Development Application of 100 Botany Road (SSD-63067458 / D/2024/937) Must Be Rejected

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General Information

State of NSW Project Details

Application Number: SSD-63067458
Assessment Type: State Significant Development
Development Type: Hospitals, medical centres and health research facilities
Local Government Areas: City of Sydney
Exhibition Start-End Date: 01/11/2024 - 02/12/2024
Contact Planner Name: Megan Fu
Contact Planner Phone: +61 2 9274 6531

City of Sydney LGA

D/2024/937
Address:

- 84-88 Botany Road ALEXANDRIA NSW 2015
- 86-96 Wyndham Street ALEXANDRIA NSW 2015
- 98-100 Wyndham Street ALEXANDRIA NSW 2015
- 108 Botany Road ALEXANDRIA NSW 2015
- 100 Botany Road ALEXANDRIA NSW 2015
- 74 Botany Road ALEXANDRIA NSW 2015

Applicant: KURRABA GROUP
Description: Demolition of existing structures, site preparation, remediation works and bulk excavation for two levels of basement. Construction of a mixed use development comprising health research facilities and retail uses with ancillary parking. The application is Integrated Development requiring the approval of WaterNSW under the Water Management Act 2000.

City of Sydney contact: Georgia McKenzie
Estimated cost: $219,696,000.00
Lodged date: 29/10/2024
Status: Being assessed
Exhibition period: 01/11/2024 to 02/12/2024

Executive Summary

This report evaluates the proposed development at 100 Botany Road, Alexandria, identifying critical inconsistencies, policy violations, and substantial gaps across the project's environmental, social, urban design, heritage, hazard, and flood management plans. The analysis reveals significant non-compliance with State Environmental Planning Policies (SEPPs), the State Significant Development (SSD) assessment framework, and City of Sydney local council policies. These findings cast serious doubts on Kurraba Group's suitability to manage a project of this complexity, as their limited experience in large-scale, multi-dimensional developments raises concerns about their ability to meet regulatory standards and community expectations. The following summary outlines the primary reasons why the development should not be approved in its current form:

1. **Environmental Impact Management Failures**: The development's approach to managing environmental impacts related to noise, air quality, waste, and greenhouse gas emissions is inconsistent and lacks depth. Key documents, such as the Noise and Vibration Impact Assessment, Environmental Impact Statement (EIS), Waste Management Plan, and Net Zero Report, either provide conflicting information or lack specific mitigation measures. These documents fail to meet the standards set by SEPP (Resilience and Hazards) 2021 and SEPP (Sustainable Buildings) 2022, which require clear, measurable strategies for minimizing environmental impact and protecting public health and safety. This gap suggests a lack of comprehensive environmental management expertise, which is critical for a State Significant Development.

2. **Inadequate Social and Community Impact Assessment**: The Social Impact Assessment and SEARS Compliance Table present contradictory information about the development's impact on the community. While the SEARS Compliance Table claims substantial community benefits, including job creation and enhanced amenities, the Engagement Report highlights significant concerns from local residents regarding increased noise, traffic, and a potential loss of neighborhood character. This discrepancy suggests that Kurraba Group has failed to adequately address genuine community concerns, violating SEPP social sustainability guidelines and City of Sydney engagement standards. The lack of verifiable social impact mitigation strategies indicates a limited understanding of the social complexities inherent in large-scale urban projects.

3. **Deficiencies in Urban Design and Non-Compliance with Design Excellence Standards**: The proposed design does not adequately integrate with the local streetscape, lacks active ground-level features, and fails to provide meaningful façade articulation, as required by SEPP (Design and Place) 2021 and City of Sydney urban design policies. The Architectural Drawings, SEARS Compliance Table, and Visual Impact Assessment provide conflicting narratives regarding the building's scale, design quality, and compatibility with the surrounding area. This fragmented approach to design excellence raises concerns about the developer's commitment to creating a cohesive and context-sensitive urban environment, crucial for maintaining the character and livability of the area.

4. **Heritage and Visual Impact Violations**: The project's height and bulk create a visually intrusive structure that overshadows adjacent heritage buildings, such as the Congregational Church and the Cauliflower Hotel. The Heritage Impact Statement and Visual Impact Assessment directly contradict the SEARS Compliance Table's claims of heritage sensitivity, failing to protect the visual prominence and curtilage of these heritage assets. This disregard for heritage preservation is non-compliant with SEPP (Heritage Conservation) 2021 and City of Sydney's heritage policies, posing a significant risk to the area's historical character and cultural value.

5. **Hazardous Material and Flood Risk Management Gaps**: The Preliminary Risk Screening, Hazardous Materials Management Plan, Flood Impact Assessment, and Integrated Water Management Plan present inconsistent information on hazardous material management and flood risk mitigation. The fragmented approach to these critical safety issues raises serious concerns about the project's ability to ensure public health and environmental resilience. SEPP (Resilience and Hazards) 2021 requires a coordinated risk management strategy for hazardous materials and flood resilience, which the current proposal lacks. This oversight exposes future occupants and neighboring communities to potential environmental and safety hazards.

6. **Insufficient Climate Resilience and Water Management**: The project's flood and stormwater management plans lack provisions for future climate resilience, failing to prepare for increased storm frequency and intensity as outlined by SEPP (Resilience and Hazards) 2021. The Flood Impact Assessment and Integrated Water Management Plan contain contradictory assertions regarding stormwater runoff and water reuse efficiency, indicating that the water

management strategy is unreliable and unlikely to meet SEPP and City of Sydney standards for sustainable water use. This deficiency suggests that the development may contribute to downstream flooding, exacerbating environmental risks in surrounding areas.

Key Conclusion

The inconsistencies, contradictions, and omissions across the project's documentation indicate that Kurraba Group is not adequately equipped to meet the rigorous standards required under SEPP, SSD, and City of Sydney policy frameworks. The project's fragmented and unreliable approach to environmental protection, community impact, design integration, heritage conservation, hazard management, and climate resilience undermines its viability and reliability. Kurraba Group's limited experience in large-scale developments, lack of expertise in sustainable and social impact management, and potential conflicts of interest further emphasize that they may not be the right developer to handle a project of this complexity.

To achieve compliance and meet expectations for State Significant Developments, substantial revisions are essential, including:

- **Establishing consistent and transparent environmental management protocols across noise, air quality, waste, and emissions** to ensure public health and safety.
- **Addressing genuine community concerns and providing verifiable social impact benefits** that reflect the needs of the local population.
- **Redesigning the building to align with local streetscape, activate the public realm, and integrate heritage considerations** to preserve the area's cultural integrity.
- **Developing cohesive hazard and flood management strategies that ensure public safety and climate resilience** for long-term sustainability.

Without these fundamental improvements, the proposed development is unsuitable for approval and poses substantial risks to the surrounding community and environment.

Introduction

Overview of the Proposed Development at 100 Botany Road, Alexandria

The Kurraba Group has submitted a State Significant Development Application (SSDA) for a major redevelopment at 100 Botany Road, Alexandria. The proposed development, intended as a health research facility with integrated retail spaces, will comprise two principal buildings along Botany Road and Wyndham Street, with up to eleven storeys on the Botany Road side and five on the Wyndham Street side. The design includes ground-level lobbies and retail spaces, specialized laboratories, office areas, and New South Wales' first Proton Therapy Cancer Treatment Centre in the building's basement. Public domain works are also proposed, such as pedestrian pathways and landscaping improvements, aimed at integrating the development into the recently rezoned Botany Road Precinct.

The project scope further encompasses extensive demolition, site remediation, and two levels of basement excavation to accommodate parking, service areas, and the Proton Therapy Centre. While the development aims to establish a significant health research hub in Sydney's Innovation and Technology Precinct, the scale and design have prompted public interest and scrutiny, particularly concerning environmental impact, social disruption, and compliance with regulatory frameworks.

Purpose of the Report

This report is prepared to critically assess the compliance of the proposed development with:

- **State Environmental Planning Policies (SEPPs)**: Key SEPPs under review include those focused on sustainable building requirements, emissions reporting, and resilience to environmental risks.
- **State Significant Development (SSD) Assessment Frameworks**: Given the designation of the project as a State Significant Development, this report examines compliance with the specific guidelines outlined for such large-scale developments.
- **City of Sydney Policies**: Local council regulations and urban design standards from the City of Sydney are also evaluated, focusing on building height, visual impact, community integration, and waste management requirements.

By assessing these regulatory frameworks, the report aims to determine whether the development aligns with the intended environmental, social, and urban planning standards mandated for the precinct and whether it adequately addresses the anticipated impacts on the surrounding community.

Methodology

The analysis presented in this report follows a structured approach to ensure a thorough review of the development's compliance. Key methodologies include:

- **Document Analysis**: Each component of the development application, including the Environmental Impact Statement (EIS), social and community impact assessments, and specialized reports (e.g., Waste Management Plan, Net Zero Report), was critically reviewed. Particular attention was paid to inconsistencies within documents and gaps in information, as well as compliance with SEPPs and City of Sydney regulations.

- **Policy Compliance Assessment**: For each relevant SEPP and City of Sydney policy, the report identifies specific requirements and benchmarks. These are used as the basis to measure compliance, with any deviations from the standard outlined in detail.

- **Cross-Referencing of Environmental and Urban Impact Assessments**: Environmental impact elements, including greenhouse gas emissions, waste management, and flood risks, were cross-referenced with urban design requirements. This process was employed to assess how well the development integrates environmental sustainability with local urban planning goals.

- **Identification of Community and Social Impacts**: Social impact elements were assessed against the Social Impact Assessment Guidelines for State Significant Projects. The report considers the breadth and depth of community consultation documented in the development application and evaluates potential social and infrastructural impacts based on community feedback and projected outcomes.

- **Risk and Mitigation Analysis**: Risk assessments within the application were reviewed to determine the robustness of proposed mitigation strategies, especially concerning environmental hazards, traffic, and pedestrian safety. Any

gaps in emergency preparedness and hazard management were identified as critical factors influencing the recommendation against approval.

This multi-faceted approach enables a comprehensive assessment of the development's adherence to the intended standards for environmental stewardship, community integration, and urban planning excellence. By rigorously analyzing these elements, the report aims to provide an evidence-based recommendation on the viability and advisability of the proposed development in its current form.

Policy Framework and Compliance Standards

This section outlines the primary policy frameworks and compliance standards that guide the evaluation of the proposed development at 100 Botany Road, Alexandria. These include **State Environmental Planning Policies (SEPPs)**, the **SSD Assessment Framework**, and **City of Sydney Local Policies**. Each of these frameworks provides a distinct set of criteria designed to ensure that developments of this scale and significance contribute positively to environmental sustainability, social welfare, and urban design standards.

State Environmental Planning Policies (SEPPs)

The State Environmental Planning Policies (SEPPs) are legislative instruments that establish planning and environmental standards across New South Wales. For the 100 Botany Road development, the most pertinent SEPPs are:

1. **SEPP (Sustainable Buildings) 2022**
    - **Purpose**: Establishes sustainable building requirements for new developments, particularly around emissions reduction, resource efficiency, and resilience.
    - **Key Requirements**:
        - *Emissions Reduction*: The development must implement net zero design initiatives, with a clear commitment to avoid reliance on fossil fuels and ensure minimal greenhouse gas emissions.
        - *Resource Efficiency*: Provisions for energy, water, and waste management systems to enhance resource conservation are required.
        - *Resilience Measures*: The design must account for climate-related risks, such as extreme weather and flood mitigation, and should demonstrate alignment with the resilience goals outlined in the policy.

2. **SEPP (Resilience and Hazards) 2021**
    - **Purpose**: Governs land use and development in areas subject to environmental hazards or requiring enhanced resilience.
    - **Key Requirements**:
        - *Flood Risk Management*: Developments must provide a Flood Impact and Risk Assessment, with detailed mitigation measures to address potential flooding scenarios up to the probable maximum flood level.
        - *Hazardous Material Management*: For sites where hazardous materials may be present or used, developers must outline comprehensive safety and containment measures.
        - *Fire Safety Standards*: Projects must integrate fire safety systems that comply with the highest applicable safety standards, considering the scale and intended use of the facility.

3. **SEPP (Design and Place) 2021**
    - **Purpose**: Establishes guidelines for high-quality urban design, promoting livability, functionality, and sustainability.
    - **Key Requirements**:
        - *Design Excellence*: Projects must align with SEPP design standards, demonstrating that the development fosters visual appeal, functional spaces, and integration into the local character.
        - *Public Spaces and Accessibility*: The development must ensure quality public spaces, accessibility features, and pedestrian-friendly designs.
        - *Environmental Integration*: Includes requirements for landscaping, green infrastructure, and urban heat mitigation through reflective or vegetative surfaces.

4. **SEPP (Biodiversity and Conservation) 2021**
    - **Purpose**: Focuses on protecting and enhancing biodiversity, particularly in urban and redevelopment areas.
    - **Key Requirements**:
        - *Biodiversity Assessments*: Development applications must include a biodiversity impact assessment to evaluate effects on local flora and fauna.

- *Green Space Requirements*: Large-scale developments must allocate green spaces and vegetation areas to maintain ecological balance and habitat availability.
- *Conservation and Restoration*: The development should, where possible, contribute to local conservation efforts, including the restoration of natural habitats and support for native species.

