



Catriona Shirley  
Senior Environmental Assessment Officer  
Industry Assessments  
Department of Planning and Environment

26 May 2023

**Ref No:** DA/66/2023

Dear Sir/Madam,

**RE: 42 RAYMOND AVENUE MATRAVILLE SSD 31552370 MOD 2 APPLICATION**

Thank you for the opportunity to comment on the Modification 2 application (PAE 57920976). Please find Randwick Council's comments on the design reconfiguration, and contamination and landscape amendments of the proposal as contained in the Modification 2 documentation.

**Modification for building design**

Council notes that Modification 2 involves reconfiguration of the originally approved design to facilitate 12.5m heavy rigid trucks to reverse into and sit entirely within the designated warehouse unit. Council notes from the amended traffic report that the modification also provides for redesign of ramp gradients to allow for vehicles up to 20m to access the common loading docks on Level 1 of the proposed development. Council is concerned that longer vehicles like B double vehicles which are over 25 metres long may attempt to use the ramps which are not designed to cater for vehicles of this length.

**Recommendation:** Any consent granted to Modification 2 should include a condition requiring the provision of clear signage in the complex, and specific provisions in all lease agreements, prohibiting B double vehicles from accessing vehicle ramps and Level 1 tenancies in the complex.

**Noise implications form design modifications**

Council notes that the modification will involve significant changes in the way vehicles access and unload within the facility. Council is concerned that these changes may affect the noise modelling which has been completed for the originally approved proposal. Council is of the opinion that the acoustic report and impacts must be thoroughly revised by the acoustic consultant, and should include, but not be limited to:

- The loading and unloading of trucks at all four warehouse tenancies at any given time.
- Reversing of trucks (max trucks on site) at any given time.
- Idling of trucks (max trucks on site) at any given time.
- Acoustic impacts to nearby residential receivers during 24/7 operations.

**Recommendation:** Acoustic modelling for the project should be updated in line with modified design and access provisions under the current Modification 2.

## Landscaping changes

Council notes that the proposed tree planting of Casuarina trees along north-western site boundary is to be removed and replaced with grasses and groundcover to, among other things, satisfy contamination and remediation findings in the Remedial Action Plan (RAP) for the site. However, the JBS Contamination report provided in Appendix E states that the planting of trees in remediated areas is acceptable, indicating as follows (with added emphasis):

*The plans for the approved SSD-31552370 redevelopment include a requirement for new trees to be planted at the southern end of the western site boundary. This area of new trees overlaps with areas known to contain asbestos in soil (both at the surface and at depth) and known fuel impacts in soil and groundwater ... As such, any new trees for this area, cannot be placed within the existing fill/soils and **will need to be planted in a growing zone of validated and imported fill which is no less than 1.5m thick. This growing zone may be placed as a new layer above the existing soil profile or placed by excavating a minimum of 1.5m of soil in this area for reinstatement with validated imported fill.***

Council understands that fill to a thickness of 1.5m is being brought into the site to raise the levels across the entire site to meet flooding planning levels and remedial contamination capping. This was observed to be occurring during a site visit conducted approximately two weeks ago. Accordingly, the importation of fill will allow for adequate and acceptable soil levels for the originally proposed tree planting to remain along the western boundary.

Council notes that the subject removal of the tree planting along north-western site boundary will result in a reduction in total canopy cover from 2,187m<sup>2</sup> to 1,883.7m<sup>2</sup>. Given the low canopy cover on the site and within the wider industrial precinct, Council regards the loss in tree canopy as significant especially in the context of the 40% tree canopy target for Greater Sydney by 2036 set by the Premier's Greening Our Cities Priority.

**Recommendation:** As soil fill will be brought into the site to meet a new site level, in line with flooding prevention and site remediation capping requirements, tree planting along the western boundary be maintained to increase tree canopy provision. Council strongly requests that the proposed removal of tree planting from the western boundary be reconsidered given that appropriate soil fill can be placed in this location as a designated growing zone provided under the contamination assessment.

### Ongoing implications from the Remedial Action Plan (RAP)

The RAP confirms that impacts from the underground petroleum storage systems have been remediated to the extent feasible, but residual impacts are still likely to be present due to the proximity of the Sydney Water drainage channel. To deal with this, the RAP proposes retaining the existing ground slabs to cap asbestos-impacted soils within the proposed new building's footprint and importing validated fill material to achieve the necessary construction levels above these slabs.

