against SSDA Guidelines



Source: Urbis, 2026

Table 3 Categorising Issues Raised

Category of Issue		Summary of Matters Raised
The Project	Site Suitability	▪ The site is considered inappropriate for large-scale industrial use due to proximity to established residential dwellings. ▪ The proposal is incompatible with the existing suburban residential character. ▪ The site is in proximity to sensitive receivers including families and the local primary school.
	Built Form	▪ The scale and height of the multi-storey warehouse is considered excessive. ▪ Submissions outline that the proposal is a perceived overdevelopment of the site. ▪ The proposal is visually dominating over the surrounding low-rise residential area and results in a poor transition to this area.

		- The public, Council and DPHI have raised that there are concerns regarding bulk and massing impacting local neighbourhood character. - Council and DPHI raised concerns that the front façade must be redesigned to reduce bulk and scale.
	Key Uses and Activities	- Submissions objected to 24/7 operation of the facility. - Safety concerns were raised over the use of Stephen Road for continuous heavy vehicle movements (trucks, deliveries). - Concerns have been raised regarding unspecified storage of goods (e.g. potential hazardous materials).
Procedural Matters	Consultation	- The consultation undertaken and the time period provided to respond to the proposal is considered insufficient. - There is a perceived lack of meaningful engagement with local residents to ensure that community feedback has been adequately considered. - Submissions have requested for an extended consultation period.
	Development Contributions	Council have advised that the City of Botany Bay S7.11 Development Contributions Plan does not apply to the development however Section 7.12 of the EP&A Act applies to the development based on the total cost of work including GST.
Economic, Environmental and Social Impacts	Trees and Landscaping	- There are general concerns regarding loss of local amenity and greenery on the site. - Council has raised concerns that the proposal does not meet the DCP requirements including the landscape minimum areas. - Council and DPHI raised concerns that the proposed landscape buffer and tree plantings are inadequate for suitable screening. - Council provided concerns over the proposed loss of trees.
	Air Quality	- There are public concerns regarding emissions from diesel trucks and machinery. - Residents are concerned about dust generation during demolition and construction as well as the potential release of asbestos fibres. - Residents are concerned about health impacts particularly those with asthma or respiratory conditions. - The EPA have recommended additional mitigation measures to manage air quality concerns during site remediation.
	Biodiversity	CPHR have outlined that if the proposed development is amended, a new BDAR waiver is required.

Traffic, Access and Parking	▪ The proposal will increase traffic congestion on already constrained local roads. ▪ There is inadequate road infrastructure to accommodate additional heavy vehicles. ▪ There is insufficient on-site parking leading to overflow parking on residential streets. ▪ The proposal will have cumulative traffic impacts with other nearby industrial developments. ▪ Council raised that the TIA has not considered future year assessment and restrictions to ensure trucks will not access the site from Stephen Road. ▪ Council have raised active travel considerations including the future cycleway along Stephen Road. ▪ A nearby industrial site operator has requested further details are provided about the impact of the proposal on intersection modelling and vehicle queue lengths. ▪ TfNSW have raised concerns with discrepancies for intersection modelling and the Green Travel Plan to ensure it aligns with TfNSW guidelines.
Noise	▪ There is concern regarding construction noise impacts and impacts on surrounding residents. ▪ Residents are concerned about ongoing operational noise from trucks, forklifts, alarms and loading activities which the 24/7 operations will exacerbate including at night. ▪ There will be sleep disturbance noise for residents, including shift workers and families. ▪ DPHI have requested further noise modelling to demonstrate the effectiveness of the proposed mitigation measures. ▪ DPHI have requested confirmation that existing background noise monitoring included current operations on the site.
Stormwater and Flooding	▪ Council have raised concerns of insufficient information and analysis of flooding and overland flow. They have requested further modelling to be undertaken and provided. ▪ Council have requested a Flood Planning Level assessment for the site. ▪ Council have queried the indication and relocation of a Council stormwater pipe on the site. ▪ Council have concerns that the design does not meet required pollution reduction targets. ▪ CPHR and Council have requested confirmation that minimum flood levels that comply with the DCP are met.

	A nearby industrial site operator has requested confirmation through modelling there will be no flood related impacts on surrounding developments.
Contamination and Remediation	- There are concerns regarding presence of asbestos in existing structures which will be released during construction. - Residents have raised issues of the risks associated with demolition and airborne contamination during remediation. - Council have raised that a Site Audit Statement to accompany the RAP has not been completed. - Council have raised concerns about the timing of remediation to be undertaken in accordance with the contamination documentation. - The EPA have requested further information to determine if the proposal requires an Environmental Protection License (EPL). - The public has raised concerns surrounding what goods / chemicals will be stored on the site. - DPHI has requested a preliminary risk screening to be undertaken assessing any dangerous goods to be stored on the site. - The public has raised concerns surrounding what goods / chemicals will be stored on the site. - DPHI has requested a preliminary risk screening to be undertaken assessing any dangerous goods to be stored on the site.
Visual Impacts	- The development is considered visually intrusive and out of character for the area. - The bulk and height of the development impact the streetscape and residential outlook of properties. - The large-scale industrial appearance of the building conflicts with surrounding homes.
Solar Access	- There are concerns that building height and scale will overshadow neighbouring properties. - Council and DPHI raised concerns about discrepancies in the solar analysis and shadow diagrams provided in the Architectural Plans and Design Report.
Justification of the project as a whole	NSW Ports provided a submission outlining that the proposal will be well positioned to serve the State's freight framework and the proposal is aligned with the NSW Ports 40 Year Masterplan which seeks to cater for trade growth and diversification needs of people and businesses.
Issues beyond the scope of the project or not	Public submissions raised concerns regarding increase in rodents during demolition and operation (related to previous works at the nearby Kellogg's Factory).

relevant to the project	▪ A perceived potential reduction in surrounding property values. ▪ Impacts on health and wellbeing as a result of the construction and operational on the proposal (e.g. stress, existing medical conditions).
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2.3 Actions Taken Since Exhibition

This section summarises the activities undertaken since the public exhibition, including consultation with DPHI and the community. It provides a summary of the changes that have been made to the project and outlines the additional assessment undertaken to respond to the key concerns raised by the agency, authority and public submissions outlined in **Section 2.2** of this report.

2.3.1 Further Engagement

Since the SSDA was publicly exhibited the Applicant has undertaken further consultation with DPHI to discuss the proposed amendments in order to respond to the submissions raised. **Table 4** summarises consultation undertaken since the public exhibition and the outcome of this engagement.

Table 4 Further Engagement Summary

Community Members and Stakeholders	Consultation Method	Feedback / Key Outcomes
Department of Planning, Housing, and Infrastructure (DPHI)	A Section 37 Amendment Request Letter was submitted to DPHI Industry Assessment Team on the 31 March 2026 outlining the proposed project amendments in response to the submissions raised.	DPHI has reviewed the s37 Letter and confirmed that an Amendment to SSD-65924461 can be lodged.
NSW Department of Education (DoE)/SINSW	On 27 February 2026, ESR and Urbis contacted DoE/SINSW who had made a submission during the 2025 public exhibition, to provide an update on the proposal. At the time of writing this report, no responses have been received.	
Goodman Property Group	On 27 February 2026, ESR and Urbis contacted Goodman Property Group who had made a submission during the 2025 public exhibition, to provide an update on the proposal. At the time of writing this report, no responses have been received.	
The Community	On 19 February 2026, a project newsletter was distributed to 1,816 properties surrounding the site. This newsletter provided an overview of: ▪ The current proposal, including what has changed from the initial proposal. ▪ Tailored information addressing identified impacts and areas of interest, informed by community submissions received. ▪ How ESR intends to assess and/or minimise these impacts. ▪ How the community could make enquiries, request further information and provide feedback.	

Throughout the engagement program, Urbis provided the community and stakeholders with an 1800 number and email address to make enquiries and provide feedback.

At the time of writing this report, no community enquiries have been received.

2.3.2 Project Amendments

The proposed changes respond to feedback received following the public exhibition and preliminary assessment of the SSDA, including further engagement with authorities/agencies.

Through the design development process undertaken by ESR and SBA, the building height and upper massing were progressively reduced to respond to the feedback received from the DPHI, Bayside Council and the public. As a result, the multi-level warehouse has been reduced from three storeys in the earlier concept to two storeys in this amended proposal. This change lowers the overall building profile and reduces the perceived scale of the development when viewed from the public domain and adjoining properties along Stephen Road and the surrounding residential area.

The revised massing of the proposal has involved shifting the layout of the warehouses from along the northern and southern boundary to the eastern and western portions of the site with an internal hardstand area running north-south. The revised massing approach therefore presents a more articulated and human-scaled interface to the public domain, reducing the perceived scale of development when viewed from the residential side of the street.

These design adjustments have also resulted in splitting up the existing office components of the site to now located the ancillary office space along the Stephen Road and Coal Pier Road frontages. The new massing and site layout replaces office and amenity components along the Stephen Road frontage, reducing the larger warehouse form that was previously proposed. This has also included removing the café previously proposed for the public and workers along Stephen Road.

The ancillary office façade fronting Stephen Road has been carefully designed with angled vertical battens. This façade treatment minimises direct overlooking of the residential properties opposite the site, while still allowing natural light into the office spaces. The angled battens add articulation to the façade, further softening the perceived scale of the building and providing a more considered interface with the residential context as requested in feedback received from DPHI and Council.

The amended two-storey building has been positioned to maintain a minimum separation of approximately 32 metres from the opposite street edge, increasing to up to 60 metres in some areas. This generous setback provides a substantial spatial buffer between the industrial development and existing dwellings and further mitigates potential visual impacts compared to the previous three-storey scheme.

The amended landscape design has prioritised the retention of existing mature street trees, together with additional boundary planting, which seeks to strengthen the landscaped buffer and softens views toward the now lower two-storey building, supporting integration with the established streetscape and local character of the surrounding residential buildings.

Architectural treatments have also been refined across the building's façade to respond to the reduced height and play homage to the brick forms of the surrounding residential properties. Horizontal articulation, varied materials and a clearly defined brick base break down the building mass and visually ground the development, ensuring it reads as a well-proportioned commercial frontage rather than a dominant industrial form.

Overall, the transition from a three-storey to a two-storey warehouse scheme results in a responsive built form that maintains an appropriate relationship with nearby residential properties whilst supporting the evolving character of the industrial precinct.

2.3.2.1 Updated and Additional Impact Assessment

Updated assessments have been prepared to respond to the issues raised within the submissions and to reflect the proposed amendments. The majority of the assessment reports and plans submitted with the SSDA have been updated to address the new site layout. The full list of the updated assessment reports is provided in **Table 2**.

The following plans and reports have been subject to more significant updates, reflective of the key technical issues raised in respect of the application:

- Architectural Plans
- Design Report
- Landscape Plans
- Traffic Impact Assessment
- Noise and Vibration Assessment
- Air Quality Impact Assessment
- Civil Plans
- Civil Report

2.4 Responses to Submissions

Detailed responses to the submissions made are provided in **Appendix B**.

3

Amendment Report

3 Amendment Report

This section of the report describes the proposed amendments and provides a comparative analysis of the original development and amended proposal. It also includes an updated detailed description of the various components of the proposal, including the demolition, site preparation, construction and operational phases.

3.1 Amended Project Description

The Amendment Report seeks changes to the original development proposal. The amended project description and works for which the SSDA seeks consent are:

- Demolition of all existing built form.
- Site preparation works, bulk earthworks and infrastructure/service provisions and/or augmentation.
- Removal of 61 trees on site.
- Extensive remediation of the site.
- Construction and operation of two, two-storey warehouse and distribution centre buildings including the following key components:
 - Approximately 45,896 m² of total GFA comprising:
 - 41,702m² of warehouse area.
 - 4,026m² of office area.
 - Two warehouse buildings of two storeys containing:
 - Six (6) units within Warehouse 1 (2 levels).
 - Four (4) units within Warehouse 2 (2 levels).
- 240 car spaces and 16 motorbike spaces.
- End of trip facilities.
- 5,566.1m² (10.2%) of landscaping.
- Provision of building/business identification signage.

3.2 Overview and Comparative Analysis

The following overview and comparative analysis have been undertaken for the proposed changes to the original development in accordance with the *DPE State Significant Guidelines* and is shown in **Table 5** below.

Table 5 Comparative Analysis of Original and Amended Developments

Element	Original Development	Amended Development	Change
Site Area	48,186m ²	Unchanged	No change
Land Use Activity	Warehouse and Distribution Centre	Unchanged	No change
Height of Buildings	31.7m	21.2m	Height reduction: -10.5m
	3 level Warehouse	2 Level Warehouse	Remove 1 Warehouse level
FSR	1.18:1	0.91:1	-0.27:1
Gross Floor Area	Total: 57,034m ²	Total: 45,896m ²	Total reduction: -11,138m ²

	Warehouse: 51,195 m ² Office: 4,775 m ²	Warehouse: 41,702m ² Office: 4,026m ²	Warehouse: -9,493m ² Office: -749m ²
Tenancies	24	10	Reduction: -14
Site Layout	Carparking areas shifted to address the street (central mezzanine parking moved to the Stephen Road frontage). The two separate areas designed to be multi-level		
Landscaping	5,000m ²	5,566m ²	Increase in area: +566m ²
Parking	Total: 293 243 car spaces (ground floor mezzanine) 50 car spaces (ground floor off Coal Pier Road) 20 motorbike spaces.	Total: 240 93 car spaces (Stephen Road) 147 car spaces (Coal Pier Road) 16 motorbike spaces	Total reduction: -53 Motorbike: - 4 spaces
Operating Hours	24 hours, 7 days a week	Unchanged	No change
Estimated Development Cost	\$282,410,000 (Excl. GST)	\$182,810,001 (Excl. GST)	Reduction: -\$99,599,999
Jobs	911 construction jobs 677 operational jobs	578 construction jobs 461 operational jobs	-333 construction jobs -216 operational jobs

3.3 Detailed Description

3.3.1 Site Description

The amended proposal applies to the same land, being 49-61 Stephen Road, Banksmeadow, within the Bayside LGA. The site has an area of 4.8ha and is legally described as:

- Lot A Deposited Plan 190526
- Lot 1 Deposited Plan 1095110
- Lot 1 Deposited Plan 311767

3.3.2 Project Area

Demolition and Earthworks

The extent of demolition and earthworks remains consistent with the description provided in the EIS. The proposed cut and fill volumes have been updated to reflect the raising of the level of the carpark and detailed in the Civil Plans prepared by Costin Roe. Approximately 1,700m³ of cut is required and 77,200m³ of fill, resulting in a balance of 75,500m³.

As a result of the amended earthworks and car park layout, the proposed number of trees to be removed has been reduced. A total of 61 trees are proposed for removal, which has been significantly reduced when compared to the original design where 105 trees were proposed to be removed. The change predominantly applies to the trees located along the northern boundary and the north-eastern accessway which are now identified for protection.

Site Remediation

No amendments are proposed to site remediation practices on the site as a result of the design changes.

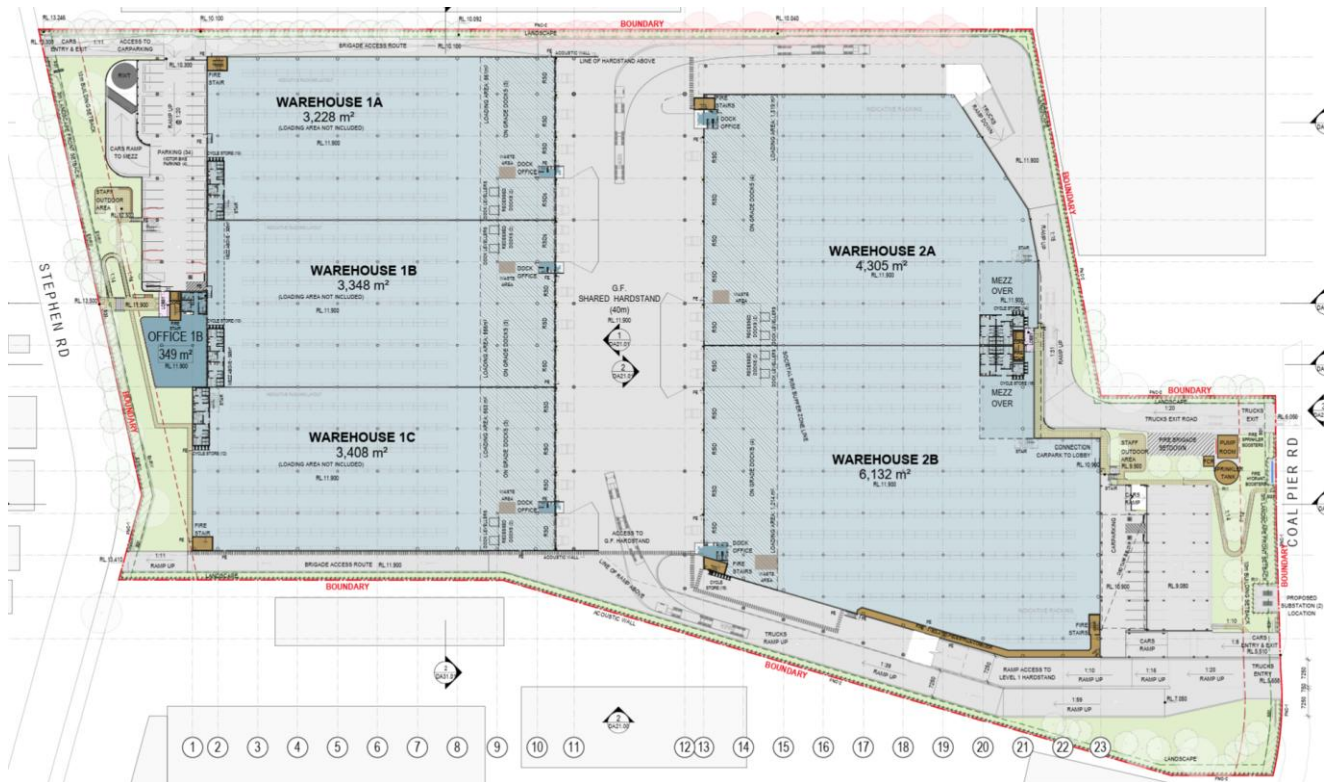
3.3.3 Site Layout

The site layout comprising the buildings' relationship with the hardstand and car park areas is generally maintained in the amended proposal, however an adjusted site layout has been proposed following the receipt of submissions and further evaluation of design parameters. The warehouses have been adjusted to orient the building length in a north-south direction which provides a connected, central and shared hardstand for heavy vehicle movements in a north-south path. This shift in orientation will optimise the operations of the warehouse and offices. Subsequently, there are minor changes to building setbacks to accommodate the building layout adjustment. In addition, a change is sought in the location and layout of the car parking areas to improve the functionality and circulation of vehicles, reflect the site layout changes and adjusted parking rate requirement.

In summary, the amendments to the site layout consist of:

- Warehouse building orientation changed.
- Offices have now been split between the western and eastern building frontages to address both entrances.
- Building and landscape setbacks have been increased.
- Carpark areas have been amended to create two separate locations for access to the separate office spaces.
- The truck entry from Coal Pier Road has been shifted to the north.
- The car park entry/exit from Coal Pier Road has been shifted to the south.
- The ruck ramp has been relocated from a spiral design along the eastern boundary to the northern and southern side.
- Café removed.