5. **SEPP (Infrastructure) 2007**
    - **Purpose**: Facilitates the coordinated delivery of infrastructure alongside development, focusing on efficient use of resources and minimizing disruption.
    - **Key Requirements**:
        - *Traffic and Accessibility Assessments*: The development must include detailed traffic impact assessments and propose adequate infrastructure for pedestrian, bicycle, and vehicular access.
        - *Utility and Service Integration*: All essential services, including water, electricity, and waste, must be factored into the site's design, with provision for future scalability.
        - *Transport Access and Sustainability*: SEPP promotes sustainable transport, including public transport accessibility, bicycle facilities, and reduced dependence on personal vehicles.

SSD Assessment Framework

The State Significant Development (SSD) Assessment Framework outlines specific evaluation criteria for large-scale developments that are classified as State Significant due to their size, location, or impact. The relevant requirements for SSDs include:

1. **Consistency with SEARs (Secretary's Environmental Assessment Requirements)**
    - Developers must respond directly to SEARs, which are customized requirements based on the project's scale and location.
    - SEARs typically address environmental sustainability, social impacts, design excellence, and infrastructure demands.

2. **Environmental Impact Assessment (EIA)**

- An EIA is mandatory for SSDs and should cover areas including air quality, water management, biodiversity, noise, and waste.
- SSD applications must demonstrate alignment with sustainable practices and provide detailed mitigation strategies for identified risks.

3. **Community and Stakeholder Engagement**
   - The SSD process requires comprehensive community engagement, with documentation of community feedback, concerns, and support for the development.
   - SSD applications must incorporate measures to mitigate social impacts, particularly in terms of accessibility, traffic, and neighborhood integration.

4. **Design Integrity and Compliance with Design Guidelines**
   - The SSD framework mandates a high standard of design, often requiring projects to undergo State Design Review Panels for feedback and refinement.
   - SSD projects are expected to demonstrate "design excellence" through architectural quality, alignment with urban character, and provision of public spaces.

5. **Risk and Hazard Management**
   - Projects must include risk assessments covering fire safety, flood potential, hazardous materials, and emergency management.
   - Developers must document and plan for safety measures in the event of an incident, aligning with standards set by state planning authorities.

6. **Social and Economic Impact Assessment**
   - SSD applications must provide a Social Impact Assessment to evaluate the effects on local communities, including social infrastructure, employment, and neighborhood amenities.
   - Economic benefits, such as job creation and contributions to local industry, should also be demonstrated, with tangible data supporting projected outcomes.

City of Sydney Local Policies

The City of Sydney Local Policies establish standards for developments within the council's jurisdiction, particularly those that influence urban aesthetics, community

integration, and environmental impacts. The following are key local policies relevant to the proposed development:

1. **Sydney Local Environmental Plan (LEP) 2012**
    - **Purpose**: Guides zoning, land use, and building height standards across Sydney's city council areas.
    - **Key Requirements**:
        - *Zoning Compliance*: Developments must align with the zoning specifications, including permissible uses and restrictions on height and density.
        - *Heritage Preservation*: The LEP mandates protection of heritage sites, and any new development must respect the scale and style of heritage properties in the vicinity.
        - *Environmental Protection*: The LEP includes provisions for water management, biodiversity, and urban heat mitigation, requiring developers to integrate these elements into the site plan.

2. **Sydney Development Control Plan (DCP) 2012**
    - **Purpose**: Complements the LEP, providing more detailed requirements on design, sustainability, and community impact.
    - **Key Requirements**:
        - *Urban Design Standards*: The DCP sets guidelines for building articulation, materials, color schemes, and landscaping to ensure developments contribute positively to the local character.
        - *Access and Mobility*: The DCP includes requirements for pedestrian access, bicycle facilities, and inclusive design for disabled persons.
        - *Public and Private Open Space*: Developers must allocate sufficient open spaces, including landscaped areas and communal spaces, to enhance resident and community welfare.

3. **Sustainable Sydney 2030 Vision**
    - **Purpose**: Aims to create a green, global, and connected city by setting long-term sustainability goals.
    - **Key Requirements**:
        - *Sustainable Building Standards*: Developments are encouraged to meet or exceed national green building benchmarks, such as Green Star and NABERS.

        - *Emissions Reduction and Renewable Energy*: Projects should contribute to the city's net zero emissions goal, integrating renewable energy sources and efficient building systems.
        - *Community Engagement and Inclusivity*: Sustainable Sydney 2030 emphasizes community inclusivity, requiring developers to prioritize social cohesion, public amenities, and accessibility in new projects.

4. **City of Sydney's Green Travel Plan Policy**
    - **Purpose**: Encourages sustainable transportation options for developments, reducing dependency on private vehicles.
    - **Key Requirements**:
        - *Bicycle and Pedestrian Infrastructure*: Developments should provide adequate facilities for cycling, walking, and access to public transport.
        - *Green Travel Initiatives*: Developers are encouraged to implement travel plans that reduce car dependency, including car-sharing options and incentives for public transit use.

5. **Waste Management Guidelines for New Developments**
    - **Purpose**: Establishes protocols for waste reduction, separation, and disposal in line with the city's environmental objectives.
    - **Key Requirements**:
        - *On-Site Waste Management*: Developers must incorporate waste separation facilities and efficient waste collection processes.
        - *Sustainable Waste Disposal*: Emphasis on recycling, composting, and environmentally safe disposal methods, particularly for developments with high waste output, such as research facilities handling clinical waste.

These policies collectively form a comprehensive regulatory framework to guide the assessment of the 100 Botany Road development. The compliance of the project with these standards is a central component of this report, as it determines the project's alignment with local and state objectives for sustainability, safety, and community well-being.

Detailed Analysis and Findings

Key Areas of Focus for Inconsistencies

This section addresses specific inconsistencies and policy violations identified within the environmental impact assessments of the 100 Botany Road development. The findings below illustrate how the proposed project fails to comply with critical State Environmental Planning Policies (SEPPs) and City of Sydney policies in the areas of air quality, noise and vibration management, greenhouse gas emissions, and waste management.

Documents Cite Incorrect Development & Contradict Each Other

Whilst the 100 Botany Road development submitted thousands of pages of documents, many of the templated submissions contradict each other. Moreover, several documents cite an incorrect development, showing the document preparer was simply reusing a previous report and making updates. The lack of accountability and attention to detail in the preparation and submission of these documents raises serious concerns about their validity and the ability of the developer to provide proper oversight over their contractors in the planning and development phase of these works.

a. Environmental Impact and SEPP Violations

Air Quality, Noise, and Vibration Impacts

Noise and Vibration Impact Assessment

The **Noise and Vibration Impact Assessment** (D/2024/937 - Appendix BB_Noise and Vibration Impact Assessment.PDF) identifies projected noise impacts from construction and operational phases. However, it reveals critical deficiencies in both addressing noise impacts during non-standard hours and in proposing adequate mitigation measures, as mandated by SEPP (Resilience and Hazards) 2021. Key issues identified include:

- **Construction Noise Outside Standard Hours**: According to the **Noise and Vibration Impact Assessment** (D/2024/937 - Appendix BB_Noise and Vibration Impact Assessment.PDF, page 12), the project references the NSW Interim Construction Noise Guideline (ICNG, 2009), which prescribes that noise-intensive construction activities should be limited to 7 a.m. – 6 p.m. on weekdays and 8 a.m. – 1 p.m. on Saturdays, with no construction allowed on Sundays or public holidays. Despite these guidelines, the assessment indicates

that high-noise activities, such as excavation and demolition, may take place outside these standard hours. This includes operations that are particularly disruptive, such as the use of jackhammers, pile drivers, and heavy trucks for material transport. No justification is provided for extended hours, nor does the report include detailed, site-specific noise control measures that would protect nearby residents from prolonged disturbance. This lack of consideration for after-hours noise impacts contravenes SEPP (Resilience and Hazards) 2021, which requires noise mitigation measures to align with community standards, especially for projects of state significance located close to residential areas.

- **Noise Level Projections for Nearby Residential Areas**: The **Noise and Vibration Impact Assessment** (D/2024/937 - Appendix BB_Noise and Vibration Impact Assessment.PDF, page 15) projects that noise levels generated by heavy construction machinery will significantly exceed acceptable limits for residential properties in proximity to the site. For instance, activities involving hydraulic hammers on excavators are estimated to produce noise levels up to 93 dB(A), which is far above the ICNG's recommended residential noise threshold of 45-55 dB(A) for daytime construction noise. The report acknowledges that these high-noise activities are likely to impact nearby homes, particularly during sensitive early morning and late evening hours. However, the assessment lacks specific mitigative actions, such as acoustic barriers, scheduling adjustments, or temporary relocation assistance for highly affected residents. This deficiency is particularly concerning given the close proximity of several residential areas, which are expected to experience severe noise intrusion. The absence of detailed noise mitigation plans for residential zones adjacent to the project site not only falls short of best practice but also risks non-compliance with SEPP (Resilience and Hazards) 2021, which mandates effective and proactive management of noise impacts on surrounding communities.

Air Quality Concerns

The **Environmental Impact Statement (EIS)** (D/2024/937 - EIS.PDF) and related documents outline anticipated air quality impacts but lack a comprehensive management strategy, especially regarding particulate emissions and air pollution during extended construction periods.

- **Emissions from Construction Activities**: The **EIS** (D/2024/937 - EIS.PDF, page 22) forecasts significant emissions from activities such as excavation,

demolition, and material handling, which are known to generate dust, diesel emissions from heavy machinery, and airborne particulates. However, the EIS provides only a cursory mention of dust suppression and fails to specify key air quality controls, such as on-site dust monitoring, regular vehicle washing, and covered transport of dusty materials. SEPP (Sustainable Buildings) 2022 requires detailed measures to mitigate on-site emissions, particularly for SSDs where construction activities pose heightened risks to air quality in populated urban areas. This lack of a structured dust control plan not only risks violating SEPP requirements but also exposes residents and workers to health risks associated with prolonged exposure to particulate matter, which is known to cause respiratory issues and exacerbate existing health conditions.

- **Absence of Long-Term Air Quality Controls**: Although the **EIS** (D/2024/937 - EIS.PDF, page 23) briefly references short-term dust control measures, it does not outline a plan for continuous monitoring of air quality throughout the construction period. For a project of this duration and scale, ongoing air quality monitoring is essential to detect and mitigate dust and pollutant levels before they exceed safe limits. Furthermore, the report lacks provisions for managing operational emissions once the facility becomes active, particularly for laboratory spaces and clinical areas where volatile organic compounds (VOCs) or other hazardous substances may be present. SEPP (Resilience and Hazards) 2021 and best practice guidelines for SSDs emphasize the importance of continuous air quality monitoring in large-scale projects, particularly those involving sensitive operations. The omission of long-term air quality measures indicates a serious compliance gap, suggesting insufficient regard for public health and environmental safety in surrounding areas.

Greenhouse Gas Emissions and Net Zero Goals

Statements on Emissions Reduction in the Net Zero Report

The **Net Zero Report** (D/2024/937 - Net Zero Report.PDF) submitted as part of the development application claims the project will contribute to emissions reduction, but it lacks the specificity and data required for verification. The report's lack of concrete reduction targets and implementation timelines raises concerns about its alignment with SEPP (Sustainable Buildings) 2022.

- **Vague Emissions Reduction Goals**: The **Net Zero Report** (D/2024/937 - Net Zero Report.PDF, page 7) broadly asserts the project's intention to reduce

greenhouse gas emissions but fails to provide concrete metrics, such as specific reduction percentages or timelines for achieving these reductions. SEPP (Sustainable Buildings) 2022 mandates that SSDs establish defined emissions reduction goals, supported by a clear, measurable framework. The absence of detailed emissions targets, such as a commitment to reduce operational emissions by a certain percentage over a specified period, undermines the credibility of the sustainability claims made in the report and raises questions about the project's compliance with SEPP's stringent sustainability requirements.

- **Lack of Renewable Energy Integration**: The **Net Zero Report** (D/2024/937 - Net Zero Report.PDF, page 8) briefly mentions "potential renewable sources" but does not commit to specific renewable energy installations, such as solar panels or wind turbines, that could significantly offset the facility's energy consumption. SEPP requires SSDs to prioritize renewable energy where feasible as part of a commitment to sustainable development. By failing to include a renewable energy plan, the report does not align with SEPP standards and does not demonstrate a serious commitment to minimizing reliance on non-renewable resources. This omission undermines the project's claim to align with the City of Sydney's and SEPP's goals for transitioning toward clean, renewable energy sources.

NABERS Embodied Emissions Forms

The **NABERS Embodied Emissions Forms** (D/2024/937 - NABERS Embodied Emissions Materials Form.XLSX) accompanying the application provide estimates of embodied emissions from construction materials. However, these forms lack transparency in calculation methodologies and are incomplete in their coverage of emissions, which is critical for validating the environmental claims of the project.

- **Inconsistent Embodied Emissions Calculations**: The **NABERS Embodied Emissions Forms** (D/2024/937 - NABERS Embodied Emissions Materials Form.XLSX, page 3) offer initial estimates of embodied emissions but fail to cover all construction phases and materials. Precise, transparent data on embodied emissions is crucial for SSDs to verify sustainability claims. The lack of clarity in the calculation methods, combined with incomplete reporting of materials and phases, casts doubt on the project's compliance with SEPP's stringent requirements for transparent and accurate reporting of environmental

impact. Incomplete or unclear data may mislead stakeholders regarding the true environmental footprint of the project.

b. Social and Community Impact Concerns

The social and community impacts of the proposed development at 100 Botany Road, Alexandria, are of paramount concern. Analyzing the **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF) and **Transport and Accessibility Impact Assessment** (D/2024/937 - Transport and Accessibility Impact Assessmen.PDF) reveals significant gaps in the mitigation strategies presented. The assessments inadequately address community feedback and anticipated effects on local social infrastructure and public transit networks. The following section examines these deficiencies in greater detail, emphasizing how the proposed development fails to align with the community and social standards expected for large-scale, state-significant projects.

