



Our ref: DOC19/771366-1

Your ref: SSD 9827

Adrien Lalchere

23 September 2019

Planning Officer, Key Sites Assessments
Planning and Assessment Division
Department of Planning Industry and Environment
adrien.lalchere@planning.nsw.gov.au

Dear Mr Lalchere

**Biodiversity and Conservation Division Review of Environmental Impact Statement –
Horizon at Lee 5 Mixed Use Development (SSD 9827)**

I refer to your correspondence dated 5 September to Biodiversity and Conservation Division of the Department of Planning, Industry and Environment, inviting comments on the Environmental Impact Statement for Horizon at Lee 5 Mixed Use Development (SSD 9827).

We have reviewed the Environmental Impact Statement, including relevant appendices, annexures, attachments and parts of the document titled '*Environmental Impact Statement, Horizon at Lee 5 Mixed Use Development*' (prepared by ADW Johnson and dated 19 September 2019). We note that a biodiversity development assessment report waiver was issued for the project on 13 May 2019 and no further biodiversity assessment was required.

Please note that no comments on Aboriginal cultural heritage have been provided at this time. Aboriginal cultural heritage matters may still need to be considered by the consent authority.

Flooding and coastal management recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Steven Cox, Senior Team Leader Planning, on 4927 3140 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sonya Errington'.

SONYA ERRINGTON
Director Hunter Central Coast Branch
Biodiversity and Conservation Division

Enclosure: Attachments A and B

Horizon at Lee 5 Mixed Use Development– Environmental Impact Statement

Biodiversity and Conservation Division recommends that the proponent:

1. Demonstrates that the underground car park can be safely evacuated during an extreme flood event.
2. Demonstrates that flood egress routes, from the public retail areas to the on-site flood refuge, are fail safe, plainly evident and self-directing.
3. Assess coastal hazards over the life of the development, particularly with regard to coastal and tidal inundation taking into account the effects of climate change.

Biodiversity and Conservation Division's detailed comments

Horizon at Lee 5 Mixed Use Development– Environmental Impact Statement

Flooding and flood risk

1. The information provided is insufficient to adequately assess the egress from the underground carpark to the flood refuge

The Flood Risk and Impact Assessment (Northrop 2018) does not address the flood risks in the underground carparks. During rare flood events, the carparks will be inundated and extremely hazardous. People trapped in the carpark will need to evacuate via internal stairwells. However, there is the potential that people will not be able to access the stairs if the stairway doors are locked or if there is a significant build-up of hydrostatic pressure against the doors. No information has been provided on how this risk will be managed.

Recommendation 1

The proponent demonstrate that the underground car park can be safely evacuated during an extreme flood event.

2. The information provided is insufficient for BCD to adequately assess if people can safely evacuate from the isolated retail building

A flood emergency response plan has not been provided that shows suitable flood egress routes to access flood-free refuge areas. The Honeysuckle Redevelopment Area Flood Study (BMT, March 2018) shows that during very rare and extreme events all three towers are surrounded by high hazard floodways. During these events occupants of the public retail areas will need to evacuate vertically and seek flood refuge in the residential areas. However, security doors will typically prevent public access to the residential areas. Insufficient information has been provided to assess if flood egress routes will allow public access to the flood-free refuge areas.

Recommendation 2

The proponent demonstrates that flood egress routes, from the public retail areas to the on-site flood refuge, are fail safe, plainly evident and self-directing.

Coastal Management

3. The information provided is not sufficient to adequately consider increased risk of coastal hazards.

Section 5.8.6 of the EIS does not address the potential increased risk resulting from an increase in development intensity within the coastal zone, particularly with regard to potential coastal and tidal inundation of the site. The *Coastal Management Act 2016* provides Object (f) being “to mitigate current and future risks from coastal hazards, taking into account the effects of climate change”. Given the proximity of the site to the Hunter River, the EIS should give appropriate consideration to the coastal hazards of coastal inundation and tidal inundation taking into account the effects of climate change over the design life of the development. No information has been provided on how this potential risk will be addressed or managed into the future.

Recommendation 3

The proponent assess coastal hazards over the life of the development, particularly with regard to coastal and tidal inundation taking into account the effects of climate change.