Figure 7 Proposed Site Plan



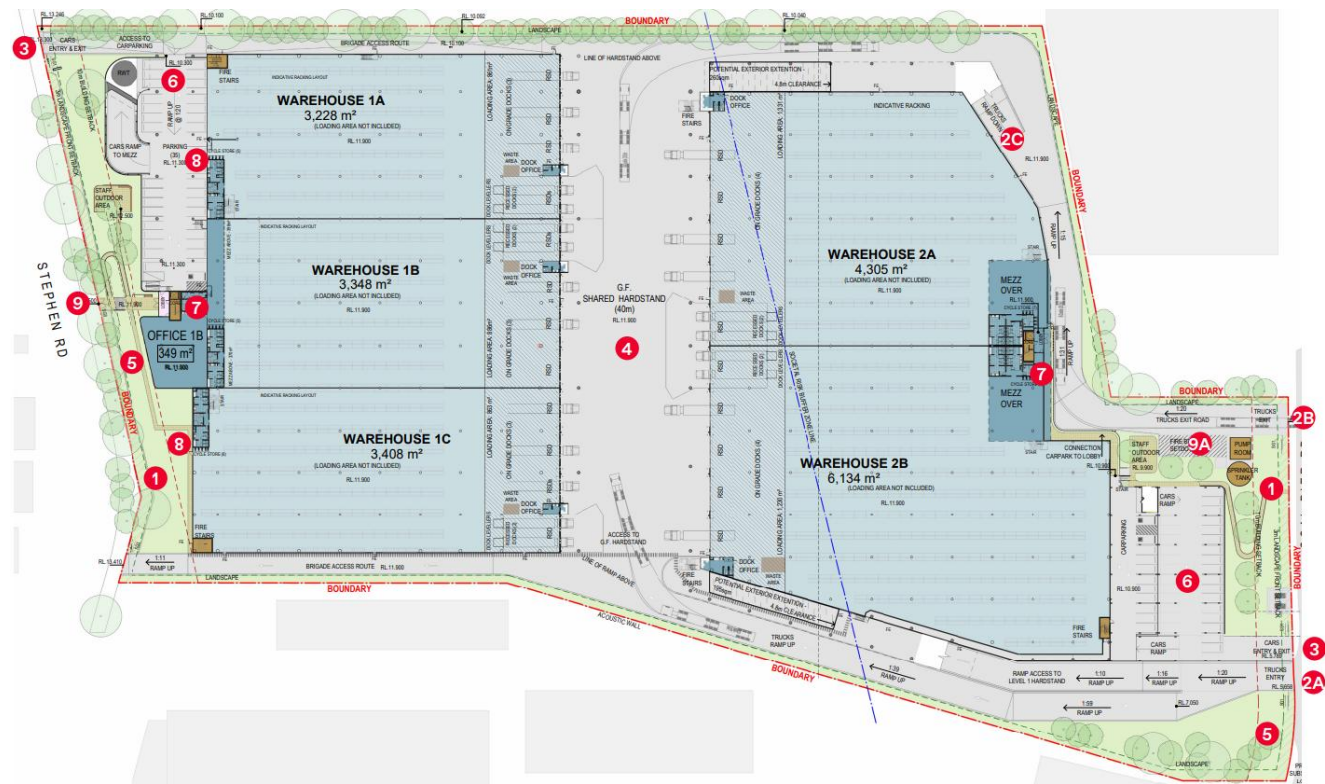
Source: SBA

3.3.4 Building Design

The built form and massing has been amended to achieve a 2-storey warehouse building with integrated office spaces. These will be connected by shared hardstands, with all truck entry and exit from Coal Pier Road. Separate low scale 3-storey car parking is provided with entry & exits from Stephen Road & Coal Pier Road. The design changes include:

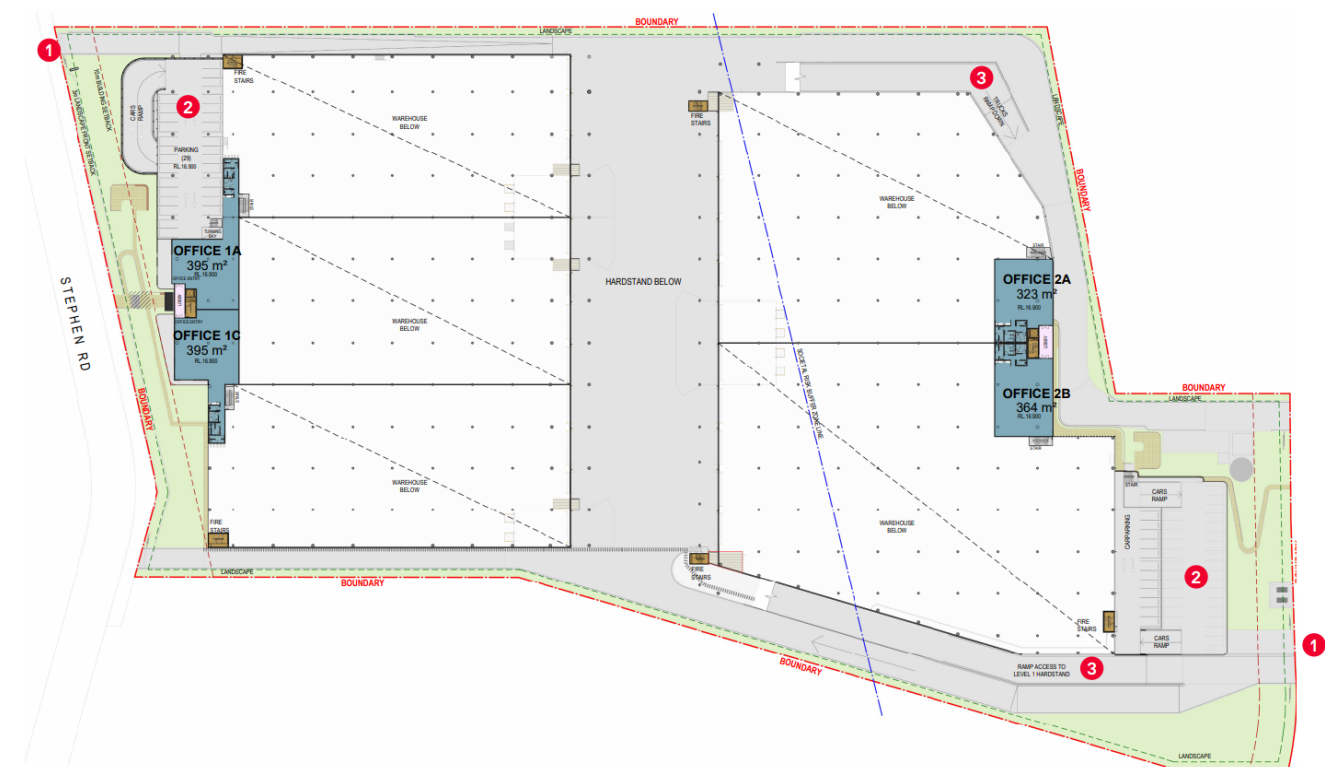
- Reduction in building height as a result of the removal of one warehouse level.
- Internal reconfiguration of the warehouse tenancies and office blocks to reflect the change in building orientation.
- The number of tenancies and loading docks have been reduced to reflect the reduction of GFA.

Figure 8 Proposed Architectural Plans



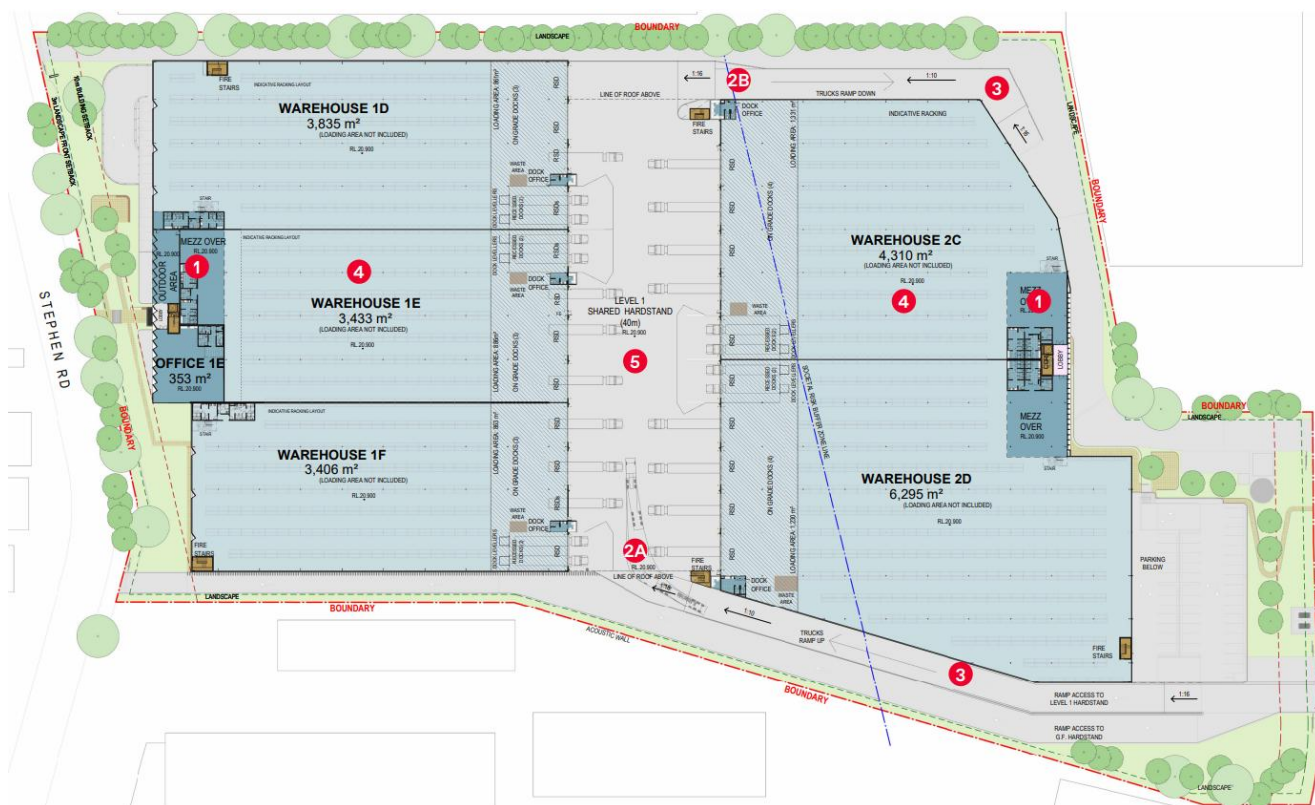
Picture 1 Ground Floor

Source: SBA



Picture 2 Mezzanine

Source: SBA



Picture 3 Level 1

Source: SBA

3.3.4.1 Façade and Materiality

The key components of the building façade and materiality have been retained, with minor adjustments to reflect the building design changes in response to feedback received on the previous proposal. As the building interfaces have been shifted due to the orientation change, the facade design has been amended to reflect this.

The streetscape interfaces at the east and west elevations of the site now comprise of office and warehouse facades. The amended design employs the same materials and finishes that reflect the ESR brand, as well as the integration of natural colours and finishes at the ground level to tie into the landscape. The office block also introduces white aluminium battens which stretch across all the office levels to create visual interest and provide passive shading for the internal spaces.

Figure 9 Architectural Render – Building Entrance and Office



Source: SBA

3.3.5 Landscape

The proposed landscape design outcome is detailed in the amended Landscape Plans (**Appendix N**) that have been submitted in support of this RTS and amendment report. As a result of the site layout changes and consolidation of the car park areas, it allows for an increase in landscape area and tree canopy cover. The proposal will achieve 5,566m² of landscape area and 4,858m² of canopy cover across the site.

The landscape strategy delivers a mix of endemic and native plants throughout the site, to emphasise the Site's frontages. The proposed landscape design comprises the following:

- Tall hedging proposed to the northern boundary with a mix of native grasses and groundcovers adjacent to brigade access route.
- Existing Eucalyptus trees along Stephen Road, Coal Pier Road and the northern boundary to be retained, and supplemented with canopy trees between the gaps and native planting of Eastern Suburbs Banksia Scrub.
- Canopy trees proposed within 10m landscape setback including species of Eucalyptus gummifera and Eucalyptus maculata.
- Understorey planting of shrubs and groundcovers including native species and indigenous plants from Eastern Suburbs Banksia Scrub plant community.
- Eucalyptus trees to 10m landscape setback from Stephens Road, underplanted with native shrubs and groundcovers
- Banksia integrifolia trees to driveway entrance.

Eucalyptus trees to 11m landscape setback to Coal Pier Road underplanted with native shrubs and groundcovers.

3.3.6 Public Domain

The proposal seeks to retain the existing street trees located along Coal Pier Road and Stephen Road. An amended driveway design has been proposed to align with the modified access arrangements to the site along Coal Pier Road which has resulted in additional landscaping along this frontage.

3.3.7 Civil Engineering

The stormwater management approach is generally the same as the design outlined in the SSD as lodged. An in-ground drainage system will discharge into Bayside Council's drainage system located on Coal Pier Road, provided in accordance with the Bayside Development Control Plan 2022 and *Bayside Technical Specification – Stormwater Management 2023*. Specific drainage elements and description of the drainage system as are as follows:

- The proposed stormwater drainage system for the development will comprise a minor and major system to safely and efficiently convey collected stormwater run-off from the development.
- The in-ground drainage system, designed to the 5% AEP, will direct stormwater from a 4.82Ha catchment to street drainage in Coal Pier Road.
- Relocation of the existing stormwater drainage line and associated 2.5m wide easement along the southern boundary. This will allow for the conveyance of overland flow through the Site from Stephen Road to Coal Pier Road.
- A 1,020m³ volume OSD tank will be located in the carpark at the southeastern corner of the site which has been reduced in size from 1,800m³.
- Roof water from the warehouse building will be conveyed from the eastern side of the building to a rainwater tank compartmentalised within the on-site detention tank on the eastern side of the building. This will assist in reducing demand on potable water (via reuse for toilet flushing and irrigation applications) and also assist with overall treatment of Site runoff.
- Pre-treatment of surface water for the site will be provided using pit inserts to all surface inlet pits and roof water first flush devices. This will remove gross pollutants from the system and prevent the overloading of the tertiary treatment system.
- Tertiary treatment of the Site will be provided via filter cartridges at the south-east corner of the Site at the stormwater discharge locations.
- The legal discharge point for this Site will be through the existing Council drainage system located on Coal Pier Road.

As a result of the submissions received the Water Cycle Management Report/Civil Report prepared by Costin Roe has been updated to directly respond to these matters raised as outlined below:

- A vertical clearance check has been completed for all vehicular access points alongside a headroom clearance check.
- DRAINS modelling has been completed for all stormwater events including a DRINAGS HGL Assessment for overland flow conveyed by the council drainage system, associated easement and overland flow path along the southern boundary.
- Stormwater runoff is to be managed through an inground drainage system with provision of retaining walls for conveyance of runoff for a local catchment within Stephen Road.
- An on-site detention system has been provided as part of the proposed development to match pre-development flows in accordance with the *Bayside Technical Specification – Stormwater Management prior to discharge into council's stormwater system*.
- Oil and hydrocarbon capture has been achieved in the OSD tank and therefore a separator prior to the OSD is not required based on the provided measures.

- Erosion and Sediment Control Plan drawings have been provided to limit potential offsite impacts during construction.
- A detailed analysis of Council's Flood advice letter has been provided which confirms the development floor level is set above the 1% AEP flood level with an additional 500mm freeboard.
- It is confirmed that safe refuge is available during flood events on the site via evacuation or shelter in place.

3.3.8 Vehicle Access and Parking

Vehicular access will still be provided from Coal Pier Road for heavy vehicles, designed as a separate exit and entry split to the north and south of the frontage. Two light vehicle access points into the carpark areas are provided as per the original design. One is located on Stephans Road and the second on Coal Pier Road. The original submitted design permitted entry and exit at the southern Coal Pier Road accessway, however the updated design only permits entry from the south, and exit from the north to achieve a simple and efficient clockwise internal circulation.

Amendments have been made to the car park locations and design to address comments raised about safe parking areas. As the parking numbers have reduced following the reduction in GFA, the car park areas have been consolidated and refined to achieve safe and legible parking arrangements. The parking area at the north east corner off Stephen Road has been amended to provide three levels of parking below the office mezzanine. In addition, the parking from Coal Pier Road at the south eastern corner includes 3-4 levels of parking. The parking design now proposes low rise carparking with two-way ramps ensuring smooth circulation and minimizing congestion, with convenient access to the Warehouse offices.

3.3.9 Operations

3.3.9.1 Uses

The proposal is for a warehouse and distribution centre use with a ancillary office space. On-site activities associated with the warehouse and distribution use will include:

- Loading, unloading and handling of goods and materials.
- Heavy service vehicle movements, car movements and parking.
- Arrival and departure of employees.
- Handling of goods and materials for the purposes of storage and distribution.
- Warehouse and distribution uses operating 24 hours a day.

3.3.9.2 Operating Hours

The site proposes to operate 24 hours a day, 7 days a week.

3.4 Strategic Context

This section describes the way in which the amended proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project.

The development as proposed to be amended remains aligned with the State, district and local strategic plans and policies applying to the site, as summarised below:

3.4.1 Current and Draft Region Plans

3.4.1.1 Greater Sydney Region Plan: A Metropolis of Three Cities

Greater Sydney Region Plan: A Metropolis of Three Cities – connecting people (‘the Region Plan’) provides the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities – the Western Parkland City, Central River City and Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, requiring the provision of 817,000 new jobs and 725,000 new homes by 2036.

The Plan includes objectives and strategies for infrastructure and collaboration, liveability, productivity and sustainability. Managing and retaining industrial land close to centres and transport will ensure critical services are available to support businesses and residents.

The Site is located within the Botany Industrial Area where it is envisaged that growth will be supported by protecting the operations of the international gateways of Sydney Airport and Port Botany.

The following objectives also support additional employment and maintaining industrial land supply:

- Objective 23 – Industrial and urban services land is planned, retained and managed, and;
- Objective 24 – Economic sectors are targeted for success.

The Region Plan specifically identifies advanced manufacturing, logistics and trade within the region as an expanding sector characterised by significant investment in innovation and development. The Region Plan outlines that across Greater Sydney, 15 per cent of all jobs are on industrial and urban services land, yet only eight per cent of developable land in Greater Sydney allows for industrial and urban services land.

This highlights a pressing need for further intensification of employment generating land. The plan outlines that the growth and enhancement of industrial and urban services lands should reflect the needs of the Eastern Sydney region.

The proposed development aligns with the vision and key objectives of the Botany Industrial Area as the proposed warehouse and distribution centre will facilitate the provision of jobs and economic activity in proximity to existing international gateways of the airport and port.

3.4.1.2 The Sydney Plan

The Draft Sydney Plan (Sydney Plan) was placed on exhibition on 10 December 2025 and sets a new 20-year strategic land use plan to direct future growth in the Sydney region. Once finalised, it will replace the 2018 Region Plan and the District Plans and introduce a new consistent, statewide approach for strategic planning. The Sydney Plan applies to the same area and LGAs as the 2018 Region Plan.

The plan identifies seven (7) core ‘Sydney Priorities’ which underpin the strategic vision for Sydney, which include: Aboriginal outcomes, housed, prosperous, connected, resilient, liveable and coordinated. These priorities are linked to twelve (12) ‘Responses’ which are tied to the strategic growth of Sydney. The applicable responses for the site and the Aerotropolis include:

- Response 4: Grow well-located jobs.
- Response 5: Align infrastructure to planned growth.
- Response 8: Secure an ongoing pipeline of productive industrial lands.

The plan includes actions for implementation over the next 5 years that are aligned with Sydney’s growth over the next 20 years. In this period, the plan will inform local strategic planning (including an update to council LSPs) and assessment processes, infrastructure planning and prioritisation, and public and private investment decisions.

3.4.2 Eastern City District Plan

Our Greater Sydney 2056: Eastern Harbour City District Plan – connecting communities (‘the District Plan’) is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the district. The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Region Plan at the district-level. The Structure Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

The planning priorities and actions likely to have implications for the proposed development are listed and discussed below:

- Planning Priority E9 – Growing international trade gateways;
- Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute City;
- Planning Priority E11 – Growing investment, business opportunities and jobs in strategic centres, and;
- Planning Priority E12 – Retaining and managing industrial and urban services land.

The plan identifies the need for policies aimed at supporting and retaining industrial precincts. The trade gateway of Port Botany and Sydney Airport is seeing shifts in the freight and logistics sector driven by technological changes. Therefore, there is increased demand within the areas of industrial zoned land surrounding these gateways to support the growth of the industry. It is outlined that the amount of industrial land supporting Sydney Airport has decreased with encroachment from residential developments and commercial growth. The proposed development will contribute to growing investment, business opportunities and jobs in the Botany Industrial Area by enabling additional employment generating floorspace through delivery of a warehousing facility with accessibility to the established regional road network, airport and port.

3.4.3 Bayside Local Strategic Planning Statement

Bayside Local Strategic Planning Statement (‘the LSPS’) was prepared by Bayside Council. The LSPS seeks to implement the provisions in the Region Plan and District Plan, setting a 20-year vision for land-use within the LGA in accordance with the EP&A Act. The LSPS outlines that the two trade gateways located within Bayside are key in delivering 91,000 jobs in the LGA. The trade gateways are supported by the industrial employment and urban services land that surrounds the Sites identified as the Botany Industrial Park, and where the Site is located. The LSPS states that the industrial precincts enable the trade gateways to operate as effectively as possible and are critical for the ongoing operations of the gateways, thereby reinforcing the State level policy setting of retaining and pro-actively supporting the ongoing use of the Site and wider precinct for industrial / employment uses that are leveraging proximity to both the Port and Airport. The proposed development will contribute to growing the trade gateways within the Bayside LGA by enabling for the continued and intensified use of industrial employment and urban services land in close proximity to the port and airport.