Insufficient Social Impact Mitigations

Community Concerns and Effects on Social Infrastructure

The **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF) documents various concerns expressed by local residents. However, the assessment is incomplete in its analysis and fails to offer specific mitigation measures to address these issues comprehensively.

- **Local Character and Gentrification Concerns**: According to **D/2024/937 - Social Impact Assessment.PDF**, one of the primary concerns raised by community members is the potential impact on the unique character and historical significance of the Alexandria area. Residents fear that the development could accelerate gentrification, thereby increasing living costs, displacing lower-income residents, and attracting a different demographic that may not align with the neighborhood's historical identity. While the SIA acknowledges these concerns, it fails to propose specific mitigation strategies aimed at preserving the cultural and socioeconomic diversity of the area. For instance, there are no provisions for community-oriented spaces, affordable housing, or rent-controlled commercial areas that could help offset the pressures of gentrification brought about by a high-income workforce drawn to the research and tech industries（D/2024/937 - Social Impact Assessment.PDF, page 8）.

- **Insufficient Planning for Social Infrastructure Needs**: The **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF) recognizes existing pressure on local social infrastructure, such as schools, healthcare facilities, and recreational spaces. However, the report does not detail how the influx of workers, during both the construction and operational phases, will affect these resources. For example, it lacks a thorough analysis of how local clinics, hospitals, or emergency services will manage increased demand, nor does it propose any partnership with local healthcare providers to accommodate this surge. Without a clear commitment to enhancing or expanding social services in parallel with the development, this assessment falls short of SEPP guidelines, which require that large-scale projects preserve and bolster local infrastructure （D/2024/937 - Social Impact Assessment.PDF, page 15）.

- **Public Health and Safety Concerns**: A significant point of concern involves the facility's use, especially the proposed Proton Therapy Cancer Treatment Centre and research laboratories that may handle biological and chemical materials. According to **D/2024/937 - Social Impact Assessment.PDF**, residents are anxious about potential health risks and the proximity of such sensitive operations to residential zones. While the SIA mentions these concerns, it provides minimal detail on how the facility plans to mitigate these risks for the surrounding community. The document does not include a comprehensive public safety protocol, a community education plan on the facility's operations, or clear emergency response procedures in the event of accidental exposure or contamination. This omission indicates a lack of alignment with SEPP (Resilience and Hazards) 2021, which emphasizes public transparency and robust safety planning in state-significant projects （D/2024/937 - Social Impact Assessment.PDF, page 22）.

Discrepancies in Projected Community Benefits

The **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF) and **SEARS Compliance Table** (Appendix A_SEARs Compliance Table.PDF) forecast economic benefits from the development, including job creation and a boost to local businesses. However, these benefits are presented without substantial evidence, and the assessment lacks specificity regarding how these benefits will reach the local community.

- **Unsubstantiated Employment Projections**: The **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF) states that the development will generate employment opportunities in fields such as health, technology, retail, and hospitality. However, there is no detailed breakdown of the projected roles, nor an explanation of how these positions will be made accessible to local residents. Without provisions for local hiring, workforce training programs, or partnerships with local educational institutions, the economic benefits outlined remain speculative and may primarily benefit an external workforce rather than current community members. For example, positions requiring advanced health or tech skills may draw applicants from outside the area, excluding residents from potential job opportunities due to lack of qualification（D/2024/937 - Social Impact Assessment.PDF, page 17）.

- **Minimal Support for Local Businesses**: While the assessment mentions potential increases in foot traffic that could benefit surrounding businesses, particularly those in retail and hospitality, it overlooks the potential for adverse effects such as increased commercial rent. Higher foot traffic could attract larger chain businesses, leading to a rise in commercial rent that may displace smaller, community-oriented businesses that cater to the existing demographic. The lack of initiatives, such as subsidized rents or grants to support local small businesses, suggests that the projected economic benefits may not be equitably distributed. This oversight indicates that the assessment does not fully account for the socioeconomic impacts of gentrification on local commerce（D/2024/937 - Social Impact Assessment.PDF, page 7）.

Traffic and Accessibility Issues

The **Transport and Accessibility Impact Assessment** (D/2024/937 - Transport and Accessibility Impact Assessmen.PDF) highlights anticipated traffic increases resulting from the development but provides insufficient measures to mitigate potential strain on the local transportation network. Additionally, the assessment fails to meet City of Sydney's Green Travel Plan standards, which require sustainable and accessible transportation planning.

Traffic and Congestion Projections

- **Increased Traffic without Comprehensive Mitigation Plans**: The **Transport and Accessibility Impact Assessment** (D/2024/937 - Transport and

Accessibility Impact Assessmen.PDF) projects significant increases in vehicle traffic during peak hours. Despite this, the mitigation measures are limited to vague recommendations, such as "encouraging public transit," without concrete strategies for reducing vehicular congestion. For instance, there is no mention of potential incentives for carpooling or structured plans to discourage car usage. The City of Sydney's guidelines for large developments recommend a range of measures, such as subsidized public transport passes, designated car-share spaces, and staggered work hours, none of which are specifically detailed in this assessment. This lack of comprehensive planning raises concerns about the development's alignment with both SEPP requirements and City of Sydney's urban mobility goals（D/2024/937 - Transport and Accessibility Impact Assessmen.PDF, page 14）.

- **Inadequate Integration with Public Transport**: Given the site's proximity to the Waterloo Metro Station, the development has a strategic opportunity to promote sustainable commuting. However, **D/2024/937 - Transport and Accessibility Impact Assessmen.PDF** fails to include dedicated infrastructure to support public transit users or enhance pedestrian connectivity. For example, there are no plans for a shuttle service from the metro, dedicated drop-off areas for rideshare vehicles, or enhanced pedestrian routes that could provide safe, convenient access from transit stops. This oversight reflects a missed opportunity to integrate the development into Sydney's transit network sustainably, contrary to SEPP (Sustainable Buildings) 2022 goals （D/2024/937 - Transport and Accessibility Impact Assessmen.PDF, page 12）.

Lack of Compliance with Green Travel Plan Requirements

- **Insufficient Bicycle Parking and Infrastructure**: Although the **Transport and Accessibility Impact Assessment** (D/2024/937 - Transport and Accessibility Impact Assessmen.PDF) mentions bicycle parking, it lacks specifics on the number, accessibility, or security of these facilities. The City of Sydney's Green Travel Plan guidelines emphasize that well-designed, secure, and easily accessible bicycle parking is essential for promoting cycling as a primary commuting option. For a development of this scale, minimal provisions for bicycle parking not only discourage cycling but also indicate non-compliance with City sustainability initiatives aimed at reducing vehicle dependency （D/2024/937 - Transport and Accessibility Impact Assessmen.PDF, page 15）.

- **Deficient Pedestrian-Friendly Infrastructure**: The assessment in **D/2024/937 - Transport and Accessibility Impact Assessmen.PDF** does not provide an adequate strategy for managing pedestrian traffic, which is expected to increase with the nearby Waterloo Metro Station development. City of Sydney guidelines encourage developments to include wide pedestrian pathways, shaded areas, and enhanced crosswalks to support safe, high-volume foot traffic. However, the current plans lack additional pedestrian crossings, wider sidewalks, or any shaded areas for pedestrians. This neglect for pedestrian infrastructure not only limits accessibility but also reflects a non-compliance with City standards for walkability and pedestrian safety, potentially isolating the facility from the surrounding community（D/2024/937 - Transport and Accessibility Impact Assessmen.PDF, page 13）.

These findings provide a detailed account of the shortcomings in the social impact and accessibility plans for the proposed development at 100 Botany Road, Alexandria. The lack of comprehensive strategies to mitigate social disruptions, manage increased traffic, and comply with the City of Sydney's Green Travel Plan requirements suggests that the project is not aligned with state and local policies focused on fostering community integration, sustainability, and accessibility.

Inadequate Waste Management Plans

Provisions for Waste Separation, Storage, and Collection in the Waste Management Plan

The **Waste Management Plan (WMP)** (D/2024/937 - Waste Management Plan.PDF) demonstrates several deficiencies in waste management practices, especially concerning the separation, storage, and collection logistics for various waste types. These shortcomings indicate non-compliance with City of Sydney's waste management policies and SEPP requirements for responsible waste handling.

- **Insufficient Waste Separation and Recycling Facilities**: The **WMP** (D/2024/937 - Waste Management Plan.PDF, page 6) outlines general waste disposal processes but lacks the infrastructure for effective waste separation and recycling that City of Sydney guidelines mandate. Large developments are expected to include comprehensive facilities for segregating organic, recyclable, and hazardous waste streams to facilitate recycling and composting. The current WMP's limited mention of general waste and lack of reference to dedicated separation facilities for clinical and organic waste suggests a minimal approach to waste management, which fails to meet best practices for waste reduction

and recycling. This non-compliance could lead to increased landfill contributions, contrary to the City's sustainability goals.

- **Inadequate Provisions for Clinical and Hazardous Waste**: Given the facility's designation as a health research center, it is expected that the **Waste Management Plan (WMP)** (D/2024/937 - Waste Management Plan.PDF, page 7) would include stringent protocols for handling and disposing of clinical and hazardous waste. Such waste could encompass biohazardous materials, chemicals, or other substances that require secure and compliant disposal methods to prevent environmental contamination and ensure public safety. SEPP (Resilience and Hazards) 2021, as well as City of Sydney policies, mandate that health-related facilities develop specialized waste management plans for clinical and hazardous materials. However, the current WMP lacks these essential guidelines, failing to specify containment, storage, and disposal methods for materials that may be generated by laboratory and clinical operations. This omission presents a significant compliance issue and increases the risk of improper disposal, which could lead to health hazards and environmental damage, violating both SEPP standards and City of Sydney's requirements.

- **Limited Waste Collection Logistics**: The **Waste Management Plan** (D/2024/937 - Waste Management Plan.PDF, page 9) mentions that waste will be collected weekly by a private contractor, yet it fails to address key logistical challenges associated with waste collection and transport. For a project of this size and in a location with heavy traffic, detailed planning is essential to avoid disruptions. Issues such as traffic flow disruptions, risk of waste storage overflow during peak collection times, and clear transport routes for waste removal are not addressed in the current plan. City of Sydney's waste guidelines require that developments outline specific access points, designate waste transport paths, and plan for potential congestion impacts, especially in mixed-use urban environments. The absence of such logistical planning in the WMP raises concerns about potential negative impacts on neighboring properties, public safety, and compliance with local regulations. Failure to address these aspects of waste management could lead to operational inefficiencies and neighborhood dissatisfaction once the facility becomes operational.

Summary of Environmental and Compliance Gaps

The findings above highlight significant non-compliance issues with SEPP guidelines, City of Sydney policies, and best practices in environmental management. The inadequacies identified in noise management, air quality control, greenhouse gas emissions reduction, and waste management indicate that the proposed development at 100 Botany Road, Alexandria, falls short of the rigorous standards expected for a State Significant Development (SSD). Specifically:

1. **Noise and Vibration Impact**: The development's **Noise and Vibration Impact Assessment** (D/2024/937 - Appendix BB_Noise and Vibration Impact Assessment.PDF) does not provide sufficient mitigation measures to control noise outside of standard working hours or address the projected high noise levels from equipment like hydraulic hammers. This lack of detail in managing noise impacts for nearby residents suggests a disregard for SEPP (Resilience and Hazards) 2021 requirements, which prioritize community well-being.

2. **Air Quality Management**: The **Environmental Impact Statement (EIS)** (D/2024/937 - EIS.PDF) lacks a detailed air quality management plan that includes continuous monitoring and long-term controls for both the construction and operational phases. Without these, there is an elevated risk of air pollution, particularly from particulate matter, which could impact local residents' health and contravene SEPP (Sustainable Buildings) 2022.

3. **Greenhouse Gas Emissions and Renewable Energy Integration**: The **Net Zero Report** (D/2024/937 - Net Zero Report.PDF) makes broad claims about emissions reduction but lacks specific, measurable targets and does not commit to renewable energy infrastructure. This failure to set clear benchmarks undermines the development’s alignment with SEPP sustainability goals and the City of Sydney’s net zero objectives.

4. **Waste Management Planning**: The **Waste Management Plan (WMP)** (D/2024/937 - Waste Management Plan.PDF) provides inadequate guidelines for waste separation, particularly for clinical and hazardous waste, and lacks detailed logistical planning for waste collection. This non-compliance with City of Sydney’s waste guidelines and SEPP requirements could lead to public health risks and operational inefficiencies.

Conclusion

In conclusion, the environmental and policy compliance gaps identified in this analysis indicate that the proposed development does not align with the standards required for State Significant Developments in New South Wales. To proceed with the project responsibly, the development application must address these substantial deficiencies by:

- **Enhancing Noise Mitigation Measures**: Develop and implement specific noise control strategies for non-standard hours, particularly for high-noise activities near residential areas.
- **Establishing a Comprehensive Air Quality Management Plan**: Include continuous air quality monitoring throughout construction and operation, with specific dust suppression and emissions control measures.
- **Setting Clear Emissions Reduction Targets and Integrating Renewable Energy**: Provide quantifiable emissions reduction goals and commit to incorporating renewable energy infrastructure to meet SEPP and City of Sydney sustainability requirements.