The RAP and Environmental Management Plan (EMP) recommend that hazardous materials such as asbestos and fuel contamination in the soil and groundwater be left in situ and capped with imported validated soil fill. Once the site remediation works are completed, a Site Audit Statement and Summary Site Audit Report must be submitted to the Council. These documents should verify that the land has been remediated; that the site is appropriate for the intended development, and that it meets the relevant criteria in the National Environment Protection Measures (NEPM) 1999 (as amended 2013).

Any requirements stipulated in the EMP, which forms part of the Site Audit Statement (SAS) and Site Audit Report, must be implemented. Accordingly, the proposed works under Modification 2 must be consistent with the provisions of the RAP and EMP.

**Recommendation:** Prior to developing the EMP, the Council must be consulted, and any feedback provided by the Council should be taken into account before finalising the EMP. Furthermore, details of the SAS and EMP, including the capping and containment of contaminated land, should be included as a restriction on the Certificate of Title for the subject land under the provisions of section

88 of the Conveyancing Act 1919. All requirements of the RAP and EMP should be complied with in any implementation of the works proposed in Modification 2.

### **New ground level impacts on Flooding**

Council understands that to meet the contamination requirements under the RAP, ground levels across the full extent of the site will be raised prior to construction of any new buildings including those proposed under Modification 2. It is noted that ground levels across site are currently 1.0 to 1.5m higher than ground levels surveyed in previous investigations in line with the requirements of the RAP.

Council is concerned that no updated flood modelling details have been provided with this Modification 2 application indicating how the raised site level will affect the flood modelling that has already been completed for the site under the original consent. Council notes that updated flood modelling details were also absent from the previous Modification 1 application.

**Recommendation:** Flood modelling should be updated to reflect new ground levels across the site as required by the remediation strategy. An updated flooding report should be provided with the current Modification 2 application to determine any potential impact on adjacent premises and on Raymond Street especially given that flooding periodically occurs on Raymond Street. Council is already aware of this flooding which is also raised and discussed in the original EIS document.

### **Sydney Water Sewer easement**

Appendix E of the Modification 2 application comprising the JBS Contamination Report notes the following:

*Along the western boundary a 4 m wide footing slab will be constructed on top of screw piles. A retaining wall (approximately 1.8 m height) will be constructed on top of the footing slab, followed by a surface concrete slab. This will contain a new sewer easement. Between the retaining wall and the site boundary there is 1.7 m wide strip which requires geofabric and mulch on the surface.*

Council has reviewed the March 2022 EIS and notes that there is no mention of the proposed Sydney Water easement in the document and how this new infrastructure is likely to be installed and maintained given the restrictions and contamination status of the 42 Raymond Avenue site and the adjacent heritage listed canal.

**Recommendation:** Council would like to see confirmation from Sydney Water of their site requirements for the installation and access to the easement on the adjacent land prior to any approval being granted to Modification 2.

### **Management of the Site post construction**

Given the added site gradient and truck access complexities arising from the Modification 2 proposal, and the potential for further Modifications that may affect the four separate tenancies on the site, there will be a need to effectively manage the future complex so as to minimise potential conflict between tenancies and with adjacent residents.

To address likely management issues, it is essential to create a detailed Plan of Management for the site and warehouse operators, including the appointment of a Manager/Caretaker given the 24/7 operations approved for the complex. Warehouse operators must agree to comply with the Plan of Management by signing a lease or license and collectively fund the Manager/Caretaker on-site. The Manager/Caretaker should be responsible for various duties, including, but not limited to, managing complaints, traffic control, reporting and attending to hazards/incidents, and ensuring compliance with Work Health and Safety (WHS) induction obligations.

**Recommendation:** That a Plan of Management for the operation of the facility be developed and approved as a condition of consent prior to occupation of the facility.

If you have any questions regarding Council's submission please contact Council's Coordinator Strategic Planning, David Ongkili, on 9093 6793 or email [David.ongkili@randwick.nsw.gov.au](mailto:David.ongkili@randwick.nsw.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stella Agagiotis', written in a cursive style.

**Stella Agagiotis**

Manager Strategic Planning

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