3.4.4 Statewide Policy for Industrial Lands (Draft)

The Draft Statewide Policy for Industrial Lands for NSW was placed on public exhibition by DPHI, alongside the Draft Sydney Plan. The policy provides guidance as to how existing industrial lands can be optimised for more innovative and higher productivity uses, and how to plan for new industrial lands.

There is strong acknowledgement that the needs for contemporary and emerging industries are changing. The need for the diversification, adaptation and intensification of industrial lands is critical to support industry, which is what this policy seeks to achieve.

DPHI are taking a more considered and precinct-specific approach to their management of industrial land. The policy identifies three categories of industrial lands, including state, regionally and locally significant, which are defined based on their strategic importance and spatial contribution to economic activity.

The categorisation determines how industrial lands are to be protected and also determines the level of flexibility permitted when considering alternative land uses. The site is currently an existing industrial land use which will be optimised to deliver a modern warehouse operation that addresses local amenity.

The subject land has been categorised as regionally significant, which demonstrates the importance of the ongoing viability of the land for industrial purposes, to support and contribute to the NSW economy.

3.5 Statutory Context

This section of the report provides an overview of the key statutory requirements relevant to the site and the project, including:

- *Commonwealth Environmental Protection and Biodiversity Conservation (EPBC) Act 1999*
- *Biodiversity Conservation Act 2016*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Bayside Development Control Plan 2022*

3.5.1 Statutory Requirements

Table 6 categorises and summarises the relevant requirements in accordance with the DPE State Significant Development Guidelines. It identifies the key statutory matters which are addressed in detail within the EIS, including the power to grant consent, permissibility, other approvals, pre-conditions and mandatory considerations.

Table 6 Identification of Statutory requirements for the Project

Statutory Reference	Action
Power to grant approval	In accordance with Schedule 1, clause 12(1) of the Planning Systems SEPP, development that has an EDC of more than \$50 million for the purpose of 'warehouses or distribution centres' are classified as SSD. As the proposal has an estimated EDC of \$182.8 million and is for the purposes of a warehouse and distribution centre at one location and related to the same operation, it is therefore classified as SSD.
Permissibility	The <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) is the principal planning instrument regulating land use over the Site. The Bayside LEP is excluded from land subject to the former Three Port SEPP lands, which includes this site. The site is zoned IN1 General Industrial in accordance with the Transport and Infrastructure SEPP. Warehouse and Distribution Centres are permitted with consent in the IN1 Zone. The land use objectives in IN1 General Industrial zone are: ▪ <i>To provide a wide range of industrial and warehouse land uses</i> ▪ <i>To encourage employment opportunities.</i>

- To minimise any adverse effect of industry on other land uses.
- To facilitate and encourage port related industries that will contribute to the growth and diversification of trade through the port.
- To enable development for the purposes of business premises or office premises associated with, and ancillary to, port facilities or industries.
- To encourage ecologically sustainable development.

The proposed warehouse will facilitate employment generating development in a highly accessible area.

Other Approvals

Section 4.42 of the EP&A Act

Under Section 4.42 of the EP&A Act, certain authorisations cannot be refused if they are necessary for carrying out an SSD. Approval(s) under the following Acts that could be required include:

- *The Fisheries Management Act 1994*
- *Mine Subsidence Compensation Act 1961*
- *Mining Act 1992*
- *Petroleum (Onshore) Act 1991*
- *Protection of the Environment Operations Act 1997*
- *Roads Act 1993*
- *Pipelines Act 1967*

The general provisions of the POEO Act in relation to the control of pollution of the environment will apply throughout the development. During construction, appropriate management measures will be implemented in relation to the control of noise, dust, erosion and sedimentation, and stormwater discharge, to ensure that the pollution control provisions of the POEO Act are satisfied.

Approvals not required for State Significant Development

Under Section 4.41 of the EP&A Act, certain authorisations are not required for SSD. Approvals that are not required include those under the following acts:

- *Fisheries Management Act 1994*
- *Heritage Act 1977*
- *National Parks and Wildlife Act 1974*
- *Rural Fires Act 1997*
- *Water Management Act 2000*

3.5.2 Pre Conditions

Table 7 outlines the pre-conditions to exercising the power to grant approval which are relevant to the project and the section where these matters are addressed within this report.

Table 7 Pre-conditions

Statutory Reference	Pre-condition	Relevance	Section in EIS
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	Chapter 3 Hazardous and Offensive Development The SEPP requires the consent authority to consider whether	The proposal does not include a hazardous industrial activity. A Hazard and Risk Assessment has been prepared by Sherpa	Appendix C

Statutory Reference	Pre-condition	Relevance	Section in EIS
	an industrial proposal is a potentially hazardous or a potentially offensive industry.	Consulting at Appendix Y . The risk analysis demonstrates that due to the closure of the Qenos site within the Botany Industrial Park there is no cumulative risk of hazardous materials in the area.	
	Section 4.6 - A consent authority must be satisfied that the land is suitable in its contaminated state - or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out.	Following the remediation proposed as part of this application, potential sources of contamination may still exist at the site. However they are not expected to preclude the proposed development on the site if indeed that is the case following the RAP & Site Audit Statement.	Appendix C
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Section 3.6 - A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	An indicative Pylon sign is included within the architectural plans. An Assessment of this signage is included in Appendix C .	Appendix C
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	The SEPP requires a warehouse and distribution centre with 8,000m ² in Site area or Gross Floor Area (GFA) to be referred to Transport for NSW (TfNSW) for their assessment and concurrence.	The proposal seeks to deliver greater than 8,000m ² of warehouse and ancillary office GFA and accordingly it is understood the application will be referred to TfNSW during the assessment period.	Appendix C

3.5.3 Mandatory Considerations

Table 8 outlines the relevant mandatory considerations to exercising the power to grant approval and the section where these matters are addressed within the EIS.

Table 8 Mandatory Considerations

Statutory Reference	Mandatory Consideration	Section in EIS
Consideration under the EP&A Act and Regulation		
Section 1.3	Relevant objects of the EP&A Act	Appendix C
Section 4.15	Relevant environmental planning instruments	Appendix C
	▪ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	
	▪ <i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Appendix C
	▪ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	Appendix C
	▪ <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	Appendix C
	▪ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	
	Relevant draft environmental planning instruments	N/A
	▪ None applicable	
	Relevant planning agreement or draft planning agreement	N/A
	▪ None relevant to the proposed development	
	Development control plans	Appendix C
	▪ Bayside Development Control Plan 2022 (BDCP 2022)	
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Section 6
	The suitability of the site for the development	Section 7
	The public interest	Section 7
Mandatory relevant considerations under EPIs		
Transport and Infrastructure	Chapter 5 of the Transport and Infrastructure SEPP outlines zone objectives and development controls for development within the Three Ports SEPP. Appendix C outlines an assessment of the relevant controls of the chapter. The	Appendix C

Statutory Reference	Mandatory Consideration	Section in EIS
SEPP – Chapter 5	proposed development is compliant with the development controls under the Transport and Infrastructure SEPP.	
Considerations under other legislation		
<i>Biodiversity Conservation Act 2016</i> (BC Act) – section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.	Appendix C
Development Control Plans		
Bayside DCP 2022	Clause 11 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD. As such, there is no requirement for assessment of the proposal against the Bayside DCP 2022 for this SSDA. Notwithstanding this, consideration has been given to the assessment of relevant provisions of the BDCP 2022 which is outlined in Appendix C.	Appendix C

4 Assessment of Impacts

This section provides a comprehensive description of the updated specialist technical studies undertaken to assess the potential impacts of the amended development and the recommended mitigation, minimisation and management measures to avoid unacceptable impacts.

The detailed technical reports and plans prepared by specialists and appended to the EIS are individually referenced within the following sections. In some cases, the technical reports and plans submitted with the EIS remain valid, and this is also identified below.

This section identifies those matters that require only a minor assessment in the Amendment Report.

4.1 Built Form and Urban Design

The proposed amended Architectural Plans and shadow diagrams are attached at **Appendix F**. A Design Report was prepared by SBA Architects for the amended design to demonstrate the proposal's design response to the urban context and character of the site and is attached at **Appendix I**. The Design Report sets out the design response of the proposed development and how it aligns with the SEARs requirements in relation to the Built Form and Design Quality.

4.1.1 Impact Assessment

The amended site layout and design have been carefully considered in response to feedback from both agencies and the public and seeks to provide a balanced positive visual outcome as well as an efficient use of the site. The amended layout has shifted from the previous scheme of the north-south warehouse arrangement to the east-west warehouse orientation with a central hardstand area. The overall architectural design also integrates functional industrial spaces with high-quality office environments that have now been separated to both the Stephen Road and Coal Pier Road frontages to ensure better accessibility to these spaces for workers in each warehouse. Key design priorities include:

- **Functionality:** Flexible warehouse and office spaces, with easy access to loading docks and ample parking;
- **Aesthetic appeal:** A striking architectural form that complements the surrounding industrial precinct whilst interfacing with residential to the west;
- **Sustainability:** Incorporating energy-efficient strategies, including solar panels, natural lighting, and water efficient landscaping.

4.1.1.1 Proposed Massing and Layout

Through the design development process, the building height and upper massing was significantly reduced. In particular, the industrial multi-level warehouse has been reduced from three levels in the earlier concept to two levels in the final proposal. This adjustment significantly lowers the overall building profile and reduces the perceived scale of the development when viewed from the public domain and surrounding properties as outlined in **Figure 10** below.

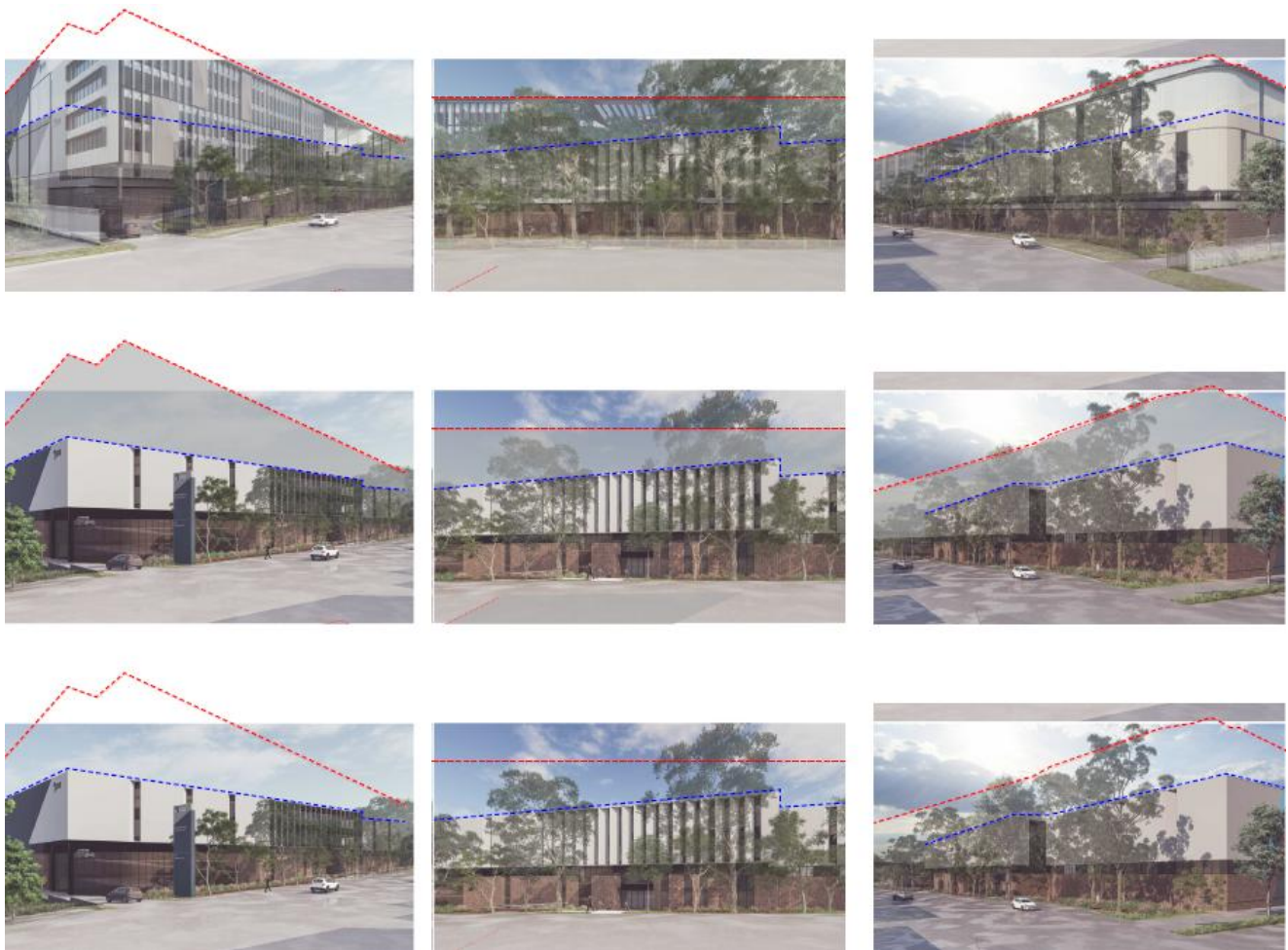
The building presents as one massing, with a centrally located hardstand area located in between the east and west sections, creating two warehouses behind the Stephen Road continuous facade. Six (6) warehouse tenancies are proposed to be located along the Stephen Road frontage over two storeys with ancillary office spaces to service each individual tenancy. Additionally, a separate office area is located to the rear of the site to service the four (4) warehouse tenancies located along Coal Pier Road. These office components are fully integrated into the overall building massing and façade composition, avoiding the appearance of separate commercial elements projecting from the warehouse form.

This approach contributes to a cohesive architectural expression while reducing the perceived scale of the development when viewed from the public domain. The office block along the site frontage has been

retained along the west façade alongside the screened car parking area to face the residential areas. This design approach has sought to reduce the perceived scale of the building, whilst minimising the noise and lighting/glare impacts on the residents located to the west. This proposed approach will ensure that truck movements are completely separated from this residential area. The west façade and office acts as a physical barrier between the residential land uses and the warehouse uses on the site.

The proposed building has been positioned to respond appropriately to the residential properties located across Stephen Road. A minimum separation of approximately 32 metres is maintained between the closest point of the building and the opposite street edge and up to 60m in some areas, ensuring a substantial spatial buffer between the industrial development and the existing dwellings. The vehicle access ramps have also been carefully considered to avoid adverse visual impacts and therefore have been located to the southern and northern boundaries of the site towards the rear of the site along Coal Pier Road to mitigate visual and noise impacts as a result of trucks utilising the ramp for access.

Figure 10 Comparison Study of Massing



**The red line denotes the previous scheme's height. The blue line denotes that of the current proposed scheme.*

Source: SBA, 2026

4.1.1.2 Proposed Façade Design

The form of the building has been shaped to provide visual relief, from the traditional 'box' structure of warehouse forms which has been achieved through the treatment of the facades and materiality to create articulation and visual interest. This design development is in direct response to feedback received from DPHI and Council regarding the façade treatment and perceived bulk and scale of the development. SBA have developed a robust and visually interesting façade to create a more site responsive design outcome that reflects the surrounding single storey brick residential dwellings. At the lower levels, darker cladding and

brickwork establish a robust base that anchors the building to the ground plane and provides a durable interface at street level. The masonry facade elements also frames the ground floor lobby and helps define the building entry, creating a stronger street presence.

The upper levels are defined by a series of vertically proportioned glazed panels framed by lightweight white cladding. This arrangement introduces rhythm and transparency to the elevation while allowing natural light to penetrate the office and mezzanine areas. The lighter cladding helps visually reduce the perceived scale of the building and contributes to a clean and refined architectural appearance.

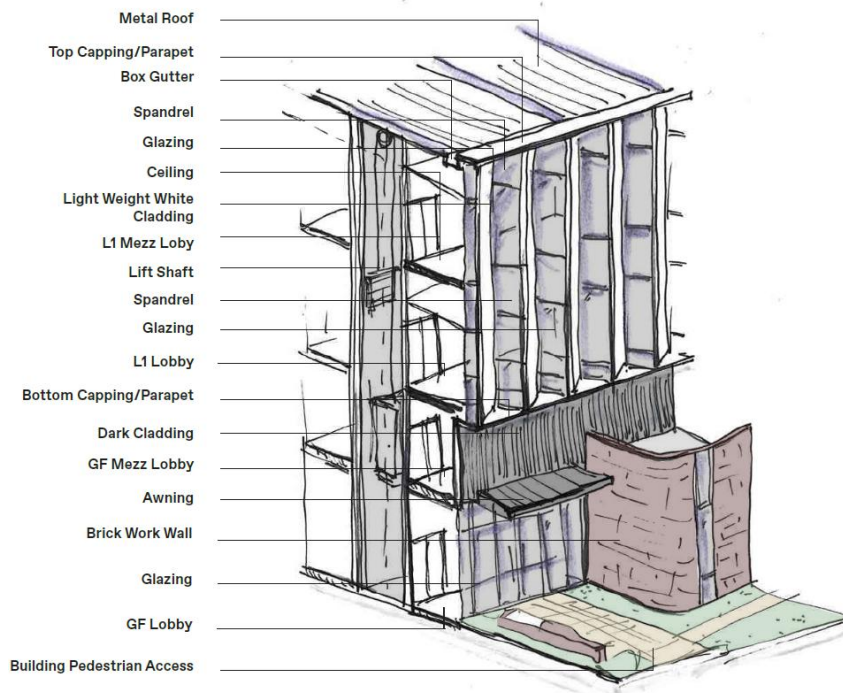
Figure 11 and **Figure 13** below shows a 3D perspective of the Stephen Road frontage and the proposed façade design development response.

Figure 11 3D Perspective of Stephen Road Frontage



Source: SBA, 2026

Figure 12 Sketch Section of Office Façade (Stephen Road Frontage)



Source: SBA, 2026

4.1.1.3 Relationship to the Public Domain

The public domain has also been carefully considered, with the location of building entries and ancillary offices serving to activate the site frontages. A landscaped setback also creates a physical buffer between the building and the street to the west, softening the building's presence. Landscape design plays a key role in reinforcing the transition from the built form to the streetscape. Existing mature street trees and additional landscape planting along the site boundary contribute to a green buffer that softens views toward the building and integrates the development into the established streetscape character.

The café has been removed from the scheme in response to feedback from Council and the comparative isolation of the building from the Stephen Road frontage as a result of the level change and landscape setbacks.

The following design features and strategies seek to achieve integration of the building into the surrounding residential and industrial context and landscape:

- High quality landscape street frontage to effectively compliment and connect the warehouse to the context of the area. The dense native trees are proposed in the front and rear setbacks that will provide a natural, green screen to the surroundings.
- The upper portion of the building is stepped back from the boundary line to reduce the perceived bulk and scale of the development when viewed from the street and adjoining properties. This setback creates a clearer visual transition between the ground level and the upper building elements, helping the development sit more comfortably within the surrounding context.
- The office component addressing Stephen Road has been carefully treated with angled vertical battens to minimise direct views towards the residential properties across the road while still allowing natural light into the office spaces.
- The selection of colours and materials seek to reflect the surrounding buildings and create a unique façade articulation.

Figure 13 Southwest Façade from Stephen Road



Source: SBA, 2026

Visual Privacy

The proposed amended design has considered numerous façade development solutions in order to reduce visual privacy and overlooking impacts to the residential interface. The offices will feature angled vertical battens which will help minimise direct views towards the residential properties across the road while still allowing natural light into the office spaces. The proposed office spaces will not overlook any private backyards of properties due to their orientation to the east on the western side of Stephen Road. Additionally, the outdoor areas for staff are now located on the ground floor rather than the previous balcony spaces, specifically to reduce overlooking. These spaces are proposed to only operate during normal office hours in order to manage further impacts to residents.