- **Strengthening Waste Management Practices**: Develop detailed protocols for clinical and hazardous waste disposal, ensure effective waste separation facilities, and include comprehensive logistical planning for waste collection to align with local waste policies.

Failure to address these issues could result in non-compliance with key environmental and community standards, potential harm to public health and safety, and a negative impact on the surrounding community. Significant modifications to the current development plans are recommended to achieve alignment with SEPP, SSD assessment frameworks, and City of Sydney policies before project approval.

c. Urban Design and Architectural Compliance

Non-Compliance with Design Excellence Standards

Architectural Drawings and SEARs Compliance Table

The **Architectural Drawings** (Appendix C_Architectural Drawings.PDF) and the **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 3) reveal significant discrepancies in the project's alignment with the "design excellence" standards required for State Significant Developments (SSD). The SEPP (Design and

Place) 2021 mandates that SSDs adhere to the principles of "Better Placed," ensuring that developments are contextually appropriate, aesthetically engaging, and environmentally responsible. However, conflicting information and omissions across various reports suggest a lack of cohesion and commitment to design excellence.

- **Inconsistencies in Contextual Responsiveness**: The **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 3) asserts that the design demonstrates contextual responsiveness, yet the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 7) show a building with excessive height and bulk that disregards the surrounding scale and character of Botany Road. While the SEARs Compliance Table claims the design "respects the existing streetscape," the elevation drawings reveal a monolithic structure that disrupts the streetscape, conflicting with the SEPP requirement for developments to enhance and integrate with the existing urban fabric. This discrepancy suggests either a superficial or inaccurate assessment in the SEARs Compliance Table regarding contextual alignment.

- **Contradictory Statements on Façade Articulation**: According to the **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 4), the building's design includes "varied materials and textured elements" to create visual interest and break down the building's bulk. However, the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 9) display a largely uniform façade with minimal material variation or articulation. The SEPP (Design and Place) 2021 emphasizes the importance of varied materials and façade modulation to reduce visual bulk, particularly in large-scale developments. The lack of material variation in the architectural plans contradicts the SEARs Compliance Table's claim, undermining the assertion that the project meets design excellence standards. This inconsistency indicates a misalignment between the documented design intentions and the actual architectural execution.

- **Discrepancies Regarding Pedestrian Engagement and Activation**: The **Design Excellence Summary Report** (Appendix K_Design Excellence Summary Report.PDF, page 11) notes that the Design Integrity Panel recommended ground-level activation to enhance pedestrian engagement along Botany Road. However, the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 11) and the **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF, page 54) both illustrate a ground level that is mostly closed off

with minimal transparency or interactive features, failing to meet SEPP guidelines and City of Sydney Public Domain policies, which prioritize active, welcoming, and inclusive ground planes. This contradiction suggests that the recommendations from the Design Excellence Summary Report were not incorporated into the final design, conflicting with the requirements under the SEPP (Design and Place) 2021 and the SSD framework, which mandate responsiveness to review feedback for achieving design excellence.

Visual and Heritage Impact Issues

Visual Impact Assessment

The **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF) provides an analysis of how the proposed development will impact key viewpoints and the surrounding visual environment. However, the assessment's conclusions regarding the project's visual impact are inconsistent with other documents, particularly in terms of heritage considerations and site integration. These inconsistencies undermine the project's alignment with SEPP (Resilience and Hazards) 2021, which mandates that developments respect view corridors, minimize visual intrusion, and protect the surrounding built environment.

- **Conflicting Statements on Visual Impact from Key Viewpoints**: The **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF, pages 26-53) presents photomontages showing that the development will have a substantial visual impact from locations such as **Wyndham Street** and **Alexandria Park**. However, the **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 5) asserts that the design "minimizes visual intrusion" and "aligns with the scale of nearby structures." This statement contradicts the photographic evidence in the Visual Impact Assessment, where the building's height and bulk dominate the skyline, obstructing natural sightlines and creating a sense of overdevelopment. This inconsistency suggests that the SEARs Compliance Table does not accurately reflect the findings of the Visual Impact Assessment, potentially downplaying the development's true visual impact.

- **Inadequate Consideration for Public and Private Views**: According to the **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF, page 54), the development does not include sufficient height transitions or setbacks to integrate smoothly into the Botany Road corridor. This finding conflicts with the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 8), which claim that the design provides gradual height transitions to reduce the

perceived bulk. SEPP (Design and Place) 2021 and City of Sydney policies emphasize maintaining a harmonious skyline and protecting view corridors. This inconsistency between the architectural design intent and the actual visual impact analysis demonstrates a lack of coherent planning and suggests that the design fails to fully meet SEPP requirements for visual integration and environmental sensitivity.

Heritage Impact Statement

The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF) assesses the development's impact on adjacent heritage-listed sites, such as the **Congregational Church at 103-105 Botany Road** and the **Cauliflower Hotel at 123 Botany Road**. However, there are numerous contradictions within the Heritage Impact Statement and between this document and other assessments, which raise concerns about the project's ability to meet SEPP (Heritage Conservation) 2021 and City of Sydney heritage policies that prioritize the preservation of cultural and historical assets.

- **Contradictions on Overshadowing and Scale in Relation to Heritage Sites**: The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF, pages 56-58) identifies that the building's height and mass may overshadow heritage buildings, specifically the Congregational Church. However, the **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 6) claims that the development is "appropriately scaled" to avoid overshadowing adjacent heritage properties. The shadow studies in the Heritage Impact Statement indicate otherwise, showing substantial shadowing impacts on the church, particularly during morning and afternoon hours. This discrepancy between the SEARs Compliance Table and the findings in the Heritage Impact Statement raises questions about the accuracy of the SEARs Compliance Table's assessment and the project's alignment with SEPP heritage protection requirements, which emphasize that new developments should minimize overshadowing and visual competition with heritage structures.

- **Conflicting Statements on Heritage Integration and Curtilage Protection**: The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF, page 59) highlights that the development does not provide adequate curtilage protection for adjacent heritage sites, with the bulk and proximity of the proposed structure infringing on the visual space around the **Congregational Church** and **Cauliflower Hotel**. However, the **Architectural Drawings** (Appendix

C_Architectural Drawings.PDF, page 10) and **Design Excellence Summary Report** (Appendix K_Design Excellence Summary Report.PDF, page 12) claim that the design respects heritage elements by "preserving visual connections" and "providing buffers" between new and old structures. This contradiction suggests that the curtilage and heritage integration strategies are insufficiently detailed and possibly overstated in the architectural plans. SEPP (Heritage Conservation) 2021 and City of Sydney's heritage policies emphasize protecting the settings and visual prominence of heritage structures, which are compromised by the development's scale and lack of contextual setbacks.

- **Contradictory Statements Regarding Façade Design and Heritage Character**: According to the **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF, page 60), the proposed building's façade treatment lacks design elements that would help it relate to the historical architecture of nearby heritage buildings. The document recommends incorporating complementary materials and architectural details that reflect the area's historical context. In contrast, the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 9) and **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 4) state that the façade "incorporates historic references" and "respects the character of Botany Road." This inconsistency suggests that the heritage integration has not been adequately addressed in the design, which risks compromising the historical ambiance of the area. SEPP and City of Sydney policies prioritize preserving the character and visual coherence of heritage precincts, which the current design approach appears to neglect.

Summary of Urban Design and Heritage Compliance Gaps

The proposed development at 100 Botany Road exhibits numerous inconsistencies and contradictions across its urban design, heritage integration, and compliance documents. These issues reveal significant non-compliance with SEPP requirements, the SSD assessment framework, and City of Sydney policies, particularly regarding design excellence, visual impact, and heritage preservation. Key areas of concern include:

1. **Discrepancies in Contextual Responsiveness and Streetscape Integration**: The **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF) asserts that the design respects the local streetscape, yet the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF) and **Visual Impact**

Assessment (Appendix P_Visual Impact Assessment.PDF) reveal a building of excessive scale that disrupts the character of Botany Road. This misalignment demonstrates a failure to achieve the "contextual responsiveness" required by SEPP (Design and Place) 2021, as the proposed structure lacks appropriate transitions in height, setbacks, and design details that could help it blend with its surroundings. The lack of sensitivity to the existing streetscape suggests non-compliance with SEPP guidelines and undermines the neighborhood's architectural integrity.

2. **Conflicting Information on Façade Articulation and Material Variation**: The **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF) claims that the façade includes varied materials and textures to break down the building's bulk. However, both the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF) and **Design Excellence Summary Report** (Appendix K_Design Excellence Summary Report.PDF) lack evidence of this articulation, instead showing a monotonous and uniform façade. This contradiction points to a failure to meet SEPP standards for design excellence, which require engaging, varied façades to reduce the perceived bulk of large buildings. The repetitive design fails to provide the high-quality urban form anticipated in SEPP policies and City of Sydney's Design Excellence Policy, reducing the development's visual appeal and responsiveness to its context.

3. **Inadequate Ground-Level Activation and Pedestrian Engagement**: The **Design Excellence Summary Report** (Appendix K_Design Excellence Summary Report.PDF) recommended increasing ground-level activation along Botany Road to enhance public engagement. However, the **Architectural Drawings** (Appendix C_Architectural Drawings.PDF) show a closed-off ground level with minimal transparency or interactive elements. SEPP (Design and Place) 2021 and City of Sydney's Public Domain Guidelines stress the importance of pedestrian-friendly, active ground levels that support social interaction and create a lively streetscape. This inconsistency between the design documents and panel recommendations highlights a lack of commitment to these policies, with the final design failing to align with best practices for activating public space and contributing to street life.

4. **Visual Intrusion and Overdevelopment**: The **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF) shows that the development will have a high visual impact from key viewpoints, such as **Wyndham Street** and

Alexandria Park. However, the **SEARs Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF) inaccurately downplays this impact, claiming that the design "minimizes visual intrusion." This contradiction suggests a disconnect between the SEARs Compliance Table and the findings of the Visual Impact Assessment, which presents a more accurate representation of the structure's overwhelming bulk and intrusive presence. SEPP (Resilience and Hazards) 2021 emphasizes the importance of maintaining view corridors and avoiding excessive visual dominance in urban landscapes. The failure to address visual bulk and respect key sightlines demonstrates non-compliance with SEPP standards, impacting the enjoyment and aesthetic coherence of public spaces and surrounding areas.

5. **Lack of Heritage Sensitivity and Curtilage Protection**: The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF) raises concerns about the development's impact on adjacent heritage sites, including the **Congregational Church at 103-105 Botany Road** and the **Cauliflower Hotel at 123 Botany Road**. The statement identifies overshadowing and visual competition with these heritage structures, yet the **SEARs Compliance Table** and **Architectural Drawings** claim that the building respects the heritage context. SEPP (Heritage Conservation) 2021 and City of Sydney's heritage policies require new developments to minimize overshadowing, preserve the prominence of heritage sites, and maintain appropriate setbacks to protect heritage curtilage. The failure to incorporate meaningful height transitions, setbacks, and complementary architectural elements indicates a lack of adherence to heritage protection policies, eroding the historical value and visual presence of culturally significant buildings in the area.

6. **Contradictory Claims Regarding Heritage Integration and Façade Design**: The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF) highlights that the proposed façade lacks design elements that would help it blend with the area's historical architecture, recommending the use of complementary materials and architectural details. In contrast, the **Architectural Drawings** and **SEARs Compliance Table** claim that the design incorporates historic references. This inconsistency reveals a superficial approach to heritage integration, where the design documents fail to substantiate the claim that the building "respects the character of Botany Road." SEPP and City of Sydney policies require authentic heritage integration that enhances, rather than detracts from, the historical character of an area. The

absence of meaningful historic design references demonstrates a missed opportunity to honor the area's heritage and suggests non-compliance with policies intended to preserve cultural integrity.

Conclusion

In summary, the proposed development at 100 Botany Road presents multiple inconsistencies and contradictions across its design, visual impact, and heritage documentation. These issues reveal fundamental gaps in the project's compliance with SEPP standards, the SSD assessment framework, and City of Sydney policies aimed at achieving high-quality, context-sensitive, and heritage-respectful urban environments. To meet these requirements, the project would need to address the following:

- **Re-evaluation of Height, Bulk, and Streetscape Integration**: Reduce the building's scale and introduce height transitions to align with the surrounding context, ensuring the design is responsive to the established architectural character of Botany Road and adjacent areas.

- **Enhanced Façade Articulation and Material Diversity**: Implement varied materials, setbacks, and architectural elements to break down the building's mass, enhancing visual interest and achieving the SEPP (Design and Place) 2021 requirement for engaging, human-scaled design.

- **Improved Ground-Level Transparency and Pedestrian Engagement**: Redesign the ground level to include more transparent and accessible features, creating an active, pedestrian-friendly interface that contributes positively to Botany Road's public realm.

- **Clearer Consideration for Visual Impact and Heritage Sensitivity**: Ensure the building's bulk and placement respect view corridors, minimize visual intrusion, and avoid overshadowing adjacent heritage sites. Introduce setbacks and design modifications that protect the curtilage and prominence of heritage buildings like the Congregational Church and Cauliflower Hotel.

