

Our ref: F2006/00118 (D03874958)

18 May 2020

Jim Betts  
Secretary, Department of Planning, Industry and Environment  
GPO Box 39  
Sydney NSW 2000

Attention: William Hodgkinson

Dear Mr Betts,

**RE: SSD-9691 ORICA SOUTHLANDS WAREHOUSE ESTATE**

Thank you for the opportunity to comment on State Significant development (SSD) application for a warehouse and distribution facility at 28 McPherson Street, Banksmeadow in the Bayside Local Government Area (LGA).

Council has reviewed the Environmental Impact Statement (EIS) that has been prepared by Keylan Consulting Pty Ltd (Keylan) on behalf of Orica Australia Pty Ltd to support this State Significant Development (SSD) application for the Warehouse and Distribution Facility.

This submission raises a number of issues and concerns regarding this development application that Council would like to see considered as part of this assessment and any subsequent consent.

**1. Whether the proposed development will compromise the functionality of the existing flood detention basin and increase the flooding risk in the area**

Council understands that the subject site is part of the approved Southland Development Project site (SSD 06-0191). In 2012, under relevant modifications, the Southlands Remediation and Redevelopment project was approved by the then NSW Minister for Planning in which the subject site was identified as a portion of a compensatory flood basin across the site and defined as Lot 9 DP 1205673. The site was assigned as compensatory flood storage for the adjacent warehouse development as this area of Banksmeadow is classified as flood prone land. This required the removal of fill material to create the new flood basin profile to meet the designated volume, and perform the proper function, of a compensatory flood storage facility to offset the storm water impacts of the adjacent warehouse development. To date Lot 9 DP 1205673 has not been developed as it is subject to restrictions on title allowing future development subject to the flood storage being maintained. Council is concerned that the construction of the proposed suspended concrete platform may compromise the required flood basin profile such that it will not meet the designated volume and function of the flood detention basin as mandated in the 2012 approval.

In particular, from reviewing the proposed plans of the development, the ramps to the raised concrete platform and the piles supporting the platform will be at grade. Council is concerned at the flooding implications of these at grade structures which would reduce the storage capacity of the flood detention basin and may also have an impact on the predicted flow of floodwaters.

Council notes that the majority of the flood modelling locations for the proposed development are shown around the perimeter of the site and only one is located in the centre of the site where the flood levels are deepest. Council queries the adequacy of the modelling in relation to the impact on the existing peak water depths and velocities at the site and in relation to the criteria for the extent of the surrounding area that will be impacted by flooding as a result of the proposed development.

**2. Whether the suspended concrete platform over the existing site will result in a loss of open space and existing native habitat and associated biodiversity**

A condition of the development consent for the Southlands development required a Landscape Management Plan to be developed in 2013. This Landscape Plan specified and directed the planting of the designated flood basin in the subject site, and its perimeters, to be undertaken with appropriate local native plant species. The proposed development will detrimentally affect vegetation established in the detention basin under this Landscape Management Plan with a significant proportion quite likely to die. This will necessitate an equivalent or larger area of compensatory habitat to be established on the site to counteract this potential loss. This compensatory habitat should comprise deep soil plantings where trees can be established. Approval for the proposed development should only be granted if appropriate controls are established for compensatory wider front, side and rear setbacks to increase the permeability of the site. Furthermore, this permeability should be commensurate with the flood volumes and functions designated in the 2012 approval as discussed in point 1 above.

**3. What traffic impacts the development will have on the local road network from the proposed development**

Council recommends that a detailed construction traffic management plan (CTMP) be developed for the proposed development. The CTMP must provide designated travel routes for all construction vehicles. The designated travel routes must use designated state roads, Botany Road and Foreshore Drive, for movements to and from the site. There must be no use of local residential streets by construction vehicles.

**4. Other design considerations**

Design of development above existing vegetated flood detention basin area should ensure no adverse impacts on stormwater quality through incorporation of appropriate stormwater quality control measures during construction and following construction.

Design of the required vapour mitigation measures for the proposed buildings/structures should be reviewed by the Site Auditor to ensure that any vapours from the contaminated groundwater under the subject site, and in the adjacent Springvale drain, do not pose a risk to future workers or visitors.

The design for the warehouses should also include the use of recycled water on site for non-potable uses from storm water harvesting and onsite rainwater tanks to reduce loads on existing stormwater systems.

Buildings should also be designed to maximise the benefits of solar energy through appropriate orientation and installation of photovoltaic panels to offset energy use for the warehouse facilities. Council understands that Orica's intention (as publicly stated in their community newsletter dated December 2018) is to sell the land with the development approved and that they do not plan to implement the development - that will be done by future purchaser(s). Council recommends that any ongoing obligations and requirements be specified in the conditions of consent and an 88B instrument on the land title to ensure they are adhered to by any future landowners.

If you have any questions regarding the above content please contact Bronwyn Englaro, Senior Sustainability Officer on 02 9093 6796.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'A. Bright', with a stylized, cursive script.

Alan Bright

**Manager Strategic Planning**