The proposed landscape setbacks will blend the development into its surrounding context and filter views of the development. Similarly, this will also achieve adequate privacy screening for the surrounding residential properties. The proposed planting within the landscaped setback to the outdoor amenity space will provide screening to further ensure any impacts to neighbouring residential properties are minimised.

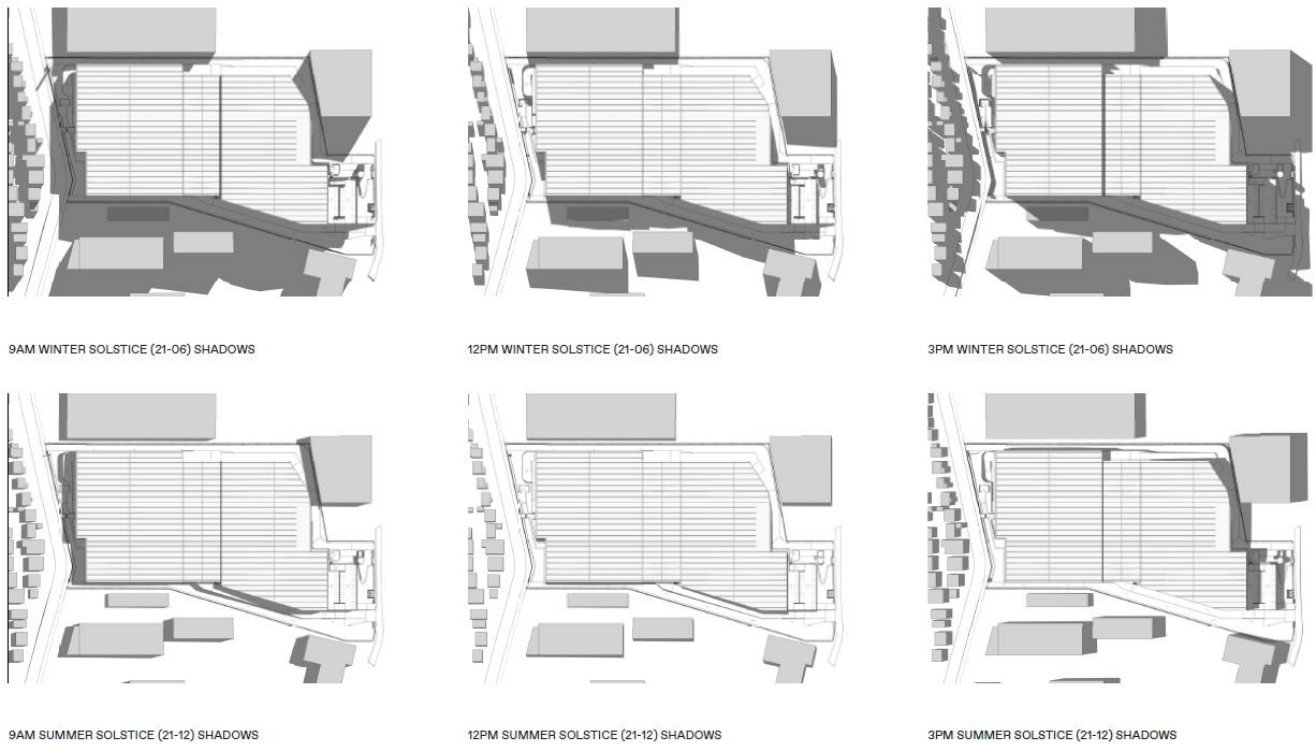
Overshadowing

- The shadow diagrams included in the Architectural Plans demonstrate the overshadowing to surrounding properties at the summer and winter solstice. An extract is provided in **Figure 14** below which demonstrates the proposed impacts of the building on the surrounding residential properties. The diagrams show there will only be minimal impact on solar access to three residential properties' front gardens to the west during the winter solstice at 9am. The shadow only falls on these properties till 10am. There will be no impacts as a result of the proposal on any living spaces along Stephen Road. The majority of the overshadowing impacts will be focused to the industrial development located to the south of the site during the midwinter.

This solar impact is significantly reduced from the previous scheme which proposed to create shadowing across the private open spaces and potentially living spaces of residential properties located to the west.

The proposed shadow impacts are considered acceptable based on the industrial nature of the site, with the shadows at mid-winter representing the 'worst case scenario' throughout the year whilst still providing suitable solar access to surrounding properties.

Figure 14 Shadow Diagrams



Source: SBA, 2024

4.2 Design Quality

The Design Report sets out the design response of the proposed development and how it aligns with the SEARs requirements as well as the objectives for good design contained within *Better Placed* (published by the Government Architect NSW, 2017).

In accordance with *Better Placed*, the amended proposal achieves a high-quality design in the following ways:

- **Better Fit:** The design development informing the amended proposal has taken into consideration the relationship of the site to the surrounding neighbourhood and existing industrial facilities. The street-facing elevations express the functional character of the warehouse while incorporating distinctive architectural detailing and contemporary office elements. Light-coloured cladding at the upper levels is articulated to create a floating effect, with brickwork at the lower levels providing visual weight and anchoring the building to the ground. A contrasting colour palette of Surfmist, greys, white and dark blue is proposed, supported by integrated landscaping and vegetation. These elements soften the industrial appearance, enhance visual interest, and contribute positively to the streetscape and surrounding environment.
- **Better Performance:** Sustainability underpins the building's design. The expansive roof areas are allocated for solar arrays, and the use of glazing and translucent panels enable natural light to penetrate the warehouse spaces, reducing overall energy demand. To support sustainable transport choices, end-of-trip facilities are provided, including high-quality change rooms and bathrooms for workers and tenants. Further sustainability measures include a water recycling system, electric vehicle charging infrastructure, and outdoor spaces designed to support staff wellbeing. Collectively, these initiatives deliver an environmentally responsible development that promotes a healthy and sustainable work environment.

- **Better for Community:** The development offers businesses the opportunity to occupy a multi-tenanted facility, supporting future growth and community diversification. Shared outdoor spaces are accessible to all tenants, with elevators ensuring an inclusive, accessible environment.
- **Better for People:** The design prioritises safety and efficient movement for both occupants and vehicles by keeping car and truck accessways separate. Truck movements are carefully planned to minimise pedestrian interaction, further enhancing safety on site. Pedestrian footpaths and bicycle access are also separated from vehicular traffic at ground level, which will allow for safe and comfortable passage of pedestrians to the office and warehouse spaces. Shadow impact analysis has been undertaken which identifies the shadows that arise as a result of the proposed development would have a negligible effect on surrounding areas, including the residencies to the West. All offices have access to shared outdoor spaces, which include amenities and relaxation zones to promote comfort and well-being for tenants.
- **Better Working:** Environmental considerations have been prioritised in the design, including ramps with pitches below the minimum required by code. This reduces stress on trucks, lowering noise pollution and enhancing the environment for both occupants and the surrounding area. Within the hardstand area, column spacing is designed to be wider than the warehouse grid, allowing for maximum clearance for truck movements and loading. The office layout for each tenancy is strategically planned to optimise facility usage, ensuring direct and convenient access to both the car park and warehouses.
- **Better Value:** The facility is designed as a unified warehouse complex, subdivided into two main building blocks, maximising the efficiency of the entire site. The multi deck level carparking areas are strategically designed to provide lobby access to each tenancy, making optimal use of the floor plate and creating additional space for outdoor amenities and landscaped areas. Thoughtful consideration of building materials and the overall design ensures the creation of a unique and harmonious facility, contributing positively to the surrounding environment.
- **Better Look and Feel:** The design of the warehouse mass is carefully composed using simple planes, blocks, materials, and patterns, creating a clean and functional aesthetic. The office design is inserted into the warehouse creating a unified building, which helps reduce the building's proportions to a more human scale. The result is a dynamic and activated façade that adds visual interest and enhances the building's appeal

Figure 15 below contains an artistic perspective of the Stephen Road façade.

Figure 15 Proposed Perspective of Stephen Road Frontage



Source: SBA, 2026

4.3 Visual Impact

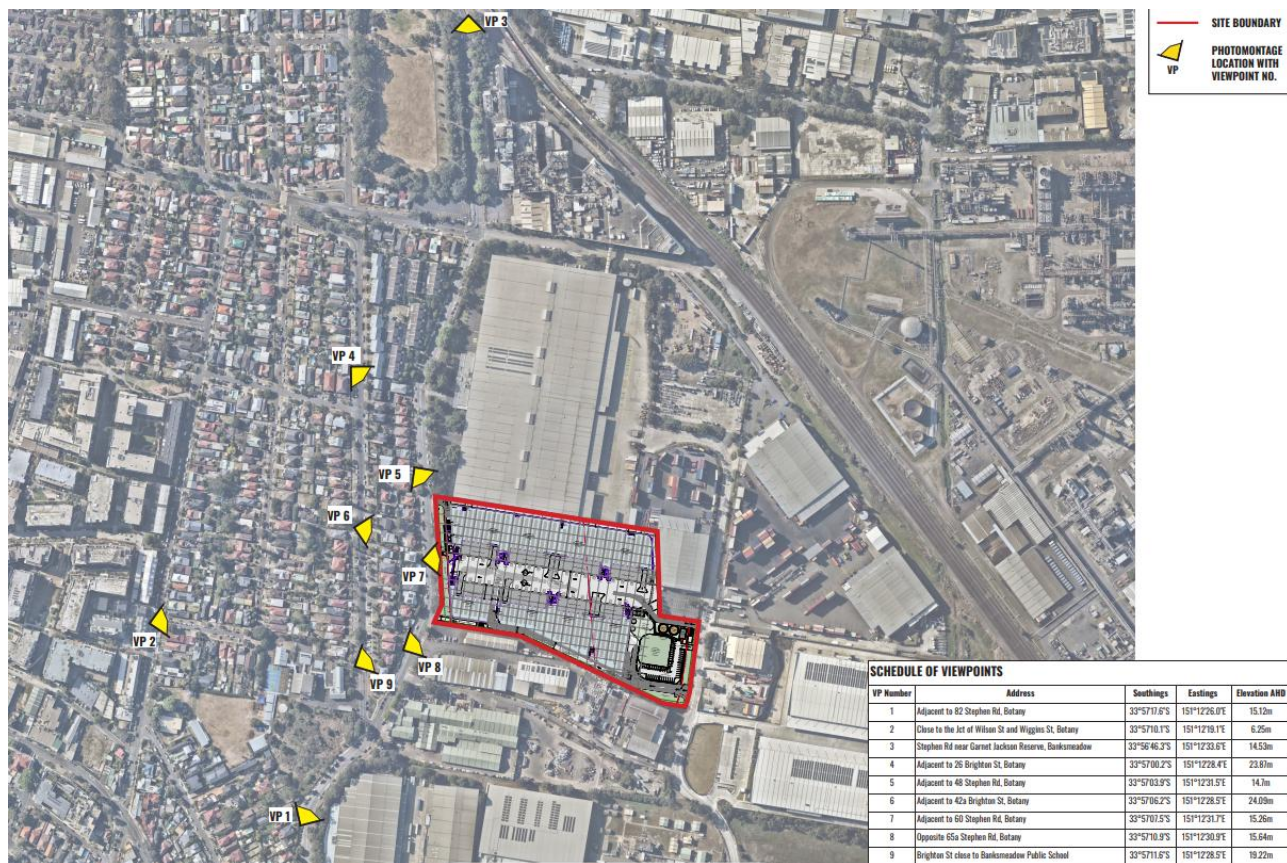
A Visual Impact Assessment (**VIA**) was prepared by Geoscapes and is attached at **Appendix X**. The VIA has been amended to assesses the existing environment, the existing proposal and the proposed amended development. The VIA undertakes both an objective analysis and a subjective professional judgement to determine the level of visual impact. This is also compared to best practice guidance, information and data analysis.

A site visit was conducted in September 2024 to verify results of a desktop study and evaluate the existing visual character of the area. In addition, a drone was used to take panoramic photographs at five separate locations within the site boundary to identify the site context, key features and the existing landscape character, and allow a judgement to be undertaken on which receptors in the wider context. These photographs were used for the amended proposal to create a clear representation of the differences between the schemes.

4.3.1 Existing Environment

The site information, the site visit and aerial photography conveys that the most sensitive visual receptors of the development are likely to be located to the west of the development within the predominantly residential area. Public views will be experienced from adjacent nearby streets surrounding the residential dwellings that overlook the Site. Receptors were selected based on their viewpoints for the VIA. Viewpoints have been taken from publicly accessible areas with some also close to private individual properties. Nine receptors were selected as shown in **Figure 16** below.

Figure 16 Viewpoint Locations



Source: Geoscapes, 2026

The VIA identifies the site is located within the western portion of an industrial area and is surrounded by industrial type buildings to the north, east and south. To the west is low density residential housing. There is also the impact on a number of upper floor apartments within residential areas due west in Botany between Wilson Street and Pemberton Street. The assessment does not include views from private dwellings, although it is highly likely the views from these apartments will already overlook the broader Botany Industrial Park (BIP). The BIP includes developments to the east of the Site including the Orica and Qenos facilities. Due to the very low visual sensitivity of areas to the east such as Coal Pier Road, no viewpoint locations were selected.

4.3.2 Impact Assessment

The existing site context is characterised as a mix of industrial and residential. Therefore, the proposed development would not be out of character with the existing context, or any future character defined by the BLEP2021 or nearby approved development.

Geoscapes has assessed the visual receptor sensitivity based on:

- Judgements of value attached to views taking into account recognition of the value attached to particular views (eg heritage assets or through planning designations), and
- Judgements of susceptibility of visual receptors to change, mainly being a function of the occupation or activity of people experiencing the view at particular locations, and the extent to which their attention or interest may therefore be focussed on the view and the visual amenity they experience at particular locations.

Assessment of the sensitivity of visual receptors may be modified (either up or down) by consideration of whether any particular value or importance is likely to be attributed by people to their available views. Typically, sensitivity of visual receptors may be judged to be very high, high, medium, low or very low.

For each receptor type, the sensitivity of the location is combined with the predicted magnitude of change to determine the level of effect on any particular receptor. Having taken such a wide range of factors into account when assessing sensitivity and magnitude at each receptor, the level of effect can be derived by combining the sensitivity and magnitude in accordance with the matrix in the table below:

Table 9 Significance of Visual Impact Matrix

Receptor for Sensitivity	Magnitude of Change					
	Very High	High	Medium	Low	Very Low	
	Very High	Substantial	High	High/Moderate	Moderate	Moderate/Minor
	High	High	High/Moderate	Moderate	Moderate/Minor	Minor
	Medium	High/Moderate	Moderate	Moderate/Minor	Minor	Minor Negligible
	Low	Moderate	Moderate/Minor	Minor	Minor Negligible	Negligible
	Very Low	Moderate/Minor	Minor	Minor Negligible	Negligible	Negligible/ None

Source: Geoscapes, 2026

In all cases, where overall effects are predicted to be moderate or higher, this will result in a prediction of a significant effect in impact terms. All other effects will be not significant. If a view from a receptor is judged to be 'no change' in the category of Magnitude of Change, then the significance of impact will automatically be none.

Visual effects are more subjective as people's perception of development varies through the spectrum of negative, neutral and positive attitudes. In the assessment of visual effects, Geoscapes exercised objective professional judgement in assessing the significance of effects and assumed, unless otherwise stated, that all effects are adverse, thus representing the worst-case scenario. The significance of visual impacts is assessed against the proposed development in isolation only.

For the previous assessment of the three-storey scheme, it found that out of the nine viewpoints assessed, three receptors were expected to receive moderate visual impacts from the proposed development (Viewpoint 5, 7 and 9), while one receptor identified as Viewpoint 6, was identified to receive a high/moderate visual impact as illustrated below. All other visual impacts assessed were not significant, with three of the viewpoints assessed having minor significance and two having minor negligible to negligible impacts within the existing industrial estate.

Although no private views were assessed within the VIA, the updated assessment outlines that it is likely that the balconies and upper floor windows of many two storey properties in close proximity to the development site will experience views of the amended development. Additionally upper floor apartments within medium density residential areas further west are likely to contain views of the development alongside a wide panorama of the BIP in which the visual quality would likely be considered low. The moderate/minor visual impacts of the proposal are proposed to be mitigated through planting and architectural design.

Table 10 Proposed Visual Impacts of Receptors

Viewpoint	Visual Receptor Sensitivity	Three Storey Scheme Impact	Two Storey Scheme Impact
V1. Adjacent to 82 Stephen Road, Botany – Looking Northeast	Medium	Minor	Minor Negligible

V2. Close to the Junction of Wilson Street and Wiggins Street, Banksmeadow – Looking East	Medium	Minor	None
V3. Stephen Road near Garnet Jackson Reserve, Banksmeadow	Low	Minor	Minor Negligible
V4. Adjacent to 26 Brighton Street, Banksmeadow – Looking Southeast	Medium	Moderate/Minor	None
V5. Adjacent to 48 Stephen Road Banksmeadow – Looking Southeast	Medium	Moderate	Moderate/Minor
V6. Adjacent to 42a Brighton Street, Banksmeadow – Looking East	Medium	High/Moderate	Moderate
V7. Adjacent to 60 Stephen Road, Banksmeadow – Looking East	Medium	Moderate	Moderate/Minor
V8. Opposite 65a Stephe Road Banksmeadow – Looking Northeast	Low	Moderate/Minor	Minor
V9. Brighton Street close to Banksmeadow Public School – Looking Northeast	Medium	Moderate	Minor
V10. Port Feeder Road, Banksmeadow – Looking Southwest	Low	Negligible	Negligible
V11. Coal Pier Road, Banksmeadow – Looking North	Low	Minor Negligible	Minor Negligible

Figure 17 Visual Receptor 5



Picture 4 Pre-Development Scenario



Picture 5 Post Development Scenario (Three Storey)



Picture 6 Post Development Scenario

Figure 18 Visual Receptor 6



Picture 7 Pre-Development Scenario



Picture 2 Post Development Scenario (Three Storey)



Picture 2 Post Development Scenario (Two Storey)

Figure 19 Visual Receptor 9



Picture 8 Pre-Development Scenario



Picture 9 Post-Development Scenario (Three Storeys)



Picture 10 Post-Development Scenario (Two Storeys)

Figure 20 Visual Receptor 11



Picture 11 Pre-Development Scenario



Picture 12 Post-Development Scenario



Picture 13 Post-Development Scenario

Source: Geoscape, 2026

To assist in mitigating the visual intrusion of the building form, especially to the visual receptors to the west along Stephen Road, all existing trees are to be retained including a number of trees within the site. A landscape buffer of 10m is proposed to Stephen Road consisting of native canopy trees and layered planting to create a dense visual screen. The proposed landscape setbacks will filter and blend the development into its surrounding context and filter views of the development.

Similarly, this will also achieve adequate privacy screening for the surrounding residential properties. The proposed planting to the outdoor amenity space will provide screening to further ensure any impacts to neighbouring residential properties are minimised. Visual impacts can be significantly reduced through good architectural design for surrounding people and locations. Consideration has been given to high-quality building finishes and colours as part of the façade design.

Mitigation Measures

The proposal has accommodated all reasonable mitigation measures to address visual impact from the proposed development.

4.4 Contamination and Remediation

A Contamination Covering Letter has been provided (**Appendix Y**) which outlines that Douglas Partners have reviewed the amended architectural and civil drawings for the amended proposal. The letter confirms that the previous contamination investigations and the Remediation Action Plan remain valid and the advice, recommendations and conclusions outlined in the previous reports are not impacted.

4.5 Traffic and Transport

Traffix have provided an amended Transport Impact Assessment (**TIA**) for the project which is attached at **Appendix M**. The purpose of the TIA is to demonstrate the site is compliant and consistent with the access, traffic and parking requirements prescribed by Council and TfNSW. It also assesses the local road network capacity having regard to the proposed development and confirms that onsite parking provision can appropriately accommodate the proposed trip generation facilitated by the project.

4.5.1 Existing Environment

Access to the site is currently provided by

- Two driveways along Stephen Road for car and emergency fire vehicle access, and
- One driveway from Coal Pier Road for truck access.

The road network surrounding the Site includes a mix of State, regional and local roads. Key roads and intersections within the study area are shown in **Figure 21**. It is noted that there are no school zones located within the study area.

Figure 21 Road Hierarchy



Source: Traffix, 2024

Stephen Road is identified as an unclassified regional road with parking located on both sides of the road and a speed of 50km/hr in the vicinity of the Site. Coal Pier Road is identified as a local road that traverses in a north and south direction between McPherson Street in the south and ending in a cul-de-sac in the north. The road is subject to a 50km/hr speed with a single lane of traffic in each direction.