By addressing these deficiencies and aligning the project's design more closely with SEPP, SSD, and City of Sydney standards, the development could improve its alignment with best practices in urban design, heritage preservation, and community integration. Failure to address these concerns risks non-compliance with critical planning policies

and undermines the quality, character, and heritage value of the surrounding urban area.

d. Hazard and Risk Concerns

Inadequate Hazard and Risk Management

Preliminary Risk Screening

The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, pages 15-18) highlights potential hazards related to the storage, handling, and transport of hazardous materials on-site. Although the report suggests that the anticipated volumes of dangerous goods will remain below SEPP 33 thresholds, it relies on assumptions and lacks a rigorous analysis, leading to several compliance gaps.

- **Assumptions in Hazardous Material Volume Calculations**: The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 16) assumes that tenants will not exceed specific thresholds for hazardous materials based on projected operational needs. However, this approach lacks verification and fails to account for fluctuations in material storage that may arise from the facility's varied tenant base. SEPP (Resilience and Hazards) 2021 requires a proactive and evidence-based approach to hazard risk assessments, especially when dealing with volatile materials. The reliance on unverified assumptions instead of concrete volume control plans exposes a potential compliance risk if actual usage exceeds these projections, creating a scenario in which SEPP thresholds may be inadvertently exceeded.

- **Contradictions with the Hazardous Materials Management Plan (HMMP)**: While the **Preliminary Risk Screening** suggests minimal risk from hazardous material storage, the **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF, page 8) acknowledges that hazardous building materials like asbestos and lead are present on-site and require special handling and disposal. This inconsistency between the **Preliminary Risk Screening** and the **HMMP** reveals a fragmented approach to hazard assessment, as one document downplays the presence of hazardous materials, while another highlights their existence and the need for specialized control measures. SEPP guidelines stress consistency and thorough documentation across hazard management plans, which is lacking here, potentially leading to unaddressed safety risks.

- **Omission of Comprehensive Preliminary Hazard Analysis (PHA)**: The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 17) concludes that a Preliminary Hazard Analysis (PHA) is unnecessary because hazardous material quantities are projected to stay below SEPP thresholds. However, without a robust verification mechanism or contingency plan, there is no safeguard in place if material volumes increase. SEPP (Resilience and Hazards) 2021 mandates that a PHA be conducted if there is any potential for hazardous materials to exceed thresholds, especially in developments of state significance. The absence of a PHA indicates a reactive rather than preventive approach, limiting the development's compliance with SEPP standards, which prioritize early and comprehensive hazard analysis.

- **Lack of Transport and Handling Protocols for Hazardous Materials**: The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 16) briefly mentions transport of hazardous goods but lacks detailed protocols for managing risks associated with material handling, transportation routes, or accident prevention. This omission contradicts SEPP (Resilience and Hazards) 2021 requirements, which call for stringent transport controls in developments handling hazardous materials to protect public health. Given the site's proximity to public spaces and residential areas, the lack of a detailed transport management strategy, including route restrictions, emergency preparedness, and monitoring, is a critical oversight, potentially endangering the surrounding community in case of accidental release.

Hazardous Materials Management Plan (HMMP)

The **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF, pages 7-10) outlines basic strategies for managing hazardous building materials such as asbestos, lead-containing paint, and ozone-depleting substances. However, it does not include detailed protocols for handling emergency releases or provide adequate control measures, particularly concerning demolition and construction phases.

- **Inadequate Emergency Response for Accidental Releases**: The **HMMP** (Appendix MM2 - Hazardous Materials Management Plan.PDF, page 9) provides general handling guidelines but lacks a comprehensive emergency response plan for accidental hazardous material releases, which is essential for protecting

public health and safety. SEPP (Resilience and Hazards) 2021 requires that any facility handling hazardous materials implement a structured emergency response plan to minimize risk. This omission of a detailed emergency protocol in the HMMP reflects a gap in compliance, exposing workers, tenants, and nearby residents to potential risks from hazardous material incidents.

- **Limited Monitoring and Control Measures for Hazardous Substances**: The **HMMP** recognizes the presence of asbestos and lead on-site but lacks structured monitoring measures to ensure these materials do not pose a risk during demolition or operational activities. According to **NSW Work Health and Safety Regulations 2017**, asbestos-containing materials require continuous air monitoring and containment during handling. The absence of these controls in the **HMMP** is inconsistent with both state regulations and SEPP guidelines, presenting a risk of contamination and non-compliance. This deficiency contradicts the **Preliminary Risk Screening**, which downplays hazardous material presence, illustrating a lack of cohesive planning and a potential underestimation of the site's true risk profile.

Flood and Water Management Issues

Flood Impact Assessment

The **Flood Impact Assessment** included in the **Environmental Impact Statement** (D/2024/937 - EIS.PDF, pages 105-107) addresses potential flood risks but reveals several shortcomings, particularly regarding climate resilience and flood management consistency.

- **Inadequate Consideration of Climate Resilience in Flood Planning**: The **Flood Impact Assessment** (D/2024/937 - EIS.PDF, page 105) suggests that flood risks will be managed through mitigation measures like elevated barriers and drainage adjustments. However, the assessment fails to account for the potential increase in flood frequency and intensity due to climate change, which SEPP (Resilience and Hazards) 2021 mandates should be incorporated into flood management strategies. The reliance on traditional flood defenses without consideration for future climate conditions limits the development's resilience and long-term compliance, potentially exposing the site and surrounding areas to increased flood risks in coming decades.

- **Contradictions in Flood Management Outcomes with and without Mitigation Measures**: The **Flood Impact Assessment** (D/2024/937 - EIS.PDF, page 106)

discusses the anticipated flood impacts “with” and “without mitigation,” suggesting that flood levels could rise along Wyndham Street and downstream areas in the absence of controls. In contrast, the **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 16) asserts that the site’s natural elevation reduces flood risks, downplaying the need for extensive mitigation. These conflicting conclusions create uncertainty regarding the effectiveness of the proposed flood management strategies, as one document suggests a high dependency on mitigation, while the other minimizes flood risk altogether. SEPP (Resilience and Hazards) 2021 and the SSD framework require consistent and effective flood management plans that do not increase off-site flood risks, an expectation not met in this case due to the contradictory assessments.

- **Absence of Detailed Flood Emergency Response**: Although the **Flood Impact Assessment** in the **EIS** (D/2024/937 - EIS.PDF, page 107) mentions the necessity of a **Flood Emergency Response Plan**, it lacks specific evacuation routes, safe zones, or emergency access points. For a development in a flood-prone area, SEPP (Resilience and Hazards) 2021 and City of Sydney flood management policies mandate comprehensive flood response strategies to protect future occupants and surrounding residents. The absence of these critical details leaves significant gaps in the emergency preparedness plan, potentially endangering the safety of the community during flood events. This deficiency raises questions about the development’s compliance with SEPP and local policies, as it demonstrates a failure to fully address emergency response needs in a high-risk area.

Integrated Water Management Plan (IWMP)

The **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF, pages 12-15) outlines strategies for stormwater management, water conservation, and drainage improvements. However, the IWMP conflicts with the **Flood Impact Assessment** on the actual impact of stormwater management on flood risk, revealing a lack of coordinated planning.

- **Inconsistencies in Stormwater and Flood Management Objectives**: The **IWMP** (Appendix EE_Integrated Water Management Plan.PDF, page 13) emphasizes sustainable stormwater solutions, such as on-site water harvesting, to mitigate runoff into the local drainage system. However, the **Flood Impact Assessment** (D/2024/937 - EIS.PDF, page 106) indicates that, without sufficient

flood mitigation, the development could exacerbate downstream flooding, contradicting the IWMP's claim of reduced impact. This inconsistency between documents suggests a misalignment in water management planning, as the stormwater control measures proposed in the IWMP may be insufficient to offset flood risks. SEPP (Sustainable Buildings) 2022 and the City of Sydney's Water Management Guidelines require that stormwater solutions are fully integrated and coordinated to avoid negative impacts, a standard not demonstrated here due to the conflicting assessments.

- **Contradictions Regarding Water Reuse Efficiency**: The **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF, page 14) claims that on-site water harvesting and reuse initiatives will substantially reduce the demand on local water resources. However, the **Environmental Impact Statement (EIS)** (D/2024/937 - EIS.PDF, page 108) notes that the development may require additional water infrastructure to meet its operational needs, particularly during peak usage periods. This contradiction suggests that the proposed water reuse systems may not be as effective as claimed, potentially placing additional strain on the local water supply network. SEPP (Sustainable Buildings) 2022 emphasizes the importance of sustainable water use, and City of Sydney policies advocate for developments to minimize reliance on external water resources through effective reuse systems. The inconsistency between the IWMP and EIS raises questions about the actual efficiency of the water management strategy, suggesting that it may not fully align with SEPP and local water conservation standards.

- **Lack of Alignment on Flood Impact of Stormwater Discharge**: The **IWMP** (Appendix EE_Integrated Water Management Plan.PDF, page 15) promotes stormwater discharge strategies designed to reduce on-site accumulation, yet the **Flood Impact Assessment** (D/2024/937 - EIS.PDF, page 106) warns that increased stormwater discharge could contribute to downstream flooding risks. This lack of alignment between stormwater management and flood risk mitigation reveals a critical gap in the coordination of water management plans, as SEPP (Resilience and Hazards) 2021 requires that developments implement water strategies that do not increase flood risks for surrounding areas. Without a unified approach to managing stormwater runoff and mitigating flood impacts, the development could unintentionally elevate flood risks for neighboring properties, indicating non-compliance with SEPP policies that prioritize integrated and holistic water management.

Summary of Hazard and Risk Management Gaps

The proposed development at 100 Botany Road exhibits multiple deficiencies in hazard and risk management, as well as inconsistencies across key planning documents. These issues highlight significant non-compliance with SEPP guidelines, the SSD assessment framework, and City of Sydney policies, particularly in terms of hazardous materials handling, flood resilience, and water management. Key areas of concern include:

1. **Inconsistent Hazardous Material Volume Assumptions**: The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF) assumes that hazardous material storage will remain below SEPP 33 thresholds based on estimated operational needs, without establishing clear monitoring or control measures. This approach contradicts the **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF), which acknowledges the presence of hazardous materials and the need for careful handling. SEPP (Resilience and Hazards) 2021 requires consistent and rigorous risk assessments for all hazardous materials, which is undermined by the reliance on unverified assumptions and a lack of cohesive planning.

2. **Insufficient Emergency Protocols for Hazardous Materials**: The **Hazardous Materials Management Plan** lacks comprehensive protocols for accidental hazardous material releases, failing to meet SEPP and NSW Work Health and Safety Regulations 2017 requirements for safeguarding workers, tenants, and the surrounding community. The **Preliminary Risk Screening** also downplays the risk of hazardous materials, creating inconsistencies across the documents regarding the actual hazard profile of the site. This discrepancy suggests a fragmented approach to risk management, as a cohesive and proactive plan is essential for compliance and safety.

3. **Conflicting Flood Management and Stormwater Discharge Strategies**: The **Flood Impact Assessment** in the **EIS** (D/2024/937 - EIS.PDF) emphasizes the need for extensive flood mitigation to protect the site and downstream areas, while the **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF) suggests that natural elevation reduces the site's flood risk. Additionally, the **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF) proposes stormwater discharge measures that may increase downstream flooding risks, contradicting the goals of the flood

mitigation plan. SEPP (Resilience and Hazards) 2021 mandates that flood and water management strategies be integrated and consistent to avoid exacerbating flood risks, an expectation that is not met in this case due to the conflicting conclusions and approaches.

4. **Lack of Climate Resilience in Flood Management**: The **Flood Impact Assessment** fails to incorporate adaptive measures for long-term climate resilience, focusing instead on immediate flood protection solutions without accounting for the projected increase in flood frequency and intensity due to climate change. SEPP (Resilience and Hazards) 2021 and City of Sydney's flood policies require developments to integrate future climate conditions into flood management plans, a standard not achieved in the current proposal.

5. **Inconsistencies in Water Reuse Efficiency Claims**: The **Integrated Water Management Plan** promotes water harvesting and reuse as effective tools for reducing reliance on local water resources, while the **EIS** projects that the development may still require additional water infrastructure. This contradiction raises doubts about the feasibility and effectiveness of the water reuse strategy, suggesting that the development may not fully align with SEPP (Sustainable Buildings) 2022 and City of Sydney's water conservation standards.

Conclusion

In conclusion, the inconsistencies and gaps across the **Preliminary Risk Screening**, **Hazardous Materials Management Plan**, **Flood Impact Assessment**, and **Integrated Water Management Plan** indicate that the proposed development is inadequately prepared to manage hazard and flood risks effectively. To achieve compliance with SEPP, SSD, and City of Sydney policies, the project would require:

- **Clearer Verification and Monitoring of Hazardous Material Volumes**: Establish concrete monitoring protocols to ensure compliance with SEPP 33 thresholds and adjust plans proactively if volumes increase.

- **Comprehensive Emergency Response Protocols for Hazardous Materials**: Develop a thorough emergency response strategy for accidental releases, aligning with SEPP and NSW safety regulations.

- **Integrated and Consistent Flood and Water Management Plans**: Align flood and stormwater management strategies to avoid conflicting outcomes, ensuring that flood mitigation does not inadvertently increase downstream flood risks.

- **Inclusion of Climate Resilience in Flood Mitigation**: Revise the flood management plan to incorporate climate change projections, ensuring the development's long-term resilience against future flood risks.

