

ATTACHMENT 1

In order to finalise the Department's assessment, additional information is required including but not limited to the following:

1. Flooding

- Clarification is required whether the Flood Impact Assessment has considered the impacts on flooding of the proposed barrier/capping layer across the site and the implications of the flood detention basin being permanently covered by the proposed concrete platform.
- The Department notes the comments from Randwick City Council regarding the potential for the proposed development to reduce the volume of the flood detention basin on site and requests further details in this regard.
- Further details are required as to which surrounding lands rely on the site as a flood detention basin.
- It is requested the Applicant provide details of other developments that have adopted a similar built form design response within a flood detention basin and provide details on how the impacts of that design on the function of the basin were mitigated.

2. Section 88B Instrument

- The Department notes that a Section 88B instrument is in place, preventing the use of land at grade within the site for any purpose except the maintenance of the flood detention basin. As per the comments from Bayside council, it is requested the applicant provide clear and detailed advice on how it intends to satisfy the legal requirements of the Instrument noting that works are required at ground level to accommodate the proposed development. Alternatively, it is requested that the Applicant provide a draft amended Section 88B instrument demonstrating any changes required as a result of the proposed development.

3. Stormwater

- The Department notes the concerns raised by Bayside Council regarding the stormwater management system and requests further details on which surrounding lands discharge to the site, discharge points from the site and clarification whether owner's consent is required to discharge into Springvale Drain.
- Further details are required on whether the proposed barrier/capping layer will impact the natural permeability of the site and details are required on the potential for the ponding of water below the suspended slab.

4. Contamination

- The Department requests confirmation that a Section A Site Audit Statement will be completed prior to the commencement of stage 2 works as described within the Environmental Impact Statement (EIS) (pg. 10).
- The EIS describes the remediation strategy as on site containment using marker and barrier layers across the site and construction on a suspended slab with an undercroft area to provide a passive venting system. The Department requests further details regarding the composition and permeability of the capping layer and the long term management of the undercroft area (including on-going access arrangements) and potential environmental impacts such as dust emissions, odour, stagnant water and the loss of evaporation.

5. Traffic

- The Department notes the comments from TfNSW regarding the Traffic Impact Assessment (TIA), particularly regarding the level of service for key intersections. It is suggested the Applicant consult directly with TfNSW when preparing the revised TIA.

- Further justification is required for the location of the driveway access noting the concerns raised by Bayside Council.

6. Biodiversity/landscaping

- A detailed description and justification is required for the extent and type of landscaping proposed with reference to previous approvals for the site and Bayside Council's comments (including justification for any departures from the Botany Bay Development Control Plan). The Department encourages the Applicant to further consult with Bayside Council and the community when preparing a Response to Submissions.
- The Office of Environment and Heritage requested a green roof, cool roof or green wall be incorporated into the Development as part of its comments provided on the Secretary's Environmental Assessment Requirements. The Department and Bayside Council note this has not been addressed.

7. Community consultation

- Further details are required on how stakeholders were consulted, the issues that have been raised by the relevant stakeholder and details of the Applicant's specific response to these issues, including how the proposed development has been amended to address and mitigate each issue.

8. Hazards

- The EIS refers to the Quantitative Risk Assessment model for the Botany Industrial Park and a limit on the population density for different development types in the surrounding area. Further information is required on how the proposed development will ensure compliance with this requirement once operational (should development consent be granted).

9. Groundwater treatment infrastructure/easements for remediation

- It is noted the Environment Protection Authority (EPA) is regulating a long-term remediation project on the site to manage groundwater contamination. As per the comments from the EPA, it is requested further details be provided of the easements proposed to ensure further remediation work can be undertaken by Orica on the northern portion of the site in the future, if required, should the land be sold.
- The EIS notes that existing Groundwater Treatment Plant (GTP) infrastructure along the McPherson Street frontage will need to be lowered to accommodate site access. The Department requests further information on the extent of works required and evidence that the EPA have no objection to the works.

10. Landscaping/visual impacts

- A greater level of assessment of the visual impacts of the proposed development is required with reference to surrounding building heights, bulk and scale, setbacks, materials, colours and landscaping.

11. Consistency with previous approvals

- Details as to the consistency of the proposed development with previous approvals on the site must be provided, including the potential for the proposed development to contradict any existing conditions of consent or easements that apply to the land.

12. Landowner's consent

- Landowner's consent is required to support the development application and should be provided as soon as possible.

13. EIS comments

- The subdivision plan at Figure 8 is incorrect regarding the layout of Lots 1 to 6.
- Clarification is required of any potential impacts on Sydney Water's Southern Western Sydney Ocean Outfall Sewer (SWSOOS) located within the vicinity of the site.
- There are inconsistencies with how the landscape setbacks are described within the EIS, particularly in relation to the southern boundary (pp. 32 and 39).