Intersection surveys were conducted at six key intersections surrounding the Site in November 2023. From this, traffic volume data was obtained regarding the existing peak hour conditions in the morning and evening. The total traffic volumes through each key intersection in the critical AM and PM peak and estimated total daily traffic volumes derived from the peak hour surveys are shown in **Table 11** below.

It is noted that the daily traffic volumes are not a relevant consideration for the assessment of the traffic network, which is based on intersection performance during peak (hourly) periods.

Table 11 Peak Hour Volumes (Existing)

Intersection	AM Peak	PM Peak	Daily Volume
Foreshore Road, Botany Road and Penrhyn Road	3,301 vehicles	3,271 vehicles	33,010 to 41,263 vehicles / day

Botany Road and Excell Street	1,284 vehicles	1,346 vehicles	13,460 to 16,825 vehicles / day
Botany Road and Hill Street	1,155 vehicles	1,090 vehicles	11,550 to 14,438 vehicles / day
Botany Road and Stephen Road	1,132 vehicles	1,207 vehicles	12,070 to 15,088 vehicles / day
McPherson Street and Coal Pier Road	317 vehicles	410 vehicles	4,100 to 5,125 vehicles / day
Stephen Road and Swinbourne Street	1,443 vehicles	1,450 vehicles	14,500 to 18,125 vehicles / day

Source: *Traffix*, 2026

The site is located 800m walking distance of several bus stops which operate along Swinbourne Street and Foreshore Road as outlined below:

- Route 307 – Eastgardens to Mascot Station (loop every 20 mins).
- Route 309 – Port Botany to Redfern (every 5-10 mins during the week and every 10 mins on weekends).
- Route 310 – Botany to Central Railway Square (limited services).

4.5.2 Impact Assessment

4.5.2.1 Construction Traffic Impacts

It is anticipated that approximately 50 vehicles will enter the site per day via Coal Pier Road during construction phase, with 40 of these being heavy vehicles and 10 light vehicles. The anticipated construction traffic volumes will be half of the vehicle trips expected to be generated by the development during operation. As the below assessment demonstrates suitable operational phase traffic impacts, it is concluded that the surrounding road network will operate satisfactorily with the proposed construction phase traffic volume.

Furthermore, trips generated by construction staff will typically be outside of the main road network peaks. The impact of construction traffic volumes on the external network is therefore expected to be inconsequential.

4.5.2.2 Operational Traffic Impacts

The TIA has adopted the TfNSW Guide to Transport Impact Assessment requirements to provide the below proposed traffic generation rates for the 24 warehouse tenancies on the Site.

- 119 vehicle trips in the AM Site peak (74 in and 45 out),
- 106 vehicle trips in the PM Site peak (37 in 69 out),
- 78 vehicle trips in the AM network peak hour (55 in 23 out),
- 96 vehicle trips in the PM network peak hour (33 in 63 out),
- 1614 vehicle trips per day (650 in, 649 out).

The proposal as a result of the design amendments has resulted in the reduction of vehicle volumes by 315 vehicles per day.

Additionally, the net increase in traffic generation resulting from the proposed development (above the current traffic generated by the existing operation) will be an additional 67 vehicle trips in the AM network peak hour (+49 in and +18 out) and 92 vehicle trips in the PM network peak hour (+31 in and +61 out).

Modelling Scenarios

To assess the impact of the proposed development, SIDRA modelling has been undertaken to evaluate the performance of four key intersections near the site, as listed below:

- Foreshore Road, Botany Road and Penrhyn Road
- Botany Road and Excell Street
- Botany Road and Hills Street
- Botany Road and Stephen Road
- McPherson Street and Coal Pier Road
- Stephen Road and Swinbourne Street

To assess the potential traffic impacts of a proposed development, the following scenarios were identified. These scenarios were undertaken in response to feedback from TfNSW during agency consultation.

- Base Case.
- Base Case plus Development.
- Base Case plus Development (10 Year Growth).

As part of this analysis Traffix has taken into consideration the impacts of surrounding approved (but not yet operational) developments including 2-8 Baker Street, Banksmeadow Orica Southlands and 9 Coal Pier Road, to assess for cumulative impact. The traffic volumes generated by these approved and under construction developments equates to an additional 207 vehicles in the AM peak and 185 in the PM peak to key intersections.

Base Case Scenario

The following **Table 12** outlines the base case traffic impact scenario for the development.

Table 12 Base Case Traffic Impact Scenario

Intersection	Control type	Period	Degree of saturation	Intersection delay	Level of service
Foreshore Road, Botany Road and Penrhyn Road	Signalised	AM	0.891	26.3	B
		PM	0.848	21.6	B
Botany Road and Excell Street	Priority	AM	0.441	12.0	A
		PM	0.408	7.8	A
Botany Road and Hill Street	Priority	AM	0.443	14.8	B
		PM	0.296	9.3	A
Botany Road and Stephen Road	Priority	AM	0.442	15.3	B
		PM	0.481	14.0	A
McPherson Street and Coal Pier Road	Priority	AM	0.135	6.7	A
		PM	0.145	6.4	A
	Priority	AM	0.700	23.6	B

Stephen Road and Swinbourne Street	PM	0.785	29.9	C
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Source: Traffix, 2026

The key intersections in the vicinity of the site currently operate at LoS 'B' or better in the AM and PM peak hour periods, with the exception of Foreshore Road, Botany Road and Penrhyn Road which operates at a LoS 'C' in the AM peak. Stephen Road and Swinbourne Street also operates at a LoS 'C' in both AM and PM peaks.

Base Case plus Development Scenario

The following **Table 13** outlines the development and cumulative impact scenario for the development.

Table 13 Proposed Development and Cumulative Impact Scenario

Intersection	Control type	Period	Degree of saturation	Intersection delay	Level of service
Foreshore Road, Botany Road and Penrhyn Road	Signalised	AM	0.909	27.5	B
		PM	0.904	25.2	B
Botany Road and Excell Street	Priority	AM	0.478	12.5	A
		PM	0.465	8.4	A
Botany Road and Hill Street	Priority	AM	0.542	16.8	B
		PM	0.299	10.0	A
Botany Road and Stephen Road	Priority	AM	0.447	15.5	B
		PM	0.521	14.7	B
McPherson Street and Coal Pier Road	Priority	AM	0.167	7.0	A
		PM	0.205	7.2	A
Stephen Road and Swinbourne Street	Priority	AM	0.709	23.8	B
		PM	0.800	31.4	C

The key intersections in the vicinity of the site will continue to operate at the same LoS with only minor increases in intersection delay for all intersections. It is noted the exception of Botany Road and Stephen Road which has a reduced LoS 'B' in the PM peak, however it is noted that the intersection only sees an increased intersection delay of less than one (1) second.

Base Case plus Development Scenario (10 Year Growth)

The following **Table 12** outlines the base case traffic impact scenario with 10 years growth for the development.

Table 14 Proposed Development and Cumulative Impact Scenario

Intersection	Control type	Period	Degree of saturation	Intersection delay	Level of service
Foreshore Road, Botany Road and Penrhyn Road	Signalised	AM	1.162	132.2	F
		PM	1.067	83.6	F
Botany Road and Excell Street	Priority	AM	0.726	20.3	B
		PM	0.630	11.2	A
Botany Road and Hill Street	Priority	AM	0.921	47.4	D
		PM	0.373	13.1	A
Botany Road and Stephen Road	Priority	AM	0.607	30.4	C
		PM	0.716	25.1	B
McPherson Street and Coal Pier Road	Priority	AM	0.197	7.5	A
		PM	0.254	8.1	A
Stephen Road and Swinbourne Street	Priority	AM	0.912	32.9	C
		PM	0.888	47.4	D

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. Traffic 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.

4.5.2.3 Cumulative Impacts

The TIA has assessed the impact of surrounding approved developments in addition to the proposed operation of the development. The traffic generated by 2-8 Baker Street Banksmeadow (SSD-48411467), Orica Southlands (SSD-9691) and 9 Coal Pier Road, Banksmeadow (DA-2020/417).

The traffic generated by the above approved and under construction developments, equates to the following:

- An additional 207 vehicles per hour in AM peak traveling on the key intersections; and
- An additional 185 vehicles per hour in PM peak traveling on the key intersections.

As outlined in **Table 15** below, the key intersections in the vicinity of the site will continue to operate at the same LoS with only minor increases in intersection delay for all intersections. It is noted the exception of the Foreshore Road, Botany Road and Penrhyn Road intersection which has a reduced LoS 'C' in the PM peak, however it is important to consider that the intersection only sees an increased intersection delay of six (6) seconds once all the nearby developments are operating.

Table 15 Proposed Development and Cumulative Impact Scenario

Intersection	Control type	Period	Degree of saturation	Intersection delay	Level of service
Foreshore Road, Botany Road and Penrhyn Road	Signalised	AM	0.977	46.3	D
		PM	0.978	42.0	C
Botany Road and Excell Street	Priority	AM	0.556	13.3	A
		PM	0.604	10.0	A
Botany Road and Hill Street	Priority	AM	0.780	23.3	B
		PM	0.318	10.6	A
Botany Road and Stephen Road	Priority	AM	0.463	16.3	B
		PM	0.527	15.0	B
McPherson Street and Coal Pier Road	Priority	AM	0.258	8.8	A
		PM	0.304	8.2	A
Stephen Road and Swinbourne Street	Priority	AM	0.709	23.8	B
		PM	0.800	31.4	C

Source: *Traffix, 2026*

4.5.3 Impact Assessment – Building Design

4.5.3.1 Site Access and Circulation

All construction vehicles will access the site via the existing crossovers on Coal Pier Road during the construction stages. The accessways will be utilised by all construction vehicles travelling to and from the Site. Heavy vehicles are to enter the site via the northernmost existing accessway, and light vehicles enter the site via the southernmost existing accessway.

Following completion of construction and during normal operations, the proposed warehouse will utilise the five access driveways from Stephen Road (two driveways) and Coal Pier Road (three driveways). The driveway access points have been assessed in the TAIA and exceed the minimum widths required for the swept paths of the design vehicles anticipated to utilise those entrances.

- **Northern Stephen Road Access (Light Vehicles and Fire Only)**

The proposed northern vehicular access via Stephen Road will provide access to a multi-level car parking with 93 car parking spaces. The proposed access will be a combined access providing an entry and exit for light vehicles, as well as being designed to accommodate a 12.5m Heavy Rigid Vehicle (fire trucks) to enter and exit the site. In response, the development provides a driveway width of 6.0 metres.

- **Southern Stephen Road Access (Fire only)**

The proposed southern vehicular access via Stephen Road will provide egress for the fire brigade during emergencies. The proposed access has been designed to accommodate a 12.5m Heavy Rigid Vehicle (HRV) to enter and exit the Site. A driveway width of 5.2m is to be provided.

- **Coal Pier Road Access (Light Vehicles only)**

The proposed vehicular access via Coal Pier Road will provide access to a basement car parking area for 147 cars. The proposed access has a driveway width of 6.5m for shared entry and exiting of vehicles.

- **Southern Coal Pier Road (Heavy Vehicle Ingres Only)**

The proposed southern heavy vehicular access via Coal Pier Road will provide access to all the warehouses across both levels. The proposed access has been designed to accommodate two 20m Articulated Vehicles (AV) to simultaneously enter and exit the site. A driveway width of 10.5m is provided.

- **Northern Coal Pier Road Access (Egress Only)**

The proposed northern heavy vehicular access via Coal Pier Road will provide egress for all warehouses. The development provides a driveway width of 8.1m.

The internal ramps have been reviewed, with ramp grades and lengths being compliant with the requirements outlined within the relevant Australian Standards. Ramps have been designed for vehicles up to 20m Articulated Vehicles (AV) in accordance with AS2890.2:2018. Swept path analysis has demonstrated that suitable turning space is provided for the expected vehicle types.

All service areas will be designed with reference to the relevant Australian Standards and provide for the movement of vehicles up to and including a 20 metre Articulated Vehicles. It is anticipated that service areas shall be designed and comply with AS 2890.2:2018. The internal configuration of the carpark areas has also been designed in accordance with the relevant Australian Standards.

As set out in the mitigation measures section below, future operations and traffic management arrangements of the service / hardstand area shall be subject to an operational Traffic Management Plan to allow for identification of tenants' requirements and a customised traffic management arrangement specifically to support the operational needs of the tenants.

4.5.3.2 Parking Provision

Car Parking

The provision of car parking for the site has been reduced as a result of the design amendments. Car parking is now located alongside the office areas along Stephen Road and Coal Pier Road. The proposal was assessed against the rates and requirements for a "Warehouse and Distribution Centre" with ancillary office as outlined within the BDCP 2022. The TIA highlights the provision of 240 car spaces meets the minimum requirement (240 spaces). **Table 16** below outlines the required parking rates for each land use.

Table 16 Parking Provision

Type	Yield	Parking Rate	Required Parking	Provision
Warehouse/Distribution	41,702 m ²	1 space per 300m ² GFA	139	139
Ancillary Office	4,024m ²	1 space per 40m ² GFA	101	101
Total			240	240

Source: Traffix, 2026

Motorcycle parking

The BDCP2022 provides guidance that one motorcycle space per 15 car parking spaces is required. The proposed development is required to deliver 16 motorcycle parking spaces. 16 spaces are provided on the site meeting the requirements of the DCP.

Bicycle Parking

With the above parking rates for the proposed 41,702m² of warehouse GFA, the proposed development is nominally required to provide 67 bicycle parking spaces. The development proposes a total of 78 bicycle parking spaces which is compliant with the requirements of the council DCP.

Waste Collection and Servicing

The BDCP2022 requires the following for warehouse and distribution centre developments:

- Ten (10) service bays (for MRVS or larger) for the first 8,000m² and 1 service bay for every additional 1,000m² warehouse and distribution GFA.

The proposed development is required to provide 55 service bays and one van space.

The development consists of 10 warehouses which can each accommodate 20m Articulated Vehicle. As such, each and all warehouses are capable of accommodating any servicing requirements for the warehousing and ancillary office spaces.

4.5.4 Mitigation Measures

Construction Traffic and Pedestrian Management

A Preliminary Construction Traffic and Pedestrian Management Plan (**CTMP**) was prepared by Traffix to outline the proposed construction traffic management arrangements and methodologies during the proposed construction works. It is to be noted that a comprehensive CTMP will be prepared once a builder has been appointed to the project.

The preliminary CTMP outlines the following management measures:

- A detailed Site establishment plan will be developed by the appointed builder prior to the commencement of any works.
- All construction vehicles will access and egress the Site via Coal Pier Road.
- All construction vehicles will access and egress the Site in a forward direction.
- All loading and unloading activities are to be contained wholly within the Site.
- All adjacent property accesses will be maintained at all times.
- All vehicles are not to obstruct any pedestrian crossings or footpaths.
- Safework accredited traffic controllers will be utilised at Site vehicle access points.
- Chain mesh fencing and shade clothes will be installed along the perimeter of the Site to maintain safety and pedestrian thoroughfare.
- All material, plant and spoil bin storage is to be accommodated within the Site at all times during construction.
- No building materials shall be placed, dumped or left on council footpath or roads at anytime with footpaths to remain in a safe condition for use at all times.
- All trucks will be linked via CB radio and/or hands free mobile and will only be called to the Site when required and there is sufficient capacity to accommodate the proposed trucks
- All trucks are to use the proposed truck routes as specified in the preliminary CTMP.

The following further mitigation measures are recommended for the proposal.

Prior to Occupation Certificate

A signage and line-marking plan be prepared to manage vehicle circulation in the car park and to assist with way finding across the Site. The signage and line-marking plan would be prepared prior to Occupation Certificate (OC) and if deemed necessary by the assessing authority.

Construction Traffic Management Plan

A Construction Traffic Management Plan will be prepared and endorsed by the PCA prior to issuance of a Construction Certificate. The CTMP will reflect the content and recommendations of the Preliminary CTMP prepared by Traffix dated November 2024.

Operational Traffic Management Plan

An Operational Traffic Management Plan is to be prepared and endorsed PCA prior to issuance of a Construction Certificate.

4.6 Ecologically Sustainable Development

An Ecologically Sustainable Development (ESD) report has been prepared by E-lab Consulting and is included at **Appendix P**. This report presents a summary of the ESD strategies and commitments, including energy efficiency measures adopted for the project to minimise greenhouse gas and carbon emissions for the amended design. ESR is aiming to deliver an affordable, sustainable outcome for the project by demonstrating a strong commitment to sustainability in its design, construction, and operation.

4.6.1 Impact Assessment

In preparing the ESD strategy for the proposed development, ESR have considered the following ESD principles as defined under section 193 of the EP&A Regulation as well as the requirements of the Bayside DCP and the SEARS issued for the project:

- Precautionary principle.
- Intergenerational equity.
- Conservation of biological diversity and ecological integrity.
- Improved valuation, pricing and incentive mechanisms.

The ESD report has undertaken a detailed analysis of the potential impacts of the proposal as outlined below:

- The project incorporates elements to minimise impacts on the environment. A commitment to improvement on minimum benchmarks demonstrates the development's commitment to sustainability.
- The design team has addressed key elements such as energy, potable water, and material consumption to do what is within the project's control to allow each following generation to have an opportunity for ecological equality.
- The project is committed to planting native vegetation and using integrated landscaping to enhance the overall ecological biodiversity of the site. Rainwater and stormwater will be carefully managed and controlled to minimise impacts on surroundings.
- The project will target a construction waste diversion target of 90%, as well as develop specific project waste management strategies. Further, it is designed to be low-energy and low-water consumption, which provides an incentive for tenants through lower utility bills.
- Construction materials have been chosen to be low impact in their manufacture, including best practice PVC and FSC/PeFC timber throughout where possible. This reduces the extent of waste created by the site, as well as upstream and downstream waste categories.

State Environmental Planning Policy (Sustainable Buildings) 2022

The Sustainable Buildings *State Environmental Planning Policy 2022* (**Sustainable Buildings SEPP**) mandates that consent authorities consider how non-residential buildings will meet specific sustainability requirements.

The proposed project has thoroughly considered these requirements and has incorporated various strategies to address them. Specifically:

- Waste minimisation strategies have been implemented for demolition and construction activities, with a focus on the selection and reuse of sustainable building materials.
- Energy-efficient technologies have been integrated to reduce peak electricity demand.
- The project includes provisions for the generation and storage of renewable energy on-site through a major PV array on the roof to reduce operation energy and GHG emissions associated with the site.
- Passive design principles have been employed to reduce reliance on artificial lighting and mechanical heating and cooling systems.
- Systems for metering and monitoring energy consumption have been established to ensure efficient energy use.
- Measures to minimise potable water consumption have been incorporated into the design.
- A comprehensive report on embodied emissions has been prepared.
- A Net Zero Statement has been developed to outline the project's commitment to achieving net zero emissions.
- The office component of the project is designed to achieve a 5.5 Star NABERS energy rating.
- The office component is also designed to achieve a 3 Star NABERS water rating.

Further discussion on initiatives that provide a detailed and thorough response to the requirements of the Sustainability SEPP are detailed within the ESD report at **Appendix P**. These initiatives have not changed from the previous three storey proposed development.

4.6.2 Mitigation Measures

The proposal has demonstrated that it meets the relevant sustainability requirements of the Sustainable Buildings SEPP and will utilise best practice methods in relation to operational sustainability, including a commitment to achieving a 5 Star Green Star Buildings v1 Certification for the development, along with achieving 5.5 Star NABERS energy and 3 Star NABERS water rating for the office components. The development must identify preferred Section J energy reporting pathway, effective water-saving measures and submit NABERS Energy and NABERS Agreement to Rate with development application.

Whilst no specific additional mitigation measures are recommended, the key ESD initiatives detailed in the ESD report have been considered for adoption during the detailed design and ongoing operational phases of the project.

4.7 Trees and Landscaping

4.7.1 Existing Environment

A revised Arboricultural Impact Assessment (**AIA**) has been prepared by ArborScan and is attached at **Appendix O**. The AIA assessed a total of 163 total trees, 111 within the subject site and 52 trees located on adjoining or boundary land.

4.7.2 Impact Assessment

Of the total number of tagged trees evaluated, it is proposed that 61 trees are to be removed, which corresponds to 37.4% of the trees assessed. ArborScan have performed a detailed review of the revised design in the context of tree retention and removal across the Site, of which removals are predominately attributed to trees subject to major encroachment, defined as impacts exceeding 20% of the Notional Root

Zone (NRZ) or direct intrusion into the Structural Root Zone (**SRZ**), or where trees are located within the unavoidable development footprint or present as low retention value specimens.