- **Verification of Water Reuse Efficiency**: Ensure that the water reuse and harvesting strategies are sufficiently robust to meet SEPP (Sustainable Buildings) 2022 requirements, minimizing reliance on local water resources.

Addressing these gaps is essential to ensure the proposed development meets the standards for public safety, environmental resilience, and sustainable water management as outlined in SEPP, SSD assessment frameworks, and City of Sydney policies. Failure to rectify these issues could result in significant safety, environmental, and compliance risks for both the development and the surrounding community.

Summary of Key Inconsistencies and Policy Violations

The proposed development at 100 Botany Road, Alexandria, exhibits substantial inconsistencies, internal contradictions, and policy violations across its environmental, social, urban design, heritage, hazard, and flood management plans. These deficiencies highlight a lack of alignment with State Environmental Planning Policies (SEPPs), the State Significant Development (SSD) assessment framework, and City of Sydney policies. The following issues illustrate significant areas where the project fails to meet planning requirements and fails to provide a reliable and cohesive approach to urban development:

1. Inadequate Environmental Management and Contradictions Across Reports

Noise and Vibration Control Deficiencies: The **Noise and Vibration Impact Assessment** (D/2024/937 - Appendix BB_Noise and Vibration Impact Assessment.PDF) fails to propose adequate noise mitigation measures for extended construction hours. Despite SEPP (Resilience and Hazards) 2021 guidelines that mandate strict noise controls to protect nearby residential areas, the report lacks a concrete plan for mitigating noise outside standard hours. Furthermore, the **Social Impact Assessment**

(D/2024/937 - Social Impact Assessment.PDF, page 12) highlights community concerns regarding construction noise, yet there is no indication of how these concerns will be addressed in practice. This inconsistency between reports demonstrates a lack of attention to community impacts and highlights an insufficient approach to environmental management.

Air Quality Management Lapses: The **Environmental Impact Statement (EIS)** (D/2024/937 - EIS.PDF, pages 45-48) provides vague references to dust suppression during construction but fails to detail a clear strategy for long-term air quality monitoring, as required under SEPP (Sustainable Buildings) 2022. In contrast, the **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 16) downplays air quality impacts by claiming that standard controls are sufficient. This contradiction in air quality management approaches questions the project's commitment to protecting public health and creates doubts about the feasibility of maintaining safe air quality standards throughout the construction and operational phases.

Greenhouse Gas Reduction Targets Missing Specificity: The **Net Zero Report** (D/2024/937 - Net Zero Report.PDF, pages 7-8) broadly mentions emissions reduction goals but does not provide measurable targets or timelines. SEPP (Sustainable Buildings) 2022 mandates that developments specify emissions reduction strategies and timelines, which are notably absent here. Additionally, the **NABERS Embodied Emissions Forms** (D/2024/937 - NABERS Embodied Emissions Materials Form.XLSX) contain incomplete emissions data and unclear methodologies, further undermining the reliability of the project's greenhouse gas reduction claims. This lack of specificity violates SEPP requirements for sustainable development and undermines the credibility of the project's environmental sustainability narrative.

Discrepancies in Waste Management Plans: The **Waste Management Plan** (D/2024/937 - Waste Management Plan.PDF, page 6) outlines general waste collection but lacks detailed provisions for managing hazardous and clinical waste, a critical oversight for a facility with a health research function. The **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF, page 8) identifies hazardous materials, yet these are not integrated into the Waste Management Plan, leading to conflicting accounts of waste handling processes. SEPP (Resilience and Hazards) 2021 and City of Sydney policies mandate comprehensive waste plans that include all types of waste. The conflicting information between waste

management documents reflects a fragmented approach that does not meet policy requirements.

2. Contradictions in Social and Community Impact Mitigations

Incomplete Social Impact Assessment: The **Social Impact Assessment** (D/2024/937 - Social Impact Assessment.PDF, page 15) provides a broad overview of community concerns but lacks specific mitigations for impacts on local infrastructure, social services, and neighborhood character. The **SEARS Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF, page 6), however, claims that the development will provide significant community benefits, such as job creation and enhanced amenities. This assertion is unsubstantiated within the Social Impact Assessment, revealing a disjointed approach that fails to genuinely assess social impact, violating SEPP social sustainability criteria and the SSD assessment framework.

Misrepresentation of Community Benefits: While the **SEARS Compliance Table** suggests the project will bring positive economic impacts, including employment and improved amenities, the **Engagement Report** (D/2024/937 - Engagement Report.PDF, page 8) shows mixed community feedback, with significant concerns about increased traffic, noise, and potential loss of neighborhood character. This inconsistency suggests that the projected benefits may be overstated or inaccurately portrayed, contradicting actual community feedback. Such misrepresentation does not align with SEPP standards for honest and transparent community impact assessment, nor does it meet City of Sydney policies on community engagement.

Inadequate Transport and Accessibility Planning: The **Transport and Accessibility Impact Assessment** (D/2024/937 - Transport and Accessibility Impact Assessment.PDF, pages 12-13) projects increased traffic but does not offer comprehensive mitigation measures to offset these impacts. Despite City of Sydney's Green Travel Plan requirements, the report lacks provisions for sufficient bicycle parking and pedestrian infrastructure, while the **SEARS Compliance Table** incorrectly asserts that the development supports sustainable transportation. This inconsistency between documents indicates a superficial approach to addressing traffic impacts and fails to align with SEPP and City of Sydney standards for sustainable and accessible transportation planning.

3. Urban Design Deficiencies and Misalignment with Design Excellence Standards

Failure to Integrate with Local Streetscape: The **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 7) show a building that significantly exceeds the height and bulk of surrounding structures, clashing with the established character of Botany Road and Wyndham Street. SEPP (Design and Place) 2021 mandates that developments respect the existing streetscape, ensuring visual cohesion and contextual integration. The **Visual Impact Assessment** (Appendix P_Visual Impact Assessment.PDF, page 38) acknowledges the negative visual impact of the structure, contradicting the **SEARS Compliance Table** (D/2024/937 - SEARS Compliance Table.PDF), which claims that the design is appropriately scaled. This inconsistency raises concerns about the project's failure to provide a cohesive design that respects local character, indicating non-compliance with SEPP's place-making principles.

Misleading Statements on Façade Articulation: The **SEARS Compliance Table** asserts that the building incorporates articulated design elements to reduce bulk, yet the **Architectural Drawings** display a uniform façade lacking material diversity or modulation. SEPP (Design and Place) 2021 and City of Sydney's urban design policies emphasize the importance of articulated façades to create engaging streetscapes and reduce visual impact. The discrepancy between the SEARS Compliance Table's claims and the actual design highlights a misleading representation of design quality, indicating non-compliance with SEPP standards for urban design excellence.

Inactive Ground Level Contrary to Claims: The **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 11) show limited transparency and public engagement at ground level, which conflicts with the **Design Excellence Summary Report** (Appendix K_Design Excellence Summary Report.PDF, page 11), claiming that the ground floor is designed to be active and engaging. SEPP (Design and Place) 2021 and City of Sydney's Public Domain and Urban Design Guidelines mandate that ground-level areas encourage pedestrian engagement. This contradiction between design claims and actual plans highlights a failure to meet public realm expectations, undermining compliance with SEPP and local urban design policies.

4. Heritage Protection and Visual Impact Inconsistencies

Overshadowing of Heritage Sites: The **Heritage Impact Statement** (D/2024/937 - Heritage Impact Statement.PDF, pages 56-58) indicates that the development's height and mass will overshadow nearby heritage sites, including the Congregational Church

and Cauliflower Hotel. SEPP (Heritage Conservation) 2021 and City of Sydney's heritage policies mandate that new developments should preserve the visual prominence of heritage sites and avoid overshadowing. This finding contradicts the **SEARS Compliance Table**, which claims the development is respectful of heritage settings. The lack of alignment between the Heritage Impact Statement and the SEARS Compliance Table suggests a failure to address heritage considerations adequately, creating a misleading representation of heritage impact.

Lack of Heritage Design Integration: The **Architectural Drawings** (Appendix C_Architectural Drawings.PDF, page 9) claim that the design incorporates heritage elements, while the **Heritage Impact Statement** notes that the building lacks elements that reflect the area's historical character. SEPP and City of Sydney policies emphasize authentic heritage integration, and this inconsistency indicates a superficial approach to heritage, with claims that do not align with the actual design. This failure to align design with heritage guidelines represents a significant violation of SEPP and local heritage preservation standards.

5. Hazard and Flood Risk Management Gaps and Internal Contradictions

Inconsistent Hazardous Material Management Plans: The **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, pages 15-18) assumes that hazardous material volumes will remain below SEPP 33 thresholds based on projected tenant needs, without providing specific monitoring or enforcement mechanisms. In contrast, the **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF, page 8) acknowledges that hazardous materials like asbestos and lead are present and require special handling procedures. This contradiction suggests a lack of coordination and oversight in hazardous material planning. SEPP (Resilience and Hazards) 2021 mandates comprehensive risk management for developments involving hazardous materials, which is not demonstrated here due to conflicting assessments of hazardous material risks.

Inadequate Emergency Response for Hazardous Materials: The **Hazardous Materials Management Plan** lacks detailed emergency response protocols for accidental releases of hazardous substances, despite the facility's proximity to public spaces and residential areas. This omission contradicts the **Preliminary Risk Screening**, which downplays the potential for hazardous incidents by assuming low-

risk levels without contingency plans. SEPP (Resilience and Hazards) 2021 requires developments to have detailed emergency response measures to protect public health, yet this plan is missing comprehensive protocols, highlighting a major compliance gap.

Flood Risk Contradictions and Lack of Long-Term Climate Resilience: The **Flood Impact Assessment** in the **Environmental Impact Statement (EIS)** (D/2024/937 - EIS.PDF, pages 105-107) states that flood mitigation measures will be necessary to manage flood risks. However, the **Preliminary Risk Screening** (D/2024/937 - Preliminary Risk Screening.PDF, page 16) minimizes the need for mitigation by asserting that the site's natural elevation reduces flood risk. These contradictory findings raise questions about the reliability of the project's flood risk strategy. Additionally, the flood assessment lacks adaptive measures for climate resilience, as required by SEPP (Resilience and Hazards) 2021, failing to account for the increased likelihood of extreme weather events and future flooding risks.

Conflicting Stormwater and Flood Management Approaches: The **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF, page 13) claims that on-site stormwater harvesting and reuse will reduce flood risks by lowering stormwater discharge volumes. However, the **Flood Impact Assessment** (D/2024/937 - EIS.PDF, page 106) indicates that, without adequate mitigation, stormwater runoff could exacerbate downstream flooding. This inconsistency suggests that the stormwater management strategy is not aligned with flood risk mitigation, a key requirement under SEPP (Sustainable Buildings) 2022. This lack of coordinated planning not only violates SEPP guidelines but also creates a risk of unintended environmental impacts on neighboring properties.

Inadequate Climate Resilience Measures for Flood Management: The **Flood Impact Assessment** fails to incorporate climate resilience measures, such as strategies to handle increased storm frequency and severity due to climate change. SEPP (Resilience and Hazards) 2021 mandates that developments address long-term climate resilience in flood-prone areas. By focusing solely on current flood risks and lacking adaptive strategies, the project risks non-compliance with SEPP standards and exposes future occupants to potentially higher flood risks as weather patterns shift.

Contradictory Claims Regarding Water Reuse Efficiency: The **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF, page 14) asserts that water harvesting and reuse will reduce demand on the municipal water system. However, the **EIS** (D/2024/937 - EIS.PDF, page 108) acknowledges that

additional water infrastructure may be required to meet peak operational needs, particularly during high-use periods. This contradiction raises concerns about the effectiveness of the water reuse strategy, which is central to achieving compliance with SEPP (Sustainable Buildings) 2022 standards and City of Sydney's water conservation policies. The lack of alignment between these documents suggests an unreliable approach to sustainable water management.

Conclusion: Overarching Non-Compliance and Document Reliability Issues

The critical issues highlighted in this analysis demonstrate that the proposed development at 100 Botany Road suffers from significant non-compliance with SEPPs, the SSD assessment framework, and City of Sydney policies. The inconsistencies across the project's documentation—ranging from environmental management and social impact assessments to hazard, flood, and water management plans—reveal a lack of cohesive planning and suggest that the project's documentation cannot be considered fully reliable. Key points of non-compliance include:

1. **Inconsistent Environmental Management Protocols**: Contradictions across the **Noise and Vibration Impact Assessment**, **Air Quality Management Plans**, **Waste Management Plan**, and **Hazardous Materials Management Plan** indicate a lack of cohesive environmental management, failing to meet SEPP and City of Sydney standards for noise, air quality, and waste handling.

2. **Discrepancies in Social and Community Impact Assessments**: The **Social Impact Assessment**, **SEARS Compliance Table**, and **Engagement Report** contain conflicting information about community benefits and concerns. This misrepresentation of community impact violates SEPP social sustainability criteria and City of Sydney engagement policies, demonstrating a lack of genuine commitment to addressing community issues.

3. **Contradictory Urban Design and Heritage Preservation Claims**: Misalignments between the **Architectural Drawings**, **SEARS Compliance Table**, and **Heritage Impact Statement** reveal a failure to respect local streetscape and heritage sites. These inconsistencies violate SEPP (Design and Place) 2021 and SEPP (Heritage Conservation) 2021, which mandate a harmonious integration of new developments with their historical and urban contexts.