The AIA identified that a considerable proportion of trees are subject to major encroachment, reflecting the constrained nature of the site and extent of the proposed works as amended.

Of the 52 trees located on adjoining land, three trees (Tree 107 and 110 along the Coal Pier Road frontage and Tree 151 along the Stephen Road frontage) have been identified where removal is required. These trees are necessitated to be removed due to the revised design, with the proposed pedestrian entrance on Stephen Road and the truck exit driveway and proposed substation location on Coal Pier Road. No works may be undertaken to these trees without landowner (and where applicable, the appropriate authority) consent, this will necessitate formal notification and approval prior to any works proceeding.

The successful retention of nominated trees is contingent upon strict adherence of the recommendations and requirements according to AS 4970-2025, detailed within the report and as summarised below.

4.7.3 Landscape Approach

Revised Landscape Plans have been prepared by Geoscapes in accordance with the SEARs and in response to submissions received and is attached at **Appendix N**. A total of 195 trees is proposed as part of the amended landscape plans, in accordance with the offset ratio of 3:1 as defined in the SEARs. The proposed development achieves 10.2% landscaped area in addition to the 3m landscape setback, as specified in the DCP. This setback will provide sufficient area along the street frontages to allow the proposed 12 Eucalyptus tree plantings to reach their potential height. Broadly, site landscaping has been developed to align with the following Greener Places Principles:

- **Integration:** The proposed landscape design aims to combine green infrastructure with the urban development. This will blend green and grey infrastructure through the introduction of expansive setbacks along Stephen Road and Coal Pier Road. Landscaping species selection will follow the natural structure of the Eastern Suburbs Banksia Scrub Ecosystem. Canopy trees are proposed along Stephen Road that will be of similar height to existing trees that will help absorb the building visually into the surrounding residential context.
- **Connectivity:** The development will provide a greener network within Banksmeadow, with expansive landscape setbacks on all road frontages, enhancing existing green links through the street trees with canopy trees proposed in larger landscaped areas on site. Through species selection, habitat for native fauna can be cultivated.
- **Multifunctionality:** site landscaping is aimed to have multiple purposes, including softening the building façade to increase its visual appeal through the use of canopy trees, which will also increase overall canopy cover. Species consistent with that of the endangered Eastern Suburbs Banksia Scrub that occurred on the site pre-colonisation will be utilised as part of the proposed development. Planting will be of full strata; including groundcovers / grasses, understorey shrubs and canopy layers that will be beneficial for the wildlife that are attracted to these plants.
- **Participation:** The planning process incorporates the knowledge of a diverse group of parties and has involved various stakeholders, such as the NSW Government and Bayside Council. Implementation of neighbourhood, local and district policies and actions has been incorporated into the development of the landscape plan, such as the Bayside DCP, as well as local and State Green Infrastructure policies and actions.

4.7.4 Mitigation Measures

A detailed list of mitigation measures to appropriately address the loss of vegetation has been detailed in the AIA. These recommendations are to be incorporated into the construction management plan for the site, where the following categorisation has been applied to specific trees to be retained:

- **No Encroachment (0% NRZ):** Not Applicable

- Minor Encroachment (<10% NRZ):
 - The area lost to this encroachment should be compensated for elsewhere, contiguous with the NRZ.
 - Detailed root investigations are generally not required.
 - Tree protection must be installed and maintained.
- Moderate Encroachment (10%–20% NRZ)
 - The project arborist must demonstrate that tree(s) would remain viable post-encroachment.
 - Root investigation by non-destructive methods may be required to confirm root location and distribution.
 - The area lost to this encroachment should be compensated for elsewhere, contiguous with the NRZ.
 - Tree protection must be installed and maintained.
 - The project arborist must supervise any works within the NRZ.
- Major Encroachment (>20% NRZ or SRZ Impact)
 - The project arborist must demonstrate the tree(s) would remain viable post-encroachment.
 - Detailed root investigation by non-destructive methods will likely be required for any trees proposed for retention.
 - A thorough assessment of relevant factors (tree species, condition, site constraints, design factors) must be undertaken.
 - The area lost to this encroachment should be compensated for elsewhere, contiguous with the NRZ.
 - Tree protection must be installed and maintained.
 - The project arborist must supervise any works within the NRZ.

A maintenance plan has also been developed to rectify any defects that become apparent in the landscape works under normal use. The landscape contractor shall attend the site on a weekly basis to maintain the landscape works commencing from practical completion.

Overall, the AIA demonstrates that the proposed development can proceed with a balanced and defensible approach to tree management, facilitating the retention of higher-value trees while accommodated necessary removals driven by design constraints.

4.8 Air Quality and Odour

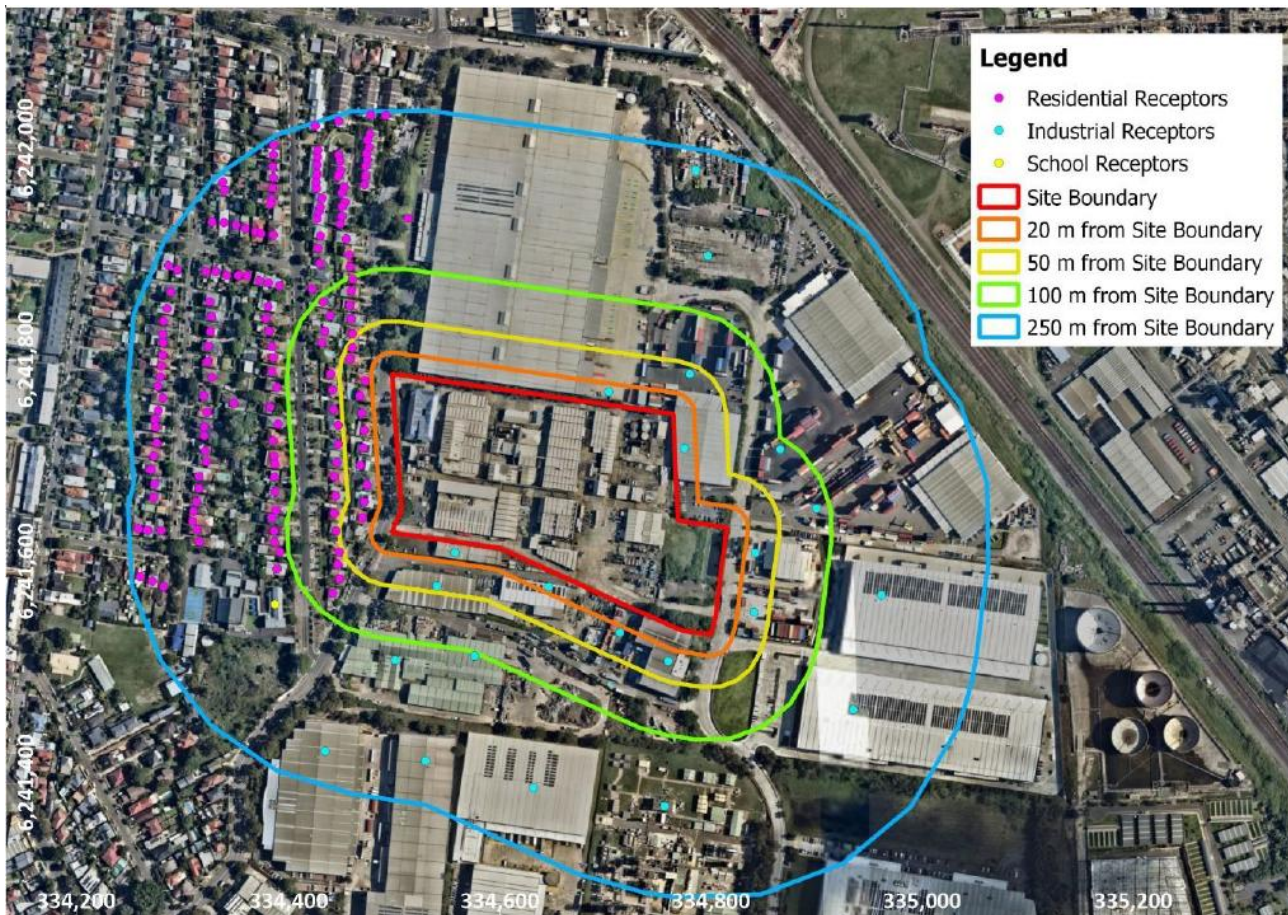
An Air Quality Assessment has been prepared by SLR Consulting and is attached at **Appendix R** to address the requirements outlined within the SEARs relating to air quality impacts arising from the proposed amended development.

4.8.1 Existing Environment

The site is located in the IN1 General Industrial zone with warehouse and industrial facilities surrounding the northern, eastern and southern boundaries of the site. To the west, on the opposite side of Stephen Road, is Low Density Residential (R2), Medium Density Residential (R3), and a mix of Local Centre (E1) and Productivity Support (E3) zoned land. Further to the north, northeast and southwest there are areas of public recreation (RE1). The land uses to the west are predominantly categorised as residential. The Banksmeadow Public School is located approximately 145m south-west of the Site.

The nearest residential areas are located approximately 20 m west of the Site on the western side of the Stephen Road. There are industrial receptors on neighbouring lots to the north, east and south. The nearest receivers are shown in **Figure 22**.

Figure 22 Sensitive Receivers with Buffer Distances



Source: SLR Consulting, 2026

4.8.2 Impact Assessment

4.8.2.1 Construction Impacts

The amended design does not materially alter the nature of construction activities; however, the AQIA has been updated to refine the assessment methodology and risk outcomes. Consistent with the previous AQIA, the primary air quality impact during construction remains fugitive dust emissions generated from demolition, earthworks, construction activities and vehicle movements (track-out). These emissions are influenced by site activity, meteorological conditions (particularly wind and low rainfall), and the extent of exposed surfaces.

A qualitative assessment has been undertaken in accordance with the *IAQM Guidance on the Assessment of Dust from Demolition and Construction (2024)*. This includes screening of sensitive receptors, evaluation of dust emission magnitude, assessment of receptor sensitivity, and classification of risk.

Emissions from diesel-powered construction plant and vehicles may also result in localised increases in combustion-related pollutants (e.g. NO_x, CO, PM). However, consistent with the AQIA the likelihood of these emissions resulting in exceedances of relevant air quality criteria at nearby sensitive receptors is considered low, with fugitive dust identified as the dominant risk to amenity and human health.

The AQIA outlines that there is a medium risk of adverse dust soiling and human health impacts at nearby sensitive receptors during demolition, earthworks, construction and track-out activities and the surrounding area is of low sensitivity, reflecting the predominantly industrial land use with some nearby residential receptors.

With the implementation of appropriate mitigation measures, the AQIA concludes that residual impacts would be negligible for both dust soiling and human health across all construction phases.

4.8.2.2 Operational Impacts

The amended design does not introduce new operational emission sources. Consistent with the original AQIA, the primary source of operational air emissions remains vehicle movements associated with the warehouse and distribution uses, including exhaust emissions and particulate matter from brake and tyre wear and re-entrained dust. No point source emissions (e.g. stacks or on-site plant) are proposed, and no refuelling or power generation is assumed to occur on-site.

During operation, the primary source of air emissions will be vehicle-related emissions, including exhaust pollutants and particulate matter associated with brake and tyre wear and re-entrained road dust. No significant point sources of emissions (e.g. stacks or on-site fuel combustion plant) are proposed.

Pollutants of interest include:

- Nitrogen dioxide (NO₂),
- Particulate matter (PM₁₀ and PM_{2.5}),
- Carbon monoxide (CO),
- Sulfur dioxide (SO₂), and
- Volatile organic compounds (VOCs).

A Level 1 screening assessment has been undertaken in accordance with the NSW EPA *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2022)* using the Roadside Air Quality Screening Tool (**RAQST**). This tool applies conservative (worst-case) assumptions to estimate near-road pollutant concentrations and determine whether more detailed assessment is required.

The nearest sensitive receptors are located approximately 10 m from the Stephen Road kerbside, and this distance has been adopted for the assessment of peak pollutant concentrations.

The modelling results indicate that:

- Incremental contributions from project-related traffic are negligible, representing only a small fraction of the relevant assessment criteria; and
- Cumulative pollutant concentrations, including background levels, comply with all applicable air quality criteria.

Accordingly, the operational phase of the development is not expected to result in significant air quality impacts at nearby sensitive receptors, and a more detailed (Level 2) assessment is not required.

4.8.2.3 Cumulative Impacts

A review of approved and likely future developments in the vicinity of the site indicates the potential for overlapping construction activities. However, the AQIA concludes that cumulative construction impacts are unlikely to be significant, provided that:

- All sites implement appropriate dust mitigation measures; and
- Construction activities are managed to avoid simultaneous high dust-generating works where practicable.

Implementation of a site-specific CAQMP, including coordination with nearby developments where necessary, will further minimise cumulative impacts.

4.8.3 Mitigation Measures

The following mitigation measures are recommended for the construction and operational stages of the project in order to ensure negligible air quality impacts.

Construction

The AQIA has identified that a Construction Air Quality Management Plan must be prepared prior to commencement of works on site. A detailed review of the mitigation measures listed in section 5.1.5 of the AQIA should be performed, and the most appropriate measures adopted as part of the Construction Air Quality Management Plan (CAQMP).

To confirm that the measures in the CAQMP are adequately controlling dust emissions from the Site, it is recommended that visual inspections of dust levels be performed on a daily basis. These daily inspections should include, but not be limited to:

- Visual inspection of any airborne dust being generated on-Site or being observed blowing off-Site.
- Ensuring roads leaving the Site are free of soil and dust, and that there is no observable soil or dust tracking onto the road network.
- Inspection of any the erosion and sediment control systems for silt build-up.
- Inspection of any stockpiles and waste storage areas to ensure no significant wind erosion is observable.
- Any inspection reports should include the above observations, with remedial or corrective actions noted (as appropriate). Any remedial or corrective actions must be reported to the Site Manager as soon as is practicable.
- Considering the proximity of residential receptors and medium risk of construction stage impact if appropriate controls are not put in place, it is recommended that ambient air quality monitoring using real-time PM10 monitoring equipment is performed for the duration of construction works.
- It is further recommended that an air quality trigger action response plan (TARP) is developed. Real-time monitoring allows for prompt identification of pollution spikes, enabling immediate action to reduce emissions.

Operational

Recommended air quality management measures for the operational phase of the Project include:

- Mobile heavy lift equipment and other vehicles operated on site are to be maintained and operated as per manufacturer specifications or best practice requirements.
- Mobile heavy lift equipment and other vehicles are to be turned off when not in use, where safe to do so. All unnecessary engine idling is avoided.
- Any spillages are cleaned up in a timely manner.
- Where possible, sealed access roads and hardstand areas are maintained, and the surface kept free of significant dust-generating materials.

4.9 Water Management

The proposed development has been amended from a three-storey warehouse and distribution centre to a two-storey scheme, resulting in a reduction in overall bulk and scale of the built form.

In response to submissions and agency feedback, the Civil Engineering Report incorporating a Water Cycle Management Strategy (**WCMS**) has been updated and also reflects the amended project design. The amended report provides a refined and more detailed assessment of:

- Stormwater quantity and quality management;
- Flooding and overland flow behaviour; and
- Integration of Water Sensitive Urban Design (WSUD) measures.

The amended design incorporates a more resolved and compliant approach to drainage and flood management. The updated WCMS confirms that the development can be accommodated on the site without resulting in adverse flooding or stormwater impacts. The amended design also incorporates an integrated stormwater management system designed in accordance with Bayside Council's Technical Specifications – Stormwater Management and relevant best practice guidelines.

Key elements of the revised approach include:

- Provision of an appropriately sized On-Site Detention (**OSD**) system, designed using DRAINS modelling for a range of storm events (including 20%, 10%, 5%, 2% and 1% AEP events);
- Implementation of Water Sensitive Urban Design (**WSUD**) measures, including stormwater treatment devices such as pit basket inserts and proprietary filtration systems;
- Completion of MUSIC modelling to demonstrate compliance with Council's pollutant reduction targets; and
- Incorporation of stormwater reuse measures, including rainwater harvesting for non-potable uses.

The WCMS confirms that the proposed development will:

- Maintain or reduce post-development peak discharge rates relative to pre-development conditions;
- Avoid adverse impacts on the downstream drainage network; and
- Achieve an overall improvement in stormwater quality, noting the existing site comprises a highly impervious industrial facility.

During the construction phase, a Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff.

The proposed stormwater drainage system for the development will comprise of a minor and major system to safely and efficiently convey collected stormwater run-off from the development to the legal point of discharge. The minor system is to consist of a piped drainage system which has been designed to accommodate the 1 in 20-year ARI storm event. This results in the piped system being able to convey all stormwater runoff up to and including the Q20 event.

The major system will be designed to cater for storms up to and including the 1 in 100year ARI storm event. The major system will employ the use of defined overland flow paths, such as roads and open channels, to safely convey excess run-off from the site.

The drainage system proposed can be described as follows:

- In-ground piped drainage system designed to the 5% AEP (1 in 20yr ARI).
- Site discharge via the existing street drainage on Coal Pier Road.
- An OSD tank sized according to council requirements.
- Treatment of stormwater of a portion of surface and roof water via the in-ground piped drainage system and the combined OSD and water quality treatment tank.
- Treatment of stormwater via a proprietary filtration systems.
- Conveyance of overland flow through the site from Stephen Road to Coal Pier Road via the drainage easement along the southern boundary.

The conveyance of stormwater runoff from an upstream catchment (west of the site) is required within a new drainage pipe system and associated easement adjacent to the southern boundary. This system is currently

drained by an in-ground drainage system which is proposed to have a minor relocation as part of the proposed development. Modelling has been undertaken which ensures there will be no impact upstream and downstream of the site. The development and relocation of the council drainage asset has been confirmed to be consistent with pre-development conditions, and therefore will not increase runoff or flow frequency, as such, the site discharge will not adversely affect any downstream properties or watercourses as a result of the development.

The hydrological assessment of the local site drainage confirms that recommended water quality and quantity measures will ensure that no adverse impacts result on receiving waterways as a result of the development.

4.10 Soils

A Cover Letter has been prepared by Douglas Partners at **Appendix T** which outlines that the amended design will not affect the advice, recommendations and conclusions outlined within the original Geotechnical Report and therefore no update has been provided to this document.

4.11 Flooding

A Flood Risk Assessment that includes a detailed flooding assessment that satisfies the objectives and any relevant provisions of the NSW Floodplain Development Manual (2023) and Council's requirements has been prepared by Costin Roe Consulting (**CRC**) and is included as part of the Civil Engineering Report (Water Cycle Management Plan) attached at **Appendix V**.

4.11.1 Existing Environment

The site is affected by an existing Council easement and anticipated local overland flow, from upstream catchments west of Stephen Road. The Council drain, located on the southern boundary of the property, will need to be maintained as part of the development. The site is also influenced on its far east by the Floodvale Drain.

The site has existing formal in-ground drainage systems, with the site discharge noted to be on the eastern boundary at the northern junction of this frontage with Coal Pier Road. Site runoff is currently directed to a three-phase oil and sediment separator, then to a circa 600m³ first flush basin.

4.11.2 Impact Assessment

A detailed flooding and overland flow assessment has been undertaken for the proposed development having regard to:

- Council's Flood Advice received after the exhibition of the original proposal and adopted flood studies; and;
- Site-specific topography, drainage infrastructure and upstream catchment characteristics.

The Water Cycle Management Report has been amended to respond to the comments received after exhibition as well as responds to the civil and stormwater design for the amended proposal. The amended report identifies that:

- Modelled flood extents across the site are largely attributable to limitations in regional modelling (e.g. "rain-on-grid" modelling without representation of internal drainage systems);
- There are no significant upstream catchments contributing major flood flows to the site, with local flows primarily originating from Stephen Road; and
- Areas of apparent inundation correspond to existing on-site drainage features, which will be removed as part of redevelopment.

In response, the amended design incorporates a formalised internal drainage system to capture and convey local runoff, the relocation and upgrade of existing council drainage infrastructure including provision of an easement along the southern boundary, and incorporates the maintenance of the existing overland flow path through engineered design, including grading and retaining structures. Hydraulic modelling has been undertaken confirming there is no increase in upstream or downstream flood impacts, including no increase in hydraulic grade line (HGL) for the 1% AEP event. Finished floor levels for the development are set above the 1% Annual Exceedance Probability (AEP) flood level and with an additional 500 mm freeboard, ensuring compliance with Council requirements and the NSW Floodplain Development Manual (2023).