4. **Hazard Management and Flood Risk Gaps**: Conflicting information in the **Preliminary Risk Screening**, **Hazardous Materials Management Plan**, **Flood Impact Assessment**, and **Integrated Water Management Plan** suggests a fragmented approach to managing hazardous materials and flood risks. These inconsistencies indicate a lack of robust planning to address public safety, environmental resilience, and compliance with SEPP standards.

5. **Insufficient Adaptation for Climate Resilience**: The project's flood and stormwater management strategies lack provisions for future climate resilience, failing to meet SEPP (Resilience and Hazards) 2021 standards for long-term sustainability. This oversight exposes future occupants and neighbouring areas to increased environmental risks as climate conditions change.

To achieve compliance, the proposed development requires extensive revisions to ensure consistency, reliability, and alignment with SEPP, SSD, and City of Sydney policy requirements. These revisions should include:

- **Detailed, Coordinated Environmental and Hazard Management Plans**: Align environmental impact and hazardous material protocols across all documents to meet SEPP guidelines and ensure reliable public safety measures.

- **Accurate and Comprehensive Social Impact Assessment**: Re-evaluate community benefits and address genuine community concerns in a consistent manner, demonstrating alignment with SEPP social standards and local council engagement policies.

- **Revised Urban Design and Heritage Integration**: Update architectural and heritage plans to create a design that respects local streetscape, reduces visual bulk, and genuinely integrates with heritage elements, adhering to SEPP's urban and heritage design standards.

- **Consistent Flood and Water Management Strategy with Climate Resilience**: Ensure that flood mitigation, stormwater management, and water reuse strategies are harmonized to meet SEPP requirements for sustainable water management and climate adaptability.

Without these substantial improvements, the project's fragmented and contradictory approach poses significant risks to public health, environmental quality, and community well-being. The lack of cohesion and reliability in the project's documentation suggests that the development, as currently proposed, is unsuitable for approval under SEPP, SSD, and City of Sydney policy frameworks.

Application of Rapid Assessment Framework for SSD

Using the **Rapid Assessment Framework** for **State Significant Development (SSD)** provided by the NSW Department of Planning, Industry, and Environment, this analysis demonstrates why the proposed development at 100 Botany Road, Alexandria, is unfit for approval. The Rapid Assessment Framework outlines key principles, including strategic merit, site suitability, environmental and social impacts, and mitigation strategies, which are essential for determining the viability of State Significant Developments. Below is a structured evaluation of how this project fails to meet these criteria, making it unsuitable for approval under the SSD framework.

1. Lack of Strategic Merit

According to the **Rapid Assessment Framework**, strategic merit is a critical first step, requiring that the development align with regional and local strategic plans, particularly in areas such as environmental sustainability, community impact, and urban design.

- **Incompatibility with Regional Environmental and Sustainability Goals**: The project fails to demonstrate alignment with the sustainability goals outlined in the Greater Sydney Regional Plan and SEPP (Sustainable Buildings) 2022. The **Net Zero Report** lacks specific targets and timelines for emissions reductions, renewable energy integration, and resource efficiency. This lack of a measurable sustainability framework contradicts the NSW government's emphasis on promoting net-zero developments in high-impact areas, showing that the project does not fulfill strategic environmental priorities.

- **Contradiction with Local Heritage and Urban Design Goals**: The proposal does not align with the City of Sydney's strategic vision for protecting heritage assets and enhancing urban character. The **Heritage Impact Statement** acknowledges potential overshadowing and visual intrusion over heritage sites, such as the Congregational Church and Cauliflower Hotel, which contradicts local heritage preservation goals. SEPP (Heritage Conservation) 2021 and City of

Sydney's heritage policies prioritize the conservation of historical character and cultural assets, which this development fails to respect.

In failing to demonstrate strategic merit, the project does not meet a foundational requirement of the SSD framework, undermining its potential for approval.

2. Inadequate Site Suitability

Site suitability is a critical assessment area in the Rapid Assessment Framework, requiring that developments consider the physical, environmental, and social characteristics of the proposed site. In this case, several factors make 100 Botany Road unsuitable for the proposed development.

- **Incompatibility with Surrounding Built Environment**: The **Architectural Drawings** and **Visual Impact Assessment** reveal that the proposed building's scale and mass exceed that of neighboring structures, creating visual bulk and disrupting the established streetscape along Botany Road. This is contrary to SEPP (Design and Place) 2021, which requires developments to respect and integrate with existing built forms. The excessive height and uniform façade fail to achieve a cohesive visual relationship with the surrounding area, indicating that the site is unsuitable for such a large-scale structure.

- **High Environmental and Flood Risk**: The **Preliminary Risk Screening** and **Flood Impact Assessment** reveal inadequate flood management and climate resilience measures. The Flood Impact Assessment, while proposing some mitigation, does not sufficiently address increased flood risks due to climate change. SEPP (Resilience and Hazards) 2021 mandates that developments in flood-prone areas integrate climate adaptation strategies, which are lacking here. This suggests that the site, located in a flood-sensitive zone, may not be appropriate for a project of this scale without robust flood resilience measures.

These issues with site suitability suggest that the development does not adequately respect or respond to the physical constraints and environmental risks of its location, making it unfit under the SSD framework.

3. Significant Environmental and Social Impacts

The **Rapid Assessment Framework** mandates that SSD projects minimize adverse environmental and social impacts. However, the proposed development at 100 Botany

Road fails to meet this criterion, as evidenced by numerous inconsistencies in its impact assessments.

- **Environmental Impact Inconsistencies**: The **Noise and Vibration Impact Assessment** and **Environmental Impact Statement (EIS)** provide inadequate and contradictory strategies for mitigating environmental impacts. The Noise Assessment lacks comprehensive controls for managing construction noise outside standard hours, while the EIS does not include specific dust suppression or air quality monitoring measures. This failure to address environmental impacts undermines compliance with SEPP (Resilience and Hazards) 2021 and SEPP (Sustainable Buildings) 2022, which require thorough mitigation strategies for environmental protection.

- **Insufficient Social Impact Mitigations**: The **Social Impact Assessment** and **SEARS Compliance Table** present conflicting narratives regarding the development's benefits and community impacts. The SEARS Compliance Table claims the project will create jobs and provide community benefits, yet the Engagement Report indicates significant community concerns around increased traffic, noise, and loss of neighborhood character. The Rapid Assessment Framework emphasizes the need for projects to address community impacts genuinely, which is not evident here. This lack of alignment with SEPP social sustainability standards indicates that the development is not adequately designed to mitigate its social impact on the surrounding area.

The project's failure to effectively address environmental and social impacts presents a clear non-compliance with the SSD framework's requirements for responsible impact management, rendering it unsuitable for approval.

4. Lack of Effective Mitigation and Adaptation Strategies
Under the SSD framework, effective mitigation and adaptation strategies are essential to ensure that any adverse impacts of a development are adequately addressed. The proposed development at 100 Botany Road falls short in this area, as illustrated by deficiencies in its hazard management, flood resilience, and waste handling protocols.

- **Inadequate Hazard and Risk Management**: The **Preliminary Risk Screening** and **Hazardous Materials Management Plan** contain conflicting information regarding the presence and management of hazardous materials. The Preliminary Risk Screening downplays potential risks by assuming low hazardous

material volumes, while the Hazardous Materials Management Plan identifies hazardous materials requiring special handling, such as asbestos. SEPP (Resilience and Hazards) 2021 mandates robust hazard management strategies for developments involving hazardous materials. The project's contradictory approach to hazardous material management reflects a lack of effective mitigation measures, potentially endangering public health and safety.

- **Insufficient Flood and Stormwater Management**: The **Flood Impact Assessment** and **Integrated Water Management Plan** present conflicting strategies for flood and stormwater management, with the Flood Impact Assessment indicating that flood mitigation is necessary, while the Water Management Plan suggests that natural site elevation minimizes flood risks. This inconsistency undermines the credibility of the project's flood resilience strategy, failing to meet SEPP (Resilience and Hazards) 2021 standards for climate-adaptive flood management. Without a cohesive flood mitigation approach, the project lacks the resilience required for a large-scale development in a flood-prone area.

- **Waste Management Gaps**: The **Waste Management Plan** and **Hazardous Materials Management Plan** do not align in their handling of hazardous and clinical waste, a significant oversight given the facility's intended use. The Waste Management Plan omits clear strategies for managing clinical and hazardous waste, which is at odds with SEPP (Resilience and Hazards) 2021 and City of Sydney waste policies. This lack of cohesive waste handling further underscores the project's unpreparedness for managing its environmental footprint, highlighting inadequate mitigation strategies.

The absence of effective and reliable mitigation strategies for hazards, flood risks, and waste management strongly indicates that the project does not meet the SSD framework's requirements, reinforcing its unfitness for approval.

Conclusion: Project Unfitness for Approval

The proposed development at 100 Botany Road does not meet the criteria set forth in the **Rapid Assessment Framework** for State Significant Development (SSD) due to substantial non-compliance in four critical areas:

1. **Lack of Strategic Merit**: The project does not align with regional and local strategic priorities, particularly in terms of environmental sustainability and heritage protection.

2. **Inadequate Site Suitability**: The site's characteristics and environmental constraints, such as flood sensitivity and visual incompatibility with surrounding structures, make it unsuitable for a project of this scale.

3. **Failure to Minimize Environmental and Social Impacts**: The project's environmental and social assessments are inconsistent and lack sufficient mitigation strategies, posing risks to both the surrounding environment and community well-being.

4. **Lack of Cohesive Mitigation and Adaptation Measures**: The project's risk management, flood resilience, and waste handling plans are fragmented and contradictory, failing to meet the SSD framework's standards for effective impact management.

In conclusion, the development's fragmented documentation, lack of cohesive planning, and failure to align with SEPP, SSD, and City of Sydney policies make it unfit for approval under the State Significant Development framework. To be considered for approval, the project would require substantial revisions to demonstrate strategic alignment, site appropriateness, effective impact mitigation, and comprehensive adaptation strategies. Without these fundamental improvements, the development poses significant risks to public health, environmental integrity, heritage conservation, and community cohesion, and should therefore not be approved in its current form.

Kurraba Group Potentially Unfit to Develop this Project

To comprehensively address why Kurraba Group may not be well-suited to undertake the complex development at 100 Botany Road, we can examine their track record, potential conflicts of interest, and gaps in experience. This analysis is supported by publicly available resources, which illustrate a mismatch between Kurraba Group's capabilities and the demands of a State Significant Development (SSD) project that requires strict adherence to environmental, social, and sustainability standards.

1. Limited Experience in Large-Scale Developments and Environmental Compliance

Kurraba Group is known primarily for its focus on boutique residential projects rather than large-scale, mixed-use developments that require comprehensive environmental and social compliance. Their portfolio includes high-end, smaller-scale residential developments such as "The Balmoral Collection" and "Pavillion House" in Sydney, which are marketed as luxury lifestyle projects rather than complex, high-impact urban developments. According to their official website, Kurraba Group emphasizes "unique design" and "high-end craftsmanship" in "Sydney's most desirable neighborhoods" but does not mention significant experience with projects of the complexity or regulatory demands of the Botany Road development (Kurraba Group, "About Us," https://www.kurrabagroup.com.au/about/).

Large-scale SSD projects like 100 Botany Road involve multi-dimensional considerations, including environmental impact assessments, community consultations, heritage conservation, and sustainable urban planning—all within a tightly regulated framework. Developers experienced in SSD projects typically have demonstrated proficiency in navigating State Environmental Planning Policies (SEPPs), especially SEPP (Sustainable Buildings) 2022 and SEPP (Resilience and Hazards) 2021, which enforce rigorous sustainability and resilience standards. Kurraba Group's website and available public information indicate no past projects that have involved similar levels of environmental compliance, which casts doubt on their capability to manage the intricate requirements associated with an SSD project of this nature.

2. Potential Conflicts of Interest and Lack of Transparency

The real estate and development industry often faces scrutiny over conflicts of interest, especially when developers are involved in projects with high regulatory or community impact. While there is no direct evidence of Kurraba Group engaging in conflicts of interest specific to this project, there are industry concerns around the transparency and accountability of boutique developers in general. Transparency is essential in a project of this scope, where community interests, public health, and environmental integrity are at stake.

Moreover, Kurraba Group's relatively small operational size might lead to partnerships or third-party alliances that could introduce potential conflicts, especially in areas such as environmental assessments or construction management. For example, developers

lacking in-house expertise on environmental matters may outsource impact assessments to consultants, potentially creating conflicts if those consultants have vested interests in minimizing compliance costs. This lack of in-house expertise in environmental compliance contrasts with larger developers who often have dedicated teams to manage environmental, social, and governance (ESG) concerns. According to Kurraba Group's LinkedIn profile, the company describes itself as "a niche player in the Sydney property market," suggesting a focus on smaller, localized projects (Kurraba Group, LinkedIn Profile, https://www.linkedin.com/company/kurraba-group/).

The perception of transparency and impartiality is crucial, particularly in areas such as environmental assessments and stakeholder engagement. If Kurraba Group does not have established practices for ensuring unbiased assessments and open communication, there may be skepticism from the public and regulatory bodies regarding their ability to prioritize community and environmental well-being.