The site is classified as a low flood hazard site during the 1% AEP flood event. The site is affected by an upstream catchment that requires conveyance of local runoff from Stephen Road to Coal Pier Road via a relocated inter-allotment drain. Safe refuge is not required, however is available on the site for users during an extreme flood event if surrounding areas downstream of the site (around the Springvale and Floodvale drains) are flooded. The existing inter-allotment drainage path and easement between Stephen Road and Coal Pier Road has been maintained and provisions for a HI Hazard Categorization. Based on the assessment and management strategy proposed, the development meets current Council flood policy and shows acceptable impacts in relation to flooding and flood safety.

Costin Roe comment that the site is generally considered to be flood free and, following development, the area of land which is currently shown to be impacted by flooding during the 1% AEP and in more intense storm events, will be adequately managed through the proposed surface water drainage system.

In regard to the upstream catchment, the proposed development does not significantly increase the total impervious area and retains the existing overland flow path. The council drainage along the southern boundary will be relocated for the provision of retaining walls along the southern boundary, approximately 0.5m higher than road levels, to safely convey overland flows without affecting downstream developments or operation of the Site. As such, there will be no significant increase in peak runoff from pre- to post-development.

The following measures have been incorporated in the design to address potential overland flow:

- Relocation of the existing stormwater drainage line and associated 2.5m wide easement along the southern boundary.
- All buildings are sited 500mm above the 1% AEP design flood level of local flow paths.
- Overland flow paths to manage runoff in large storm events have been made following the existing pathway including achieving at least 500mm freeboard to building levels from the flow paths, noting that a greater level of flood immunity is provided to the building than that required to further mitigate the level of risk to the building for the intended use.
- The proposed development contemplated flooding and overland flow during large rainfall events in relation to runoff generated from a small upstream catchment. This catchment a sub-catchment of the Springvale Drain and Floodvale Drain catchments.
- Consideration to flood requirements has been made per Council Flood Management Policy.
- The Site has been assessed to be generally flood free from major overland flow paths, including those associated with the Springvale Drain and Floodvale Drains.
- Conveyance of a local sub-catchment from Stephen Road is required as part of the management measures for the development. This is managed by an inground drainage system, associated easement and an overland flow path.

In summary, a review of the available information, including Council's adopted flood study by CRC shows the site is classified as a low flood hazard site during the 1% AEP flood event. The site is affected by an upstream catchment that requires conveyance of local runoff from Stephen Road to Coal Pier Road via a relocated inter-allotment drain.

Safe refuge is not required, however is available on the site for users during an extreme flood event if surrounding areas downstream of the Site (around the Springvale and Floodvale drains) are inundated. Based on the assessment and management strategy proposed, the development meets current Council flood policy and shows acceptable impacts in relation to flooding and flood safety.

4.12 Noise and Vibration

An amended Noise and Vibration Impact Assessment (**NVIA**) was prepared by Renzo Tonin and Associates and is attached at **Appendix S**. The NVIA aligns with the applicable NSW Environment Protection Authority (**EPA**) Guidelines and responds to feedback received from public and agency submissions on the previous three storey development scheme.

The purpose of the NVIA is to determine the potential impacts of noise emissions associated with industrial and vehicle noise sources upon nearby sensitive receivers. It also addresses noise emissions created by additional road traffic generated by the project and noise and vibration impacts during the construction and operation stages. The report utilised the same methodology and noise modelling undertaken as part of the original proposal and applied it to the amended development.

4.12.1 Impact Assessment

4.12.1.1 Construction Noise

Construction Noise Management Levels (**NML**) have been established for both the nearest noise sensitive residential receivers based upon the noise monitoring conducted and non-residential receivers. These NML have been applied to demonstrate the predicted noise levels of the development as outlined in **Figure 23** below.

Figure 23 Predicted Construction Noise Levels

NCA	Receiver Type	Noise Management Levels (dBA) LAeq(15 minute)				Predicted Noise Levels (dBA) LAeq(15 minute)					
		Standard Hours (SH)	Out-of-hours (OOH)			W.001	W.002	W.003	W.004	W.005	W.006
			Day	Evening	Night	SH	SH	SH	SH	SH	SH
NCA01	Residential	57	52	52	50	70	82	76	72	65	62
NCA02	Residential	54	49	49	48	60	72	66	62	54	52
NCA02	Education	55 (external - when in use)				50	62	55	51	44	41
NCA03	Industrial	75 (external - when in use)				79	92	86	82	74	72

Source; SLR, 2026

Construction noise modelling indicates that NMLs are likely to be exceeded at surrounding receivers during periods of intensive works. The greatest impacts are predicted at nearby residential receivers within the closest noise catchment area (NCA01), where exceedances of approximately 5 to 25 dB above the NML may occur, depending on the work scenario.

Residential receivers located further from the site (NCA02) would experience lower exceedances, generally in the order of 6 to 18 dB. The worst-case impacts are associated with the most noise-intensive construction scenario (W.002). Educational receivers are expected to comply with the NML for most construction activities, with the exception of W.002 where minor exceedances of up to 7dB may occur. Industrial receivers are also predicted to exceed the NML during higher intensity works (W.001 to W.004), with exceedances ranging from approximately 4 to 17 dB, with the highest impacts again associated with W.002.

These impacts would be temporary and intermittent, occurring primarily when high-noise activities are undertaken close to sensitive receivers, and would reduce when works are undertaken further from receivers or when less intensive equipment is used. Appropriate and feasible construction noise mitigation and management measures will be implemented to minimise impacts where exceedances are predicted.

4.12.2 Construction Vibration

A number of vibration intensive construction activities are likely to be required such as compaction using vibratory rollers or the use of excavators with rockhammers. The major potential sources of vibration from the proposed construction activities would likely be during the demolition of existing structures and earthworks.

The assessment finds that some nearby industrial buildings could fall within the cosmetic damage buffer when vibration-intensive equipment is operating close to the site boundary. However, the mapped buffer is based on light-frame buildings, which likely overstates the risk for warehouses and other industrial buildings that are typically more robust.

For reinforced or industrial structures, the minimum working distances are:

- 12 m for large vibratory rollers (over 18 tonnes), and
- 11 m for large hydraulic hammers (around 1,600 kg).

Potential cosmetic damage would only be a consideration when vibration-intensive plant is operating very close to adjacent buildings. Works undertaken further into the site would be outside these minimum distances. No residential buildings are located within the cosmetic damage buffer. Before vibration-intensive works begin, the actual distances to nearby receivers and the construction type of those buildings should be confirmed.

In terms of human comfort, some nearby residential (NCA01) and industrial (NCA03) receivers are likely to be within the distance at which vibration may be perceptible. Any impacts on occupants are expected to be short-term and limited to periods when vibration-intensive equipment is in use nearby. Where this occurs, feasible and reasonable mitigation measures should be applied.

4.12.3 Operational Noise

Operational noise emissions have been predicted at the most sensitive residential receivers to the west of the site as well as surrounding industrial receivers. The assessment indicates that noise from the amended proposal is predicted to comply with the Project Noise Trigger Levels (**PTNLs**) at most of the surrounding receivers. A residual 1 dB exceedance during the night-time period was identified at several receivers within NCA01.

Figure 24 Operational Noise Assessment – Worst Case Affected Receivers

NCA	Type	Period	Noise Level LAeq(15minute) (dBA)			Compliance
			Noise Criteria	Predicted	Exceedance	
NCA01	Residential	Day	52	50	-	Yes
		Evening	48	48	-	Yes
		Night	43	44	1	No ¹
		Morning Shoulder	50	48	-	Yes
NCA02	Residential	Day	49	45	-	Yes
		Evening	48	44	-	Yes
		Night	43	41	-	Yes
		Morning Shoulder	48	44	-	Yes
	Educational	When in use	48	45	-	Yes
NCA03	Industrial	When in use	70	62	-	Yes

Source: SLR, 2026

Following the implementation of the identified mitigation and management measures, operational noise emissions are predicted to achieve the NPfI project noise trigger levels at all assessed receivers and the proposal noise emissions can be sufficiently managed during later design stages.

Additionally, the predicted night-time maximum noise levels at the nearest residential receivers are shown in **Figure 25** below. The assessment outlines that maximum noise events from the proposal are predicted to exceed the sleep disturbance screening level for the most-affected receivers within NCA01 and NCA02. The main events that are expected to result in this exceedance are from heavy vehicle manoeuvring (airbrake, vehicle movement and reverse alarms).

Figure 25 Sleep Disturbance Assessment

NCA	Source	Maximum Noise Level LAmax (dBA)			Below Screening Level
		Sleep Dist. Screening Level	Predicted	Exceedance	
NCA01	Light Vehicle Movements	60	48	-	Yes
	Truck movements		61	1	No
	Truck airbrake		67	7	No
	Truck reversing alarm		61	1	No
	Forklift reversing alarm		56	-	Yes
	Roller door		44	-	Yes
NCA02	Truck movements	58	55	-	Yes
	Truck airbrake		61	3	No
	Truck reversing alarm		55	-	Yes
	Forklift reversing alarm		50	-	Yes
	Roller door		39	-	Yes

Source: SLR, 2026

The assessment indicates that noise from heavy vehicle airbrakes at the proposed site would slightly exceed the awakening response and good sleep criteria at the most affected receiver in NCA01 when windows are open for natural ventilation. Despite this, the predicted maximum noise events are consistent with existing

noise levels on the site measured through long-term unattended monitoring and are not expected to reduce the acoustic amenity of the surrounding area.

For the worst-affected receiver further from the site in NCA02, predicted maximum noise levels are expected to meet the sleep awakening response criteria, while exceeding the good sleep criteria with windows open. As with NCA01, these noise events fall within the typical range of existing maximum noise levels and are not expected to negatively affect acoustic amenity.

Overall, the assessment concludes that predicted maximum noise events from the site are comparable to existing conditions and are unlikely to adversely impact amenity. On this basis, no additional mitigation measures are considered necessary.

Additionally, the report outlines that the predicted increase in noise from vehicles related to the development using Stephen Road and Coal Pier Road are expected to be below 2 dB during daytime and nighttime periods. Increases of less than 2.0 dB are considered negligible and represent a minor change that is considered barely perceptible to the average person. As such, impacts are not expected and there is no requirement to consider noise mitigation or management measures.

4.12.4 Mitigation Measures

The report prepared by SLR recommends that a Construction Noise and Vibration Management Plan (**CNVMP**) would be prepared before any work begins. It would identify all potentially impacted receivers, assess the potential noise and vibration impacts from the project and provide details regarding how the impacts would be minimised through the use of all feasible and reasonable mitigation measures. The CNVMP would also contain procedures for handling complaints, should they occur, and detail any compliance monitoring requirements.

Further to the above the report recommends operational mitigation measures which are identified in **Appendix E**.

4.13 Light Spill

An amended Light Spill Impact Assessment has been prepared by SLR Consulting, at **Appendix FF** to assess the lighting environment around the proposed two storey warehouse and distribution centre. The effect of light spill from outdoor lighting impacting on residents, transport users, transport signalling systems, and astronomical observations is governed by the Australian Standard: AS 4282-2023 Control of the Obtrusive Effect of Outdoor Lighting.

4.13.1 Impact Assessment

Since the time of the original light spill assessment prepared by SLR their report notes that there have been significant changes to the proposed design for the site. The report outlines that 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.

General observations of the amended scheme include that illuminated signage is limited, lighting is more concentrated on the eastern side of the site than the western side, and the main signage pylon, approximately 10 metres high, is located in the north-west corner of the site.

For residential receivers, lighting on the north, east and south sides of the site is not expected to cause issues, as these boundaries adjoin commercial and industrial land uses. While some hardstand lighting may be visible to the north and south, these areas are not residential.

Along the western boundary, the updated design provides increased setbacks for much of the warehouse and car parking structure compared with the earlier scheme. This results in a minimum separation of around 35 metres between development façades and the nearest residential dwellings along Stephen Road. Based

on SLR's experience, modelling and measurement, the distance is sufficient to ensure light spill remains below the AS 4282:2023 limit of 5 lux, although some lights may be visible.

Existing vegetation along the western boundary, which is largely retained and well-established, will provide additional shielding for nearby dwellings. Further screening is provided by the opaque screen proposed around the western parking and ramp areas, which is expected to effectively limit light spill and vehicle headlight glare.

The signage pylon is similar in size and form to that previously assessed. Provided the illuminated surfaces remain below 350 cd/m², it is not expected to cause light spill above the relevant standards. The orientation of the illuminated faces along the street further reduces impacts on nearby residences.

Lighting from office levels is expected to be reduced or absent during curfew hours. If lights remain on, they may be visible from nearby dwellings, but due to separation distances and intervening screening, they are not expected to exceed light spill limits. Some perception of intrusion may occur due to their elevated position, though this is assessed as not being expected to be non-compliant.

Overall, SLR considers the updated scheme is capable of meeting the requirements of AS 4282:2023 for surrounding residential dwellings, and the proposed design will have reduced impacts compared to the previous scheme due to the smaller development footprint and additional screening around car park areas.

Therefore, the following findings are made:

- Compared to the size of the site, the amount of exterior lighting will be relatively low.
- Lit signage appears to have been kept to a minimum.
- The majority of the lighting is expected to be on the eastern side of the site.
- The main signage pylon is located in the northwest corner of the site and is approximately 10 metres high.
- Internal light emanating from the offices has been considered.

Additional mitigation measures are not proposed for the amended design and remain as existing to the original proposal. These are provided below:

- AS 4282-2023 Control of the Obtrusive Effect of Outdoor Lighting sets out general principles that should be applied when designing outdoor light to minimise any adverse effect of the light installation.
 - Direct lights downward as much as possible.
 - Use luminaires that are aimed to minimise light spill, e.g. full cut off luminaires where no light is emitted above the horizontal plane. Less spill light means that more of the light output can be used to illuminate the area and a lower power output can be used. The energy consumption for the fitting can thus be reduced without decreasing the illuminance of the area.
 - Do not waste energy and increase light pollution by over-lighting.
 - Wherever possible use floodlights with asymmetric beams that permit the front glazing to be kept at or near parallel to the surface being lit.
- Taking the proposed design, surrounding sensitive receivers and general location into account it is SLR's opinion based on previous experience that although there will be a general brightening of the area that could be noticeable for residents, the site is capable of meeting the AS 4282-2023 requirements for surrounding residential dwellings. To achieve this the following recommendations should be incorporated into the detailed lighting design:
 - Pole lighting should face inward toward the middle of the site or toward the west and away from the east and south.
 - Pole lighting should be set at the lowest possible mounting height.

- Use luminaires with minimal backlight rating.
- Use lights with an upward waste light ratio of 0%.
- Lights placed on the outside of the building should be kept as low as possible.
- Lighting should be recessed into awnings or eaves where possible.
- The balustrade for the ramp and mezzanine carpark should shield the dwellings from vehicle headlights (likely 1.4 metres high).
- Office lighting on the western facade should be off or a timer employed during curfew hours.

4.14 Waste

SLR have prepared an amended Waste Management Plan (**WMP**) which is attached at **Appendix BB** and reflects the amended proposal design. The WMP identifies all potential waste likely to be generated at the site during the demolition and construction phases, including a description of how waste would be handled, processed and disposed of, or re-used or recycled, in accordance with the SEARs and guided by Bayside Council's requirements.

This WMP has been prepared in accordance with the Bayside DCP 2022 specifications for waste management, including policies in Section 3 of the DCP for loading facilities, waste collection, waste minimisation, ongoing management, other development and industrial premises.

Bayside Council has set targets of 80% diversion of waste from landfill by 2036 and 200 kg waste generation per person per year. It is anticipated that the waste minimisation measures recommended will assist the Development to meet these targets. Waste reporting and audits can be used to determine the actual percentage of wastes that are being, or have been, recycled during the site preparation, demolition and construction stages of the development.

4.14.1 Demolition and Construction Waste

The various streams of waste arising from the proposed development are as follows and remain as previously assessed:

- Demolition waste;
- Construction waste;
- Packaging waste, and
- Work compound waste from on-site employees.

The report outlines that a total of 137,286 m³ of demolition waste is anticipated to be generated which aligns with the previously assessed proposal.

Additionally, the report has estimated a total of 756.4 m³ of construction waste will be generated by the proposal which includes timber, concrete, brick, plasterboard, sand, metal and other waste types.

The WMP outlines waste avoidance strategies that are required to be implemented during demolition and construction to increase reuse and recycling and avoid disposal where possible.

4.14.2 Operational Waste Management

The amended development has been assessed in relation to waste generation during the operational phases of the proposal. **Figure 26** outlines the types and quantities of waste to be produced by each warehouse tenancy.

Figure 26 Operational Waste Generation

Use Type	Area (m²)	(L/day)		(L/week)	
		General Waste	Recycling	General Waste	Recyclables
1A	4,555	456	456	3,189	3,189
1B	4,626	463	463	3,238	3,238
1C	4,734	473	473	3,314	3,314
1D	5,245	525	525	3,672	3,672
1E	4,718	472	472	3,303	3,303
1F	4,798	480	480	3,359	3,359
2A	6,039	604	604	4,227	4,227
2B	7,819	782	782	5,473	5,473
2C	6,054	605	605	4,238	4,238
2D	7,996	800	800	5,597	5,597

Source; SLR, 2026

Waste Storage Area

The report outlines that the waste storage areas must be large enough to adequately store all quantities of operational waste and recycling between collections. Given the sizes of the warehouses in the development, a rear lift waste collection service using 1100 L bins is the most likely to service the site. To allow for ready access to bins, an area of at least 200% of the total minimum bin footprint has been allowed in the bin storage areas. This can also act as a contingency in the event of spikes in waste generation. In addition, an allowance for 2m² per warehouse for bulky waste storage has been factored into the total waste storage area.

Waste storage areas are provided within the dock areas beside the dock offices for the warehouses.

Dedicated waste storage areas are shown on the plans, within each of the warehouses, for storage of warehouse waste.

Therefore, the number of bins and frequency in which these bins will be required to be collected is outlined in **Figure 27** below.

Figure 27 Bin Storage and Collection Frequency

Warehouse	Bin Capacity (L)		Collection Frequency per Week		Number of Bins		Total Number of Bins	Recommended Storage Area (m²)
	Garbage	Recyclables	Garbage	Recyclables	Garbage	Recyclables		
1A	1100	1100	3	3	1	1	2	5.4
1B			3	3	1	1	2	5.4
1C			3	3	1	1	2	5.4
1D			2	2	2	2	4	10.8
1E			3	3	1	1	2	5.4
1F			2	2	2	2	4	10.8
2A			2	2	2	2	4	10.8
2B			3	3	2	2	4	10.8
2C			2	2	2	2	4	10.8
2D			3	3	2	2	4	10.8

Source; SLR, 2026

Waste Collection

Warehouse tenants will store bins within their premises in designated locations. Waste will be separated and placed in bins for each stream in their storage locations. Bins will be moved by tenants outside the doors for collection.

Waste collection vehicles will enter the site and drive to each warehouse. Trucks will park near the bins and empty them, then drive off and leave the site in a forward direction.

4.14.3Cumulative Impacts

The projected quantities of waste and recyclables, a total of about 79m³ per week each of garbage and recyclables from the whole development, or an average of about 3,900 L each per week, are insignificant compared to the quantities of waste and recyclables generated in Sydney every day. Allowance has been made for the separation of recyclables as much as possible, guided by the waste generation rates in the Bayside DCP. It is possible that further separation and recovery of waste materials will be made during the operational phase of the development.

The number of waste and recycling vehicle movements anticipated to be required each week are also insignificant compared to the number of vehicle movements undertaken in this industrial area every day. In addition, two waste transfer stations and processing facilities, Veolia’s Banksmeadow Transfer Terminal and BM Recycling Banksmeadow are within 3 km by road from the Site.

These waste facilities are visited by thousands of large and small vehicles delivering waste and recyclables every week. It is likely that the vehicles collecting waste and recyclables at the proposed warehouse will dispose of them at the Veolia transfer station and would have been passing by on Stephen Road on the way to the transfer station, whether the warehouse was there or not. As a result, the number of waste collection vehicles travelling in the vicinity of the warehouse will not be affected by its development.