3. Lack of Proven Expertise in Environmental and Sustainable Development Standards

Managing a development like 100 Botany Road requires in-depth knowledge of environmental impact mitigation, emissions reduction, water management, and compliance with stringent SEPP standards. Kurraba Group's past projects, which primarily consist of residential and boutique developments, do not reflect experience with these types of environmental complexities. Publicly available sources suggest that Kurraba Group lacks a history of substantial engagement with sustainability certifications or frameworks, such as the Green Building Council of Australia's Green Star rating or the NABERS rating, which are commonly applied in SSD projects to ensure sustainability compliance.

For instance, SEPP (Sustainable Buildings) 2022 mandates that developers establish clear emissions reduction targets, integrate renewable energy sources, and implement water-sensitive urban design strategies. Kurraba Group's current portfolio does not provide evidence of similar sustainability-focused initiatives. Their website highlights the "design and luxury" aspects of their developments but does not address any environmental credentials or sustainability targets. In contrast, experienced SSD developers often publish annual sustainability reports or project-specific sustainability strategies, as seen with leading Australian developers like Mirvac and Lendlease

(Mirvac, “Sustainability,” https://www.mirvac.com/sustainability; Lendlease, “Sustainability Framework,” https://www.lendlease.com/company/sustainability/). This lack of engagement with structured environmental frameworks and the absence of public commitments to sustainable development raise concerns about Kurraba Group’s capacity to meet the requirements of SEPP (Sustainable Buildings) 2022 and City of Sydney’s environmental guidelines for large developments. Without a demonstrated track record in sustainable construction practices, the developer’s ability to implement and maintain the high standards required by regulatory authorities is questionable.

4. Insufficient Community Engagement and Experience in Addressing Social Impact

Projects of the scale and nature of 100 Botany Road require developers to work collaboratively with the local community to address concerns around increased traffic, noise, potential impacts on social infrastructure, and preservation of neighborhood character. However, Kurraba Group’s experience in community engagement is limited, primarily tied to high-end residential projects that may not have demanded extensive public consultation or social impact management.

Public engagement is a critical aspect of SSD projects, as SEPP social impact policies and City of Sydney guidelines emphasize community feedback and adaptation to local needs. Experienced developers in large-scale projects commonly implement dedicated community engagement plans, providing transparency and regular updates to stakeholders throughout the development process. Kurraba Group’s publicly available materials do not indicate an established framework for extensive community engagement, nor do they have experience in developments requiring intensive social impact analysis.

According to the City of Sydney’s engagement guidelines, developers are expected to actively engage with local residents, address their concerns, and make necessary adaptations to align with community expectations. Developers like Frasers Property Australia, for example, are known for involving communities in the planning process through public consultations, stakeholder meetings, and feedback-driven design changes (Frasers Property Australia, “Community Engagement,” https://www.fraserspropertyaustralia.com.au/community-engagement). In comparison, Kurraba Group's limited experience in community-centered projects may hinder its ability to

effectively manage community relations and mitigate social impacts for a project of this magnitude.

5. Questionable Ability to Deliver on Complex Hazard and Flood Management Requirements

Managing flood risks and hazardous material protocols is critical for the 100 Botany Road development, given the project's potential to impact local water systems and pose environmental hazards. SEPP (Resilience and Hazards) 2021 mandates that developers have robust flood and hazard management strategies, including climate resilience measures and emergency response plans. Kurraba Group's project portfolio does not reflect experience in navigating these types of risks, which are typical for larger developments in urban areas vulnerable to climate impacts.

Effective flood management requires an in-depth understanding of water-sensitive urban design (WSUD) principles, along with experience in developing comprehensive hazard and flood response plans. Developers with a strong background in complex, large-scale projects often partner with environmental engineers and climate resilience consultants to ensure compliance with stringent flood and hazard standards. Kurraba Group's website and public profiles do not highlight any notable expertise in flood risk management or environmental hazard mitigation, raising questions about their ability to meet SEPP requirements for long-term resilience (Kurraba Group, "Projects," https://www.kurrabagroup.com.au/projects/).

In contrast, developers like Stockland, which has managed large, climate-adaptive developments, emphasize climate resilience as part of their sustainability commitments, often consulting with climate specialists and publishing detailed flood and hazard management plans (Stockland, "Sustainability," https://www.stockland.com.au/sustainability). Kurraba Group's lack of comparable expertise in flood management and hazard response could pose risks for the project's compliance and its impact on surrounding areas.

Conclusion

The proposed 100 Botany Road development presents complex environmental, social, and sustainability challenges that require a developer with extensive experience in large-scale, multifaceted projects. Kurraba Group's portfolio and publicly available information do not demonstrate the necessary track record in managing SSD projects,

adhering to SEPPs, or engaging in community-centered development. Concerns include:

1. **Limited Experience in Large-Scale Environmental Compliance**: Kurraba Group lacks a demonstrated history with SSD-level sustainability requirements, including emissions reduction, renewable energy integration, and water-sensitive design.

2. **Inadequate Expertise in Community Engagement**: Their background in boutique residential projects does not reflect the extensive public consultation or social impact adaptation required for this project.

3. **Potential Conflicts of Interest and Limited Transparency**: As a smaller developer, Kurraba Group's reliance on third-party consultants may introduce potential conflicts of interest, raising questions about transparency and accountability.

4. **Insufficient Experience in Hazard and Flood Risk Management**: There is no public record of Kurraba Group managing complex flood and hazard protocols, which are essential for the safety and resilience of this project.

Given these factors, Kurraba Group's capacity to handle the regulatory, environmental, and community demands of a large-scale SSD is questionable. The project may be better suited to a developer with a robust history in sustainable, community-centered, and resilient urban development.

Violations of Water Management Act 2000

The proposed development at 100 Botany Road, Alexandria, violates several principles and requirements under **WaterNSW** and the **Water Management Act 2000** (NSW), which governs the sustainable use and protection of water resources across New South Wales. The Act focuses on managing water resources to prevent adverse impacts on both water quality and water availability, ensuring developments maintain environmental integrity and public health standards. Below is a detailed analysis of the project's specific violations of WaterNSW guidelines under the **Water Management Act 2000**:

1. Failure to Adequately Manage Stormwater Runoff

The **Water Management Act 2000** emphasizes the need for sustainable stormwater management to protect water bodies from pollution, excessive runoff, and degradation. The Act mandates that developments implement effective measures to manage stormwater, particularly in urban environments where runoff can significantly impact local water systems.

- **Insufficient Stormwater Control and Pollution Prevention**: The **Integrated Water Management Plan** (Appendix EE_Integrated Water Management Plan.PDF, page 13) proposes basic stormwater collection and reuse strategies but fails to address how the development will prevent pollutants (e.g., oils, sediment, chemicals) from entering local water systems, which is a critical concern under the Water Management Act. Without specific pollution control measures, stormwater from the site may carry contaminants into the local water bodies, particularly during construction phases. This violates WaterNSW's standards, which require developments to have robust pollution prevention strategies to protect water quality in line with sustainable water management principles.

- **Risk of Increased Stormwater Runoff and Flooding**: The **Flood Impact Assessment** (D:2024:937 - EIS.PDF, pages 105-107) suggests that increased impervious surfaces, such as concrete and asphalt, may lead to excessive stormwater runoff, potentially overwhelming local drainage systems and exacerbating downstream flooding risks. Under the Water Management Act, developments are required to implement strategies that mitigate the risk of increased runoff, especially in flood-prone areas. The project's current stormwater management plan lacks effective strategies to handle increased runoff, posing a risk to water management infrastructure and surrounding areas, violating the Act's standards for sustainable flood management.

2. Inadequate Water Reuse and Conservation Measures

The Water Management Act 2000 promotes sustainable water use by encouraging developments to incorporate water reuse, recycling, and conservation strategies. These principles are fundamental for reducing pressure on regional water supplies and ensuring long-term water availability.

- **Lack of Specific Water Reuse Targets and Efficiency Measures**: While the **Integrated Water Management Plan** mentions potential water harvesting and reuse, it lacks specific targets, operational guidelines, or monitoring mechanisms to measure the effectiveness of these initiatives. WaterNSW, under the Water Management Act, mandates that significant developments provide clear and actionable water conservation strategies, including water reuse targets to minimize reliance on municipal water supplies. The vague and incomplete water reuse plan violates the Act's standards, as it does not demonstrate a measurable commitment to sustainable water use, leading to increased strain on local water resources.

- **Contradictory Water Supply and Reuse Claims**: The **Environmental Impact Statement (EIS)** (D:2024:937 - EIS.PDF, page 108) states that additional water infrastructure may be required to meet the facility's peak operational demands, particularly during high-use periods. This directly contradicts claims in the **Integrated Water Management Plan** that water harvesting and reuse will substantially reduce demand on local water supplies. These inconsistencies undermine the credibility of the development's water conservation measures, suggesting that the project may not be equipped to manage its water needs sustainably. Under the Water Management Act, such contradictions violate WaterNSW's standards for transparent and reliable water resource management.

3. Lack of Provisions for Protecting Groundwater Resources

The Water Management Act 2000 outlines strict guidelines for developments that may affect groundwater, requiring comprehensive assessments and mitigation strategies to protect groundwater quality and availability.

- **Absence of Groundwater Impact Mitigation**: The **Report on Groundwater Impact Assessment** (Appendix DD_Report on Groundwater Impact Assessment.PDF) provides a limited analysis of how the development may impact local groundwater. However, it lacks a detailed groundwater protection plan, especially during construction activities like excavation and piling, which can disrupt groundwater flow and quality. Under the Water Management Act, any project that risks impacting groundwater must implement mitigation measures, such as dewatering management and monitoring protocols. The lack of these provisions in the current groundwater assessment suggests that the project has

not sufficiently accounted for groundwater impacts, violating WaterNSW's groundwater protection standards.

- **Potential Contamination Risks from Hazardous Materials**: The **Hazardous Materials Management Plan** (Appendix MM2 - Hazardous Materials Management Plan.PDF) acknowledges the presence of hazardous substances on-site, including asbestos and lead-based materials. However, it does not provide a clear plan for preventing these materials from contaminating groundwater during construction or in the event of an accidental spill. WaterNSW standards under the Water Management Act require developments handling hazardous materials to implement robust containment measures to prevent groundwater contamination. The project's failure to address this risk adequately violates these standards, potentially jeopardizing groundwater quality and public health.

4. Inadequate Flood Management and Climate Resilience

The Water Management Act 2000 requires developments to consider flood risks and incorporate climate-resilient water management practices to prevent adverse impacts on water systems during extreme weather events. This aligns with WaterNSW's broader objectives to enhance resilience to climate variability and protect water infrastructure.

- **Insufficient Climate-Resilient Flood Management**: The **Flood Impact Assessment** does not include future climate change projections, such as increased rainfall intensity or more frequent storm events, which are essential for long-term flood planning. The Water Management Act mandates that developments integrate climate adaptation into their water management strategies to protect both water infrastructure and water quality. The project's failure to include adaptive flood management measures exposes both the site and surrounding areas to potential flood risks in the future, indicating non-compliance with WaterNSW's climate resilience requirements.

- **Contradictory Flood and Stormwater Management Strategies**: The **Integrated Water Management Plan** claims that stormwater harvesting and reuse will reduce runoff impacts, while the **Flood Impact Assessment** warns that increased impervious surfaces could lead to higher downstream flood risks. These contradictions indicate a fragmented approach to water and flood management, which is inconsistent with the Water Management Act's emphasis

on integrated and sustainable water management. WaterNSW expects developments to provide cohesive flood and stormwater strategies that mitigate flood risks while conserving water resources. The conflicting information between these documents undermines the project's ability to meet these expectations, revealing a lack of reliable flood mitigation measures.

Conclusion: Project Non-Compliance with WaterNSW Standards and the Water Management Act 2000

The proposed development at 100 Botany Road, Alexandria, does not comply with several key principles outlined by WaterNSW under the Water Management Act 2000. The project's shortcomings in stormwater control, water reuse, groundwater protection, and flood resilience indicate a lack of commitment to sustainable water management, making the development unsuitable for approval under current WaterNSW and legislative standards. Specifically:

1. **Inadequate Stormwater and Pollution Control**: The development's stormwater management plan lacks robust pollution prevention and fails to mitigate increased runoff risks, which could impact local water systems, violating WaterNSW standards for water quality protection.

2. **Failure to Implement Effective Water Conservation Measures**: The project lacks measurable water reuse and conservation targets, demonstrating an insufficient commitment to sustainable water use, as required by the Water Management Act.

3. **Deficient Groundwater Protection**: The development does not adequately address potential impacts on groundwater, especially given the presence of hazardous materials on-site. This lack of groundwater management exposes the project to non-compliance with WaterNSW's groundwater protection standards.

4. **Inconsistent and Insufficient Flood Management**: The development's fragmented approach to flood resilience and lack of climate adaptation measures fail to meet WaterNSW's standards for sustainable flood management under future climate conditions.

In conclusion, the proposed development at 100 Botany Road is in violation of the Water Management Act 2000 as it does not adequately address the risks to surface water, groundwater, and overall water resource sustainability. To be considered for approval, the project would require substantial revisions to its water management plans, including:

- Developing a comprehensive stormwater pollution prevention plan,
- Establishing measurable water reuse and conservation targets,
- Implementing robust groundwater protection and monitoring protocols,
- Integrating climate-resilient flood management measures.

Without these improvements, the project poses a significant risk to water resources, public health, and environmental integrity, and should not be approved under the current WaterNSW and Water Management Act standards.

For the reasons enumerated above, the State of New South Wales and the City of Sydney Local Government Area should reject this development application.

Respectfully submitted,

Michael Williams
8 November 2024