Ultimately SLR confirm that the waste-related impact of the warehouse zero or negligible and no mitigation measures are proposed beyond those outlined within the WMP.

4.15 Social Impact

A revised Social Impact Assessment (SIA) addendum for the revised development has been prepared by Urbis and is attached at **Appendix FF** in response to the SEARs and the submissions received. It assesses whether the amended design gives rise to any new or changed social impacts compared to those previously assessed and to confirm the adequacy of existing mitigation measures.

Since the preparation of the original SIA, DPHI has released revised Social Impact Assessment Guidelines for State Significant Projects. Accordingly, all potential social impacts of the proposal have been assessed in accordance with this revised guideline.

4.15.1 Impact Assessment

A summary of the social impacts of the revised development has been provided below, with a brief explanation of how the social impact has changed, and as such the updated impact rating.

Table 17 Summary of Social Impacts

Social Impact	Reason for change	Previous (2024 SIA) mitigated impact rating	Reviewed mitigated impact rating
Traffic related impacts on residents during construction and operation	Impact description updated based on changes to the proposed	Low negative during construction (short-term)	Low negative during construction (short-term)

	design and Traffic Impact Assessment. Impact rating reassessed using updated SIA Guideline (2025) rating matrix.	Medium negative during operation (long-term)	Low negative during operation (long-term)
Potential enhancement to visual character of the streetscape	Impact description and rating updated based on changes to the proposed design in response to community feedback.	Medium positive	High positive
Access for workers to the site during operation	Impact description updated based on changes to the proposed design and Traffic Impact Assessment. Impact rating reassessed using updated SIA Guideline (2025) rating matrix.	Low negative	Medium negligible
Potential impact to Aboriginal heritage and culture	No changes. Reference to 'negligible' removed due to the introduction of a specific definition of this term in the updated SIA Guideline (2025) rating matrix.	Low negative to negligible.	Low negative.
Wellbeing impacts relating to air quality	Impact description updated based on changes to the Air Quality Impact Assessment.	Low negative during construction (short-term) Low negative to negligible during operation (long-term)	Low negative during construction (short-term) Negligible during operation (longer-term)
Wellbeing impacts relating to noise	Impact description updated based on changes to the Noise and Vibration Impact Assessment.	Low negative during construction (short-term) Low negative to negligible during operation (long-term)	Low negative during construction (short-term) Low negative during operation (longer-term)
Perceived health impacts relating to remediation and change in use	Impact description and rating updated based on the Engagement Outcomes Report. Impact rating reassessed using	Low negative to negligible during construction.	Negligible.

	updated SIA Guideline (2025) rating matrix.		
Supporting employee health and wellbeing	Impact description updated based on changes to the proposed design.	Low positive	Low positive
Improved appearance of the site (formerly <i>surroundings impact related to change in visual landscape</i>)	Impact description and rating updated based on changes to the proposed design, Visual Impact Assessment, and Design Report.	Low negative	Low positive
Supporting improved employment opportunities	Impact description and rating updated based on changes to the proposed design and clarification of the number of current jobs on site.	Medium positive	High positive
Ability for people to contribute to the decision-making process	Impact description and rating updated based on changes to the proposed design (including in response to community feedback) and Engagement Outcomes Report.	Low positive	Medium positive

The SIA addendum found that the revised development is considered adequate to address the potential social impacts resulting from the modification to the proposal and as such the following mitigation measures are recommended.

4.15.2 Mitigation Measures and Recommendations

Traffic

- Provide any advanced notice of the construction timeline and any corresponding road closures, as well as grievance process details, to all nearby residents, businesses and stakeholders.
- Ensure the implementation of relevant management plans, including a Traffic Management Plan to manage construction traffic demands as relevant.

Air Quality

- The Air Quality Impact Assessment requires the preparation of a Construction Air Quality Management Plan prior to the commencement of works. To ensure dust emission are effectively controlled, the Plan should include daily visual inspections of dust levels across the site.

Noise

- To minimise construction noise and vibration impacts, a Construction Noise and Vibration Management Plan will be prepared prior to works commencing, outlining feasible and reasonable mitigation and management measures.

- Mitigation measures for noise and vibration during operation include optimised site layout and building design, low-noise equipment, ambient-sensing alarms, and the development of an Operational Noise Management Plan to monitor and ensure compliance.

Community Engagement

- Maintain communication channels for stakeholders and the local community to be kept informed of project progress and approvals, and a complaints protocol to foster information exchange with interested stakeholders.
- Continue engagement, local presence, and community consultation during the planning stages.
- Continue engagement with key stakeholders, including Council, to address any potential concerns about construction or operational impacts.

Cumulative Impacts

- There are several state and local projects operating or intended to operate in and around the social locality which may contribute to cumulative impacts to the proposal. Potential cumulative social impacts relevant to the proposal include:
 - Cumulative social impacts during construction
 - Cumulative change to local character or sense of place
 - Cumulative benefit to broader employment/economy

4.16 Minor Assessment Impacts

4.16.1 Fire Safety

An amended Fire Safety Strategy (**FSS**) has been prepared by Affinity Fire and is attached at (**Appendix K**). This FSS provides a holistic summary and engineering assessment of the fire and life safety measures anticipated to be necessary in developing the Performance Solutions required to demonstrate compliance with the BCA. These measures include passive and active fire protection systems, egress provisions, occupant first aid firefighting, fire brigade intervention, and future building management provisions. The assessment has been prepared to support a site-specific Fire Safety System that satisfies the relevant fire safety, fire brigade and building regulatory objectives detailed in the NCC.

The Fire Safety Strategy outlines the fire engineering principles that will be utilised in ensuring that the prescriptive non-compliances with the DtS provisions of the Building Code of Australia 2022 are resolved through a fire engineered Performance Solution to conform to the building regulations.

A complete fire-engineered analysis will be completed within the Fire Engineering Report and form part of the development Construction Certificate submission, and as such detailed engineering analysis is not documented within the FSS. The FSS does however outline the construction and management requirements considered necessary to achieve an acceptable level of life safety within the building and satisfy the Performance Requirements of the BCA.

A specific review has been conducted relative to the emergency vehicular access roads around the site in relation to the BCA and Fire + Rescue NSW Guidelines and requirements. Based on this review, it is confirmed that the design is in compliance with the FRNSW Fire Safety Guideline "Access to fire brigade vehicles and firefighters". A fire safety strategy has been developed to satisfy the fire and life safety objectives specified for the project by the relevant stakeholders and satisfy the Performance Requirements of the BCA.

A Fire Engineering Report, including a complete fire engineered analysis is to be prepared and form part of the Construction Certificate submission.

4.16.2 Building Code of Australia and Accessibility

A BCA and Accessibility Report has been prepared by BM+G and attached at **Appendix J**. The report has taken into consideration the architectural documentation against the Deemed-to-Satisfy provisions of the Building Code of Australia (BCA) 2022 Amendment 2.

The report notes that all key compliance issues identified will require a performance solution or plan amendments prior to the Construction Certificate stage.

Based on the proposed documentation provided, it has been identified that the amended design can readily achieve compliance with the BCA at this stage, either by way of fire engineered Performance Solutions or plan amendments prior to the Construction Certificate Stage.

4.16.3 Hazards and Risk

A Botany Industrial Park Risk Assessment has been prepared by Sherpa Consulting for the proposed development at **Appendix X**. The letter outlines the implications of the risk from the BIP in relation to ESR's proposed warehouse development.

The development location is partially within the risk affected area from the most recently available risk profile from the BIP as shown in **Figure 28** below. Therefore, any potential population increase compared to populations assumed in the model may have an impact on the existing BIP societal risk profile.

Figure 28 Risk Affected Area of BIP



Source: Sherpa, 2026

A qualitative review has been undertaken, informed by publicly available Quantitative Risk Assessment studies for the BIP as operational in 2018 and the IXOM facilities (existing ChlorAlkali Plant and proposed Chlorine Liquifaction Plant) in 2025. Based on the IXOM review, it is concluded that:

- Hazardous facilities previously located closer to the proposed warehouse site (Qenos and Indorama) have ceased operations. The proposed development area is well separated from the remaining hazardous installations within the BIP (approx. 740m away from the IXOM facility). The individual fatality risk at the location of the proposed warehouse is approximately 1×10^{-9} per year which is well below the applicable risk criterion for industrial land uses of 50×10^{-6} per year.

- Given the low level of individual fatality risk at the proposed warehouse location, any resulting change to the societal risk due to an increase in population at the site is minor and societal risk will remain in the negligible region. The additional population in the proposed warehouse development has minimal effect on the overall societal risk remaining from the BIP, as represented by the IXOM Quantitative Risk Assessment.

It can be concluded that there are no material risk impacts on the proposed warehouse development site from the IXOM facilities, and as such no specific constraints to design or population are required to manage the risk from the BIP.

Sherpa has confirmed that no additional assessment or mitigation measures are required.

4.16.4 Biodiversity

Section 7.9 of the *Biodiversity Conservation Act 2016* (BC Act 2016) requires preparation of a Biodiversity Development Assessment Report (**BDAR**) for SSDAs that are assessed under Part 4 of the EP&A Act.

However, section 7.9(2) of the BC Act 2016 allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values. Frasers Ecological have concluded that in accordance with section 7.9 of the BC Act 2016 it is reasonable that the impacts of the proposed development can be adequately assessed within the wider Environmental Impact Statement scope.

A request to waive the requirement for a Biodiversity Development Assessment Report (**BDAR**) was approved for the original development. An update to the BDAR Waiver request has been prepared and will be submitted to the Department of Planning for review and endorsement.

The BDAR waiver request, prepared by Fraser Ecological concluded that the project area does not contain any groundwater dependant ecosystems or water bodies. Furthermore, there is no water quality, water bodies or hydrological processes that could sustain threatened species and threatened ecological communities at the Site.

Overall, there is no indication that the project would have any material or significant biodiversity impact, which is the purpose of progressing with a BDAR waiver currently with DCCEEW for approval.

4.16.5 Contributions and Public Benefit

The City of Botany Bay Section 94A Development Contributions Plan 2016 (Contributions Plan) applies to the Site as it is located within the Bayside LGA. The purpose of the Plan is to authorise the imposition of a condition on certain development consents and complying development certificates requiring the payment of a levy determined in accordance with this Plan pursuant to Section 7.12 of the EP&A Act.

Under the Contributions Plan, as the proposed development constitutes an industrial development, a Section 7.12 levy contribution is required. The Contributions Plan specifies that as the proposed development has a CIV greater than \$200,000 is to be levied at a rate of 1%. As the proposed development includes an EDC of \$182,810,001 a total infrastructure contribution of \$1,828,100 would be payable.

5 Justification of Amended Project

5.1 Project Design

The design of the amended proposal has been carefully considered to minimise its potential impacts in response to feedback received from the public and from agencies. The amended proposal seeks to meet the objectives of the project through enabling industrial uses and employment opportunities on the site but with reduced impacts as a result of the reduced scheme. The proposal will continue to deliver a state-of-the-art employment-generating development on a vacant industrial site.

The layout and design of the proposal has been amended to minimise impacts on local residents and the public domain and maximise the relationship of the building to the streetscape, providing enhancements to the local context. The proposal seeks to make efficient use of the site to deliver employment opportunities in both the short and long-term.

The built form whilst increasing the scale of the existing development, has been reduced from the previous scheme of three storeys to two storeys and has been designed to respond to the site's context, specifically the residential interface to the west. The site's location within proximity to the existing residential lands has informed the office façade modulation, the site's landscaping strategy as well as the decision to position heavy vehicle usage away from the western frontage.

The built form responds to both functional and spatial requirements to achieve a state-of-the-art warehouse and distribution centre which is compatible with the industrial character of the locality. The proposal seeks to present a built form, façade treatment and materiality that, whilst increasing the scale of development on the site from that which currently exists, continues to enhance the design quality of the site, complemented by additional landscaping to deliver an improved streetscape to assist in screening a portion of the building bulk along Stephen Road.

The design utilises Coal Pier Road to facilitate vehicle movement and separation of heavy vehicle and car movements. Only light vehicles will access the site from Stephen Road.

5.2 Strategic Context

The proposal remains consistent with State and local strategic planning policies. The site is highly suitable for the proposed development being located within a state significant industrial precinct as classified within the Draft Statewide Policy for Industrial Lands. The proposed warehousing use is in high demand in the Eastern Sydney region and is highly suited to this industrial land close to port, road and freight facilities. The proposal aligns with the strategic policy context for the site, delivering high quality warehouse space within the inner metropolitan area. The proposal will deliver additional industrial floorspace in an appropriate land use zone, intended to meet growth and demand. The proposal will provide a range of employment opportunities of benefit to the local community and broader Sydney region.

The proposal will also enable the redevelopment of core state-zoned industrial land located within close proximity to both Port Botany and Sydney Airport which are key national trade gateways. The industrial areas in proximity to these gateways are critical to their operations, capacity and growth, as well as supporting services, business and 24/7 supply chain operators served by substantial road and rail infrastructure. Retaining internationally competitive operations in proximity to these gateways is vital for a productive NSW economy.

5.3 Statutory Context

The relevant Acts and State environmental planning instruments are listed in **Section 3.4**. The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments as summarised below:

- The proposed development has been assessed and designed in respect to the relevant objects of the EP&A Act as defined in Section 1.3 of the Act.
- This EIS has been prepared in accordance with the SEARs as required by Schedule 2 of the EP&A Regulations.
- Consideration is given to the relevant matters for consideration as required under the BC Act and the SSD is supported by a BDAR waiver.
- This SSDA pathway has been undertaken in accordance with the Planning Systems SEPP as the proposed development is classified as SSD.
- Concurrence from TfNSW will be required as per the T&I SEPP for 'traffic generating development'.
- The proposal complies with all of the relevant provisions under the Transport and Infrastructure SEPP as detailed in **Section 4**. The proposed development is consistent with the objectives of the IN1 zone.
- The proposed development has been assessed in accordance with the R&H SEPP and the development complies with the relevant clauses.
- The proposal generally accords with the relevant provisions of the BDCP2022 as outlined in **Appendix C**.

5.3.1 Community Views

As set out in **Section 5** and **Appendix B**, feedback received during the stakeholder engagement and public notification period for the original proposal has informed the development of the design of the proposal as well as the preparation of the EIS. It has materially informed the revised scheme the subject of this Amended Development Report.

Consultation feedback received during the finalisation and assessment of the application will continue to be considered.

5.3.2 Likely Impacts of the Proposal

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment:** The proposal as amended, continues to address the principles of Ecologically Sustainable Development (**ESD**) in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)* and as outlined below:
 - Precautionary principle: The precautionary principle relates to uncertainty around potential environmental impacts and where a threat of serious or irreversible environmental damage exists, lack of scientific certainty should not be a reason for preventing measures to prevent environmental degradation. The development as modified will not result in any threat of serious environmental damage or degradation.
 - Intergenerational equity: The needs of future generations are considered in decision making and that environmental values are maintained or improved for the benefit of future generations. The development represents sustainable development, making best use of a brownfield site in an accessible location. The development will not have any unacceptable impacts on the environment.
 - Conservation of biological diversity and ecological integrity: The proposal will not have any unacceptable impacts on the conservation of biological diversity and ecological integrity. The proposal includes landscaped setbacks and roof-top planting including native species planting.
 - Improved valuation, pricing and incentive mechanisms: This requires the holistic consideration of environmental resources that may be affected as a result of the development including air, water and the biological realm. It places a high importance on the economic cost to environmental impacts and places a value on waste generation and environmental degradation. The

development will not have any unacceptable environmental impacts in relation to air quality, water quality or waste management. The effects of the development will be acceptable and managed accordingly by the proposed mitigation measures as required.

Overall, the proposal will not have any unacceptable impacts on the natural environment.

- **Built Environment:** The proposal has been assessed in relation to the following built environment impacts:
 - **Traffic Impacts:** The proposal will result in a peak vehicle trip generation that is considered suitable from a traffic generation perspective and has been significantly reduced compared to the previous three storey development scheme. Surrounding intersections will continue to operate at an acceptable level.
 - **Trees and Landscaping:** The proposal includes a high level of indigenous species planting retaining canopy landscaping across the site. The amended design has reduced the removal of trees across the site and has increased landscaping along all boundaries. The bulk and scale of the development proposed is mitigated by the proposed landscaping design including canopy tree planting to the Coal Pier Road and Stephen Road landscape setbacks.
 - **Air Quality:** The operation of the proposal would result in the achievement of all air quality criteria as assessed within the AQIA. The assessment has accounted for the background air quality conditions, and adopting worst-case assumptions in relation to truck idling, and confirms that the proposal will not have any unacceptable air quality impacts including in relation to nearby residential receivers.
 - **Noise and Vibration:** The operation of the proposal is anticipated to comply with the required noise levels at surrounding receivers including nearby residential receivers. The proposal is found to have acceptable impacts in relation to noise and vibration, including during operations at night.
- **Social:** The proposal will have positive social impacts by enabling employment generating uses to be delivered on Site in the short-term, providing local employment opportunities both in the construction and operational phases.
- **Economic:** The proposal will have positive economic impacts through enabling the delivery of operational industrial uses on Site which will result in investment and economic benefit for Sydney as well as the wider region.

The potential impacts from the proposed as amended, can be mitigated, minimised or managed through the measures discussed in detail within **Section 6**.

5.3.3 Suitability of the Site

The proposal as amended remains suitable for the site and the surrounding context for the following reasons:

- The warehouse and distribution centre use is permitted in the IN1 zone and satisfies the zone objectives, including delivery of new warehousing and associated employment opportunities in an appropriate manner which minimises adverse effect of industry on other land uses.
- The development satisfactorily responds to the relevant provisions in the Transport and Infrastructure SEPP and BDCP 2022 including acoustic amenity, built form, setbacks, car parking and landscaping.
- The site is within an established industrial area, and the character and scale of the development is compatible with the adjoining and surrounding industrial development. The proposal is across the road from low density residential development and presents an amended suitable interface with this use, noting the essential functions required to be accommodated on core industrial land.
- The site is highly accessible to transport, regional freight networks and the rail network and optimises use of a brownfield Site to deliver sustainable development.

- The site has an extensive history of chemical production and storage use as well dangerous goods and toxic substances production which has left the site significantly contaminated over a period of numerous decades. Not only will the proposal seek to undertake extensive onsite remediation works to allow for the site to operate for ongoing commercial and industrial uses, but the highly contaminated use will also be completely removed from the site and replaced with cleaner warehouse operations. This will reduce ongoing polluting operations within close proximity to the surrounding residential areas and Banksmeadow Public School, which is a considerable environmental benefit.

5.3.4 Public Interest

The proposal as amended remains in the public interest as a result of the below:

- The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- The proposal will provide up to 578 jobs during the construction phase, and up to 461 jobs once complete and fully operational. The proposal will stimulate local investment and contribute significant economic output and value add to the economy each year. This project is fully funded and 'shovel ready' for commencement of construction as soon as possible.
- The site redevelopment introduces a clean warehousing use onto a site that is currently highly contaminated and contains a highly polluting user (Allnex). The proposal will involve site remediation to improve the quality of the land which is located close to residential dwellings. The new operation has been designed to minimised and mitigate impacts onto these adjoining residential dwellings, whilst ensuring that a viable development can be delivered on this site.
- The sites remediation, and replacement of a polluting industry with a cleaner warehouse operation, will result in a significant public benefit to nearby residential and educational users.
- Subject to the implementation of the mitigation measures recommended by the specialist consultants, there will be no unacceptable, social or economic impacts during the construction and ongoing operation of the facility. Based on the assessment of noise, air quality and traffic, the proposal will not result in any adverse cumulative impacts.
- Any issues identified during the community and stakeholder engagement have been addressed through the assessment of the impacts of the modified project.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

6 Conclusion

This combined Response to Submissions and Amendment Report has been prepared to address the matters raised by DPHI, other government agencies and the community following the notification of the SSDA (SSD-65924461). Updated environmental assessment has been provided of the amended proposal, with detailed consideration given to flooding, traffic generation and events management, open space and community use.

It is considered that this revised SSDA has significant merit and should be approved subject to the implementation of the mitigation measures described in this report and supporting documents.

An updated table of proposed mitigation measures is provided at **Appendix C** which has regard to the economic, environmental and social impacts of the proposal.

Having considered all relevant matters, there will be no additional environmental impacts as a result of the proposed refinements and clarifications. The refinements include additional measures to ensure any previously known and assessed impacts will be appropriately managed and mitigated where relevant. On this basis, the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

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